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<http://5tjt.com/the-mitzvah-of-eating-on-erev-yom-kippur/>

The Mitzvah of Eating on Erev Yom Kippur

By Rabbi Yair Hoffman

THE MITZVAH

The Shulchan Aruch (OC 604:1) rules that there is a Torah Mitzvah on Erev Yom Kippur to do the following three things: eat, drink, and have a festive food-filled meal. Women also are obligated in this Mitzvah, although some Achronim (e.g. Rabbi Akiva Eiger, the Rashash) expressed doubt about this point. Rabbeinu Yonah (Shaarei Teshuvah 4:9) indicates that this meal should be served and eaten exactly as one would eat a Shabbos or Yom Tov meal. Although the Shla writes that Lechem Mishna should be used, the custom is not to require it.

THE REASONS

Rashi (Rosh Hashana 9a) explains that the reason for this Torah Mitzvah is on account of Hashem's love for us. He commanded this Mitzvah to His children so that we would be able to tolerate the fasting. Rabbeinu Yonah (Shaarei Teshuvah 4:10) explains that it is so that we can better focus on our prayers and on how we can do Teshuvah. Indeed, the Gemorah in Brachos (8a) instructs us that we should limit our learning slightly on this day in order to fulfill the Mitzvah of eating.

THE NIGHT BEFORE

Most authorities hold that there is no Mitzvah of eating on the night prior to Yom Kippur. The Shla HaKadosh, however, did write to eat the night before as well. There is a concept known as zrizim makdimim l'mitzvos that those who are alacrity – rush to do Mitzvos. This is derived in the Gemorah in Psachim (4a) from the fact that Avrohom arose early in the morning to do the Mitzvah of Bris Milah. Rav Shlomo Kluger (Shnos Chaim #64) writes that one should therefore eat the first meal very early. On the other hand, the Chsam Sofer went to the Mikvah on Erev Yom Kippur prior to the first Seudah. Both the Otzar HaTfilos Siddur and the Yesod v'Shoresh HaAvodah siddur have a 'l'shaim yichud" to be recited before the seudah. They also write to recite the pasuk of Vayehi Noam.

MUST ONE WASH ON BREAD FOR THE SEUDAH?

There is a debate among the Poskim as to whether there is an obligation to wash on bread for the seudos of the day. The Sdei Chemed (1 Os Hay) writes that one is obligated as does Rav Eliyahu Pinchas HaCohen of Reina (Elef HaMagain 604:42). The Minchas Chinuch (Mitzvah #313) is unsure. Others are lenient.

May we all have a meaningful fast.

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From Vayelech - Yom Kippur

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The Minhag of Kapparot by Rabbi Chaim Jachter

The Minhag of Kapparot has a very interesting history. There is no mention of this practice in the Gemara or the Rambam. The Geonim and Rishonim penned mixed reviews of the practice - some opposed it, but many heartily endorsed it. By the time of the early Acharonim both Ashkenazic and Sephardic Jews had accepted the practice. The later Acharonim do not express opposition to the practice but expressed some very serious reservations about its implementation. In this essay we will trace the development of this Minhag and try to understand its significance for Yom Kippur.

Geonim and Rishonim Rashi to Shabbat 81b (s.v. Hai Parpisa) cites a fascinating practice from the Teshuvot Hageonim. We make small palm leaf baskets and we fill the basket with dirt and fertilizer twenty-two or fifteen days before Rosh Hashana for each boy and girl in the house. We plant in these baskets either an Egyptian bean or a type of legume. On Erev Rosh Hashana everyone takes his plant and swings it around his head seven times and states 'this is instead of this, this is my replacement, this is my exchange' and then we throw the plant into the river.

The Rosh (Yoma 8:23), the Mordechai (at the beginning of his notes to Masechet Yoma), and the Tur (Orach Chaim 605) record this practice with approval. They, however, mention that the usual practice is to take a chicken

and slaughter it. They also note that the ritual is performed on Erev Yom Kippur. The Rosh explains that the Gemara sometimes refers to a chicken as a Gever (see Yoma 20b), which also means man. Thus, a chicken is an appropriate substitute for man. He also offers a pragmatic explanation: that chickens are readily available and less expensive than larger animals such as a ram.

The Chayei Adam (144:4) and Mishna Berura (605:2) explain that the idea of Kapparot is modeled after the idea of a Korban, as explained by the Ramban (Vayikra 1:9). The Ramban writes that fundamentally the individual who sinned deserves to have his life taken as punishment for violating Hashem's Law. However, Hashem in His mercy permits us to substitute an animal. When presenting a Korban, one should feel that his blood deserves to be spilled and that his body deserves to be burned, had it not been for Hashem's merciful permission to offer a Korban as a substitute. Thus, offering a Korban constitutes a reenactment of Akeidah Yitzchak. Similarly, the Chayei Adam and Mishna Berura write that during the Kapparot ritual, one should contemplate that one deserves to be slaughtered just as the Kapparot chicken is slaughtered and that the chicken is a substitute. See Kaf Hachaim (605:10) for other explanations for Kapparot.

On the other hand, the Bait Yosef (O.C. 605 s.v. Yeish Mekomot) cites the Rashba (Teshuvot 395) who opposes the practice of Kapparot. The Rashba worked hard to successfully convince the people in his area (thirteenth century Barcelona, Spain) to cease practicing Kapparot. He believes that this practice smacks of Darchei Emori (illicit magic). The Rashba does, however, acknowledge that all of the Ashkenazic rabbis of his time practiced Kapparot and that the practice is recorded in the writings of Rav Hai Gaon. Nevertheless, he sustains his opposition to this practice. The Bait Yosef cites that the Ramban (the Rebbe of the Rashba) also opposed the practice of Kapparot because it resembles Darchei Emori.

Shulchan Aruch and Acharonim Accordingly, during the time of the Rishonim, Ashkenazic Jews practiced the Minhag of Kapparot, and two great Sephardic authorities (Ramban and Rashba) opposed this practice. The Ramban expresses his opposition to this practice by not mentioning it in his Mishna Torah. Thus, it is not surprising that the Shulchan Aruch (O.C. 605) opposes the practice of Kapparot. However, the Rama (ibid.) notes that this practice is recorded as early as the Geonic period and is the accepted practice in all Ashkenazic communities. The Rama regards the practice as a Minhag Vatikin, a venerated practice that one must not neglect. The practice recorded in the Rama is to slaughter a chicken for every family member.

The Ben Ish Chai (Parshat Vayelech 2), Kaf Hachaim (605:8), and Rav Ovadia Yosef (Teshuvot Yechaveh Daat 2:71) record that Sephardic Jews have adopted this custom despite the opposition of Rav Yosef Karo, the author of the Shulchan Aruch. An explanation for this change is that the Ari zt"l enthusiastically embraced this practice (as noted by the Magen Avraham 605:1) based on his Kabbalistic approach. The Ari zt"l has an enormous impact on Sephardic practice in a wide variety of areas.

The Shechita Problem and the Money Alternative Despite the fact that the Rama wholeheartedly endorses the practice of Kapparot, all of the major nineteenth and early twentieth century codes (Chayei Adam (144:4), Kaf Hachaim (605:11), Mishna Berura (605:2), and Aruch Hashulchan (O.C. 605:3)) all raised the following procedural concern. They note that the masses are particularly enthusiastic about this practice (too enthusiastic, in the opinion of the Aruch Hashulchan) and that there is nearly universal participation in this Minhag. Thus, enormous pressure is placed on the Shochtim (ritual slaughterers) to slaughter at a very fast pace because they must slaughter a chicken for every member of the community on Erev Yom Kippur. This, in turn, triggers concern for the integrity of the Shechita process. The knife that is used for slaughtering must be meticulously examined to ascertain that there are absolutely no nicks in the knife. The Chayei Adam and Mishna Berura express concern that an overworked and overburdened Shochet may not notice a subtle nick in the knife. Rav Ovadia Yosef reports that when the local rabbis inspect the knives of the Shochtim

involved in slaughtering chickens for Kapparot purposes, they have often discovered nicks in the knives. The Aruch Hashulchan expresses concern that there will not be sufficient time to inspect for Teraifot in the animal. These authorities are horrified by the fact that observance of this Minhag leads to violation of Torah level prohibitions!

Thus the Acharonim suggest two solutions to this problem. The Mishna Berura cites the Pri Megadim who rules that Kapparot may be performed throughout the Aseret Yemai Teshuva. Indeed, Rashi records that this ritual is performed on Erev Rosh Hashanah. Accordingly, the Mishna Berura suggests that Kapparot be performed a day or two before Erev Yom Kippur to relieve the stress on the Shochtim. Rav Ovadia Yosef writes that Kapparot may be performed throughout the entire Aseret Yemai Teshuva. The Chayei Adam, Kaf Hachaim, and Mishna Berura all suggest that Kapparot may be performed on money to relieve the pressure on the Shochtim.

The Chayei Adam notes that the Minhag did not originally involve slaughtering a chicken, as we have seen from the aforementioned quote from Rashi commenting on Shabbat 81b. Thus, swinging money around one's head, reciting that the money should be the substitute, and donating the money to charity is a viable alternative to Kapparot performed with a chicken. This is the reason why many families practice Kapparot using money. In our communities in this country, performing Kapparot with chickens is not very popular for a variety of reasons, and the concerns expressed by the various Acharonim do not appear to be relevant. Thus, many people have returned to the practice of performing Kapparot with chickens, instead of only using money.

Two Observations The problem of overburdened Shochtim was a year round problem of enormous proportions in the United States in the first half of the twentieth century. The owners of the kosher slaughterhouses terribly abused the Shochtim. This not only made the lives of the Shochtim miserable (some Shochtim even had to walk to the slaughterhouse late on Shabbat afternoon, so that they could start Shechita immediately after Shabbat finished!), but it also called into question the validity of the Shechita. Only through the courageous battles waged by Rabbanim such as Rav Yosef Dov Soloveitchik and Rav Pinchas Teitz against these abuses did the situation improve. The recently published biographies of Rav Soloveitchik and Rav Teitz recount these battles in detail.

