

לוקוטי ופסקי הלכות "חוקי חיים"

ותלמד
"חוקי חיים"
לעשות רצונך
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלים תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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Halochoh Regarding Yom Kippur | Shabbos Shuvoh 5782

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Teshuvoh

Bein Odom Lechaveiro

1. Yom Kippur does not atone for one's aveiros bein odom lechaveiro unless he appeased the one he wronged (שו"ע תר"ו ס"א). This applies to parents, Rebbeim, spouses, siblings, friends, neighbors, and especially enemies. Many people make sure to ask forgiveness from friends they almost never offend but not from people they are in a conflict or argument with. During these days, one should think about who he really needs to ask forgiveness from.

Unaware He Was Wronged

2. Some hold that if one wronged someone else but that person does not know about it, e.g., someone spoke loshon horo about another person who is unaware about the loshon horo, but got damaged as a result, he must inform him about the loshon horo and then ask forgiveness (כ"כ הח"ח כלל ה' ס"ב); others hold it is better to leave him unaware since by asking forgiveness, he may cause more pain when he tells his friend he spoke badly about him (כך מקובל בשם) (הגר"י סלנטר, מועדים וזמנים ח"א סי' נ"ד); they hold that he should ask for a general forgiveness without specifying how he wronged him.

Forgiveness in Word Only

3. If one asked forgiveness from his friend and his friend said he forgave him but he knows he did not really mean it, some poskim hold that it does not work; since forgiveness is primarily in the heart, we do not apply the rule of "devorim shebelev einom devorim" [things in the heart alone are inconsequential] (שו"ת רע"א) (סי' כ"ג ד"ה מ"ש מע"ת, חוט שני יוכ"פ בשם החזו"א זכרון אבן) (ציון עמ' תקמ"ב בשם הגר"ש"ז מקלם וגליוני הש"ס קידושין מ"ט ע"ב).

Kaporos

Kaporos Without a Hashgochoh

4. Some organizations in Eretz Yisroel arrange for people to do kaporos on the street without any hashgochoh [a recommendation that the organization is worthy of tzedokoh is not a hashgochoh for kaporos, even when written by a prominent Rov]. This creates many issues: sometimes the same chicken is used several times in multiple places [the Mogen Avrohom allows several people to use one chicken together, not at separate times]; sometimes chickens are out in the heat without eating or drinking and die before they are shechted; most of the time, the chickens are returned to the farm they were taken from, and even if they do get shechted, they usually end up getting shechted only after Yom Kipur. This does not fulfill the minhag of kaporos (הכלל) (חוט שני יוכ"פ עמ' צ"ה). Also, they are not given to the poor (הוראה ח"א הוראה ע"ז). While giving money to the organization may be tzedokoh, someone who does this does not fulfill the minhag of kaporos. One should only do so at a reliable place under Hashgacha.

Pregnant

5. Some people perform kaporos for a pregnant woman with two hens [female] and one rooster [male] (מ"ב תר"ה סק"ג).
6. Some poskim say that one may rely on an ultrasound's determination of the baby's gender to avoid having to use three chickens (מ"ר בשו"ת קנה בשם ח"ב סי' כ'). Others say one may not since it is sometimes incorrect (בעל מנח"י שם בהג"ה).
7. Some say a woman in the first 40 days of her pregnancy does not need to do kaporos for her baby (בעל שבט הלוי, קובץ מבית הלוי ח"ב עמ' ג'). Others say it is proper to do kaporos for her baby (שו"ת שבט) (הקהתי ח"ב סי' קצ"ח, הגר"ח קנייבסקי תורת המועדים סק"ד אות ג').

