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SELECT HALACHOT ON YOM KIPPUR
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The Custom of Kapparot

It is customary to perform the "Kapparot" ritual on Erev Yom Kippur – or, if necessary, anytime during the Aseret Yemeh Teshuba – which involves swinging a chicken around one's head while reciting a special text, and then slaughtering the chicken. The Rashba (Rabbi Shelomo Ben Aderet of Barcelona, 1235-1310), in one of his responsa, expressed his stern opposition to this practice, claiming that swinging and slaughtering chickens as a means of atonement constitutes "Darcheh Emori" – following gentile practices. He describes the efforts he made to abolish the custom in his area, and writes that "with the kindness of God" he succeeded in eliminating the custom. The Rashba's position was adopted by Maran, who writes in the Shulhan Aruch that the custom of swinging chickens for atonement should be abolished. This is also the view of the Peri Hadash (Rabbi Hizkiya De Silva, 1659-1698).

However, it has been revealed that the Arizal (Rabbi Yishak Luria of Safed, 1534-1572) indeed followed and strongly encouraged the custom of Kapparot. We, of course, treat all the customs and practices of the Arizal with the utmost seriousness and respect, as they reflect the customs of the Kabbalistic tradition, which we follow. Therefore, we do not accept Maran's ruling on this issue, and we follow instead the custom of the Arizal to perform Kapparot with a chicken. This practice is also codified by the great Rabbi from Halab (Aleppo), the Eretz Haim Sutton, and by the Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909).

The concept underlying Kapparot is to bring to mind that everything done to the chicken should actually be done to the person. Specifically, the chicken endures all four forms of capital punishment that would be administered by a Bet Din for certain transgressions. Grabbing the chicken by the neck resembles Henek (strangulation); the slaughtering corresponds to Hereg (decapitation); the chicken thrown to the ground after slaughtering, resembling Sekila (stoning); and the chicken then roasted, symbolizes Serefa (burning). One should think in his mind while swinging the chicken that due to his sins he deserves all these forms of punishment, and he should think thoughts of sincere repentance and pray that he should be spared the punishments which he deserves. Specifically a chicken is used for this purpose because a chicken is often referred to with the term "Geber," which is also used in reference to people, and thus a chicken is an appropriate "substitute" for the human being.

Another purpose of Kapparot is to have the opportunity to perform the Misva of Kisui Ha'dam, which most people do not generally have a chance to fulfill. The Torah requires covering the blood of a chicken after it is slaughtered with earth, which is a relatively simple act that fulfills an affirmative Biblical command. Before Yom Kippur, as we seek to accrue as many merits as we can, we perform Kapparot in order to have the opportunity to perform an additional Misva. One should therefore request from the Shohet to be able to cover the blood after the chicken is slaughtered. Before covering the blood, one recites the Beracha "Baruch Ata...Asher Kideshanu Be'misvotav Ve'sivanu Al Kisui Ha'dam Be'afar." If one performs Kapparot with several chickens for himself and his family members, he should have his wife and children cover the blood of their chickens, with the Beracha, so they can be involved in this Misva.

The custom is to take a chicken for every female in the family, and a rooster for every male. If one's wife is pregnant, then he takes for her two female and one male; a female for the wife herself, and both a male and female for the fetus, as its gender is unknown. (This applies even nowadays, when the gender can be determined through ultrasound, since the ultrasounds are not always precise.) One first performs the Kapparot for himself, before performing the ritual for his wife and then children. This is indicated by the verse, "Ve'chiper Ba'ado U'be'ad Beto" ("He shall atone for himself and for his household" – Vayikra 16:6), which suggests that one first brings atonement for himself, and only then for his household. This also follows logically; first one purifies himself, and then, once he has attained a state of purity, he is in a position to bring purification to the members of his family.

Some have the custom of immersing in a Mikveh before performing Kapparot; this is recorded by the Kaf Ha'haim (Rav Yaakob Haim Sofer, Baghdad-Israel, 1870-1939), citing the Mateh Abraham.

The chicken is swung three times around the head, during which one recites a three-phrase declaration – one phrase for each swing: "Zeh Halifati, Zeh Temurati, Zeh Kaparati" ("This is my exchange, this is my substitute, this is my atonement"). When swinging the chicken around someone else's head (such as wife or child), then he says, "Zeh Halifatcha, Zeh Temuratecha, Zeh Kaparatecha" for a male, and for a female he recites, "Zeh Halifatech, Zeh Temuratech, Zeh Kaparatech."

Although the words "Halifa" and "Temura" seem synonymous (as both denote "exchange"), there is a subtle but important difference between them. The term "Halifa" refers to substituting with something superior, whereas "Temura" means the opposite – exchanging something with something else that is inferior. When we begin Kapparot, we are inferior to the chicken, because we have sins on our record, while the chicken obviously has not committed any sins. We therefore begin Kapparot by proclaiming "Zeh Halifati," indicating that we are substituting ourselves with something superior – the chicken. But then, once we've repented, we are superior to the chicken, and we therefore say, "Zeh Temurati" – we are substituted with something inferior.

One must ensure to recite this declaration in the precise sequence of "Halifati," "Temurati," "Kapparati," because the first letters of these words spell "H.T.K.," which is the name of the angel assigned over inscribing people in the book of life (as in the phrase "Hotech Hayim," referring to "cutting out" people for a sentence of good life). Furthermore, "H.T.K." is the divine Name associated with Parnasa (livelihood) that is embedded within the famous verse, "Pote'ah Et Yadecha U'masbia Le'chol Hai Rason" ("You open your hand and willfully satiate all living creatures").

After swinging the chicken, one recites a brief prayer text in which he prays that whereas the chicken is killed, he should be spared for life. It is customary to mention one's name and the name of his mother in this prayer. (We generally use the mother's name when we pray for someone, or for ourselves, because the relationship to one's mother can be definitively verified.) When reciting this text, one should recite "Zeh Ha'tarnegol Yelech Le'mita Ve'ikanes Ani L'hayim Tobim U'le'shalom" ("This chicken shall go to death, and I shall go to good life and peace"). It is important to recite this text, and not the erroneous text of "Zeh Ha'tarnegol Yelech Le'mita Va'ani Ikanes..." This text is incorrect because it sounds as though one prays that both he and the chicken shall be killed, Heaven forbid ("Zeh Ha'tarnegol Yelech Le'mita Va'ani" – "This chicken shall go to death, and I"). One must therefore ensure to recite, "Zeh Ha'tarnegol Yelech Le'mita Ve'ikanes Ani..." This is the ruling of the Kaf Ha'haim.

The Shohet should slaughter the chicken immediately after the individual swings it around his head; the chicken should not be left in a box to be slaughtered later. While slaughtering the chicken, the Shohet should have in mind that he seeks to "sweeten" the five "Geburot" in the "Yesod Ha'malchut." He should also have in mind to repair the human souls that are reincarnated in the chicken, and to repair the soul of the individual for whom he slaughters the chicken.

It is critically important to ensure that the Shohet who slaughters the chicken does so properly, in strict accordance with Halacha. Unfortunately, it sometimes happens that due to the heavy workload, as scores of people bring chickens for Kapparot, the Shohetim are fatigued and thus become lax with regard to the required inspections of their knives and the proper procedure of the slaughtering. Inspecting the knife requires Yir'at Shamayim (fear of God), and also concentration and patience. It could happen that one runs his finger over the blade three times without feeling a nick, but then the fourth time he notices the nick. If a Shohet is tired and overworked, he might not have the concentration or patience required to properly inspect the knife. It is therefore preferable for those who know how to perform Shehita to

slaughter the Kapparot themselves, or for one to bring his chicken to a Shoheit who is known to be competent and God-fearing. Additionally, it is proper for people to be assigned the job of inspecting the knives during Kapparot, so that the Shoheitim, who are busy slaughtering, will not have to bear this responsibility. The Poskim warn that if a chicken is slaughtered improperly, whatever one has gained by performing this ritual is lost by the prohibition of eating non-kosher food. It should also be noted that if it is discovered that one's Kapparot chicken was slaughtered improperly, he has not fulfilled the Misva and must perform Kapparot with another chicken. (If, however, the chicken was found to be a Terefa, he does not need to repeat the Kapparot with a healthy chicken.)

In light of this concern, it is acceptable to perform Kapparot earlier than Ereb Yom Kippur, in order to alleviate the pressure on the Shoheitim. The preferred time for Kapparot is the early morning hours of Ereb Yom Kippur – based on Kabbalistic tradition – but it may be done earlier if necessary. This would even be preferable if there is concern that the Shoheitim will be put under pressure and strain by having to slaughter chickens for many hours from the early morning hours of Ereb Yom Kippur.

Some have the custom of giving the chicken to a poor person after the Kapparot. The Maharil (Rav Yaakov Ben Moshe Moelin, Germany, 1365-1427) strongly opposed this practice, as it is insulting to the poor to give them chickens upon which one has transferred his sins. Therefore, some have the custom to either leave the chicken with the Shoheit, or to eat it oneself and give money to the poor. In any event, the atonement is achieved primarily through the slaughtering, and not by giving the chicken to the poor.

If one cannot use a chicken for Kapparot, this custom can be observed by using money. The money should be given to a poor person as charity. If one performs Kapparot with money, this money cannot be counted toward his Ma'aser Kesafim (tithe of his income). The money serves as his atonement, as a kind of "ransom" for his life, and it must therefore not come from money that he would in any event have to give to charity. (Nor should the cost of slaughtering the chickens be counted towards one's Ma'aser.)

If one uses a chicken, he should state explicitly that he does so "Beli Neder," without accepting this as a lifelong practice, as he cannot know for certain that in subsequent years he will be able to perform Kapparot with a chicken.

Covering the Chicken's Blood After Kapparot

The Torah obligation of *Kisui Ha'dam* requires covering the blood of a bird that falls to the ground after slaughtering. Therefore, those who observe the custom of Kapparot on Ereb Yom Kippur must ensure that the blood is covered after the chicken is slaughtered.

As a Beracha may not be recited in a place with a foul odor or refuse, and Berachot are recited over the slaughtering of a chicken and the covering of the blood, one must ensure that the slaughtering is done in a clean area. Often, the slaughtering site is a place with filth and a stench; care must be taken to ensure the cleanliness of the area so the Berachot may be recited.