The Aruch Hashulchan bemoans the fact that the masses are devoted to it (the practice of Kapparot) as they are to the Mitzva of Etrog if not more. The Aruch Hashulchan writes that he seeks to cool this passion somewhat because it leads to violations of Torah laws. This comment underscores the attitude that we should have towards Minhagim. It is vitally important for one to follow the Minhagim of his community and family. However, it is also important to maintain perspective. One should understand what practices are required by Torah law, which by rabbinical law, and which practices are merely a custom. Failure to do so can lead to negative consequences as we see in the context of Kapparot. When there is a conflict between a Torah law and a custom, the Torah law has priority. Even rabbinic law has priority over a custom in a situation of conflict.

Conclusion Both Ashkenazic and Sephardic Jews should observe the custom of Kapparot, preferably in the traditional manner outlined by the Rama. One may conjecture that the root of this custom is our desire to offer Korbanot, especially on Yom Kippur. In the painful absence of the Avodat Bait Hamikdash, the Jewish soul pines for an experience that even slightly resembles the experience of offering a Korban in the Bait Hamikdash. We should note that the Spanish Portuguese Jewish community does not practice Kapparot, in accordance with the ruling of the Shulchan Aruch.

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Hamaayan - Yom Kippur
by Shlomo Katz

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R’ Moshe ben Yosef Mi’Trani z”l (the “Mabit”; Tzefat, Eretz Yisrael; 16th century) writes: We have searched for a definition of teshuvah [literally, “return”], and we have found the following to be correct and comprehensive: Teshuvah is coming close to Hashem after having distanced oneself from Him by sinning.

He continues: By “coming close,” I mean that the penitent’s intent should be to approach closer to his Creator, from Whom he distanced himself by going against His Will. The penitent’s intention should not be to avoid punishment, for that intention does not bring a person close to Hashem. In truth, one who has sinned has done two wrongs: he has wronged himself by causing himself to be punished, but, worse than that, he has angered his Creator by going against His Will. This may be understood, Mabit writes, by thinking of a human king who is pained by the mere fact that someone violates his command, even though he may not punish the violator if it is his son or close friend. Therefore, one who wants to return must right two wrongs. As long as the penitent does not intend to appease Hashem’s anger, he has not “returned,” since he has not re-established the relationship that existed before the sin.

Mabit continues: “Coming close” means resolving that even if G-d would not punish those who sin, one would not want to sin so as not to transgress the command of the Creator. If one thinks this way, Hashem assists him to purify himself of his sin. This assistance means that Hashem directs a person’s heart and sets him on the path toward return--He spreads over the person “His sukkah of peace”--as soon as the person feels remorse for what he did. (Bet Elokim: Sha’ar Ha’teshuvah ch.1)

“Ashamnu, bagadnu / We have become guilty, we have betrayed . . .” (From the vidui / confession)

Why do we recite the vidui using plural forms?

R’ Aharon David Goldberg shlita (rosh yeshiva of the Telshe Yeshiva in Cleveland) offers the following explanation:

R’ Moshe Cordovero z”l (Remak; Tzefat, Eretz Yisrael; 1522-1570) writes in Tomer Devorah (ch.1) that the souls of all Jews are bound together in such a way that the spiritual power of any gathering is greater than the sum of the powers of each individual. This is why the Midrash Sifra teaches that there is greater meaning to a mitzvah done by many than to a mitzvah done by one.

This fact is also the explanation behind the well-known expression, “Kol Yisrael areivim zeh la’zeh,” commonly translated, “All Jews are responsible for one another.” [In halachah, this is the reason that one person can recite kiddush or another berachah for someone else.] Remak explains that this statement actually means that a part of every Jew is within every other Jew. Our souls are bound to the souls of every other Jew such that we are all one. It follows, writes Remak, that one who sins damages not only his own soul, but also the part of his soul that belongs to each other Jew.

In light of the above, R’ Goldberg writes: The Mishnah (Rosh Hashanah 16a) teaches that G-d judges every person on Rosh Hashanah, and it cites the verse (Tehilim 33:15), “He fashions their hearts together, He comprehends all their deeds.” By citing this verse, the Mishnah is teaching that when G-d judges man on Rosh Hashanah, He looks at “their hearts together” and “comprehends all their deeds.” When Hashem looks at how we have grown or fallen during the past year, He takes into account the influence of each other Jew’s soul on the souls of each of us. This, too, may explain why we recite the vidui in plural.

What practical lesson can we draw from the above?

Remak writes that the knowledge that our souls are all connected should cause us to always seek what is best for others. Likewise, every other person’s honor should be as dear to us as our own honor because, in Remak’s words, “One person is, literally, the same person as the other person.” If we feel this way, we will always judge others favorably and never speak ill of another person.

In addition, writes R’ Goldberg, this understanding highlights the power of every good deed we do, i.e., that a good deed has the potential to positively impact the soul of every Jew. (Tomer Devorah with the commentary V’halachta B’derachav)

On the Importance of Appeasing Those We Have Hurt

Our Sages teach that one cannot achieve atonement unless he appeases those against whom he has sinned. Some say that one cannot achieve atonement even for his sins against G-d unless he has properly atoned for his sins against man, and received forgiveness. (Kaf Hachaim 606:3)

Why? Because atoning for only some sins is like immersing only part of one’s body in a mikveh. Obviously, one does not attain purity by doing so. (Mussar Hamishnah)

R’ Avraham Halevi Horowitz z”l (16th century; father of the Shelah Hakadosh) observes:

The obligation to ask forgiveness from those we have offended does not mean doing what is commonly done, i.e., that shortly before Kol Nidrei, one approaches his friends and asks their forgiveness. Inevitably, the friend responds, “You didn’t do anything for which I have to forgive you.” Then, these two friends forgive each other, something that was not necessary at all, since they were always dear to each other and would never wish each other harm.

In contrast, R’ Horowitz continues, enemies tend not to ask forgiveness from each other. Rather, each one says, “If he were interested in peace, he would come to me.” A wise man, however, would recognize that the true sign of strength is humility, and he would take the initiative to appease his enemy, even if his enemy is in the wrong. (Emek Berachah)

R’ Shlomo Zalman Auerbach z”l writes: Requesting general forgiveness for all sins that one has committed against another is effective only for minor offenses. [If one committed a more serious offense, he must specify it when he requests forgiveness.](Quoted in Halichot Shlomo: Moadim p.44)

If one who has sinned against you does not come to you to seek forgiveness, you should make yourself available to him so that he might ask forgiveness. (Mateh Ephraim)

Because Yom Kippur does not atone until one appeases his neighbor, one should be certain to recite the following prayer (part of Tefilah Zakkah) which is printed in many machzorim:

“I extend complete forgiveness to everyone who has sinned against me, whether physically or financially, or who has gossiped about me or even slandered me; so, too, anyone who has injured me, whether physically or financially, and for any sins between man and his neighbor--except for money that I wish to claim and that I can recover in accordance with halachah, and except for someone who sins against me and says, ‘I will sin against him and he will forgive me’--except for these, I grant complete forgiveness, and may no person be punished on my account.

“And just as I forgive everyone, so may You grant me favor in every person’s eyes so that he will grant me complete forgiveness.”

The Yovel Year

Every fiftieth year on the Jewish calendar is a Yovel / Jubilee year. Today, we have lost count of when the Yovel falls, but we do know that it is the year after a shemittah year, as this year is. The following is based on Rambam z”l, Hilchot Shemittah V’yovel, ch.10:

There is a mitzvah aseï / an affirmative commandment to count seven cycles of seven years and to sanctify the fiftieth year, as it is written (Vayikra 25:8-10), “You shall count for yourself seven cycles of sabbatical years . . . You

shall sanctify the fiftieth year.” These two commandments, counting and sanctifying, are responsibilities of bet din alone, not of any individual.

The first cycle of 50 years began after Eretz Yisrael was conquered and settled, which was 14 years after Yehoshua and Bnei Yisrael first entered the Land. Thus, the first Yovel was 64 years after Bnei Yisrael entered Eretz Yisrael. When the tribes of Reuven and Gad and half the tribe of Menashe were exiled from Eretz Yisrael approximately 700 years later, or approximately 2,500 years ago, the Yovel ceased to be observed and has not been observed since.

There is a mitzvah to blow the shofar on the tenth of Tishrei (Yom Kippur) of the Yovel year. This mitzvah is incumbent on bet din first, but also on every Jew. The shofar is blown on Yom Kippur of the Yovel exactly as it is blown on Rosh Hashanah.

When the Yovel was observed, Jewish slaves would go free and purchased real estate would be returned to its hereditary owners (or otherwise disposed of, as specified in the Torah for each type of property). Also, when the yovel was observed, the laws of shemittah applied according to Torah law, unlike now, when they apply only by rabbinic ordinance.

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To Become Like Angels.

by Rabbi Eytan Feiner

On Yom Kippur we can taste spiritual perfection by relinquishing our innate ability to choose as we attempt to blend our own will with that of God’s.

Emphasizing the contrast between the titles of the oft-adjointing Torah portions of “Nitzavim” and “Vayeilech,” Rabbi Yaakov Katina remarks that the Jewish people are regarded as “nitzavim,” standing in one place and stagnant, while Moses is described as “va’yeilech,” walking, moving along — an allusion to his perpetual movement and continuous growth. Moses was constantly on a path of endless striving to attain yet loftier spiritual heights, while the people he was leading were, at times, blithely indifferent to altering their status quo. It was their indifference to change that the Torah wants to now highlight as it contrasts their attitude with that of Moses.

