



Tishrei in a Day: Yom Kippur: When "Sorry" Isn't Enough

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*Dedicated by Nathan Kirsh in memory of his beloved parents Lou and Ruth Kirsh z"l
and his beloved brother Jerry Kirsh z"l*

*Dedicated by Rina and Irving Gottesman in honour of our grandchildren Ezra, Ariella, Jackson and Tyler
Children today... Builders tomorrow*

*Dedicated by Andy & Margie Gann
in memory of Samuel Gann, Shmuel Shimson ben Avraham haLevi z"l, Andy's father
Dedicated by Anonymous in honour of our children and grandchildren*

1. Rambam (12th century Egypt), Responsum 207

תשובה: הראוי שלא לומר דבר מדברי השיר האלה בתפלה ואם אין ההמון רוצה אלא לאמרם ויד הבערות על העליונה, יהא זה קודם ברכות קריאת שמע ולא יוסיפו דבר בשום פנים בעצם הברכות ולא יפסיקו ביניהן ובין קריאת שמע.

It would be appropriate not to say anything from these songs in prayer. And if the masses only want to say them, and foolishness reigns, then let it be before the blessings of Shema, and let them not add in any way to the actual blessings, and let them not interrupt between the blessings and Shema.

How Forgiveness Works

2. Michah 7:18

מי קל כמוך נושא עון ועובר על פשע לשארית נחלתו לא החזיק לעד אפו כי חפץ חסד הוא

Who is powerful like You, Who pardons iniquity and overlooks transgression for the remnant of His heritage? He does not maintain His wrath forever, for He desires generosity.

3. Daniel 9:9

לד' אלקינו הרחמים והסלחות כי מרדנו בו:

Mercy and forgiveness are with G-d, for we have rebelled against Him.

4. Don Isaac Abarbanel to Shemot 34

מפני שהאם מרחמת על בניה ברחמים גדולים... לכן קראו להמלה רחמים מלשון רחם המיוחדת אל האשה

Because the mother has great mercy for her children... Therefore, they called mercy *rachamim*, from *rechem* [womb], which is uniquely female.

5. Devarim 9:26-29

(כו) וְאַתְּפַלֵּל אֶל ד' וְאָמַר ד' אֱלֹהִים אֵל תְּשַׁחַת עַמְּךָ וְנַחֲלַתְךָ אֲשֶׁר פָּדִיתָ בְּגִדְלֶךָ אֲשֶׁר הוֹצֵאתָ מִמִּצְרַיִם בְּיַד חֲזָקָה: (כז) זָכַר לַעֲבֹדֶיךָ... (כח) פֶּן יֹאמְרוּ הָאֲרָץ אֲשֶׁר הוֹצֵאתָנוּ מִשָּׁם... (כט) וְהֵם עַמְּךָ וְנַחֲלַתְךָ אֲשֶׁר הוֹצֵאתָ...
And I prayed to Gd, saying: Hashem, Elokim! Do not destroy Your nation and Your portion, whom You redeemed in Your greatness, whom You removed from Egypt with a mighty hand. Remember Your servants... Lest they say, the land from which You removed us... And they are Your nation and Your portion, whom You removed...

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6. Melachim I 8:46-51

(מו) כִּי יִחַטְאוּ לָךְ... (מז) וְהָשִׁיבוּ אֵל לִבָּם בְּאֶרֶץ אֲשֶׁר נָשְׁבוּ שָׁם וְשָׁבוּ וְהִתְחַנְּנוּ אֵלֶיךָ בְּאֶרֶץ שְׁבִייהֶם... (מח) וְשָׁבוּ אֵלֶיךָ בְּכָל לִבְכֶם... וְהִתְפַּלְלוּ אֵלֶיךָ דְרָךְ אֲרָצָם אֲשֶׁר נָתַתָּה לְאֲבוֹתָם הָעִיר אֲשֶׁר בָּחַרְתָּ וְהַבַּיִת אֲשֶׁר בָּנִיתִי לְשִׁמְךָ: (מט) וְשָׁמַעְתָּ הַשְּׁמַיִם... (נ) וְסָלַחְתָּ לְעַמְּךָ אֲשֶׁר חָטְאוּ לָךְ... (נא) כִּי עַמְּךָ וְנַחֲלַתְךָ הֵם אֲשֶׁר הוֹצֵאתָ מִמִּצְרַיִם מִתּוֹךְ כּוּר הַבְּרִזָּל:

When they sin against You... And they set in their hearts in the land where they have been taken captive, and they plead with You in the land of their captors... And they return to You wholeheartedly... And they pray to you via their land, which You gave their ancestors, the city You have chosen, and the house I have built in Your Name. And You will hear in Heaven... And You will forgive Your nation, which has sinned against You... For they are Your nation and Your portion, whom You removed from Egypt, from the iron kiln.

Stage 1: The Piyut

7. Technical background

<https://www.yutorah.org/sidebar/lecture.cfm/863413>

8. Rambam (12th century Egypt), Responsum 180

המותר למתפלל להפסיק בין הברכות שקודם קריאת שמע או שלאחריה בדבר מן הפיוטים החדשים.....
התשובה להפסיק ביניהן בדבר מן הפיוטים הוא משגה וטעות גמורה, ואין פנים להתירו...

May one who is praying interrupt between the blessings before Shema or after it with one of the new *piyutim* ...

Answer: Interrupting with one of the *piyutim* is error, a total mistake, and there is no room to permit it.