The obligation to cover the blood requires placing two layers of earth – one directly on the ground beneath the blood, and another over the blood after the slaughtering. Therefore, one must ensure that there is earth on the ground before the animal is slaughtered. The Shulhan Aruch writes that one must verbally

designate the earth on the ground as earth for fulfilling the Misva, and he then cites a different opinion ("Yesh Omerim") that a verbal designation is not necessary. In light of the rule of "Stam Va'yesh Halacha Ki'stam," Hacham Bension Abba Shaul (Israel, 1923-1998) writes that the Shulhan Aruch accepted the first opinion, and thus one should verbally designate the earth on the ground. The earth which one places over the blood does not require verbal designation, and one picks it up with his hands, which suffices as a formal designation.

The earth used for Kisui Ha'dam must be "Afar Tiho'ah" – dry earth that can be crumbled into granules, as opposed to a lump of moist earth.

If, after slaughtering, the blood is immediately absorbed into the ground, one must nevertheless cover it if there is a visible trace of the blood. This is the ruling of the Shulhan Aruch. If the earth placed over the blood absorbs all the blood and its trace can be seen in the earth, it should be covered again, though without a Beracha. If the wind covers the blood with earth, and there is no visible trace of the blood, then one is exempt from the Kisui Ha'dam obligation and does not have to cover the area. If the blood was exposed after it had been covered, one is not required to cover it a second time.

Before covering the blood, one should take the dirt in his hand, have in mind to fulfill the Torah command of Kisui Ha'dam, and then recite the Beracha, "Baruch...Asher Kideshenu...Ve'sivanu Al Kisui Ha'dam Be'afar." One does not recite "She'he'hiyanu" over the Misva of Kisui Ha'dam, as the Misva is not bound to any particular time period.

According to the Shulhan Aruch, one does not have to cover all the blood that falls from the neck after slaughtering. Rather, one must cover only the first few drops that fall ("Dam Ha'nefesh"). Others maintain that the first stream of blood that falls after the initial few drops is also included in the obligation. There is also an opinion which requires covering all the blood. Hacham Ovadia Yosef rules that as we deal here with a Biblical obligation, it is proper to satisfy all opinions and ensure to cover all the blood that falls to the ground after slaughtering.

One must cover the blood with either one's hand, or some instrument or other object held in his hand. One should not kick the dirt over the blood, as this would be disrespectful to the Misva.

Strictly speaking, the Shoheit (person who slaughtered the chicken) is given the privilege of performing this Misva of Kisui Ha'dam, as the Torah indicates in formulating this obligation ("Ve'shahat Et Damo Ve'chisahu Be'afar" – Vayikra 17:13). However, the Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909) writes that if the Shoheit is slaughtering a large number of chickens (as is usually the case on Erev Yom Kippur), then the owner of the chicken should be given the privilege of performing this Misva. If he is having several chickens slaughtered, then he may invite his family members to perform the Misva, as well. However, Kisui Ha'dam must be performed only by adults who have certainly reached physical maturity (to the exclusion of minors), and only one Beracha is recited per chicken.

According to some authorities, once some of the blood is covered, one can no longer recite a Beracha before covering the rest of the blood, since, as we have seen, the Shulhan Aruch rules that the Misva is fulfilled if even some of the blood is covered. However, this applies only if a person covered some of the blood. If the wind blew earth over some of the blood, one recites a Beracha before covering the rest.

Kapparot for a Pregnant Woman

There is a custom known as “Kapparot” which is observed in many communities on Ereb Yom Kippur. One takes a chicken and swings it around his head while reciting a text proclaiming that the slaughtering of the chicken should take the place of any punishments he deserves to endure. Men use a rooster for Kapparot, whereas women use a chicken. (Other people prefer using money for Kapparot and then giving it to charity, and this practice is certainly valid.)

The custom of Kapparot requires a pregnant woman to take three chickens – one for herself, and two for the fetus. Since she does not know the infant’s gender, she must take a rooster in case it’s a boy, and a hen in case it’s a girl. If she knows she is carrying twins, then she must take five chickens – one for herself, and two for each fetus. If she knows she is carrying triplets, then she takes seven chickens.

The Halachic authorities debate the question of whether a woman may rely on an ultrasound to determine the baby’s gender for the purposes of Kapparot. Rav Yitzhak Yaakob Weiss (1901-1989) wrote in a resposum that he consulted with a leading obstetrician who said that the infant’s gender cannot be definitely determined based on an ultrasound, and he thus ruled that such a determination cannot be relied upon with respect to Kapparot. Hacham Ovadia Yosef, however, rules leniently in this regard, and allows a woman to rely on an obstetrician’s reading of the ultrasound and take just one rooster or hen on this basis. Hacham Ovadia notes that in any event, taking Kapparot for an unborn child is not required according to the strict Halacha, and thus, for example, if a pregnant woman cannot afford extra chickens for her fetus, she may bring only one hen for herself. Therefore, since to begin with we are not dealing here with a strict Halachic requirement, a woman may certainly rely on the ultrasound and bring only a rooster if the doctors say she is having a boy, and a hen if it is a girl. This ruling appears in Yalkut Yosef – Yamim Nora’im (p. 293, in a footnote).

A woman who is within forty days of conception, and learned she was pregnant through testing, does not have to bring Kapparot for the fetus. This is ruling of Rav Shemuel Vosner (contemporary), in his work Shebet Ha’levi.

Rav Vosner also mentions that if a pregnant woman brought Kapparot on behalf of the fetus before Yom Kippur, and she gave birth before Yom Kippur, she does not have to bring Kapparot again for the newborn infant. Although some Halachic authorities dispute this ruling, Hacham Ovadia Yosef follows the lenient position.

Summary: A woman who is more than forty days pregnant must bring Kapparot for herself and for the unborn child. If she does not know the child’s gender, she must bring both a hen and a rooster for the child, but if she was informed of the gender through an ultrasound, she may rely on this information and bring only a rooster or a hen. If she did Kapparot for the infant and then gave birth before Yom Kippur, she does not have to bring Kapparot again.

Wearing Gold Jewelry

The Gemara tells that when the Kohen Gadol would enter the Kodesh Ha'kodashim for the special Yom Kippur service, he would wear white garments, rather than his usual gold garments. The reason, the Gemara explains, is "En Kategor Na'asa Sanigor," which literally means, "A prosecutor cannot become an advocate." Gold brings to mind the sin of the golden calf, and is thus a "prosecutor" in the sense that it is a sign of our nation's religious failure. As such, it cannot be worn as the Kohen Gadol serves on Yom Kippur seeking G-d's forgiveness on behalf of the Jewish People.

The question arises as to whether this applies to our clothing on Yom Kippur, as well. It is clear that Halacha requires wearing fine clothing on Yom Kippur. The prophet Yeshayahu instructs, "Ve'li'kdosh Hashem Mechubad" – that we should give honor to "the sacred [day] of G-d." The Midrash explains this Pasuk as a reference to Yom Kippur, such that it requires honoring this day. As we cannot give honor to Yom Kippur with fine food and drink, we instead show honor by wearing fine clothing ("Kabedehu Bi'ksut Nekiya"). Indeed, many people have the custom to wear white garments on Yom Kippur, and Ashkenazim have the practice of wearing a white robe ("Kittel") signifying the fact that we become pure as the angels. But may one also wear gold jewelry – such as a watch, ring, bracelet or necklace – as part of this requirement to dress nicely on Yom Kippur? Or would this fall under the law of "En Kategor Na'asa Sanigor"?

The Halachic authorities rule that wearing gold on Yom Kippur is forbidden only when it is embroidered on a white garment. As white represents purity, it would be improper to include in such a garment a golden accessory which brings to mind the sin of the golden calf. However, if one wears a gold piece of jewelry, or watch, on its own, then this is permissible.

The Halachic authorities also discuss the question of whether this rule applies also to women. Rabbi Akiva Eger (1761-1837), in his notes to the Shulhan Aruch (610), cites the Tebat Gomeh as asserting that since women did not participate in the sin of the golden calf, women may wear gold jewelry even if it is embroidered on a white garment. There is no concern for "En Kategor Na'asa Sanigor," as there is no possibility of "prosecution," since the woman did not worship the golden calf. By the same token, Kohanim and Leviyim would be allowed to wear gold embroidery on Yom Kippur, too, since the entire tribe of Levi did not participate in the worship of the golden calf. In truth, however, the Tebat Gomeh himself dismissed this argument, noting that if a woman wears gold jewelry on Yom Kippur, this could trigger "prosecution" against her husband, who purchased the jewelry. This is also the view of the Mateh Efrayim (Rav Efrayim Zalman Margoliot, 1762-1828). Therefore, women, too, should avoid wearing gold jewelry embroidered on a white garment.

It should be noted, however, that the Mishna Berura (Rav Yisrael Meir Kagan of Radin, 1839-1933) rules (610:6) that one may wear on Yom Kippur only jewelry which he or she normally wears during the week. Jewelry which one wears only for special occasions, such as Shabbat and holidays, should not be worn on Yom Kippur, regardless of what it is made from, as this would be inconsonant with the atmosphere of awe

and fear that must prevail on this day. One may only wear jewelry that is normally worn on ordinary weekdays, and if it is not gold embroidered in white, as discussed.

This is the ruling of Hacham Ovadia Yosef, as codified in Yalkut Yosef – Yamim Nora'im (p. 335).

Summary: One may not wear on Yom Kippur jewelry that is generally worn only on special occasions, or golden jewelry that is embroidered on a white garment.

Guidelines for Ill Patients Who Need to Eat

If an ill patient's condition on Yom Kippur is life-threatening, Heaven forbid, then he eats and drinks as usual without any restrictions. The Torah is more concerned about human life than about fasting on Yom Kippur, and thus a dangerously ill patient's top Halachic priority on Yom Kippur is his health. The Torah instructs, "Va'hai Bahem" – we are to live with the Torah, and not die as a result of Torah observance, and thus a dangerously ill patient eats and drinks on Yom Kippur without any Halachic restrictions whatsoever.

This is not the case when dealing with a patient whose condition is not life-threatening, but who is nevertheless medically required to eat in order to protect his health. An example would be a woman who just delivered a child, or a patient who feels very weak. Although such patients are allowed and required to eat on Yom Kippur to maintain their health, they must ensure not to eat in a manner that would, in the case of a healthy person, render one liable to the punishment of Karet. A person is liable for Karet for eating on Yom Kippur if he eats the quantity of "Kotebet Ha'hagasa" – a large date – within the period of "Kedeh Achilat Parres." The Poskim identify the size of "Kotebet Ha'hagasa" as two-thirds of a "Ke'besa" (volume of an egg), or 36 grams. The period of "Kedeh Achilat Parres" is identified as between five and ten minutes. Accordingly, Hacham Ovadia Yosef ruled that an ill patient whose doctor instructed him to eat on Yom Kippur should eat 30 grams of food, and then wait ten minutes before eating another 30 grams. This way, the patient is able to eat as much as he needs to without transgressing the Karet prohibition according to any opinion. The patient (or those caring for him) should weigh food on a scale before Yom Kippur to determine the amount he is allowed to eat, and if necessary, one may weigh the food even on Yom Kippur.