We must inculcate that all-important lesson of continuous spiritual ascent from Moses, our teacher. If we become overly smug and satisfied with our current levels of spiritual attainment — albeit praiseworthy accomplishments in their own right — then we have lost an essential component of our innate Jewish nature. We have stopped craving endlessly to get yet closer to God who beckons us to always keep striding upwards on the crucial ladder of spirituality — to become ever holier as life progresses. God instructs us “Kedoshim ti’hiyu - you shall become holy” (Lev. 19:2), using the future tense to teach that we must always yearn to become more holy.

What happens if we reach a high plateau and simply opt to coast along status quo? Even a Moses must endlessly strive just in order to avoid an otherwise inevitable descent. Once we slack off in our upward climb, then, automatically, we will begin falling because of the ubiquitous presence of the evil inclination hovering around us. There is simply no such thing as “just staying put,” no concept at all of being content with merely maintaining the status quo.

The Never-ending Tests of Abraham

Years before Moses stepped up to the stage, Abraham already taught us this monumental lesson in life. Let’s rewind to the narrative of the binding of Isaac on the altar. Abraham’s final test has arrived, the apex of a challenging spiritual career, and God’s angels are all lined up to see if mortal man is truly capable of surmounting this grueling hurdle. Indeed he is, and Abraham passes with flying colors. As we sit back anticipating his surely magnificent reward, we wait out the week before turning the page to the next Torah portion. The page is finally turned to reveal — WHAT?! “And Sarah’s lifetime was one hundred...” (Genesis, 23:1). This is his just reward? The

saintly prophetess, his beloved wife of so many years, meets her demise as a result of Abraham’s final test?

And the story is not yet done. Quick on the heels of Sarah’s death, Abraham undergoes another ordeal — one that also included parting with an exorbitant sum of money — just to secure for his wife the appropriate burial ground. Has he not just passed all of his ten quite difficult tests? We surely thought so. This is all definitely not what we were expecting...

The answer, of course, is that his tests are indeed not yet over. They never will be. Life is not about passing a designated number of trials to thereby earn a retirement spent in tranquility. God was showing the world, through Abraham, that life is one constant struggle, one never-ending roller coaster of ups and downs, to test the individual and manifest the many strengths that lay dormant within his soul. Abraham never questioned God. He certainly did not sit back after passing his ten tests, after reaching such a lofty plateau, and expect to just maintain status quo for the duration of his life. The real test, he knew deep inside, was how he was going to react after the crucial series of ten came to a close.

Abraham knew that passing the ultimate test of life meant continuous uphill climbing just to ensure that he never stumble ever so slightly from the pinnacle he worked so hard to reach. This test, too — the most difficult of them all — he passes with flying colors, as he assures his place as the illustrious father of the Jewish nation. Living at ease in this world, wrapped warmly in an all-embracing blanket of equanimity, is simply not the course for the Jewish people.

The Inner Message of Salt

Unfortunately, one of Abraham’s relatives was unable to abandon a life of no upward spiritual growth and it cost her dearly. Sodom was deserving of complete destruction because of the depraved and utterly corrupt lifestyles of its inhabitants. There was no hope for a possible turnaround since the people of Sodom had no interest whatsoever in altering the status quo. In the merit of their righteous relative, however, Lot and his family are miraculously saved before the city crumbles in the engulfing flames. But Lot’s wife errs egregiously. She simply cannot restrain herself and glances back upon the city against the explicit command of her saviors. Her punishment? She is transformed into a pillar of salt.

Why specifically salt and why a pillar and not a “salt shaker,” are two questions Rabbi Moshe Eisemann (of Yeshivat Ner Yisroel) attempts to resolve.

Salt is a preservative, administered into food to preserve the freshness while simultaneously preventing bacteria and the like from entering. In other words, salt serves to maintain the status quo of the food. A pillar symbolizes the stagnant lifestyle, the desire to remain permanently idle, again echoing the same idea of preserving the status quo.

Lot’s wife could not tear herself away from the abhorrent lifestyle of Sodom. A lifestyle with no spiritual demands whatsoever, with no incentives for even a smidgen of personal growth, was a lifestyle that had caught her irrevocably in its strangling snare. Even with her life now on the line, she was simply unable to separate herself from her past. What more befitting a punishment, therefore, than being transformed into a motionless pillar, and specifically a pillar consisting totally of salt — a double emphasis on her desire to preserve things just the way they were.

The completely destroyed city of Sodom itself, we might add, would forever be replaced by abundant salt, serving perhaps as an apt reminder to the very essence of what that corrupt city was all about. And just as its inhabitants were never interested in growing, the ground of their now infertile city would never again be capable of growth as well.

The Forever Stagnant Angels

We have thus observed that among the myriad sins of the inhabitants of Sodom — of which Lot’s wife and family were a part — was their “nitzavim”-like way of life — staying stagnant. Themalachim, God’s heavenly angels, seem to epitomize this very idea. The celestial angels are described as being “nitzavim” and “omdim,” standing forever still (Zecharia, 3:7),

because they can never really change nor grow — they can never alter their status quo in any sense. There is no room for either upward or downward movement, no waxing and waning on the spiritual seesaw of life. Angels have no ability to exercise free will; they are merely robots in the service of carrying out God's will. How interesting, then, that the Hebrew word for salt - melach — and the Hebrew word for an angel - mal'ach - — sound so similar. They seem to share an essential aspect of their respective natures: the notion of status quo preservation.

The angels are thus described as possessing a single straight leg: "Vi'ragleihem regel yishara - and their legs are one straight leg" (Ezekiel 1:7). They do not move with their "legs" as do mortal men. They are classified as "nitzavim," — standing, while the righteous are regarded as "holchim," always on the move forward, always progressing onward towards perfection.

An angel of Esau is sent to harm Jacob, our Sages tell us, and, although vanquished, he still manages to inflict damage in one — and only one — unique area: Jacob's leg. The notorious angel of Esau was perhaps well aware that the advantage of Jacob lay in his being a perennial "holeich," mover, and to defeat him in battle meant dealing a blow specifically to his opponent's leg. Such an infirmity would symbolically demonstrate that he could lower Jacob temporarily to a status of a "nitzav," thereby casting aside Jacob's inherent advantage over angels. Transforming his opponent from a "holeich" to a "nitzav," from a mover and shaker to a stagnant individual, would thus bring Jacob down to the same playing field, leaving the angel his only chance for possible victory.

Journeying from "Holeich" to "Nitzav"

Although we strive to always be "holchim" and not "nitzavim," the commentary of the Malbim notes that when finally attaining a sense of spiritual completion, we too are then labeled as "omdim" and "nitzavim." After arduous work in striving constantly to yet greater heights, we will then, ultimately, reach a degree of completion that entitles us to be branded as a "nitzav." Only then could we be regarded as standing directly in front of God.

But now the term is suddenly a complimentary one? The difference is clear: Only when we get close enough to God as a result of our endless striving as "holchim," as continuous climbers up the mountain towards spiritual perfection, will we then be able to borrow the term used solely by His celestial court. This new title serves to highlight that we, too, can indeed attain such proximity that was previously thought possible only concerning the angels.

Standing Angel-like in Prayer

Even now, though, we can achieve a semblance of this level. Every single time we stand before God in prayer, we attempt to return to those feelings we captured when the Torah was given, a time when we felt incredibly close to our Creator, blending our own free will with His. The Talmud informs us that we must keep our feet together, in imitation of the "one straight foot" of the angels who cannot veer from the path God set for them, when standing before God in prayer (Brachot 10b).

In his work of collected insights on the prayer book, Rabbi Shimon Schwab quotes Rabbi Samson Raphael Hirsch who points out the following: When putting our feet together as one while standing in the silent Amidah service, we are expressing the thought that we are relinquishing our free will like the angels, and are thus offering ourselves as a sacrifice before God. In so doing, we have performed the single greatest act of our free choice — that of voluntarily relinquishing that choice to our God above.

Our journey along the path to spiritual perfection must begin with constantly being "holchim," continuously moving upward.

Yes, indeed, we can attain the highest of levels. But our journey along the path to spiritual perfection must begin with constantly being "holchim," continuously moving upward. After diligent work and tireless efforts in pursuit of endless striving towards personal spiritual completion, we can hopefully return permanently to those peaks we had reached at the most

momentous time in our history. We can one day be standing once again before God, in precious proximity to His divine presence. And never again fall from that wondrous precipice.

This is what we aim for annually, as the holy day of Yom Kippur arrives on the calendar soon after our Day of Judgment. In the course of our Amidah service, we can tap ever so slightly into this ecstasy of blending our own free will with that of God's on a daily basis. But we can actually try to live it fully for a day. For just one day a year, on the holy Day of Atonement. It is on Yom Kippur that we attempt to raise ourselves to the level of God's celestial court, to become like the subservient angels above. We abstain from the worldly pleasures that surround us — on such a day who even wants to eat? — as Yom Kippur sees us in denial of food and drink and other physical comforts and pleasures. We adorn ourselves in white and stand before God in holy prayer. All day long.

This is the monumental day when God assists us in achieving full atonement for our sins, in beginning a clean slate and starting anew in our quest for choosing correctly in life. We yearn for re-achieving purity and are given the opportunity to become like angels, to relinquish our innate ability to choose as we attempt to blend our own will with that of God's. Yes, we've got free will. But now is the time to will freely to subjugate our desires to those that God wishes for us. It's a tough day and we're awfully thirsty throughout. But this golden opportunity arrives but once a year. Let's maximize this sacred day and choose correctly — and let's become like angels, let's become "nitzavim" before God.

This entry was posted in HOW do I do it?, Teaching Materials ONE
THOUGHT ON "TO BECOME LIKE ANGELS"

Rabbi Reisman - Shabbos Yom Kippur 5775

1. I would like this year to talk about the Avoda of Yom Hakippurim which is part of the Machzor is a part which is generally said pretty quickly. It is something to be learned to know exactly what took place. We know that in general there is a rule of Unishalma Parim Sifaseinu that in order to pretend, or at least have the Zechus as if we brought a Korban, nowadays we talk about the Korban, we learn about the Korban and in that way we have the Zechus as if we brought the Korban.