Kisui Hadam

8. The minhag of shochtim is to honor a respectable person with the mitzvoh of kisui hadam. The one who does the kisui says the brochoh, (מט"א תר"ד ס"ח) "אקב"ו על כיסוי דם בעפר", (שו"ע תר"ו סי' כ"ח ס"כ). After shechting fowl, which do not commonly have treifoh-defects, one may do kisui hadam right after checking the knife.
9. Nowadays that many fowl are treifos and mehudar shechitos include a treifoh-inspection of each bird, it would seem that one should only do kisui hadam after the inspection. The places that do not check the chickens right then and there rely on the fact that most are not treifos. A chicken cannot be checked for treifos before shechitoh so we rely on majority to make the brochoh on shechitoh; these places rely on the majority to make a brochoh on the kisui as well.
10. One who does kaporos in a place where the shechted chicken is plucked and checked for treifos on the spot [as many places in Yerushalayim do, e.g., Beis Yaakov Hayoshon of the Eidoh Chareidis], kisui hadam should be done only after it was checked and determined to be kosher (שו"ת חוקי חיים ח"א סי' ט).
11. One who does kisui hadam on multiple chickens together may lechatchiloh make the brochoh without checking for treifos since it is very likely that one of the chickens is kosher (כ"ק מרן גאב"ד ירושלים שם).

Treifoh

12. If one did kaporos with a chicken that turned out to be a treifoh, he does not need to do the kaporos again since the main kaporah is achieved by giving the money value of the chicken to the poor (א"א בושטאטש מדר"ת ס"א).
13. If one did kaporos in a place where chickens are shechted on site and taken home or given directly to the poor to eat [as is done at Beis Yaakov Hayoshon in Yerushalayim] and his turned out to be a treifoh, some say that since he does not need to do kaporos again, they do not need to give him another chicken since his payment was primarily to fulfill the minhag (מור" הגר"מ בראנדסדארפער זצ"ל); others say that they definitely must give him another chicken since he paid full price to get a kosher chicken for a kaporah that he will later be able to eat or give directly to the poor (מור" הגר"י בלויא זצ"ל).

Erev Yom Kippur

Mitzvoh to Eat

15. It is a mitzvoh to eat more than usual on Erev Yom Kippur (שו"ע תר"ד) (מ"ב ססק"א). This includes drinking as well (שם ס"ד). Most poskim hold this mitzvoh also applies to women.
16. Some say this mitzvoh begins the night before Yom Kippur (מג"א סק"א) (ביאור הגר"א ויד אפרים); others say it starts in the day (בשם השל"ה).

Ovinu Malkeinu at Minchoh

17. Ovinu Malkeinu is not said at Minchoh on Erev Yom Kippur (רמ"א סי' ט"ב) (תר"ד ס"ב).

Teviloh

18. Most men and boys in Klal Yisroel go to the mikveh on Erev Yom Kippur (טור אור"ח סי' תר"ו). Some say this is because of tumoh (רמ"א) (שם ס"ד); others say it is for teshuvoh (מג"א).
19. **Chatzitzoh.** We are more careful about chatzitzos for this teviloh than for others. Therefore, before toveling, one should trim his fingernails and toenails [it is better to trim the toenails a day before (שו"ע אור"ח סי' ר"ס)], clean the skin under his nails, brush his teeth, and wash his whole body in hot water (מטה אפרים סי"ב).
20. **Nine kav.** If going to the mikveh is difficult for someone, e.g., an elderly or ill individual, he may pour nine kav (רמ"א שם) of drawn water ["mayim she'uvim"] (מ"ב סי' פ"ח סק"ד) over himself. Nine kav is either 21.6 [Chazon Ish] or 12.5 [Rav Chaim Na'eh] liters.

21. **Shower.** Several poskim hold that nowadays, one who must rely on the heter of nine kav may do so by standing under the shower. It is preferable that he stand under the showerhead before turning on the water (שו"ת מנח"י ח"ד סי' כ"א). Also, he should make sure to stand under a strong stream of water (ח"ד סי' כ"ד).

Candle Lighting

22. Although lighting candles before Yom Kippur is only a minhag (שו"ת תרי"י, סי' תר"י), this minhag has spread throughout the world. By lighting, a woman accepts the kedushah of Yom Kippur upon herself. Thus, she should take off her shoes before lighting unless she stipulated otherwise.