If the patient eats bread, he of course recites the Beracha of "Ha'mosi" before eating, regardless of the amount of bread he eats. Netilat Yadayim is required if one plans to eat at least 30 grams of bread. If he plans on eating less than 30 grams, he does not need to wash Netilat Yadayim, and if he plans on eating between 30 and 60 grams, then he washes without a Beracha. If he plans on eating 60 grams or more of bread, then he washes with a Beracha. Therefore, in the case described above, where a patient eats 30 grams of bread, waits ten minutes, and then eats another 30 grams, he must wash Netilat Yadayim with a Beracha. Birkat Ha'mazon is required if one ate 30 grams of bread or more.

Hacham Ovadia Yosef ruled that even if one will be eating less than 30 grams of bread, he may wash Netilat Yadayim if he so desires. He adds that one who washes Netilat Yadayim on Yom Kippur washes as usual, up to the wrist. Since this washing is done for the purpose of satisfying a Halachic requirement, and not for enjoyment, it is entirely permissible, and no restrictions apply.

Summary: If a patient whose condition is not life-threatening is medically required to eat on Yom Kippur, he should eat up to 30 grams of food at a time, waiting at least ten minutes in between. A patient whose condition is life-threatening, G-d-forbid, should eat and drink as much as he needs, without any restrictions whatsoever.

Guidelines for One Who Needs to Drink

In an earlier edition of Daily Halacha, we noted that if a competent and reliable doctor instructed a patient that he must eat on Yom Kippur, he should eat in intervals of at least ten minutes, consuming no more than 30 grams at a time. This way, he receives the nutrition he needs while avoiding the severe prohibition that would render one liable to Karet.

A similar Halacha applies in the case of a patient who is instructed by a competent and reliable physician to drink on Yom Kippur. Pregnant women, for example, often need to keep themselves hydrated and are unable to go an entire day without drinking. Such patients must likewise drink in small installments. The quantity of liquid that one must drink on Yom Kippur in order to be liable to Karet is "Melo Lugmav," or approximately 1.5 oz. Accordingly, several Halachic authorities, including Hacham Ovadia Yosef and Hacham Bension Abba Shaul, rule that a patient who needs to drink on Yom Kippur should sip 1.4 oz. and then wait ten minutes before drinking another 1.4 oz. (Strictly speaking, the patient may drink in intervals of nine minutes, but as a safeguard the Poskim advise waiting ten minutes.)

However, if the patient needs to drink more frequently, then he may drink in smaller intervals. The Shulhan Aruch ruled that one is liable to Karet only if he drinks a "Melo Lugmav" within the period of time it normally takes to drink a Rebi'it, or 3.2 ounces. This, of course, is a very short period of time, no more than ten seconds. Therefore, if the patient is unable to wait ten minutes after drinking 1.4 oz., he may wait just ten seconds after every ounce. Although it is preferable to wait ten minutes, patients who are medically unable to do so may and should rely on the Shulhan Aruch's ruling and drink in ten-second intervals.

An interesting question arises in the case of an ill patient who needs to eat or drink on Yom Kippur but has the option of receiving his needed nutrients via intravenous. Feeding via intravenous does not violate the prohibition against eating on Yom Kippur, and thus, seemingly, this option should be utilized whenever possible to enable patients to observe the Yom Kippur fast without endangering their health. However, Rav Shlomo Zalman Auerbach (Israel, 1910-1995) ruled that to the contrary, an ill patient who needs to eat on Yom Kippur should eat normally, and not be fed via intravenous. Rav Shlomo Zalman noted that if we require a patient to pursue the option of intravenous, he or other people may mistakenly conclude that eating is forbidden on Yom Kippur even for ill patients, except via intravenous. As a result, in situations where intravenous is not an option, they will refuse to eat and thereby endanger their health. It is vitally important for people to realize that eating is permissible on Yom Kippur when it is medically necessary, as determined by a competent and reliable healthcare professional, and not to give the impression that even seriously ill patients must fast. Therefore, Rav Shlomo Zalman ruled, ill patients should not be given

intravenous instead of food on Yom Kippur. This ruling is cited approvingly by Hacham Ovadia Yosef. As such, one should not try to “outsmart” Halacha by using intravenous instead of food on Yom Kippur; in situations where Halacha allows eating on Yom Kippur, the patient should eat, and not utilize an intravenous.

(Based on Yalkut Yosef – Yamim Noraim, p. 371)

Summary: One who is medically required to drink on Yom Kippur should preferably drink no more than 1.4 oz. in ten-minute intervals. If this does not suffice, the patient may drink this amount in intervals of ten seconds or so. One who is medically required to eat or drink on Yom Kippur should do so even if the option of intravenous is available.

Laws Regarding Rinsing, Swallowing Saliva, and Accidentally Making A Beracha To Eat

Just a few laws regarding eating or drinking on Yom Kippur, which we know is forbidden from the Torah. If by mistake somebody picks up a food on a Yom Kippur and makes a Beracha, and then remembers that it's Yom Kippur, Halacha says he puts the food down even though he made a Beracha, and he immediately says, 'Baruch Shem Kivod Malchuto Liolam Vaed.' This is the opinion of the S'de Chemed, and it's also brought down in the Sefer Zera Emet. And that is the Halacha.

Furthermore, the question would be if a person is allowed to rinse his mouth out just with water, while of course spitting it out without swallowing? Just a little water to swirl around in his mouth in the morning to clean out his mouth. The question today, asks if that is permissible. Maran clearly writes in Seman 567 that this is certainly forbidden on the fast days of Yom Kippur and Tisha BeAv. And therefore the Halacha, when one wakes in the morning, or during the course of the day, it is forbidden to rinse his mouth with water even if he has his head down and even if it's a little water, and even if he's careful to spit it all out.

Lastly, there is an interesting discussion amongst the Acharonim, and even the Rishonim discuss it. The question discussed asks if it is permissible to swallow saliva on Yom Kippur? A whole discussion is brought about whether or not saliva is considered a food. The opinion of the Agudah brings down clearly that it's permissible. He considers it as a food, but not really a food that is consumed, so he doesn't have a problem with it. Others don't even consider it a food at all. Some Rabbis want to say like the Chatam Sofer, whereas he makes a difference between the night and the morning. He says that at night, you should avoid swallowing saliva, since your saliva will still have the flavor of the food that you ate at the Seuda Mafseket. But on the next day, he says, you don't have any problem, and you can swallow your saliva.

The Halacha, our Poskim all say clearly, that it is permissible to swallow the saliva on Yom Kippur. Of course, one should not have Kavana (concentration) to collect the saliva in his mouth and then swallow it in order to somehow quench his thirst or something like that. One should be careful not to have Kavana. Pray normally, and don't be pre-occupied with your swallowing, and you will have no problems. The Halacha, it is permissible to swallow the saliva on Yom Kippur.

They say that the former Mashgiach of Lakewood, used to keep tissues with him on Yom Kippur, and he used to be constantly spitting out, in order not to swallow any saliva. So you see that some of the Gedolim were strict on this. But the Halacha, it's definitely permissible to swallow the saliva. We don't consider it food, and therefore it's permissible.

Saying Shehechyanu on Yom Kippur

It emerges from the Gemara's discussion in Masechet Eruvin (40) that the Beracha of She'hechyanu is recited on all the festivals, including Rosh Hashanah and Yom Kippur. (There is some controversy concerning the recitation of She'hechyanu on the second night of Rosh Hashanah. Halacha follows the view that one must recite She'hechyanu on the second night of Rosh Hashanah, but many people nevertheless have the practice to partake of a new fruit on this night and have in mind for the Beracha to apply to that fruit, to satisfy the view that She'hechyanu is not required on this night.)

Generally, of course, we recite She'hechyanu as part of Kiddush. The question thus arises, when do we recite this Beracha on Yom Kippur, when there is no Kiddush?

Our practice is for the one who leads the Kol Nidrei service on the night of Yom Kippur to recite She'hechyanu on behalf of the congregation. Many people are unaware that the She'hechyanu recited during Kol Nidrei pertains to the day of Yom Kippur; they erroneously assume that it refers to the new Torah scroll or the like. Both the person reciting the Beracha and the congregation must have in mind that everyone in attendance fulfills his obligation with respect to this Beracha by listening to its recitation.

If a person did not hear the recitation of She'hechyanu during Kol Nidrei, he should recite the Beracha at any point on Yom Kippur, until sundown. The recitation of She'hechyanu does not require the formal context of Kiddush; one may recite the Beracha wherever he is, even in the street. Therefore, a person who did not hear She'hechyanu in the synagogue during Kol Nidrei should recite it when he remembers, wherever he is.

Summary: The Beracha of She'hechyanu must be recited on Yom Kippur just as on all other festivals. The person leading Kol Nidrei recites She'hechyanu on behalf of the congregation, and they must all have in mind that the congregation fulfills their obligation through this recitation. One who did not hear She'hechyanu during Kol Nidrei should recite the Beracha himself at any point until sundown on Yom Kippur.

The Rules of Fasting for Minors

At what age should children begin fasting on Yom Kippur, for either part of the day or the entire day?

Chacham Ovadia Yosef addresses this issue at great length in Chazon Ovadia (Yamim Nora'im, p. 330), and he rules that children younger than nine years of age should not be forced or even allowed to fast for any part of the day. Even on the night of Yom Kippur, when they return from the synagogue, children are allowed to eat and drink as usual. Chacham Ovadia very adamantly insists that parents feed these children and have them drink as they normally would, as even several hours of fasting could potentially endanger their health.

Once a child reaches the age of nine, parents should begin training them to observe "Ta'anit Sha'ot," meaning, to fast for a brief period of the day. If, for example, a child normally eats breakfast at 8 A.M., the parents should feed him one hour or so later (and he should not eat or drink on the night of Yom Kippur). Parents must ensure that the child eats properly during the day. If children attend the synagogue services on Yom Kippur, which generally end only at around 1 or 2 o'clock in the afternoon, parents are required to either send the children home to eat or have food for them in the synagogue so that they are properly fed. In fact, Rabbi Chayim Palachi (Turkey, 19th century) would make an

announcement in his synagogue before Torah reading on Yom Kippur reminding parents to feed their children, lest the children go unfed until the afternoon hours.

Chacham Ovadia Yosef also emphasizes that this applies only to healthy children. If a child has any sort of medical condition or is feeling ill or frail, he must be given adequate food and drink on his usual schedule, and should not be allowed to fast at all.