However, that is not the reason that we say the Avodah on Yom Hakippurim as I will explain momentarily. Because you don't have to explain an Avoda step by step to be Mikayem the Mitzvah of Unishalma Parim Sifaseinu. After all, every day there is a Korban Tamid, every Shabbos there is a Korban Mussaf, every Yom Tov there are Mussafin and we do not go into a detailed description of the Avoda. All we do is say the Parsha in the Torah and we are Yotzei Unishalma Parim Sifaseinu. The Avoda of Yom Hakippurim is for a more meaningful reason and that is something I would like to demonstrate from the Poskim.

I will begin with a Taz in Siman 113:4. The Taz brings that there are those who have a custom that at the point of the Avoda where we say V'kach Haya Omer (this is what the Kohen Gadol used to say), Ana Hashem, Chatasi, Avisi, Pashati Mil'fanecha. The Kohen Gadol said Viduy three times. Twice on his Par (on the ox that he brought) and once on the Sa'ir Hamish'talai'ach (on the S'ir that was sent to Azazel). Each of the three times we say V'kach Haya Omer, we say this is what he said, Ana Hashem, Chatasi, Avisi, Pashati Mil'fanecha or whatever the language may be. The Minhag said the Taz is to say it about yourself. Chatasi, Avisi, Pashati Mil'fanecha and even to bang on one's chest (on one's heart) in regret.

The Taz says there are those that complain about it, that there are those that say that it is a mistake. When you say the Kohen Gadol said Chatasi, Avisi, Pashati, you are not referring to yourself you are relating what the Kohen Gadol said about himself. Therefore, saying it and pressing one's fist to one's chest as if you are referring to yourself seems to be completely out of order, inappropriate.

The Taz however, says that these people who complain are wrong. He says The Yesod about the Avoda that we say on Yom Hakippurim. He says that

when we say the Avoda on Yom Hakippurim (Anachnu Medamin B'nafsheinu K'ilu Anachnu Sham) we imagine as if we are there, as if we are standing there. The Chatasi, Avisi, Pashati we imagine goes on ourselves. After all says the Taz, when we get to the part of the Avoda which says V'hakohanim V'ha'am She'hayu Omdim B'azara K'shehayu Omrim Es Hasheim Hagadol Hanora Nichbad Yotzei M'kohen Gadol Hayu Korim Umishtachavim V'noflim Al P'neiham V'omrim. When we relate that the people in the Bais Hamikdash would bow, we have a custom to bow in our Shuls. Even though we are relating what they did we are bowing, why is that so? Because (Anachnu Medamin B'nafsheinu K'ilu Anachnu Sham). The depth of the meaning of saying the Avoda on Yom Hakippurim is to imagine as is we were there. The people who were there were people that were affected by what took place. Although we are not there and we are very far from the Avoda of the Bais Hamikdash or Kohen Gadol nevertheless that is the purpose of the step by step of Avodas Yom Hakippurim. (Anachnu Medamin B'nafsheinu) we imagine about ourselves (K'ilu Anachnu Sham) as if we are there.

2. Let me move to a Magen Avraham also in Siman 113 but in S'if 5. He brings a Kasha of the Yif'ai Mar'e in his Pirush on the Yerushalmi. He asks a Kasha on the Avoda. We say in the Avoda that when they heard the Kohen Gadol saying HKB"H's name, V'hakohanim V'ha'am She'hayu Omdim B'azara K'shehayu Omrim Es Hasheim Hagadol Hanora Nichbad Yotzei M'kohen Gadol Hayu Korim Umishtachavim V'noflim Al P'neiham V'omrim. They would bow in response to hearing Hashem's name. Actually there is a Posuk in Nechemya 8:6 (- וַיַּעֲנוּ כָל-) וַיִּקְרָא אֶת-יְהוָה הָאֱלֹהִים הַגָּדוֹל; וַיִּשְׁתַּחוּ לַיהוָה, אֲפִים אֲרָצָה (הָעַם אֲמַן אֲמַן, קָמְעַל יְדֵיהֶם, וַיִּקְדּוּ וַיִּשְׁתַּחוּ לַיהוָה, אֲפִים אֲרָצָה) which relates such a behavior. The Magen Avraham asks in the name of the Yif'ai Mar'e this contradicts the Halacha that we have based on the Gemara in Maseches Berachos that whenever we bow we are Zokeif B'sheim, we stand straight in a manner of respect when we get to Hashem's name. In Shemoneh Esrei we say Baruch Ata while bowing and Zokfim B'sheim, we make sure to stand straight when we say Hashem's name. In Modim or in Borchu we bow and Zokfim B'sheim, Shenemar Hashem Zokeif Kefufim and that is hinted to in the Posuk that Hashem makes those who are bent be able to stand straight. Therefore, asks the Yif'ai Mar'e, which behavior is appropriate a behavior of respect which requires standing straight or a behavior of fear, of Pachad which would say to be Nofeil Al P'naihem, which would be to bow. This is the Kasha of the Yif'ai Mar'e. In one place it says we stand by the Sheim and in one place it says we bow by the Sheim. The answer which is given and I will share with you two answers, but the answer which I would like to point out is this. That certainly someone who is coming to make a formal request from the Ribbono Shel Olam as is someone who is Davening Shemoneh Esrei should be standing straight when he says Hashem's name in a manner of great respect. However, in the Bais Hamikdash, they weren't coming to make any type of formal request they were doing the Avoda. When the Kohen Gadol said Hashem's name with the Nun Bais Osios he said Hashem's name Bik'dusha Uvi'tahara as we relate, Hayu Korim Umishtachavim V'noflim Al P'neiham. At that point they were overcome with a Hispailus which means an overwhelming feeling of incredible amazement and sensing the spirituality of Hashem. We are far from sensing it but to the degree we can sense it the people standing in the Bais Hamikdash had a Hispailus, they sensed it and they fell on their face in a sign of utter deference (Bittul) to the Shechina. We find this in the Chumash many times for example Shemos 34:8 (וַיִּשְׁתַּחוּ) וַיִּקְדּוּ אֲרָצָה, מִלִּשְׁמַיָּהוּ. When the Shechina appears to Moshe he bows. Or Avraham Avinu in Beraishis 17:17 (וַיִּפֹּל אֲבְרָהָם עַל-פָּנָיו, וַיִּצְחַק) There is a sense of overwhelming greatness of Hispailus when one senses the Shechina. The natural thing is to be Nofeil Al P'naihem. Therefore, in the Bais Hamikdash we relate that Hayu Korim Umishtachavim V'noflim Al P'neiham V'amrim Baruch Sheim... We have to try to have that sense of overwhelming Bittul, deference to the Shechina which we try to sense in our Shuls on Yom Kippur.

Let me add to this Magen Avraham the aforementioned quote from the Taz. Anachnu Medamin B'nafsheinu K'ilu Anachnu Sham. When we bow, Anachnu Medamin B'nafsheinu, we have to try to sense that feeling of Hispailus that feeling of incredible and overwhelming Bittul to the great spiritual power which HKB"H represents. Let's just feel the fact that this world and all the mundane activities that we are involved in should fall to the ground in deference to the great ability that human beings have to sense and to relate to Ruchnios, to spirituality.

So as I said at the outset, we are trying to have an appreciation of the Avoda. It is more than Unishalma Parim Sifaseinu. How so? Anachnu Medamin B'nafsheinu K'ilu Hayinu Sham. We step in the way, we feel it or should try to feel it. After we say the Avoda we say a Piyut and in the Piyut we talk about Ma Nora, how incredible it was Mar'e Kohen, the vision of the Kohen doing the Avoda. We are supposed to relate to it. Anachnu Medamin B'nafsheinu, we are far from there. When we say Mar'e Kohen we are talking about relating to the incredible Mar'e Kohen, to what took place in the Bais Hamikdash.

I have said this Magen Avraham, this Yif'a Mareh over earlier during these Yomim Noraim and someone suggested another Teretz which I see is in the Erech Shai. The other Teretz to the question regarding bowing is that when we say Hashem's name Zokfim B'sheim we stand straight up by His name. When we hear the Kohen Gadol saying His name then we fall and we bow in deference. It is beautiful. Deference to the Kohen Gadol who is Zoche to say the Sheim B'kdusha Uv'tahara. Again, a deference not to the Shechina which we find difficult to sense but at least a deference to Gedolei Torah, to the depth and breadth of Torah.

So these are two thoughts regarding the Avoda. The Taz and the Magen Avraham taken together which hopefully give us a good sense as we approach Yom Hakippurim.

3. I would like to share with you a third idea and that idea has to do with the Gorel on Yom Kippur. As you know, on Yom Kippur they threw lots to decide which of the goats would be L'Hashem and which would be L'azazel (will be taken out in that mysterious idea of taking a S'ir out of the Bais Hamikdash to a barren place and killing it there). We chose which S'ir would be L'Hashem and which was L'azazel by drawing lots in the Bais Hamikdash as we relate the Seder Ha'avoda.

The Ramban in Parshas Acharei Mos explains the reason we do it. He says since the S'ir L'azazel is what he calls Shocheit L'satan, it is somehow giving something to the negative powers in the world, however, that Ramban is explained and it is explained by many what is important to us at the moment is that the Korban is this type of Shocheit to the Sitra Achra. We don't want to say this Korban is for that. We don't want to do that. We don't want to declare that we are giving something to Azazel. Therefore, we take two S'irim stand them in front of the Bais Hamidash, in front of Hashem, both to Hashem and we do a Gorel. When we throw the Gorel one is for the Korban Chatas and the other is for Azazel. Hashem chooses which is for Azazel not us. when we draw the lots we say L'Hashem Chatas on the one that is a Chatas on the other one we don't say L'Hashem L'azazel, Hashem chose it we don't declare it. This is the idea which is mentioned in the Ramban.

