

HALOCHOSCOPE

This week's question:

If a shul will not be saying selichos at astronomical midnight, is there any merit to delaying it as late as possible? Is there any difference between doing this on Motza'ai Shabbos and during the week? Is there any point in doing the extensive Erev Rosh Hashanah selichos the night before?

The issues:

- A) *Selichos*, their origins and practices; *Shlosh Esrei Midos*, thirteen attributes
 - B) *Ais Ratzon*, the optimum timing for appeasing Hashem
 - C) *Tircha Detzibura*, overbiurdening the congregation, and other considerations
- A) *Selichos*; *Shlosh Esrei Midos*

The original version of *selichos vesachanunim* refers to imploring Hashem with references to His promises of forgiveness. When He forgave us for the sin of the golden calf, He promised that whenever the Jews would sin and bring on a harsh decree they should pronounce before Him the *shlosh esrei midos shel rachamim*, the thirteen attributes of divine mercy. This would 'remind' Hashem that He entered into a covenant with us that He would never forsake us. The decree would be removed, softened or relaxed. Hashem is not 'reminded'. The idea is for Jews to remember their connection to Hashem and to return to Him. Selichos focus on the covenant, our violations of it, decrees, hardships, repentance and return to Hashem. *Shlosh esrei midos* are included, preceded by a *techina*, supplication. A form of confession is usually included as well.

The Talmud mentions *selichos* for two occasions. Fast days were decreed primarily due to lack of rain, famine and war. Extra *tefilos* were recited, including *selichos*. During the *Yamim Noraim*, including the fast day of *Yom Kippur*, *selichos* are recited. *Yom Kippur* was the day of final forgiveness for the sin of the golden calf. The sin took place on the Seventeenth of *Tamuz*. Moshe descended from *Har Sinai* with the *luchos*, and smashed them when he saw the idol. He prayed for forty days until the end of *Av*. Hashem then told him to ascend the mountain to receive the second *luchos*. He descended forty days later on *Yom Kippur* with the new *luchos*. This signified reconciliation, along with specific *mitzvos* to atone for the sin each *Yom Kippur*.

The Talmud discusses two aspects of the special services on a public fast day. Before the *tefilah*, an elder addressed the people with references from *Tanach* to urge repentance. During the *shliach tzibur's* repetition of *shemone esrai*, *selichos* were recited. For the most part, they are added at the end of the *shemone esrai* part of the repetition, before the additional *tachanun*, which is also a form of *selichos*. Hence *selichos vetachanunim*.

Selichos consist of *piyutim* and *techinos*. *Piyutim* are liturgical poems and collections of *pesukim* or fragments thereof to arouse our *teshuva* and Hashem's compassion. They often follow the *alef-bais* in some way. They were composed by scholars, begin-

ning during the Talmudic era. A *pizmon* is a *piyut* that was intended for congregational or responsive chanting. It usually forms the centerpiece of the service. These were written with very deep allusions based in *kabalah*, or on words and phrases that were known to invoke mercy. *Techinos* are prayers, attributed to the *Gaonim* and scholars of their era. Some maintain that they are older, but were recorded by the *Gaonim*. *Techinos* are followed by the *shlosh esrai midos*. *Piyutim* may be recited alone, congregationally or responsively. *Shlosh esrai midos* must be recited in the presence of ten males, and it must be recited together. When one is in a shul and the congregation says them, he must join in, regardless of whether he is part of the group. If one must recite them without a *minyan*, he should read them as *pesukim* in the chant reserved for reading the Torah. Generally, one may not break a *passuk*. These involve a half-*passuk*. During *tefilah* one may break a *passuk*. The poskim debate whether this applies to one reciting them alone. Therefore, it is preferable to complete the *passuk* when doing this.

B) *Ais Ratzon*

During the forty days that Moshe was receiving the second *luchos*, Hashem was in a conciliatory 'mood', so to speak. Therefore, this is always considered an *ais ratzon*, time of divine appeasement. Nowadays this corresponds to the month of *Elul* and the first ten days of *Tishrei*. Various *minhagim* reflect this: The *shofar* is blown following services, an extra psalm is recited, and in general it is observed as a time to reflect on the bond between Hashem and ourselves. In many *Sefaradic* communities *selichos* are recited the entire period. According to another *minhag* they begin on the fifteenth of *Elul*. Perhaps it is based on the fact that laws of a holiday are discoursed for a half month preceding it, according to one Talmudic tradition. A third *minhag* is to recite specifically during the ten days of repentance. A fourth *minhag* discusses reciting them from the twenty-fifth of *Elul*. According to most, this was the day the world was created. On this day Noah sent the dove for the second time, to see if the land had dried from the flood. Towards evening the dove returned with an olive leaf in its mouth. Hashem was appeased. Another *minhag* mentions individuals fasting and saying *selichos* on the twenty-first of *Elul*.