Within a year of a child's Bar/Bat-Mitzva, meaning, at the age of eleven for girls and twelve for boys, the child should fast until Chatzot (midday as defined by Halacha; the time appears on most Halachic calendars). Chacham Ovadia Yosef rules that given the frailty of today's children they should not be allowed to observe a full day of fasting until the age of Bar/Bat-Mitzva. Therefore, eleven-year-old girls and twelve-year-old boys should fast only until Chatzot and no later.

Summary: Children under the age of nine must be fed and given drinks according to their normal schedule on Yom Kippur; it is forbidden for parents to allow children of this age to fast for even a brief period. From the age of nine, healthy children should be fed an hour or so later than their usual mealtime, and parents must ensure not to withhold food or drink from these children any longer than this period. Sick or weak children at this age should be fed as usual and must not fast for even a brief period. Within a year of a child's Bar/Bat-Mitzva, he/she should fast until Chatzot; a child should not observe a full fast until reaching Bar/Bat-Mitzva.

Must Pregnant Women Fast on Yom Kippur?

The Shulhan Aruch (Orah Haim 617) rules that generally speaking, pregnant women must fast on Yom Kippur, and under ordinary circumstances, they are not permitted even to drink. It doesn't take much calculation to realize that as pregnancy spans a period of nine months, most people's mothers were pregnant with them during the month of Tishri, on Yom Kippur, and yet they were born healthy even though the mother fasted. Barring exceptional circumstances, pregnant women are generally able to go one day without eating or drinking, and there is thus little room to allow a pregnant woman to eat or drink on Yom Kippur. A pregnant woman may eat or drink only if there is some concern for her wellbeing or that of the fetus, such as if there is bleeding, Heaven forbid, or other complications.

It should be noted that many physicians will warn against fasting to protect themselves from accusations of offering medically unsound advice, and not because there is a genuine risk. Pregnant women must therefore ensure to get a reliable evaluation to determine whether there is a risk involved in fasting on Yom Kippur. It should also be mentioned that it is preferable to stay home and fast than to go to the synagogue and wear oneself down. If a pregnant woman fears she might have to break her fast if she expends the physical energy involved in attending the services in the synagogue, it is far preferable for her to remain at home and pray there in order to be able to complete the fast.

Hacham Bension Abba Shaul (Israel, 1923-1998) rules that when a pregnant woman is required to drink on Yom Kippur, she should place something into the water to make it bitter-tasting, and that way she can drink normally, as much as she feels she needs. If this is not possible, then she must drink in Shiurim (small installments; on another occasion we will explain precisely how this is done).

Hacham Bension further notes that if a woman suffers from iron deficiency, and her hemoglobin count is seven, then she should eat, but in small installments. If her count is six or less, this is considered a dangerous situation and she may therefore eat and drink without restriction. If her count is above seven, and the doctors instruct her to take pills, then

she may take the pills on Yom Kippur, though before Yom Kippur she should put the pill in her mouth to ensure it has no flavor.

If a pregnant woman smelled food on Yom Kippur and feels a craving for food, she should be reminded that it is Yom Kippur, and that in reward for abstaining from food she will be blessed with a G-d-fearing child. If this does not eliminate her craving, then she should be given a small taste of the liquid of the food. If this does not help, then she should be fed more of the liquid, and if even this does not help, she should be given small quantities of the food itself. In all circumstances, if her face begins changing colors, this should be taken as a sign of potential danger and she should be fed without any questions being asked.

A woman in labor on Yom Kippur should eat and drink as much as she needs. A woman is considered to be “in labor” for the purposes of this Halacha once bleeding occurs or she cannot walk on her own.

A woman who gave birth within three days before Yom Kippur does not fast at all. If she says she feels healthy and does not need to eat, she should nevertheless be fed, though in small installments. Some authorities maintain that the three days begin from the time of childbirth, whereas others maintain that they begin from the time the woman goes into labor. As we deal here with a matter involving life and death, we follow the lenient position and count the three days from the time of delivery.

Summary: Under normal circumstances, pregnant women must fast like everyone else on Yom Kippur. A pregnant woman may drink only if a reliable physician determines that she or the fetus would otherwise be at risk. In such a case, she should either put something bitter-tasting in the water, or drink in small installments. A woman in labor, a woman within three days of delivery, and a pregnant woman whose face begins changing colors due to a food craving, should eat and drink on Yom Kippur as much as she needs. In the case of a woman after delivery, if she says she does not need to eat, she should nevertheless be fed, but in small installments. It is preferable for a pregnant woman to remain at home on Yom Kippur if going to the synagogue might cause her to become weak to the point where she will need to break her fast.

Atonement for Sins Committed Against One's Fellow

The Rambam (Rabbi Moshe Maimonides, Spain-Egypt, 1135-1204) writes in his Hilchot Teshuva (2:9; listen to audio for precise citation) that a person earns atonement on Yom Kippur only for sins committed solely against God, such as eating forbidden foods or engaging in illicit relationships. Sins committed against one's fellow, however, such as stealing, causing damage to somebody's body or property, or even verbally insulting another, cannot be atoned through Yom Kippur alone. The perpetrator must also make whatever restitution payments are required by Halacha, and ask the victim for his forgiveness. Only by receiving the victim's forgiveness can the perpetrator earn atonement for his wrongdoing.

The Rambam adds that if the victim refuses to grant forgiveness, then the sinner should assemble three colleagues and approach the victim again, in an effort to convince him to forgive. If after three requests the victim still refuses to forgive, then it is he – rather than the perpetrator – who is deemed the sinner.

In the next passage (2:10), the Rambam emphasizes the importance of responding favorably and forgivingly to those who have caused one harm and now seek reconciliation. Regardless of the crime, he writes, one should accept the apology and forgive unhesitatingly. The Rambam writes that Jews are characteristically slow to anger and quick to

forgive, whereas the pagans would customarily grow angry at the slightest provocation and refuse to grant forgiveness. We are obliged to follow the time-honored Jewish tradition to graciously forgive those who seek reconciliation after having committed a wrongful act.

If a person committed an offense against his fellow, and the victim passes away before the perpetrator asks for forgiveness, then the perpetrator should assemble ten men at the victim's grave and confess his sin (Rambam, *ibid.* Halacha 11). If the perpetrator owes a compensatory payment to the victim, he must pay the sum to the victim's inheritors. If he is not aware of any inheritors, then he should pay the sum to the local Bet Din (Rabbinical court) and confess his sin in the court's presence.

Summary: Yom Kippur cannot atone for sins committed against one's fellow unless he pays the required restitution payments and asks the victim for forgiveness. The victim should respond favorably and forgive. If the victim has passed away, one should assemble ten men by his grave and confess his sin in their presence.

Reciting the Beracha Over a Candle on Mosa'e Yom Kippur

Halacha requires that we recite Havdala on Mosa'e Yom Kippur and include in this recitation the Beracha of "Bore Me'ore Ha'esh" over a candle, just as we do on Mosa'e Shabbat. There is, however, one critical difference between the candle used for Havdala after Shabbat and the candle used after Yom Kippur. When reciting Havdala after Shabbat, we light a new candle; on Mosa'e Yom Kippur, however, one must, as the Shulhan Aruch rules (Orah Haim 624:4), recite the Beracha over a flame that was kindled before the onset of Yom Kippur and burned throughout Yom Kippur. If one does not have such a candle on Mosa'e Yom Kippur, then he does not, according to the Shulhan Aruch, recite the Beracha of "Bore Me'ore Ha'esh."

This distinction, as the Meiri (Rabbi Menahem Meiri, France, 1249-1315) explained, stems from the basic difference between the purposes served by the Beracha over the candle in the two cases. On Mosa'e Shabbat, we recite this Beracha to commemorate the creation of fire, which occurred on the first Mosa'e Shabbat after creation, when Adam rubbed two sticks together and created fire. We mark this event by creating a new fire and reciting a Beracha. On Mosa'e Yom Kippur, by contrast, we recite this Beracha for an entirely different reason, namely, to emphasize the distinction between Yom Kippur and other festivals. Whereas on all other festivals Halacha allows lighting a candle (from an existing flame), on Yom Kippur (like on Shabbat) this is forbidden. We demonstrate this difference by taking a candle that had burned throughout Yom Kippur and reciting a Beracha, as if to say that only now that Yom Kippur has concluded is it permissible to make use of the flame.

Is it permissible to use a new candle for this Beracha when Yom Kippur falls on Shabbat? Seemingly, even though the new candle obviously cannot serve as the candle for Mosa'e Yom Kippur, it still qualifies for use as the candle for Havdala of Mosa'e Shabbat. Indeed, Hacham Ovadia Yosef, in his work *Hazon Ovadia – Yom Kippur* (p. 378), cites a number of Rishonim (including the Ravva, Ritba, Ra'a and Meiri) who maintain that when Yom Kippur falls on Shabbat, one may use a new candle for Havdala. This view is cited as well by the Hafetz Haim (Rabbi Yisrael Meir Kagan, Lithuania, 1839-1933), in his *Sha'ar Ha'siyun* (624:9). Hacham Ovadia thus rules that although it is preferable to use for Havdala even in such a case a candle that had been kindled before Yom Kippur, if no such candle is available one may recite the Beracha over a newly-lit candle.

Summary: On Mosa'e Yom Kippur, one recites Havdala and includes the Beracha of "Bore Me'ore Ha'esh" over a candle. This Beracha must be recited specifically over a candle that had been lit before Yom Kippur and burned throughout Yom Kippur. If no such candle is available, then the Beracha is not recited. If, however, Yom Kippur falls on Shabbat, then one may light a new candle and use it for Havdala if he does not have a candle that was kindled before Yom Kippur.

Reciting Viduy at Minha on Ereb Yom Kippur

It is our custom to wear Tallit and Tefillin during the Minha service on Ereb Yom Kippur, and to add the Viduy (confessional) section at the end of the Amida prayer.

The Gemara comments that we recite Viduy at Minha on Ereb Yom Kippur out of the concern that "Shema Titaref Da'ato" (literally, "lest his mind become confused"). The commentators disagree in explaining the meaning of this remark. Some understand this to mean that a person might become inebriated during the final meal before Yom Kippur, and will thus be unable to properly confess on Yom Kippur. Halacha allows drinking wine during the final meal, and thus the concern arose that one might perhaps drink excessively to the point of intoxication.

The Rambam (Rabbi Moshe Maimonides, Spain-Egypt, 1135-1204), however, explained differently, claiming that a person may fatally choke on his food during the final meal before Yom Kippur. The Sages instituted that one should recite Viduy during Minha, before the final meal, so that if, Heaven forbid, he should choke on his food and pass away before Yom Kippur, he would have at least earned atonement through his Viduy recitation.