I would wonder if perhaps every time a Gorel is drawn that we find in Tanach a Gorel is drawn. For the same reason perhaps. When we have no business choosing we let Hashem choose. For example in Sefer Yonah. Yonah was the cause of the storm at sea. The people there said let's draw lots. I don't want to decide who should be thrown overboard into the sea let Hashem decide. We find the same thing in Sefer Yehoshua when Achan steals from the loot of Yericho and Yehoshua doesn't know who stole and he asks Hashem to reveal it to him. Hashem says you think that I will say Lashon Hara? Draw lots. I don't understand. When you draw lots it is Hashem telling you too. But the lesson is we don't declare something negative we let it happen. Perhaps this explains why Eretz Yisrael was

divided through lots. When Eretz Yisrael was divided each Sheivet had to surrender his right in part of Eretz Yisrael and in exchange got full right to his unique Cheilek. Who wants to give up a Cheilek in Eretz Yisrael? Why would someone say and with the Jews who entered Eretz Yisrael every Jew had a small portion in every part of Eretz Yisrael, why would a person say I will give up my part in this part of Eretz Yisrael to get a bigger part there? Who is to choose the Kedushas Eretz Yisrael? Perhaps that is why this was done Al Pi Gorel.

And so, three thoughts for the Avoda of Yom Hakippurim. Oi we wish that we would be Zoche to see ourselves as we say in the Machzor Ashrei Ayin Ra'asa Zos. Halevai someday our eyes should see that.

<http://blogs.timesofisrael.com/the-trouble-with-kal-nidrei/>

Rabbi Nathan Lopes Cardozo

The trouble with Kal Nidrei

Kl Nidrei — though usually pronounced Kol Nidrei, the correct Aramaic pronunciation is Kal Nidrei; there is no word “kol” in Aramaic — is by far the most celebrated prayer in all Jewish communities around the world and the most attended throughout the Jewish year. Tens of thousands of Jews who would otherwise never participate in a synagogue service will make sure they show up for Kal Nidrei. Many will leave shortly after the prayer is said and only reappear a year later. Its melody has become the most famous Jewish tune ever, by far outdoing Hatikvah, Israel’s national anthem. It is so magnificent that famous non-Jewish author Tolstoy referred to it as “a melody that echoes the story of the great martyrdom of a grief-stricken nation.” Not even Beethoven’s C-Sharp-Minor Quartet, Opus 131 Movement 6 is able to convey its grandeur, although it comes close.

Yet, Kal Nidrei is actually not a prayer, but a legal statement. It is not an inherent part of the Yom Kippur service but was later inserted. For hundreds of years it was not recited in many Jewish communities and was, in fact, looked down upon. It was condemned by famous rabbinical authorities — especially by the Geonim of Sura — as anti-Jewish (1) and often attacked by anti-Semites as an example of Judaism’s moral inferiority. Still, it survived all assaults and condemnations in the same way as Jews survived their enemies for thousands of years. Just as the Jews are still here, so is Kal Nidrei.

Kal Nidrei takes only a few minutes. It is a dry, legal formula stating that all vows, oaths and promises between man and God made in the last year are annulled for the coming year. It does not annul those made by man to his fellow man (2). Still, many rabbinical authorities objected to it. Why annul vows and promises on the eve of the most solemn day of the Jewish year? Would it not be more in the spirit of Yom Kippur to call on community members to fulfill their promises as soon as possible in the coming year? Indeed, why annul vows? Only in the most specific instances are individuals permitted to annul their vows before a rabbinical court. This can be reluctantly done only after ascertaining that the person’s vow was made sincerely and that because of circumstances beyond his control it cannot be fulfilled.

Did the Rabbis not warn against making vows? Better not to make them at all than to have to renege. Man’s word is to be taken seriously; Jewish law forbids one to take a promise or vow lightly. So why do we have this mass community annulment, without even investigating the nature of these vows?

In 1240, at a Christian-Jewish disputation, Christian protagonist Nicholas Donin attacked Kal Nidrei, stating that it proved once again that one cannot believe Jews at their word. Although the famous Sage Rabbi Yechiel ben Yosef of Paris proved Donin wrong, it did not prevent “Kal Nidrei” from turning into a “cause celebre” among anti-Semites throughout Europe.

Why was this problematic prayer admitted into the Yom Kippur service and how did it survive the attacks?

In 1917, famous scholar Dr. Joseph S. Bloch proposed a theory that may well explain this (3). In an essay he wrote that year, later to be included in a book authored by him, he suggested that Kal Nidrei was instituted in the

seventh century when the Visigoths forced Spanish Jews to convert to Christianity. Many of the Jews decided to save their lives by openly accepting Christianity while secretly trying to live a Jewish life. These were the first marranos or conversos. On Yom Kippur, however, they were struck by pangs of conscience. Secretly arranging synagogue services, they would begin by asking God for forgiveness on this solemn day, wanting to first rid themselves of their vows to Christianity. How could they stand before God while still under the vow of the Christian faith?

This would also explain why the Kal Nidrei declaration includes the statement, “By the authority of the heavenly Court above and by the authority of the court below, we grant permission for the transgressors to pray with us.” This no doubt refers to the fact that it is normally forbidden to pray together with Jews who have converted to another religion. There was a need to lift that ban so as to give these Jews the opportunity to join the prayers. According to Joseph Bloch, it is this historical fact that led to the inclusion of the Kal Nidrei declaration before the actual Yom Kippur service started.

This then begs the question: Why did the Rabbis not remove Kal Nidrei when the marrano experience came to an end? Today, most Jews live in countries where they are not forced to convert to other religions and can openly practice Judaism. So why hold on to a prayer that is no longer relevant?

I would like to suggest that in the last few hundred years nearly all Jews have become marranos. Ever since the days when Jews were emancipated, they have bought into many ideologies and philosophies. Socialism, Marxism and a myriad of other “isms” have become the new religion for a large number of Jews. There is a steady increase in the percentage of those who are losing their Jewishness. Although no longer forced to convert to Christianity, or any other religion, they willfully adopt philosophies that estrange them from their Jewish roots. Alienation has become the very condition under which most Jews today live their lives. They believe that Judaism is outdated and needs to be replaced. Often they arrive at such conclusions due to a lack of Jewish knowledge and a greater familiarity with non-Jewish sources. Their excellent general education allows them to be subconsciously influenced by non-Jewish or even anti-Jewish ideas. They don’t know to differentiate between genuine knowledge and knowledge based on misconceptions and superficial insights often promoted by the media, cults and popular belief, all accepted by western civilization as indisputable fact.

Even the religious community has lost much of its genuine Jewish values as it is more and more influenced by foreign concepts.

Once a year, though, most Jews realize that they are marranos, that they still want to remain Jews after all. On Yom Kippur, even a Jew with only the slightest Jewish affiliation knows that he needs to undo his marrano status and annul his vows to radical secularism and other non-Jewish ideologies. He may not even know anymore why Kal Nidrei pulls him, wanting to free him from artificial masks. Like a Jungian archetype, something deep in his soul tells him that, even for just a moment, he needs to return “home” and be part of his people and its faith. He requires his personal Kal Nidrei in order to be a fully authentic Jew, liberated from all foreign influences and social pressures.

It may engage him for only five minutes, but its implications are eternal.

More than the Jews have kept Kal Nidrei alive, Kal Nidrei has kept the Jews alive. That is the secret of its eternity.

Tizku leshanim rabot.

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(1) Rabbi Samson Raphael Hirsch deleted it in 1839, but reinstated it the following year, albeit with a request that the congregation recite it only once, not three times. See Eliyahu Meir Klugman, Rabbi Samson Raphael Hirsch (New York: Artscroll-Mesorah Publications, 1996) p. 306 and footnotes.

(2) See the Ran (Rabbi Nissim ben Reuven of Gerona) and the Rosh (Rabbi Asher ben Yechiel) on Nedarim 23b, as well as Shulchan Aruch, Yoreh De’ah 211:4.

(3) Dr. Joseph S. Bloch, *Israel and the Nations* (Berlin-Vienna: Benjamin Harz, 1927) pp. 172-282.

from: Chanan Morrison <ravkooklist@gmail.com> reply-to: rav-kook-list+owners@googlegroups.com to: Rav Kook List <Rav-Kook-List@googlegroups.com> date: Thu, Sep 17, 2015 at 4:00 PM subject: [Rav Kook List] Yom Kippur: The Shofar and the Kotel

Yom Kippur: The Shofar and the Wall
The Holy Temple in Jerusalem was twice destroyed - first by the Babylonians and then by the Romans. But one wall remains standing, a living symbol of the Jewish people's ownership over the land of Israel and the city of Jerusalem: the Kotel HaMa'aravi, the Western Wall. What follows is an excerpt (translated from the Hebrew) from the memoirs of Rabbi Moshe Segal (1904-1985), a Lubavitcher Chassid who was active in the struggle to free the Holy Land from British rule.

In those years, the area in front of the Kotel did not look as it does today. Only a narrow alley separated the Kotel and the Arab houses on the other side. The British Mandatory government prohibited placing a Torah ark, tables, or benches in the alley in front of the Kotel. Even a small stool could not be brought there.

The British also instituted ordinances designed to humiliate the Jews at the holiest place of their faith. It was forbidden to pray out loud, lest one disturb the Arab residents. It was forbidden to read from the Torah (those praying at the Kotel had to go to one of the synagogues in the Jewish quarter to conduct the Torah reading). And it was forbidden to sound the shofar on Rosh Hashanah and Yom Kippur. The British placed policemen at the Kotel to enforce these rules.

"Give Me a Shofar!"

On Yom Kippur of that year [1930], I was praying at the Kotel. During the brief intermission between the Musaf and Minchah prayers, I overheard people whispering to each other: "Where will we go to hear the shofar? It will be impossible to blow here. There are as many policemen as there are people praying..." The police commander himself was there, to make sure that the Jews will not, God forbid, sound the single blast that indicates the end of the Yom Kippur fast.