9. Rambam (12th century Egypt), Responsum 254

ואין זה כמו הפיוטים אשר הם תוספת עניינים והבאת דברים הרבה שאינם מעניין התפלה, ונוספים לזה משקלם וניגונם, ויוצאת התפלה מגדר תפלה (ונעשית) לשחוק. וזו הסיבה היותר גדולה לחסרון הכוונה ושההמון מקילים ראש לשוחח (באמצע התפלה), לפי שהם מרגישים, שאלו הדברים הנאמרים אינם מחוייבים...

[Permitted additions are] not like the *piyutim* which are additions and introduction of many things which are not of the essential prayer, and their metre and tune is added, and prayer stops being prayer and becomes a joke. This is the greatest cause of deficiency of concentration, and the masses taking lightly speech (during prayer), because they feel that these things which are being said are not obligatory...

10. Rabbi Avraham Ibn Ezra (12th century Spain) to Kohelet 5:1

חייב אדם שיתפלל שישמור פתחי פיו ויחשוב בלבו שהוא עומד לפני מלך, בידו להחיות ולהמית על כן אסור שיתפלל אדם ויכניס בתוך תפלתו פיוטין לא ידע עיקר פירושם...

[O]ne who will pray must guard the entrances of his mouth, and think in his heart that he is standing before the King, who has the power to give life and to kill. Therefore, one may not pray and introduce into his prayer *piyutim* the essence of which he does not understand...

11. Rabbeinu Tam (12th century France), cited in *Shibbolei haLeKet* 28

וכי לא ידעו גדולי הדור הא דלא ישאל אדם צרכיו, ועוד שהאריכו בהם יותר מאמצעיות? אלא פשוט ביום [כיום?] שנכון להרבות בשבחו של מקום ובצרכי צבור, ובשלש ראשונות יותר כגון זכרנו ומי כמוך ובכך תן פחדך וסדר הקדושה...

Did the giants of the generation not know that one should not request his needs, and further that they extended these [initial blessings] more than the middle ones? Rather, it is clear in day [as day?] that it is appropriate to increase the praise of Gd and the requests for communal needs, and especially in the first three blessings – like *Zochreinu, Mi Kamocho, UvChen ten pachdicha*, and *Kedushah*...

12. Rabbi Yosef Dov Soloveitchik (20th century USA), *Halakhic Man* pp. 58-59

Halakhic man never accepted the ruling of Maimonides opposing the recital of *piyyutim*, the liturgical poems and songs of praise. Go forth and learn what the *Guide* sought to do to the *piyyutim* of Israel! Nevertheless, on the High Holidays the community of Israel, singing the hymns of unity and glory, reaches out to its Creator. And when the Divine Presence winks at us from behind the fading rays of the setting sun and its smile bears within it forgiveness and pardon, we weave a "royal crown" of praise for the *Atik Yomin*. The Ancient One. And in moments of divine mercy and grace, in times of spiritual ecstasy and exaltation, when our entire existence thirsts for the living God, we recite many *piyyutim* and hymns, and we disregard the strictures of the philosophical *midrash* concerning the problem of negative attributes...

13. Rabbi Chaim Mordechai Margulies (18th-19th century Ukraine), *Shaarei Teshuvah* 584:2

וכל מי שאפשר יש לו ליקח פנאי ללמוד פי' הפיוטים להתפלל, ועיין לעיל סי' ק' שכתב הט"ז דבפיוטים צריך להסדיר תפילתו ע"ש:
And anyone who is able should take the opportunity to learn the meaning of the *piyutim* to pray. And see Taz's comment that regarding *piyutim*, one must arrange his prayer [in advance].

Stage 2: The Avodah

14. Rationales

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| • Funding | Toldot Yitzchak |
| • Preventing sin | Rambam, Rabbeinu Bechaye, Akeidah |
| • Avoiding punishment | Rama, Ibn Ezra, Toldot Yitzchak, Akeidah, Rabbeinu Bechaye, Ramban |
| • Helping repentance | Rabag, Toldot Yitzchak |
| • Education | Rambam, Rama |
| • Mystical benefits | Akeidah, Kuzari, Zohar |

15. Bereishit 8:21

...ויאמר ד' אל לבו לא אסף לקלל עוד את האדמה בעבור האדם כי יצר לב האדם רע מנעריו ולא אסף עוד להפוך את כל חי באשר עשיתי: ...And Gd said to Himself: I will not continue to curse the land for humanity, for the nature of the heart of man is wicked from his immaturity, and no longer will I strike all life as I did.

16. Midrash, Bereishit Rabbah 31:5b

א"ר חנינא: חמס אינו שוה פרוטה, וגזל ששוה פרוטה. וכך היו אנשי המבול עושים: היה אחד מהם מוציא קופתו מליאה תורמוסים, והיה זה בא ונוטל פחות משוה פרוטה וזה בא ונוטל פחות משוה פרוטה, עד מקום שאינו יכול להוציאו ממנו בדין.

Rabbi Chanina said: *Chamas* is taking something that is not worth a *perutah*, *gezel* is taking something that is worth a *perutah*. And so the generation of the Flood did: One of them would put out his box filled with beans, and another would come take less than a *perutah's* worth, and another would come and take less than a *perutah's* worth, to the point that the owner could not claim it from him in court.

Stage 3: Viduy

17. The piyut preceding Viduy

כי אנו עמך ואתה אלקינו, אנו בניך ואתה אבינו
אנו עבדיך ואתה אדונינו, אנו קהלך ואתה חלקנו...

For we are Your nation, and You are our Gd. We are Your children, and You are our Parent.

We are Your slaves, and You are our Master. We are Your community, and You are our Portion...

18. Beit Levi commentary

https://books.google.ca/books?id=_3JHAAAAYAAJ&pg=PP185&pg=PP185