Why were the Sages suddenly concerned that one might choke on his food during the final meal before Yom Kippur?

The answer is that the Satan works with extra vigilance before the onset of Yom Kippur. Recognizing the immense power that Yom Kippur has to cleanse us of our sins, the Satan invests great effort to prosecute against us before the holy day, and endeavors to prevent us from experiencing Yom Kippur. There is thus greater concern of risk on Yom Kippur than at other times, and this led the Sages to institute the Viduy recitation at Minha on Ereb Yom Kippur.

Summary: It is customary to wear Tallit and Tefillin during Minha on Ereb Yom Kippur, and to recite the Viduy at the end of the Amida prayer.

Reciting One Hundred Berachot on Yom Kippur

Halacha requires that one endeavor to recite at least one hundred Berachot each day. (For more on this requirement, see Halacha entitled, "Reciting One Hundred Berachot Each Day," dated August 11, 2008.) On most days, this is easily accomplished through the daily prayer services, which include many Berachot, as well as the Berachot recited before and after eating and drinking. On Yom Kippur, however, one does not necessarily recite one hundred Berachot over the course of the day. Each Amida prayer on Yom Kippur consists of only seven Berachot, as opposed to the nineteen Berachot that comprise the weekday Amida. Furthermore, since one does not eat or drink on Yom Kippur, he does not recite many of the Berachot that are said over the course of a normal day.

The Rabbis have recommended a number of different measures that can be undertaken in order to fulfill this requirement on Yom Kippur. Firstly, one should have in mind while listening to the Hazan's repetition of the Amida that the Berachot he recites should count toward one's recitation of Berachot. By having this intention and answering

“Amen” to the Hazan’s Berachot, one is considered as though he has personally recited those Berachot. Likewise, one should have this intention while listening to the Berachot recited by those called for an Aliya to the Torah. These Berachot, too, can count toward the total of one hundred Berachot if a person has this in mind and answers “Amen.”

Additionally, many people have the custom of smelling fragrant spices and the like on several occasions over the course of Yom Kippur, so that they can recite the Beracha over spices. If a person recites the Beracha and then diverts his attention from the spices, he can recite the Beracha anew when he smells the spices again. (Some claim that the practice to smell spices on Yom Kippur is intended for a different purpose, namely, to keep a person awake and alert, despite the fast and lengthy prayer service.) Although the Kaf Ha’haim (Rav Yaakov Sofer, Baghdad-Israel, 1870-1939) opposed reciting a Beracha over spices on Yom Kippur, other authorities disagreed. Indeed, Hacham Ovadia Yosef writes in his work Hazon Ovadia (Yamim Nora’im) that it is a Misva to smell spices and recite the Beracha on Yom Kippur.

Many people have the practice of bringing a lemon to the synagogue – often with cloves thrust into it – and smelling it occasionally over the course of Yom Kippur. Rav Efrayim Zalman Magoliot (Poland, 1762-1828), in his Mate Efrayim (622:3), disapproved of this practice, claiming that we must be concerned that somebody may partake of the fruit. He thus forbade smelling any edible fruit – such as apples – on Yom Kippur, due to this concern. Hacham Ovadia Yosef, however, cites numerous authorities who disputed this ruling, on the basis of the ruling of the Rama (Rabbi Moshe Isserles, Poland, 1520-1572) allowing one to prepare food for children on Yom Kippur. The Rama writes that “Emat Yom Ha’din Alav” – the dread of the great Day of Judgment is sensed throughout the day, and we are therefore not concerned that one may mistakenly eat food he handles on Yom Kippur. Numerous later authorities, including the Le bush, the Shulhan Gaboa and the Mishna Berura, concur with this ruling. By extension, then, it would be permissible to smell edible fruits such as apples and lemons on Yom Kippur, as we are not concerned that one may mistakenly partake of it.

It should be noted that some people mistakenly recite the Beracha, “Hanoten Re’ah Tob Ba’perot” before smelling a lemon. This Beracha is recited only before smelling a fruit that one uses for both eating and smelling. The lemon brought to the synagogue on Yom Kippur, however, is clearly designated exclusively for smelling, and therefore one should recite the Beracha of “Boreh Aseh Besamim” – the Beracha recited before smelling fragrant substances that come from trees. Furthermore, a lemon’s fragrance is produced by the peel, and not by the fruit itself, and according to the Rashba (Rabbi Shelomo Ben Aderet of Barcelona, Spain, 1235-1310), the peel does not have the Halachic status of a fruit. For this reason, too, one should not recite the Beracha, “Hanoten Re’ah Tob Ba’perot,” which relates specifically to fruits.

Therefore, as mentioned, one who smells a lemon should recite the Beracha, “Boreh Aseh Besamim.” This Beracha also covers the cloves in the lemon.

Summary: The requirement to recite one hundred Berachot each day applies on Yom Kippur. Therefore, one should have in mind that the Berachot recited in the Hazan’s repetition of the Amida, and the Berachot recited over the Torah reading, should be considered as though he personally recites them. Furthermore, it is customary to smell spices, and lemons, on several occasions during Yom Kippur and recite the Beracha before smelling. The proper Beracha to recite before smelling a lemon is “Boreh Aseh Besamim.”

Immersing in a Mikveh on Ereb Yom Kippur

The Shulhan Aruch, in his presentation of the laws relevant to Ereb Yom Kippur, writes that it is proper for men to immerse in a Mikveh on this day. This marks the only instance in the entire Shulhan Aruch where we find mention of a Halacha involving men's immersion in a Mikveh.

Different reasons have been offered to explain this custom. Some claim that this immersion serves to purify a man from the impurity caused by "Keri" (semenal emissions), and one should endeavor to begin Yom Kippur in a state of ritual purity. Others explain this immersion as a symbolic expression of our desire and efforts to divest ourselves of our sins. The Torah (Vayikra 16:30) speaks of Yom Kippur as the day on which we are "purified" from our sins. In light of this comparison drawn between atonement and purification, we undergo immersion in a Mikveh as a symbolic expression of our desire to achieve atonement.

The Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909), in Parashat Nisavim, writes that a man should immerse five times in the Mikveh on Ereb Yom Kippur. During the first immersion, he should have in mind that he seeks purification in a general sense. The second immersion serves to correct the particular flaw of anger; thus, as one goes under the water for the second time, he should have in mind that he seeks to repair all the spiritual damage he caused by growing angry. The third immersion serves to "sweeten," or assuage, the harsh judgments that God might issue against us. Through the fourth immersion, we seek to remove the spiritual "garments" of the weekday, thereby preparing our souls for the awesome, holy day of Yom Kippur. Finally, the fifth immersion serves to bring upon us the sacred "garments" of the soul for Yom Kippur.

Although one must endeavor to immerse in a Mikveh on Ereb Yom Kippur, if he cannot make it to the Mikveh he should instead have nine "Kabin," or approximately 12.5 liters (roughly 3.5 gallons), of water poured over him. Thus, one who cannot go to a Mikveh can stand under the shower for the amount of time it takes for this quantity of water to pour on him. (The Ben Ish Hai mentions a third option, namely, washing one's hands forty times in a particular sequence, the details of which lie beyond the scope of our discussion.) In any event, as mentioned, it is proper to make an effort to immerse in a Mikveh.

It is preferable to immerse on Ereb Yom Kippur before reciting the Minha prayer. Some have the custom to go to the Mikveh a second time after completing the Se'uda Mafseket (final meal before the fast), in order to ensure that they are pure at the onset of Yom Kippur.

During the time of the Shulhan Aruch, and until recent times, it was customary for women, and even single girls, to immerse in a Mikveh on Ereb Yom Kippur. Nowadays, however, women do not immerse on Ereb Yom Kippur, and certainly single girls should not immerse, as it is customary for single girls not to go to the Mikveh at all until before their wedding.

Summary: It is proper for single men to immerse five times in a Mikveh on Ereb Yom Kippur, preferably before Minha. Some have the practice to go to the Mikveh again after completing the final meal before the fast.

Halachot of the Final Meal Before Yom Kippur; Using Pills to Alleviate the Effects of Fasting

The Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909), in Parashat Vayelech, records a custom to dip one's bread in honey or sugar during the "Se'uda Mafseket," the final meal eaten before Yom Kippur. Hacham Ovadia Yosef notes,

however, that even those who follow this custom must ensure to have salt on the table, as well, and to dip the bread three times in the salt, as is always done, even if one also dips the bread in honey or sugar.

There is a Torah obligation of “Tosefet Yom Ha’kipurim,” or adding a few minutes onto the observance of Yom Kippur. The Torah writes that the Yom Kippur observance begins “Be’tish’a La’hodesh Ba’ereb” – “on the ninth of the month, in the evening” (Vayikra 23:32), indicating that the fast should begin on the ninth of Tishri, the day before Yom Kippur. Therefore, one must begin his observance of Yom Kippur a few minutes before sundown on Ereb Yom Kippur. This applies not only to fasting, but also to the other prohibitions observed on Yom Kippur – bathing, wearing leather shoes, and so on. Hacham Ovadia Yosef writes that there is no specific period of time that one must add onto Yom Kippur, so one fulfills this obligation even he begins the observances of Yom Kippur just five minutes or so before sundown.

One who finishes his “Se’uda Mafseket” and then wishes to eat or drink may do so, provided, of course, that the time to begin the fast has not yet arrived. This applies even if he recited Birkat Ha’mazon. So long as the time for the fast has not arrived, one may continue eating and drinking despite the fact that he completed the formal meal.

There are currently on the market a number of pills and suppositories that one can take to help alleviate the discomfort of fasting, such as capsules with timed release that send different kinds of medication throughout the body over the course of the fast. Hacham Ovadia maintains that a healthy person should not take such pills or suppositories, as this would constitute “Nabal Be’rshut Ha’Torah” (violating the spirit of the law, even though it is technically permissible). Once the Torah commanded us to “afflict our souls” on Yom Kippur, it is wholly inappropriate to look for ways to fast without discomfort. Hacham Ovadia does allow taking these medications in cases of a weak or ill person who might otherwise be forced to break his fast on Yom Kippur, or might faint. Barring these exceptional circumstances, however, a person should not make use of these medicines to help alleviate the discomfort of fasting.

Summary: It is customary to dip one’s bread in honey or sugar during the final meal before Yom Kippur. One must ensure to begin all the Yom Kippur observances at least several minutes before sundown on Ereb Yom Kippur. It is permissible to eat and drink until that point, even if one completed his meal. One should not take pills or suppositories that alleviate the discomfort of fasting, unless he would otherwise become so faint that he would have to break his fast.