I listened to these whisperings and thought to myself: Can we possibly forgo the sounding of the shofar that accompanies our proclamation of God's sovereignty over the world? Can we possibly forgo the sounding of the shofar, which symbolizes the redemption of Israel? True, the sounding of the shofar at the close of Yom Kippur is only a custom, but 'a Jewish custom is Torah!'

I approached Rabbi Yitzchak Horenstein, who served as the rabbi of our 'congregation,' and said, "Give me a shofar."

"What for?"

"I will blow."

"What are you talking about? Don't you see the police?"

"I will blow."

The rabbi abruptly turned away from me, but not before he cast a glance at the prayer stand at the left end of the alley. I understood the hint: the shofar is located inside the stand.

When the hour of the blowing approached, I walked over to the stand and leaned against it.

Surreptitiously, I opened the drawer and slipped the shofar into my shirt. I had the shofar; but what if they saw me before I had a chance to blow it? I was still unmarried at the time, and following the Ashkenazic custom, did not wear a tallit. I turned to person praying at my side, and asked to borrow his tallit. My request must have seemed strange to him, but the Jews are a kind people, especially at the holiest moments of the holiest day. He handed me his tallit without a word.

I wrapped myself in the tallit. At that moment, I felt that I had created my own private domain. All around me, a foreign government prevailed, ruling over the people of Israel even on their holiest day and at their holiest place, and we are not free to serve our God. But under this tallit, I thought to myself, is another domain. Here I am under no dominion, save that of my Father in Heaven. Here I shall do as He commands me; and no force on earth will stop me.

When the closing verses of the Ne'illah prayer - "Hear O Israel," "Blessed be the Name" and "The Eternal is God" - were proclaimed, I took the shofar and blew a long, resounding blast.

After that, everything happened very quickly. Many hands grabbed me. I removed the tallit from over my head, and before me stood the police commander, who ordered my arrest.

Arrest and Release

I was taken to the 'Kishleh,' the prison in the Old City, and an Arab policeman was appointed to watch over me. Many hours passed, but I was given no food or water to break my fast. At midnight, the policeman received an order to release me, and he let me out without a word.

As I exited the gate, I met a group of young men from Yeshivat Mercaz HaRav, the Jerusalem yeshiva founded by Rav Kook. I "My friends!" I called out to them. "What are you doing here at midnight?"

They told me that immediately after I blew the shofar, some Mercaz HaRav students who had prayed at the Kotel hurried off to tell Rav Kook what had happened. The chief rabbi was happy to hear that someone sounded the shofar at the Kotel, but saddened to hear that I had been arrested.

All this took place before Rav Kook had broken his fast. He did not eat, but on the spot called the High Commissioner's secretary, demanding my immediate release. When his request was turned down, Rav Kook informed the secretary that he would not break his fast until I was freed. The High Commissioner resisted for several hours; but finally, out of respect for the chief rabbi, he had no choice but to set me free.

For the next eighteen years, until the Arab conquest of the Old City in 1948, the shofar was sounded at the Kotel every Yom Kippur.² The British well understood the significance of this blast. They knew that it would ultimately demolish their reign over our land, just as the walls of Jericho crumbled before the shofar of Joshua, and they did everything in their power to prevent it. But every Yom Kippur, the shofar was sounded by brave men who knew they would be arrested for their part in staking our claim on the holiest of our possessions.

Postscript

Rabbi Moshe Segal was one of the first Jews to move into the Old City of Jerusalem after its liberation in 1967.

Immediately after the paratroopers captured the Old City, Segal arrived, determined to take up residence there. The soldiers on guard were reluctant to allow him in, explaining that they could not take responsibility for his safety.

Segal replied that he relied on a Higher Power for his safety.

"We have received a gift from God," he exclaimed. "Do you really expect me to remain outside while the Arabs are still inside?" In the end he was escorted through the streets with an armored jeep. It was inconceivable to him that Jerusalem should be reunited without a single Jew living in the Jewish Quarter.

At the end of Yom Kippur that year, Rabbi Segal once again blew the shofar at the Kotel. This time, it was without fear of arrest by British policemen.

Rabbi Segal passed away in 1985 - on Yom Kippur. Like Rav Kook, he is buried in the ancient Jewish cemetery on the Mount of Olives.

(Adapted from the Hebrew by Yanki Tauber and posted on Chabad.org, with some additional notes from *An Angel Among Men*, pp. 220-221, and "The Man Who Sounded the Shofar," in *Jerusalem*, 5/10/2007. See also *The Outlawed Shofar Blower*. Copyright and reposted with permission of Chabad.org.)

¹ Rabbi Segal had studied for a short time in the Mercaz HaRav yeshiva after arriving in Eretz Yisrael in 1924.

² In fact, Segal was determined that shofar-blowing at the Kotel on Yom Kippur would become an annual tradition. He often helped plan these operations, preparing young men to blow the shofar. Since they were different young men each year, the British did not know their identities and could not arrest them in advance.

from: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: weeklychizuk@shemayisrael.com date: Thu, Sep 17, 2015 at 7:32 PM subject: [Weeklychizuk]

Weekly Chizuk by Rabbi Eliezer Parkoff –

Yom Kippur

WHEN ARE BEINONIM JUDGED?

R. Kruspedai said in the name of R. Yochanan: Three books are opened on Rosh Hashana: one for the absolute resh'o'im (utterly wicked), one for the pure tzaddikim (wholly good), and one for the beinonim - the average class of people. The wholly righteous are immediately inscribed and sealed for life; the entirely wicked are immediately inscribed and sealed for death; the average class are held in the balance from Rosh Hashana till Yom Kippur; if they prove themselves worthy they are inscribed for life, if not they are inscribed for death. (Rosh Hashana 16b) "Each and every person has merits and sins. A person whose merits exceed his sins is [termed] righteous. A person whose sins exceed his merits is [termed] wicked. If [his sins and merits] are equal, he is termed a Beinoni....

"Just as a person's merits and sins are weighed at the time of his death, so, too, the sins of every inhabitant of the world together with his merits are weighed on the festival of Rosh Hashanah. If one is found righteous, his [verdict] is sealed for life. If one is found wicked, his [verdict] is sealed for death. A Beinoni's verdict remains tentative until Yom Kippur. If he repents,

his [verdict] is sealed for life. If not, his [verdict] is sealed for death." (Rambam, Teshuva 3:1,3)

The Lechem Mishneh asks on this a very straightforward question. If a beinoni is one whose mitzvos and aveiros are evenly balanced, why is his lack of teshuva such a terrible aveira that he deserves the death penalty? Let him do just one more mitzvah and swing the balance toward the side of mitzvos? Rav Yitzchak Blazer, talmid of Rav Yisroel Salanter was bothered by this. He answered, that we know the importance of these 10 days. "Seek Hashem when He is to be found; call out to Him when he is near" (Yeshaya 55:6). Chazal (Rosh Hashana 18a) tell us that this refers to the 10 days between Rosh Hashana and Yom Kippur. During this time Hakadosh Baruch Hu comes near to each and every one of us in order that we do teshuva. [That implies that every Jew innately knows that this is the time to start rectifying himself and straightening out. He feels it in his bones.] If one does not take this extraordinary opportunity of Divine closeness, his sin is extremely serious. No simple mitzva can outweigh this terrible transgression and so he is liable of the death penalty. If however he does teshuva, then he has determined his verdict: he is written down in the Book of Life.

During the Aseres Yamei Teshuva it is very important for the beinonim to do teshuva. The text of the gemara is that the beinonim are "hanging and standing until Yom Kippur." Their fate is hanging in the balance.

The Alter from Novohardok, zt"l, used to take this Chazal literally. The beinoni is "hanging." The verdict has been given, and he has been led to the execution platform. He is standing on a stool and the noose has been placed around his neck. All that is left is to kick the stool out from underneath him and.... The beinoni must consider himself literally hanging there. What is the Beis Din waiting for? Something has not been decided yet. If he does teshuva they will give him a pardon. That's what the stool is for.

This implies that the verdict of the beinoni isn't being pushed off until Yom Kippur. Rosh Hashana is the Day of Judgment. The beinoni has been judged already in the Book of the Dead. The verdict has been given. It just hasn't been written down. Hakadosh Baruch Hu, in His great mercy, wants to pardon him. So he is given some time until Yom Kippur to see if he repents. He has a chance to get the verdict pardoned.

What is a beinoni? The above Rambam states that, "If [his sins and merits] are equal, he is termed a beinoni." This implies a simple totaling of his mitvos and aveiros and whichever is more is the deciding factor. However the Gemara (Brachos 61b) paints a slightly different picture:

"R. Yosi HaGalili says, The righteous judge themselves with their good inclination, as (Dovid Hamelech said), 'My heart has died within me' (Tehillim 109:22). [My yetzer ho-ra is as if it's dead; I can bend it as I wish - Rashi]. The wicked judge themselves with their evil inclination, as it says, 'From the depths of my heart I say, that the word of transgression speaks to the wicked man; there is no fear of God before his eyes' (Tehillim 36b). Average people judge themselves with both inclinations, as it says, 'For He will stand to the right of the needy to save [him] from those who judge his soul' (Tehillim 109:31). (Then) Raba (made a very startling statement): 'We are in the class of beinoni.' (His talmid) Abaye (was shocked and) replied to him: My Master, (with this statement) you give no one a chance to live! [If you are a beinoni, then there is no real tzaddik in the world. - Rashi]. Raba further said: The world was created only for either the totally wicked or the totally righteous. Rava said: Let a man determine for himself whether he is completely righteous or not!"