23. **Brochoh.** The minhag is to make a brochoh on this candle lighting (אקב"ו להדליק נר של יום הכיפורים" (רמ"א סי' תר"י סי' ב). [even though we generally do not make brochos on minhagim, it can be derived from Rishonim that since lighting candles is a mitzvah before Shabbos and Yom Tov, one could make a brochoh, even it being a minhag (נ"י) החתן צבי לאנגער נ"י]. The Gra holds that one does not make a brochoh since it is only a minhag (שעה"צ שם סק"ה, מעשה רב סי' רי"א).

24. **Shehecheyonu.** The minhag is for women to say Shehecheyonu after the brochoh on the lighting. In shul, they should not say Shehecheyonu again; they should just answer "Amein" (שעה"צ תרי"ט סק"ז).

25. Additionally, if the husband is in town, there should be a candle lit in a married couple's bedroom (רמ"א סי' א) that will burn all night (שלחן גבוה אות א, שפ"א פסחים נ"ג ע"ב ד"ה בגמ') not enough as it can be closed. Married children who will be sleeping in their parents' house should also light a candle in their bedroom.

Tefilah Zakoh

26. Tefilah Zakoh was instituted to be said on Erev Yom Kippur. It contains vidui for aveiros bein odom lechaveiro and a declaration forgiving everyone without relinquishing the ability to collect money legally owed. One should make sure to say this tefilah, especially the paragraph concerning bein odom lechaveiro.

27. Women should also at least say this paragraph in order to forgive others who have wronged them.

Fast

Pregnant, Nursing

28. Pregnant and nursing women must fast on Yom Kippur and make up the fast if they break it (שו"ת תרי"ז סי' א). This is true for today's weaker generation as well even though we are sometimes meikel on other fasts.

29. If a woman fears for some reason that the fast will harm her or diminish her milk in a way that will harm her baby, she should consult a Rov.

30. If a pregnant or nursing woman can only fast if she stays in bed the whole day, it is better for her husband to daven at home and watch the children if there is no other option than for her to eat.

31. **Recently gave birth.** A woman should not fast at all within three days of giving birth. Within between four and seven days, if she says she needs to eat, she may. After a week, she is like any other person (שו"ת שם סי' ד). "Days after birth" are twenty-four-hour periods (מ"ב סק"ג) from the end of the delivery (סי' ש"ל סק"א).

32. **Nursing.** If a nursing woman will not have any milk if she fasts and she never gives her baby formula, she may drink in increments, as will be explained (הגרשז"א הליכות שלמה ויהי"פ פ"ו סי' ב).

Eating in Increments ["Shiurim"].

33. When a pregnant or ill person must eat, they should eat a bit at a time, i.e., a volume of about two-thirds of an average-sized egg, then wait the amount of time it takes to eat four beitzoh (שו"ת תרי"ח סי' ז).

34. In modern day terms, this is 30 cc of food every nine minutes, i.e., nine minutes between the end of one eating and the beginning of the next (חזו"א סי' ל"ט סק"ח). Crumbs between the teeth and gums count in the calculation of these amounts (מנ"ח מצוה י אות ב).

35. The volume of 1.5 whole wheat Osem brand Lachmit crackers [the ones in the green packaging which are about the size of the palm of a hand] are comfortably within the shiur. Thus, someone who fears they may need to eat on Yom Kippur should have these ready in the house in case they will need them.

Sick

36. Any unwell individual should consult their doctor about fasting and then get a psak from a Rov. If someone sick gets a psak that they may not fast or that they must eat or drink in increments, he should accept the psak with love and joy in fulfilling the mitzvah of "vochai bohem", which is no less important than the mitzvah to fast on Yom Kippur. If he is upset that he is eating, he should have kavonah that the fact that he needs to eat on this holy day itself should be part of his affliction on Yom Kippur. One may not ch"v treat this lightly and endanger himself.

Drinking in Increments

37. The shiur for drinking is a cheekful of liquid. This varies for each person (מ"ב סק"א). In modern day terms, this is 32 cc for a small person and 40 cc for an average person. Since it is difficult to determine exactly who is considered average, big, or small, one should try to stick to 32 cc.