The Obligation of Vidui – Confession

The Rambam (Rabbi Moshe Maimonides, Spain-Egypt, 1135-1204), in the beginning of Hilchot Teshuba (listen to audio recording for precise citation), establishes that anytime a person transgresses a Torah law, he is required to verbally confess his sin. He emphasizes that this applies to all Biblical commands, whether one neglected a Misvat Aseh (affirmative command) or violated a Misvat Lo Ta’aseh (prohibition). Furthermore, the Rambam adds, one must verbally confess even for sins transgressed inadvertently.

The Rambam also presents here the text of the confession: “Please, God: I have sinned, transgressed and betrayed before You, and I did such-and-such. I hereby regret and feel ashamed over what I’ve done, and I will never repeat this thing.” Although this is the basic confessional text, the Rambam writes that it is admirable for a sinner to speak in greater length about the remorse he feels for the sin or sins he transgressed.

The Rambam adds that atonement is not possible without confession. In ancient times, when sinners would bring sacrifices as a means of atonement, the sacrifice earned atonement only in conjunction with Teshuba (repentance) and confession. The sinner would declare confession over his sacrifice in order to earn forgiveness. Likewise, when Bet Din

would administer corporal punishment, the sinner had to verbally confess in order to earn atonement through the lashes. The same is true of violators of capital crimes – such as Shabbat desecration – who would be put to death by the Bet Din. They, too, would have to confess so that their sin would be atoned through their death. The Rambam adds that confession is required even for interpersonal offenses. If a person caused his fellow physical harm or damaged his property, his sin is not atoned through monetary compensation alone; he must also confess his sin to God and commit never to repeat the act.

In short, no sin can ever be forgiven without verbal confession and a commitment not to repeat the sin.

The Highest Level of Teshuba

In the beginning of the second chapter of his Hilchot Teshuba, the Rambam (Rabbi Moshe Maimonides, 1135-1204) describes the level of “Teshuba Gemura” – “complete repentance.” A sinner achieves the highest level of repentance, the Rambam writes, when he is confronted with the same situation in which he had sinned originally, but this time succeeds in withstanding the test out of a desire to repent. If the individual refrains from the sin not out of fear or lack of ability, but strictly because he has repented, then he has reached the level of “Teshuba Gemura.” The Rambam gives the example of a person who committed a sin with a woman, and later finds himself alone with the woman and in the same physical condition as he was the first time. If he abstains from sin because of repentance – and not because he is afraid of being discovered or because he is physically frail – then he has achieved the highest level of repentance.

Nevertheless, the Rambam adds, even if a person does not repent until he grows old and frail, such that he in any event can no longer commit the sinful act, his repentance is nevertheless accepted and valuable. A sinner is considered a “Ba'al Teshuba” (“penitent”) even if he does not repent until he lies on his deathbed. Although he has not achieved the highest level of repentance, he has nevertheless repented and his repentance is accepted.

The Rambam in this context also delineates the basic components of Teshuba. He writes that repentance requires making a firm resolve in one's mind to abandon his path of sin, and eliminating the sin entirely from one's thoughts. He must also regret having committed the act, to the point where God Himself, who knows all future events, can testify that he will never repeat the sin. The Rambam emphasizes that Teshuba requires both verbal confession as well as mental resolve to never repeat the sin again. If a person confesses without committing himself to refrain from the sin in the future, he is comparable to a person who immerses in a Mikveh while holding in his hand an object of ritual impurity (“Tobel Ve'sheretz Be'yado”). Obviously, the immersion cannot be effective in eliminating his ritual impurity so long as he holds an object of impurity. Similarly, verbal confession and prayer are meaningless if a sinner does not resolve in his heart to repent and change his ways.

Finally, the Rambam mentions that Teshuba requires specifying the sin, rather than simply confessing generically. He draws proof from the fact that when Moshe pleaded with God to forgive Beneh Yisrael for the sin of the golden calf, he explicitly stated that the nation sinned by fashioning a golden idol (Shemot 32:31). This demonstrates that confession requires stating the particular sin which one committed, rather than simply stating, “I have sinned.”

Summary: Teshuba (repentance) requires verbal confession – in which one specifies the particular sin he committed – as well as firm, mental resolve to change one's conduct and not to repeat the sin. The highest level of repentance is achieved when a person finds himself in the same situation in which he committed the sin, but refrains as a result of his decision to change.

Asking One's Fellow for Forgiveness Before Yom Kippur

The Shulhan Aruch (Orach Haim 606:1) writes that one does not earn atonement on Yom Kippur for offenses committed against other people unless he receives their forgiveness. Therefore, it is imperative for a person to approach those people whom he has wronged during the year to ask them forgiveness before Yom Kippur. This applies to both financial and verbal offenses. In the case of a financial offense, of course, one must also return the funds in question.

The Shulhan Aruch writes that if the victim does not grant forgiveness when the offender first approaches him, the offender should return to him, as many as three times. He then earns atonement even if the victim still refuses to forgive. As the Be'ur Halacha (commentary by Rabbi Yisrael Meir Kagan, 1839-1933) notes, it appears from the Shulhan Aruch's presentation of this Halacha that a person should approach the victim accompanied by three people. Even when he approaches the victim for the first time, according to the Shulhan Aruch, he should bring three people along with him. The Rambam (Rabbi Moshe Maimonides, 1135-1204), however, on the basis of the Talmud Yerushalmi, maintains that when the offender approaches the victim for the first time he does not have to bring three people with him. If the victim refuses to forgive, then he should return as many as three times together with three other people. The Kaf Ha'haim (Rabbi Yaakov Haim Sofer, 1870-1939) writes that the accepted practice follows the Rambam's view, and thus one is not required to bring three people the first time he approaches his fellow to request forgiveness.

The importance of requesting forgiveness from one's fellow before Yom Kippur cannot be overstated. According to some opinions, one cannot even earn atonement for sins committed against God if he does not receive forgiveness from the people whom he had wronged. Furthermore, the Kaf Ha'haim writes that if a person does not seek his friend's forgiveness before Yom Kippur, then the prosecuting angel comes before God and argues against this person. The angel contends that the person is not concerned about his sins, as evidenced by his unwillingness to ask for his fellow's forgiveness, and therefore should not be granted atonement on Yom Kippur. One must therefore make every effort before Yom Kippur to make amends with all those whom he had wronged over the course of the year.

Finally, the Sages also emphasize the importance of granting forgiveness to others. The Rabbis teach that one should not be "cruel" by refusing to grant forgiveness to somebody who offended him. A person who willingly grants forgiveness to others will earn God's forgiveness for whatever sins he may have committed.

Summary: It is imperative to ask forgiveness before Yom Kippur from all those whom one had wronged during the year. If the individual refuses to forgive, then one should return to him with three people, as many as three more times, to request forgiveness. At that point, he need not ask forgiveness any further. It is proper for the victim to grant the offender forgiveness.

The Prohibition Against Marital Relations, and Avoiding Bodily Emissions

One of the five "Inuyim" (modes of self-affliction) that are required on Yom Kippur is abstaining from "Tashmish Ha'mita" – marital relations. It is forbidden for a husband and wife to engage in marital relations on Yom Kippur, and they must also observe all the "Harhakot" restrictions that apply during the time the wife is a Nidda. Thus, for example, they must avoid touching, conversing intimately, and handing objects directly to one another, and they must sleep in separate beds.

Furthermore, Halacha places great importance on avoiding seminal emissions on Yom Kippur, and we therefore observe a number of practices to help avoid such an occurrence. Certain foods that increase the likelihood of nocturnal emissions may not be eaten in the final meal before Yom Kippur, and toward the end of Arbit, before Alenu, we recite a series of chapters of Tehillim that are uniquely suited to help one avoid bodily emissions. The reason why we make such an effort to avoid emissions, as Rashi explains in his commentary to Masechet Yoma, is that it is inappropriate for a person to experience this kind of pleasure while everyone else abstains from this pleasure. Experiencing an emission on Yom Kippur undermines one's "Inui" and thus, by extension, undermines the atonement achieved through the observance of this day.

The Shulhan Aruch, in discussing these Halachot, writes that a person who experiences an emission on Yom Kippur "must worry the entire year" that perhaps his prayers were not accepted and he was denied atonement. If the individual survives the year, the Shulhan Aruch adds, then he is guaranteed a share in the next world, and will be blessed with offspring and longevity.

Importantly, however, the Steipler Gaon (Rabbi Yaakov Kanievsky, 1899-1985), in a letter published in Karyana De'igarta, writes that this Halacha applies only to exceptionally pious and righteous individuals. Experiencing an emission on Yom Kippur is cause for concern only if there was no natural cause, meaning, the individual was somebody who carefully guarded his eyes and mind and never engaged in inappropriate thoughts that could lead to emissions. By the same token, the blessing promised to a person who experienced an emission and survived the year also applies only to exceptionally righteous and holy men. An ordinary individual, however, who has not achieved this stature of purity, should not be concerned if he experiences an emission on Yom Kippur. He must, however, earn atonement for his emission; the Steipler Gaon recommends studying Masechet Kelim, which deals with laws of ritual purity. In any event, the warning mentioned by the Shulhan Aruch applies only to holy Sadikim for whom a bodily emission is unnatural and not to be anticipated.

For the rest of us, the concern should be to work toward raising ourselves to this level, and striving to follow the example of sanctity and purity of mind set by these holy Sadikim.

Summary: On Yom Kippur, husbands and wives must abstain from marital relations and must also observe all the restrictions that apply when a wife is a Nidda. Men should avoid eating before the fast foods that may increase the likelihood of a nocturnal emission, and a special series of chapters of Tehillim is recited after Arbit to protect against emissions on the night of Yom Kippur.

Candle Lighting

Halacha requires lighting candles each week before the onset of Shabbat, and before the onset of Yom Tob. Before lighting the Shabbat candles one recites the Beracha, "Le'hadlik Ner Shel Shabbat," and before the lighting for Yom Tob one recites, "Le'hadlik Ner Shel Yom Tob." This is codified by the Shulhan Aruch (Orah Haim 263).

In this context, the Shulhan Aruch observes that some people have the custom to also light candles for Yom Kippur, though they do not recite a Beracha on this lighting.

In truth, the issue of candle lighting for Yom Kippur is subject to a debate among the Rishonim. The Rosh (Rabbeinu Asher Ben Yehiel, Germany-Spain, 1250-1327) maintained that candles should be lit in the home on Yom Kippur as a safeguard against marital relations, which are forbidden on Yom Kippur. Since marital relations should take place only in the dark, having lights in the home on Yom Kippur helps ensure that husbands and wives will not violate this prohibition. The Mordechi (Rav Mordechai Ben Hillel, 1250-1298), however, maintained that to the contrary, if lights are lit in the home, a husband may look at his wife and desire relations, and so it is preferable not to have lights in the home on Yom Kippur.