How To Know Who You Are

The Gra elaborates on this gemara. When Chazal state that regarding the tzaddikim, their yetzer tov, good inclination, judges them, it means it leads them. All his thoughts and decisions come from his yetzer tov. By the reshaim it is the opposite: their evil inclination, their yetzer ho-ra rules over them and leads them. The beinonim however, are controlled by both. Thus this is the way a person can know if he is truly a tzaddik or not. Who controls his thoughts and his decision making? His yetzer ha-tov, or his yetzer ho-ra.

The Sifsei Chaim expands on this Gra. The tzaddikim are run by their good inclinations. They have no real battle. And even when their yetzer ho-ra confronts them, they decide in favor of the yetzer ha-tov. The wicked are run by their yetzer ho-ra. They also have no battle. They know what they want to do and that's what they do. The beinoni, however, has a conflict going on within himself. He has a constant battle between the yetzer ha-tov and the yetzer ho ra. Moreover, not only are his evil actions directed by their yetzer ho-ra, his yetzer ho-ra joins the yetzer ha-tov in deciding how to perform mitzvos! For example when he buys an esrog, he buys the most beautiful one. His Yetzer Hatov thinks he is buying it in order to beautify the mitzvos - Hidur Mitzva! While the yetzer ho-ra knows that what he really wants to do is show off in front of his friends and family.

Rosh Hashana: Determination of One's Status

The Nesivos in his Emes LeYaakov explains that the writing in the books on Rosh Hashana is not a verdict as to what is going to happen this coming year. Rosh Hashana is the day when the person's status is determined: tzaddik or rosha. The gemara in Kiddushin (39b) discusses the decrees on a person. A tzaddik has more mitzvos while a rosha has more aveiros. Sometimes having more mitzvos gives one a better Olam Hazeih, and sometimes not. (It could be that being a tzaddik, the Beis Din Shel Maalah has determined that he should inherit a really fabulous Olam Haba. However, his few aveiros are going to spoil everything. It will be like living in a mansion with some broken windows, or where the paint is peeling off the walls. It's a beautiful mansion, but the blemishes ruin it. Therefore, they determine that this tzaddik should suffer in this world, in order to take care of his few aveiros, leaving him spotless for the next world.)

Therefore Rosh Hashana is the Day of Judgment to determine ones status: tzaddik or rosha. Yom Kippur is the day when his fate in this world for this coming year is sealed.

A beinoni, however, is in a predicament. He's neither tzaddik nor rosha. Sometimes his yetzer hatov controls him, but sometimes his yetzer ho-ra takes control. Who is he? What kind of verdict can he receive? Really he isn't a tzaddik. He gives in to his yetzer ho-ra enough to be a problem. He should be inscribed in the Book of the Dead for not being a tzaddik. But he also has a good inclination that often wins. Therefore the Beis Din Shel Maala judges him on Rosh Hashana like a rosha. But his verdict is not final. He still has a chance. He can do teshuva and receive a pardon and be rewritten in the Book of Life. The Beis Din puts him on a stool, and puts the noose around his neck. There he is left hanging and standing until Yom Kippur. He is given a chance to do teshuva and receive the verdict of a tzaddik. That is our job these 10 days between Rosh Hashana and Yom Kippur.

As the Baale Mussar used to scream out: Yidden! Do teshuva! Wishing everyone a G'mar chasima tova!

© Rabbi Eliezer Parkoff 4 Panim Meiro, Jerusalem 94423 Israel Tel: 732-858-1257 Rabbi Parkoff is author of "Chizuk!" and "Trust Me!" (Feldheim Publishers), and "Mission Possible!" (Israel Book Shop Lakewood). If you would like to correspond with Rabbi Parkoff, or change your subscription, please contact: rabbi.e.parkoff@gmail.com

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ABCs of Yom Kippur

Guidelines for the holiest day of the Jewish year – the Day of Atonement.

by Rabbi Shraga Simmon

Following the sin of the Golden Calf, Moses pleaded with God to forgive the people. Finally on Yom Kippur, atonement was achieved and Moses brought the second set of Tablets down from Mount Sinai. From that day forward, every Yom Kippur carries with it a special power to cleanse our mistakes (both individually and collectively) and to wipe the slate clean. This works on two conditions: (1) We do a process called teshuva – literally "return." Teshuva involves four steps: Regret – acknowledging that a mistake was made, and feeling regret at having squandered some of our potential. Cessation –

Talk is cheap, but stopping the harmful action shows a true commitment to change. Confession – To make it more “real,” we admit our mistake verbally, and ask forgiveness from anyone we may have harmed. Resolution – We make a firm commitment not to repeat the harmful action in the future. (2) Though the combination of teshuva and Yom Kippur atones for transgressions against God, it does not automatically erase wrongs committed against other people. It is therefore the universal Jewish custom – some time before Yom Kippur – to apologize and seek forgiveness from any friend, relative, or acquaintance whom we may have harmed or insulted over the past year.

Angel for a Day On Yom Kippur, every Jew becomes like an angel. In the Jewish understanding, angels are completely spiritual beings, whose sole focus is to serve their Creator. The Maharal of Prague explains: All the mitzvot that God commanded us on [Yom Kippur] are designed to remove, as much as possible, a person's relationship to physicality, until he is completely like an angel. Just as angels (so to speak) stand upright, so too we spend most of Yom Kippur standing in the synagogue. And just as angels (so to speak) wear white, so too we are accustomed to wear white on Yom Kippur. Just as angels do not eat or drink, so too we do not eat or drink. This idea even has a practical application in Jewish law: typically, the second verse of the Shema, Baruch Shem, is recited quietly. But on Yom Kippur, it is proclaimed out loud – just like the angels do.

Five Aspects There are five areas of physical involvement from which we refrain on Yom Kippur: Eating and drinking Washing Applying oils or lotions to the skin Marital relations Wearing leather shoes Throughout the year, many people spend their days focusing on food, work, material possessions (symbolized by shoes) and superficial pleasures (symbolized by anointing). On Yom Kippur, we restore our priorities to what really counts in life. As Rabbi Eliyahu Dessler writes: On Yom Kippur, the power of the [physical] inclination is muted. Therefore, one's yearning for spiritual elevation reasserts itself, after having lain dormant as a result of sin's deadening effect on the soul. This rejuvenation of purpose entitles a person to special consideration and forgiveness.

Structure of the Day On Rosh Hashana, the Books of Life and Death are open and God writes who will be granted another year of life. For many, this decision hangs in the balance for nine days until Yom Kippur, when the final decision is sealed. With this in mind, the prayers of Yom Kippur are designed to stir us to mend our ways: The Yom Kippur prayers begin before sundown with the haunting melody of Kol Nidrei. The Torah scrolls are all removed from the Ark, and the chazzan (cantor) chants the Kol Nidrei prayer three times, each with greater intensity. The special Yom Kippur Amidah (standing prayer) incorporates the Al-Chet confession of our various mistakes. With each mention of a mistake, we lightly beat our chest with the fist – as if to say that it is our impulses that got the best of us. The Yizkor service – said in memory of loved ones – is recited following the morning Torah reading. The lengthy Mussaf service features a recounting of the Yom Kippur rite in the Holy Temple in Jerusalem. A highlight was the High Priest entering the Holy of Holies – the only person to do so, this one time a year. The Mussaf service also records how the High Priest would pronounce God's holy name, and in response the assembled Jews would prostrate on the ground. When reaching these passages, we too prostrate ourselves on the ground. At the Mincha service, we read the Book of Jonah, the biblical story of a prophet who tried to “flee from God” and wound up swallowed into the belly of a huge fish. While a regular weekday has three prayer services, and Shabbat and holidays have four, Yom Kippur is the only day of the year that has five. This final prayer is called Ne'ilah, literally the “closing of the gates,” which serves as the final chance to ensure that our decree for the year is “sealed” in the Book of Life. At the conclusion of Ne'ilah, the shofar is sounded – one long blast, signifying our confidence in having passed the High Holidays with a good judgment. At the conclusion of Yom Kippur, Havdallah is recited over a cup of wine. There is no blessing on spices (unless Yom Kippur was on Shabbat), but we do use a Havdallah candle – which should be lit from a flame that burned throughout Yom Kippur.

The Fast Itself The Yom Kippur fast begins before sundown, and extends 25 hours until the following nightfall. During the afternoon hours leading up to Yom Kippur, it is a special mitzvah to eat a festive meal. For making your fast easier, hydration is the key. Avoid coffee or coke, because caffeine is a diuretic. Heavy coffee drinkers can also avoid the dreaded headache by slowly reducing the amount of consumption over the week leading up to Yom Kippur. (See Aish's “Guide to an Easy Fast”) At the festive meal, eat a moderate portion of food so as not to speed up the digestion process. After you complete the festive meal, leave some extra time before sundown to drink.

In Case of Illness If someone is ill, and a doctor is of the opinion that fasting might pose a life-danger, then the patient should eat or drink small amounts. The patient should try to eat only about 30 ml (one fluid ounce) and wait nine minutes before eating again. Once nine minutes have passed, one can eat this small amount again, and so on throughout the day. With drinking, try to drink less than what the Talmud calls “melo lugmav” – the amount that would fill a person's puffed-out cheek. While this amount

will vary from person to person, it is approximately 35 ml (just over one fluid ounce) and one should wait nine minutes before drinking again. How does consuming small amounts make a difference? In Jewish law, an act of “eating” is defined as “consuming a certain quantity within a certain period of time.” Otherwise, it's not eating, it's “nibbling” – which although is prohibited on Yom Kippur, there is room to be lenient when one's health is at stake. The reason for all these technicalities is because eating on Yom Kippur is regarded as one of the most serious prohibitions in the Torah. So while there are leniencies in certain situations, we still try to minimize it. Note that eating and drinking are treated as independent acts, meaning that the patient can eat and drink together during those nine minutes, and the amounts are not combined. Having said all this, if these small amounts prove insufficient to prevent the health danger, the patient may even eat and drink regularly. In such a case, a person does not say Kiddush before eating, but does recite “Grace After Meals,” inserting the “ya'aleh veyavo” paragraph. Now what about a case where the patient's opinion conflicts with that of the doctor? If the patient is certain he needs to eat to prevent a danger to health, then we rely on his word, even if the doctor disagrees. And in the opposite scenario – if the patient refuses to eat despite doctors' warnings – then we persuade the patient to eat, since it is possible that his judgment is impaired due to illness.