38. When drinking in increments, one should make a brochoh before the first time he drinks; after that, he does not make another brochoh, even if he waited ten minutes or so before drinking again. If one did not drink for hours or left the house, he should make another brochoh. One should not make a brochoh acharonah (שו"ת מהרש"ם י"ו סי' ל"ה).

39. Food does not join together to drink for these purposes. Thus, in the same nine minutes, one may eat less than the shiur of food and drink less than the shiur of liquid. This is only assuming he has to eat and drink; if it would be enough for one to just drink in increments, as is often the case, he does not have a heter to eat.

40. One may use a small shot glass which holds 32 cc. A small ice pop ["igloo"] is usually less than the shiur, but one should check what the packaging says.

41. One should make things easier by preparing the proper amounts of food and/or drink before Yom Kippur, especially for a woman whose husband will not be around during the day, to avoid shailos.

42. It is advisable for one who must drink in increments to drink something sweet, e.g., grape juice or orange juice, so that the sugar gives him strength which may eliminate the need to eat (הגרשז"א, נשמת אברהם סי' תרי"ב סק"א).

43. **Shailoh:** If a person is weak and may need to eat or drink, is it better to start the fast eating/drinking in increments, or to fast, which may ultimately lead to eating more than the shiur? **Answer:** Most poskim say it is better to start eating/drinking in increments and not eventually need to eat more than the shiur (שו"ת אג"מ ח"ד סי' כ"א, קכ"א, מועדים וזמנים ח"ה סי' כ"א).

One Who Is Eating on Yom Kippur

44. **Netilas yodayim.** Someone sick or pregnant who must eat on Yom Kippur must wash if they are eating bread. They should wash their entire hands as usual. After getting up in the morning and using the bathroom they should wash their hands only to the knuckles.

45. **Kiddush.** Although some poskim discuss whether a sick person eating on Yom Kippur needs to make Kiddush (רע"א הובא בשעה"צ סי' מ"ב), most poskim imply that he does not (תרי"ח סק"ב).

46. **Yaaleh Veyovo.** If one bentshes on Yom Kippur, he should say Yaaleh Veyovo. If he forgets, he does not go back (שו"ת סי' תרי"ח סי' י). In Al Hamichyah, he should say "וזכרנו לטובה ביום הכיפורים הזה" (שש"כ פ"ט הע' ק"ז).

Motzei Yom Kippur

Havdoloh

47. Havdoloh is made over a cup of wine. A brochoh is made on the wine and candle, but not besomim [when Yom Kippur falls during the week] (שו"ת תרי"ד סי' ג).

48. Someone who becomes weak after tzeis, e.g., at the end of Ne'iloh or a woman whose husband did not come home right away, may drink water in private, even before Maariv and Havdoloh (אלף המגן) before drinking since it was ossur to drink on Yom Kippur (שש"כ פס"ב סכ"ה).

49. Lechatchiloh, a woman should hear Havdoloh from another man, not make it herself. If she cannot hear it from someone else, she may make it herself and drink the wine (שו"ת שבט הלוי ח"ד סי' נ"ד).

"Neir Sheshovas"

50. Lechatchiloh one should make Havdoloh on a candle that was lit before Yom Kippur to be used for Havdoloh and that burned throughout the whole Yom Kippur (שם מ"ב סק"ג).

51. If one did not do this, or if the candle went out, he may light the Havdoloh candle from a candle lit in honor of Yom Kippur or a yahrtzeit candle lit before Yom Kippur (א"א בוטשאטש).

52. If one cannot find a candle lit before Yom Kippur, the Mishnah Berurah holds he should not make the brochoh on the candle (מ"ב סק"י). Other poskim hold that with no other choice, one may light a new candle and then light the Havdoloh candle from that flame and make the brochoh (ח"א כלל קמ"ה ס"מ וערה"ש ס"ו). If this is also not possible, one should make Havdoloh without a candle and, when he finds a candle lit before Yom Kippur, make a brochoh on that.

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Arbah Minim

Checking at
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