In contradistinction to his aforementioned comments, the Shulhan Aruch later, in discussing the laws of Yom Kippur (610), mentions only the view of the Rosh, that candles should be lit for Yom Kippur, adding that according to this view, a Beracha is recited at the time of lighting ("Le'hadlik Ner Shel Yom Ha'kippurim"). It thus appears that he accepted the Rosh's ruling, and maintained that one should light candles for Yom Kippur and should even recite a Beracha over the lighting. The Rama (Rav Moshe Isserles of Cracow, 1525-1572) writes that this was the custom among Ashkenazic communities, and this is also the position taken by many Ashkenazic authorities (Rav Shneur Zalman of Liadi, Peri Megadim, Mateh Efrayim and Hayeh Adam). Numerous Sephardic authorities accept this view, as well, including the Ben Ish Hai and Kaf Ha'haim.

Others, however, disagree, and maintain that in light of the different views that exist among the Rishonim, we must apply the principle of "Safek Berachot Le'hakel" – we do not recite a Beracha when there is some uncertainty as to whether it is warranted. Therefore, in their view, a Beracha should not be recited over the Yom Kippur candle lighting. This is the view of Rav Haim Palachi (in Ruah Haim), the Peri Hadash, the Erech Ha'shulhan, and others.

As for the final Halacha, Hacham Ovadia Yosef ruled that in communities with an established custom, we do not apply the principle of "Safek Berachot Le'hakel." Therefore, communities that have a custom to recite a Beracha over the Yom Kippur candle lighting should follow this custom. This is also the ruling of Hacham Bension Abba Shaul (Israel, 1923-1998).

The accepted custom in Halab (Aleppo, Syria) was to either not light candles for Yom Kippur, or to light candles without a Beracha. This is documented in the book Derech Eretz, and in the Kol Yaakov weekday Siddur, too, it says that the custom among the Jews of Halab was not to recite a Beracha over the Yom Kippur candle lighting. The exception to this rule, however, is when Yom Kippur falls on Shabbat, in which case candles must be lit before the onset of Yom Kippur because of Shabbat. The custom in Aleppo was to recite at the time of candle lighting in this case the Beracha, "Le'hadlik Ner Shel Shabbat Ve'Yom Ha'kippurim." Hacham Eliyahu Hamoui ruled that even in this case no Beracha should be recited, but the consensus view is that according to the custom of Halab, a Beracha is recited over the Yom Kippur candle lighting when Yom Kippur falls on Shabbat.

It should be noted that women who attend the synagogue service on the night of Yom Kippur recite the Beracha of "She'he'hiyanu" together with the congregation in the synagogue. If a woman does not attend the service in the synagogue, she must still recite the Beracha, as this Beracha is recited over the occasion of Yom Kippur, not as part of the Kal Nidreh service.

Summary: It is customary in most communities to light candles before the onset of Yom Kippur and to recite a Beracha over the candle lighting, but the custom in Halab (Aleppo) was not to recite a Beracha over this candle lighting, except when Yom Kippur falls on Shabbat.

Does a Woman Recite "Shehehiyanu" When Lighting Candles on Ereb Yom Kippur?

On Ereb Yom Kippur, just as on every Ereb Yom Tob, women light candles in honor of the Yom Tob. They recite the Beracha of "Le'hadlik Ner Shel Yom Ha'kippurim," and, when Yom Kippur falls on Shabbat, they recite the Beracha "Le'hadlik Ner Shel Shabbat Ve'Yom Ha'kippurim."

Should a woman also recite the Beracha of "Shehehiyanu" when she lights the Yom Tob candles?

The Talmud Yerushalmi states explicitly that at the time of Yom Tob candle lighting a woman recites only the Beracha of "Le'hadlik." A woman fulfills her obligation of "Shehehiyanu" by listening to Kiddush, when this Beracha is recited. On Yom Kippur, when Kiddush is, of course, not recited, we recite "Shehehiyanu" in the synagogue at the time of Kal Nidreh. The Shulhan Aruch appears to adopt this ruling, that a woman does not recite "Shehehiyanu" at the time of Yom Tob candle lighting.

However, the Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909) observed that the custom in Baghdad was for the women to recite "Shehehiyanu" at the time of Yom Tob candle lighting. Likewise, Rav Yaakov Emden (Germany, 1697-1776) wrote that his wife followed the practice of reciting "Shehehiyanu" at the time of candle lighting. He added that he himself opposed this practice, but nevertheless allowed his wife to observe this custom since there are authorities on whom to rely in this regard.

In any event, Hacham Ovadia Yosef ruled that women should not recite "Shehehiyanu" at the time of candle lighting. He noted that reciting this Beracha in between the Beracha of "Le'hadlik" and the actual candle lighting may constitute a Hefsek (unwarranted interruption) between the Beracha over the Misva and the performance of the Misva. Furthermore, once a woman recites "Shehehiyanu" over the occasion of Yom Tob, she has likely accepted the onset of Yom Tob, at which point it is forbidden for her to light a fire. The lighting must be done before she formally accepts the onset of Yom Tob, whereas "Shehehiyanu" must be recited after she has accepted Yom Tob. For this reason, too, women should not recite "Shehehiyanu" at the time of Yom Tob candle lighting. As mentioned, she fulfills the obligation of "Shehehiyanu" at Kiddush, or, on Yom Kippur, by reciting "Shehehiyanu" at the time of Kal Nidreh. This is the majority view among the Halachic authorities, and this is, indeed, the accepted practice and the custom that should be followed.

Summary: According to the commonly accepted practice, a woman should not recite the Beracha of "Shehehiyanu" when she lights the Yom Tob candles. She fulfills this requirement through the Beracha of "Shehehiyanu" recited at Kiddush, or, on Yom Kippur, through the Beracha of "Shehehiyanu" recited at the time of Kal Nidreh.

The Misva to Eat on Ereb Yom Kippur

There is a Misva to eat on Ereb Yom Kippur. This Misva is so important that, as the Talmud teaches, a person who eats on Ereb Yom Kippur is considered to have fasted both on that day and on Yom Kippur itself.

What is the concept underlying this obligation? Why are we required to eat on Ereb Yom Kippur?

The Rosh (Rabbenu Asher Ben Yehiel, Germany-Spain, 1250-1327) suggested an analogy to a father who knows that his son would be unable to eat on a given day, and therefore ensures to feed him large amounts of filling foods the day before so he will not suffer as a result of the fast. Similarly, the Rosh said, God “feeds” us on the day before Yom Kippur by commanding us to eat heartily, so that our health and well-being will not be affected by the fast.

The Shoboleh Ha’leket (Rav Sidkiya Ben Abraham, Italy, 1230-1300) suggests the precise opposite reason, namely, that eating heartily the day before a fast makes the fast more difficult. If the body receives large amounts of food one day, it expects the same the next day, and thus fasting becomes a more demanding undertaking. The Torah commanded us to “afflict our souls” (“Ve’initem Et Nafshotechem”) on Yom Kippur, and we therefore eat heartily the previous day to make the fasting more uncomfortable.

(One might question, according to this reason, why we do not find a similar Halacha regarding the fast of Tisha B’Ab. Not only is there no Misva to eat heartily on Ereb Tisha B’Ab, but to the contrary, Halacha requires that the final meal before the fast consist of only bread and one cooked food. Apparently, there is a distinction between the fast of Tisha B’Ab, which we observe as an expression of mourning, and Yom Kippur, when we fast as part of the process of repentance.)

The Sefat Emet (Rav Yehuda Aryeh Leib Alter of Ger, Poland, 1847-1905) suggests an entirely different reason for the Misva to eat on Ereb Yom Kippur. One of the obligations that apply on Ereb Yom Kippur is reconciliation with those whom we have wronged. We are obligated before Yom Kippur to ask forgiveness and seek reconciliation as part of our preparations for the day of atonement. The Sefat Emet noted that when people are hungry, they are more agitated and less likely to accept or seek reconciliation. Halacha requires eating heartily on this day so we are all in a pleasant, relaxed mood, which can facilitate peacemaking and reconciliation.

There is a custom to eat double one’s normal food intake on Ereb Yom Kippur. Therefore, if possible, one should estimate his normal daily intake and eat twice that quantity on Ereb Yom Kippur.

The Misva to eat on Ereb Yom Kippur is deemed more important than the Misva of Torah learning. Thus, one should take time away from his Torah study in order to eat a proper meal on Ereb Yom Kippur. The Gemara in Masechet Berachot (8) tells of a certain Rabbi who decided he would spend Ereb Yom Kippur reading “Shenayim Mikra Ve’ehad Targum” (the double reading of the Parsha with the Aramaic translation) for the entire Torah. His colleagues, however, reprimanded him, noting that he has an obligation to eat on that day. The Rabbi did not respond to their criticism, indicating that he accepted their position. This incident demonstrates that this Misva overrides the great Misva of Torah study – a status which is given to very few Misvot.

Hacham Ovadia Yosef rules that the obligation to eat on Ereb Yom Kippur applies to women, just as men, because the reasons given for this obligation – either preparation for the fast or to facilitate reconciliation – apply equally to both men and women.

The Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909) records a custom to eat fish at breakfast on Ereb Yom Kippur. The basis for this custom is a story told in a Midrash (cited in the Tur) of a king who instructed his servant to go to the market and buy him a piece of fish. The servant went to the market and found that there was only one piece of fish remaining. He offered the vender a coin for the fish, but a Jew, who also wanted the fish, offered two coins. Intense bidding ensued, and ultimately the Jew outbid the king's servant and purchased the fish for an exorbitant sum. The servant returned to the king and explained what had happened, and the king immediately summoned the Jew and demanded an explanation for his persistence in bidding on the fish. The Jew explained that it was Ereb Yom Kippur, and he wanted to eat fish in fulfillment of the Misva to eat festively on that day. We therefore eat fish on Ereb Yom Kippur in commemoration of this Jew's remarkable devotion to this Misva

The fish is to be eaten only in the morning hours, because foods that raise the chances of Keri (nocturnal emissions) must be avoided in the afternoon of Ereb Yom Kippur, so that one does not become Tameh (ritually impure) on the night of Yom Kippur. This includes fish, dates, eggs, warm milk and fatty meats. These foods should not be eaten during the afternoon of Ereb Yom Kippur.

Summary: There is an obligation for both men and women to eat festively on Ereb Yom Kippur, and one should even take time away from his Torah studies to fulfill this Misva. One should not eat fish, dates, eggs, warm milk or fatty meats in the afternoon of Ereb Yom Kippur. There is a custom to eat fish on the morning of Ereb Yom Kippur.