Wishing you a meaningful Yom Kippur!

from: Rabbi Kaganoff <ymkaganoff@gmail.com> reply-to: kaganoff-a@googlegroups.com to: kaganoff-a@googlegroups.com date: Sun, Sep 20, 2015 at 5:20 PM subject: Sukkah Walls Review

Sukkah Walls Review

By Rabbi Yirmiyohu Kaganoff

Question #1: A strapping of a sukkah

“I have noticed recently that prefab *Sukkos* come with straps or bars that run along the sides of the *sukkah*. Could you please explain to me why the manufacturers are now making a more complicated product?”

Question #2: Pergola or sukkah?

“May a pergola or trellis be used to hold the *schach* of a *sukkah*?”

Question #3: Going out to a sukkah

“My aunt, who always takes the family out to eat when she visits, will be in town for *Sukkos*, and knows that her favorite restaurant has a *sukkah* for *Chol Hamoed*. Can we rely on the restaurant's *sukkah*?”

Answer: This is the second part of a revised version of an interview I provided to *Mishpacha* magazine a few years ago. This article covers some of the more common *halachic* issues and problems one finds regarding *sukkah* walls. Although I have edited the original article somewhat, I have left the interview structure. A pdf of the original article can be found on RabbiKaganoff.com

Mishpacha:

Why should *sukkah* walls require a *hechsher*?

RYK:

Let me first present the basic laws of *sukkah* walls, and then I will explain what a *hechsher* on a prefab *sukkah* should mean. Many people have learned that since the word *sukkah* has three letters -- the *samech* with four sides, the *kof* with three, and the *heih* with two and a small *yud* opposite it -- that a *sukkah* may be kosher with four, three or even two walls as long as there is a bit of a third wall on the third side. Unfortunately, the *halacha* is not as clear-cut as this *vort* makes it seem. Although there are situations in which a *sukkah* is kosher when it has three partial walls that do not run the length or width of the *sukkah*, the laws pertaining to such a *sukkah* are extremely complicated, and one should not build such a *sukkah* without conferring with a *halachic* authority. Because of concern that a partial wall often does not qualify as a proper *sukkah* wall, the *Rama* mentions that it is now customary not to build a *sukkah* with only partially constructed walls, but instead, to make sure that it has three walls that are the full length or width of the *sukkah*.¹ Nevertheless, there are situations when this is not practical. I find this situation most common in *Eretz Yisroel* or in some parts of New York City, where people must assemble their *sukkah* in a courtyard or porch that has several entrances or is unevenly shaped, so that it is impossible to construct three full walls. I strongly recommend that someone in this situation consult with a competent *halachic* authority before building the *sukkah* to ascertain that their plans, indeed, meet the *halachic* requirements. Then have the *rav* see the actual *sukkah* after it is constructed, with enough time before *Yom Tov* to make any necessary changes. It is a shame to have invested the time and money for a *sukkah* and then not fulfill the mitzvah because someone was too proud or too busy to check that the *sukkah* was kosher. (In addition, one could end up violating *halacha* and reciting *brochos levatalah*.)

Keep your Roof near your Walls

Furthermore, the law is that the walls of the *sukkah* must be fairly close to the *schach*. The horizontal distance between the *schach* and the three walls must be less than three *tefachim* (24 centimeters or 9.4 inches), or the *sukkah* is not kosher. Every year I see

sukkahs that, unfortunately, are not kosher, because of this problem. Sometimes people build a framework for their *sukkah*, including walls and *schach*, but do not realize that the *schach* must be near the walls. I have also often seen fancy, pergola-like frames built on patios upon which they place their *schach*, but the *schach* is at too great a distance from the patio walls for the *sukkah* to be kosher. These *sukkahs* can almost always be fixed, so that they are kosher *halachically*, but one has to know how to do it properly.

With the wind to my *Sukkah's* back

Here is another common problem -- *sukkahs* made with walls that are too flimsy. The *Gemara* teaches that "any partition that cannot withstand a typical wind does not qualify as a partition."² The *Gemara* then notes that this principle seems to be contradicted by a Mishnah that rules that a *sukkah* may be constructed using trees as its walls, yet trees move in the wind. The *Gemara* responds that the Mishnah refers to substantive, thick trees that will not move in the wind. The *Gemara* then asks that even if the tree is strong, the canopy of the tree will certainly be blown by the wind. To this the *Gemara* responds that the Mishnah must be discussing a case where the tree's canopy was reinforced so that the wind would not move it.

There are two ways of explaining this section of *Gemara*.

Some understand that the *Gemara* invalidates a *sukkah* only if the wind will blow down the wall or blow apart the materials assembling the wall, so that it now has gaps that invalidate it; but a wall that sways is valid.³ According to this approach, a cloth-walled *sukkah* assembled such that its walls are tied properly at the bottom is kosher, even though the middle of the "walls" sways considerably in the wind.

However, most authorities rule that the *Gemara* means that if a typical wind causes noticeable movement to the wall, it is invalid as a *sukkah* wall. The wording of *Rambam* and *Shulchan Aruch* seems to bear out this approach:

"Someone who makes his *sukkah* among the trees, using them as walls; if they were strong or he tied them until the point that a common wind would not constantly move them, and he filled in between the branches with straw tied in a way that the wind would not sway them, the *sukkah* is kosher."⁴

According to this approach, most prefab *sukkos* pose a *halachic* concern, since they are usually made of cloth or plastic walls that blow in the wind. One finds some discussion among authorities as to how much swaying is called too much. Some authorities rule that if one makes the walls very taut, the *sukkah* is still valid.

Many years ago I was approached by a manufacturer of prefab *sukkahs* to provide him with a *hechsher*. His *sukkah* was indeed made of very thick cloth which, when assembled according to his instructions, was very taut.

Mishpacha: Did you give him a *hechsher*?

RYK: No, I did not. Some early authorities are concerned about use of cloth walls for *sukkos*, even when they are made very taut, because of concern that they will loosen and then sway in the wind.⁵ The same passage of *Shulchan Aruch* I just quoted cites this opinion. Allow me to quote the *Shulchan Aruch's* conclusion:

"Therefore it is improper to make all the walls from linen curtains without sticks, even if one tied them well, because sometimes the ties loosen without anyone realizing it, and now the wall can no longer withstand a typical wind. Someone who wants to use sheets [for his *sukkah* walls] should weave sticks into his walls within every three *tefachim*."⁶

It seems to me that one should not build a *sukkah* with any type of cloth walls, unless one reinforces them with something that the wind cannot blow. I presume that the *rav* who did provide this manufacturer with a *hechsher* on the *sukkah* walls felt that one can draw a distinction between thick, strong cloth and the "curtains" and "sheets" mentioned by the *Shulchan Aruch*, and that this *sukkah* was approved kosher for construction.

However, I was (and remain) unwilling to provide a *hechsher* to something that runs counter to the *Shulchan Aruch*, according to my understanding.

Today, the *halachically* better quality cloth-walled *sukkos* now come with straps or cords that create *halachic* walls. Let me explain how this works. There is a *halachic* principle called *lavud*, according to which a gap of less than three *tefachim* (24 centimeters or 9.4 inches) in a wall is treated as if it is actually closed. According to this principle, one can technically build *sukkah* walls with sticks placed either horizontally or vertically every 24 centimeters along its sides.

If one uses vertical sticks or wires, one needs only to construct "walls" through *lavud* until they reach a height of ten *tefachim* (80 centimeters or 31.5 inches), which is technically the minimum height requirement for the walls of a *sukkah* (see *Shulchan Aruch Orach Chayim* 630:9). For this reason, the prefab *sukkos* made with belts or crossbars have them only from the floor until they reach this height.

Mishpacha:

"Rav Kaganoff, could I ask you to address this actual case we were asked: My aunt, who always takes the family out to eat when she visits, will be in town for *Sukkos*, and she knows that her favorite restaurant has a *sukkah* for *Chol Hamoed*. Can we rely on the restaurant's *sukkah*?"

RYK: Even when the restaurant has a good *hechsher*, the *sukkah* assembled often is a cloth walled type that most authorities invalidate. I have even seen restaurants with

excellent *hechsherim* sporting *sukkahs* that were not kosher at all. For example, the cloth walls were not secured properly and they billowed upward in the wind, which is not kosher even according to the lenient position mentioned above. Yes, I also find it surprising that the *hechsher* is assuming responsibility only for the *kashrus* of the food, but does not get involved in whether the *sukkah* built by the restaurant is kosher.

Thus, if you want to accept Aunt Shprintzah's wonderful invitation, check in advance how the restaurant *sukkah* is constructed. It has often happened that I received a phone call from a person at a restaurant trying to figure out what to do, and I have advised him to eat only items that one may eat outside the *sukkah*.

Conclusion

We all hope to merit performing this beautiful mitzvah in the best way possible. After having *davened* for a good, sweet new year, the logical continuation is to observe *mitzvas succah* in a *halachically* correct manner, getting our year off to a wonderful start!

¹ Glosses to *Shulchan Aruch, Orach Chayim* 630:5

² *Gemara Sukkah* 24b

³ *Chazon Ish, Orach Chayim* 77:6

⁴ *Rambam, Hilchos Sukkah* 4:5; *Shulchan Aruch, Orach Chayim* 630:10

⁵ Rabbeinu Peretz in his notes to the *Sma"k*

⁶ *Shulchan Aruch Orach Chayim* 630:10. Other authorities who discuss this issue at length include Rabbi Ovadyah Yosef in his *Shu"t Yechaveh Daas* 3:46.