Asking Forgiveness From One's Fellow by Phone, Fax, E-mail or Texting

The Yom Kippur observance earns atonement for sins that one commits "Ben Adam La'Makom" – meaning, against only God. When it comes to sins committed against a fellow Jew – "Ben Adam La'habero" – the Yom Kippur observance does not suffice. One must also approach his friend and ask for his forgiveness. This includes cases where one harmed his fellow financially, insulted him verbally, or otherwise wronged him. In all such situations, it is necessary to not only repent, but also to approach the victim before Yom Kippur and ask forgiveness.

The Ribebot Efrayim (Rav Efrayim Greenblat of Memphis, contemporary) addresses the question of whether one fulfills this obligation by requesting forgiveness via telephone. On the one hand, expressing an apology by phone involves direct communication, as opposed to a written apology, but on the other hand, apologizing by phone does not involve the same degree of shame as apologizing in person. A major component of the requirement to apologize is for the perpetrator to feel subdued and ashamed, besides actually earning forgiveness, and this sense of shame is not experienced via telephone to the same extent as through a personal apology. The Ribebot Efrayim rules that one satisfies the requirement of asking forgiveness by apologizing by phone, though it is certainly preferable to approach the victim in person to apologize.

Apologizing by writing a letter, however, does not suffice, because one cannot ascertain that the victim received the letter and granted forgiveness. By the same token, Rabbi Bitan (contemporary) writes (p. 310; listen to audio recording for precise citation) that one does NOT fulfill the requirement by sending an apology by fax, email or SMS. He writes that these media are even less personal than ordinary letter-writing, and thus apologizing in this fashion does not fulfill the obligation of asking forgiveness.

If a person spoke Lashon Ha'ra (negative speech) about his fellow, but his fellow never heard about what was spoken, he should not tell him what he said. In such a case, one should request forgiveness by saying something to the effect of,

“Do you forgive me for anything I might have done?” without specifying the content of what was said. If he would inform his fellow of what he said, this would likely ignite tensions between them, which is, of course, the precise opposite of the intent behind the requirement to apologize.

Summary: One is obligated to request forgiveness before Yom Kippur from anyone he had wronged. It is preferable to apologize in person, rather than by telephone, but one fulfills the obligation if he apologizes by telephone. One does not, however, fulfill the obligation if he apologizes through indirect media, such as fax, email or SMS.

Asking One’s Parents for Forgiveness Before Yom Kippur

The Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909), in Parashat Vayelech (listen to audio recording for precise citation), writes that just before the onset of Yom Kippur, before one goes to the synagogue, he should kiss his father and mother’s hands and ask them for forgiveness. Requesting forgiveness from one’s parents before Yom Kippur is, in the Ben Ish Hai’s words, a “Hiyub Gadol” – “great obligation” – to the extent that one who does not ask his parents for forgiveness is considered a sinner and belittles his parents’ honor. The Ben Ish Hai explains that if Halacha requires asking forgiveness before Yom Kippur from anybody one may have wronged, then this is certainly obligatory from one’s parents, given that nobody perfectly fulfills the obligation to respect parents. The Misva of honoring parents is especially demanding, and all of us are guilty, to one extent or another, of failing to show our parents proper respect. It is therefore critically important to ask one’s parents for forgiveness before the onset of Yom Kippur.

If one foolishly does not ask his parents for forgiveness, the Ben Ish Hai writes, then his parents should nevertheless grant him forgiveness. They should say explicitly that they grant their child complete forgiveness for whatever wrongs he had committed against them.

The Ben Ish Hai adds in this context that a husband should grant his wife forgiveness before Yom Kippur for overspending during the year, and that if one’s Rabbi lives in his town, he should visit him before Yom Kippur to ask forgiveness for failing to treat him with proper respect.

Summary: One is obligated to ask his parents for forgiveness before Yom Kippur, for failing to treat them with proper respect. Given the strict demands of Kibud Horim (honoring parents), there is nobody who truly honors his parents as required, and therefore everyone must request his parents’ forgiveness before Yom Kippur.

May the Kohanim Wash Their Hands for Birkat Kohanim on Yom Kippur?

Although bathing and washing are forbidden on Yom Kippur, Kohanim may wash their hands in preparation for Birkat Kohanim, as is normally done throughout the year. Since this washing is done for Halachic reasons, and not for comfort or enjoyment, it is permissible, and the Kohanim may wash the entire hand until the wrist, as they normally do. This is the ruling of the majority of the Halachic authorities, including Rav Haim Palachi (Turkey, 1788-1869), in his work *Mo’ed Le’kol Hai* (18:3), and Hacham Bension Abba Shaul (Israel, 1923-1998).

However, Hacham Bension adds that whereas generally Kohanim wash each hand three times in preparation for Birkat Kohanim, on Yom Kippur they should wash each hand only once. Since the additional two washings are not technically required, they should not be done on Yom Kippur.

Some Leviyim have the practice of washing their hands before washing the Kohanim's hands in preparation for Birkat Kohanim. Hacham Bension writes that a Levi who normally follows that practice may wash his hands on Yom Kippur, as well. Quite obviously, a Levi who normally does not make a point of washing his hands before washing the Kohanim's hands should not do so on Yom Kippur.

Summary: Kohanim may wash their hands until the wrist in preparation for Birkat Kohanim on Yom Kippur, but they should wash each hand only once, and not three times. A Levi who normally washes his hands before washing the Kohanim's hands may do so on Yom Kippur, as well.

Learning Torah on Yom Kippur Night

Although one should generally refrain from reading Tehillim or other portions of Tanach at nighttime, this is permissible on the night of Yom Kippur, as the night and the day of Yom Kippur have the same status. This is mentioned by the work Hemdat Yamim.

The Hemdat Yamim further notes that there is a custom among especially pious people to remain awake throughout the night of Yom Kippur learning Torah, because one hour of Torah study on the night of Yom Kippur is more valuable than a year's worth of Torah learning. However, one should not adopt this practice if it will hamper his ability to properly pray the next day. It often happens that people follow stringencies which compromise their ability to observe basic Halacha, and this can happen in regard to Yom Kippur, as well. I know people who decided to stay up all night learning on Yom Kippur, and because of this they were falling asleep during the prayer service and could not pray with any sort of concentration or feeling. If one knows that remaining awake throughout the night will hamper his ability to pray the next day, it is much preferable for him to spend some time learning at night and then go to sleep.

The Ben Ish Hai (Rav Yosef Haim of Baghdad, 1833-1909) writes that if one generally keeps a glass of water by his bed at night in case he gets thirsty during the night, he should not do so on Yom Kippur night, as he may mistakenly drink during the night, forgetting it is Yom Kippur.

The Gemara mentions a brief text that one should recite before going to the restroom, asking the angels to wait for him while he goes into the restroom. Throughout the year, this text should not be recited, because unlike in the times of the Gemara, we are not on the level where we can assume that angels are accompanying us, and it would thus appear arrogant to recite this text. On Yom Kippur, however, when we resemble the angels – and thus we recite “Baruch Shem Kebod Malchuto Le’olam Va’ed” aloud, like the angels – we may, indeed, assume that we are accompanied by angels. Therefore, one should recite this declaration quietly before going into the restroom on Yom Kippur. This is the ruling of the Ben Ish Hai in his work Od Yosef Hai (Vayeseh, 4). The text is: “Hitkadebu Mechubadim Kedoshim Mesharteh Elyon Shamruni Shamruni Azruni Azruni Hamtinu Li Ad She’ikanes Ve’eseh Sheken Darkam Shel Beneh Adam.”

Summary: Torah study is especially valuable on Yom Kippur night, and therefore one should spend time learning Torah on this night. It is permissible to read Tehillim and study other parts of Tanach on Yom Kippur. There are those who stay awake the whole night learning, but one should not follow this practice if this will hamper his ability to pray properly the next day. One should recite the “Hitkadebu Mechubadim” text before using the restroom on Yom Kippur, as opposed to the rest of the year, when this text should not be recited.

Halachot and Customs for Mosa'eh Yom Kippur

The Habdala recited upon the conclusion of Yom Kippur consists of three Berachot – “Boreh Peri Ha'gefen” over a cup of wine, “Boreh Me'oreh Ha'esh” over a flame, and the usual Beracha of “Ha'mabdil Ben Kodesh Le'hol...” The flame over which one recites Habdala must have been kindled before Yom Kippur. Everyone who will be reciting Habdala should therefore ensure to light a 25-hour Yahrtzeit candle before Yom Kippur so that they have a flame on which to recite “Boreh Me'oreh Ha'esh” in Habdala after Yom Kippur.

Rav Haim Palachi (Turkey, 1788-1869) writes that one must not rush through the Arbat prayer service on Mosa'eh Yom Kippur. This is the first prayer recited after the Yamim Nora'im (High Holidays), and the quality of this Tefila serves as an indication of the quality of our Yom Kippur observance, the extent to which we have truly grown in our commitment to Hashem. It should therefore be recited slowly and with concentration.

Those who build their own Sukka for Sukkot should preferably begin the building immediately after Yom Kippur, even before they break their fast. Obviously, one does not have to build the entire Sukka before eating; rather, one should make some initial preparations for the building before he sits down to break his fast after Yom Kippur. Rav Haim Palachi suggested an allusion to this Halacha from a pair of verses in the Book of Bereshit (33:16-17): “Esav returned on that day along the way to Seir, while Yaakov journeyed to Sukkot...” People who “return...along the way” after Yom Kippur, immediately resuming their normal physical activities, follow the example of Esav. Those who follow the example of Yaakov, by contrast, “journey to Sukkot” – proceed right away after Yom Kippur to begin preparing the Sukka. A famous verse in Tehillim (84:8) states, “Yelevu Me'hayil El Hayil” (“They shall go from strength to strength”). One should proceed from one great accomplishment immediately to the next, and it is therefore proper after Yom Kippur to make some preparations for the Sukka even before breaking the fast.

During the period between Rosh Hashanah and Yom Kippur, one should spend time selecting his Arba Minim in preparation for the celebration of Sukkot.

Summary: One must not rush through the recitation of Arbat on Mosa'eh Yom Kippur. During Habdala on Mosa'eh Yom Kippur, one recites the Beracha of “Boreh Me'oreh He'esh” over a flame that had been kindled before Yom Kippur. One must therefore ensure to light a Yahrtzeit candle before Yom Kippur for this purpose. It is proper to make at least some preliminary preparations for the building of the Sukka immediately after Yom Kippur, even before breaking the fast.