Another *minhag* is to recite *selichos* four days prior to *Rosh Hashanah*. First, *selichos* should be accompanied by fasting. There should be ten days of this, at the beginning of *Tishrei*. However, four out of those ten days can not be observed as fasts, *Rosh Hashanah*, *Shabbos*, and *Erev Yom Kippur*. To make up for them, four days are added before *Rosh Hashanah*. An additional reason is that we inspect ourselves like an animal prepared for offering. Offerings were inspected for the four days before being offered. In addition, assuming *Elul* at the time of Creation was thirty days, and that *Rosh Hashanah* was the sixth day, when Adam was created, the world was created on the twenty-sixth of *Elul*. Nowadays, *Elul* is twenty-nine days. Four days before *Rosh Hashanah* is the anniversary of Creation. This is the time that Hashem began bestowing the good that we experience in this world. Since the world was created on *Motza'ei Shabbos*, the prevailing practice is to begin *selichos* on the *Motza'ei Shabbos* prior to *Rosh Hashanah* for a minimum of four days. If *Rosh Hashanah* falls on Monday or Tuesday, it is pushed back to the preceding *Motza'ei Shabbos*.

All *selichos* are recited at the best *ais ratzon* available. Public fasts were proclaimed on Mondays and Thursdays. These correspond to the days of the week that Moshe as-

cended and descended the mountain. During *Elul* another dimension is added. A verse in *Eicha* teaches us that the most opportune time for appeasement is the night. The Talmud debates when this is exactly. One view places it immediately preceding dawn, and others place it at the beginning and end of the *mishmaros*. *Mishmaros* are the 'watches' of the ministering angels. The night is divided into parts, during which the angels rotate shifts. The Talmud debates whether there are three or four *mishmaros*. If there are three, some maintain that the optimum time for *selichos* is at the beginning of the second, or middle *mishmeress*. On a simple twenty-four hour clock, this would be around 10 pm. If there are four watches, the beginning of the third would be at midnight. In addition, as a gesture of sincerity and repentance we rise earlier than the rest of the year.

Another tradition, based primarily on *kabalah*, is that Hashem is 'at large' in all of the many worlds throughout the night. At the end of the night, right before dawn, He is at large in this world. This is a special *ais ratzon*. Accordingly, the optimum time is either at the beginning of the second of three *mishmaros*, at the beginning of the third of four *mishmaros* or midnight, or at dawn. Common practice is to recite the first night at midnight. The *pizmon* implies that it is said when one still feels the rest of *Shabbos*. However, in the same *pizmon* there are indications that it is recited before dawn. Possibly, the reference to *Motza'ei Shabbos* applies all of Sunday.

Two more considerations must be made. According to *kabalah*, the *shlosh esrai midos* may not be recited before midnight. Those who follow *kabalah* strictly maintain that it is actually harmful. This period is controlled by harmful forces, whose powers are curtailed by this *tefilah*. This arouses their jealousy and wrath, endangering the entire world. *Kabalistically*, saying them at this time is near-heresy. They especially decry a practice to recite *selichos* at *maariv*, which incidentally does not comply with any of the times for *ais ratzon*. Others maintain that they are not as effective, because the primary *ais ratzon* is in accordance with the view of midnight. Thus, while they have the advantages of regular *tefilah*, they lack their inherent additional power. Second, *viduy* may be recited before midnight, but not on *Motza'ei Shabbos*. [See Brochos 3b, Taanis 15a, Rosh Hashanah 15a-18a, Yuma 87b. Rambam, Teshuva 3:4. Abudraham, Rosh Hashanah. Tur Sh. Ar. OC 1:2, 581:1, 565:MA:5, commentaries.]

C) *Tircha Detzibura*

There is a custom to convene *selichos minyanim* earlier than the aforementioned times, especially on *Motza'ei Shabbos*. Perhaps the meaning of the *pizmon* is taken quite literally. However, this means that one recites penitential and supplicational prayers in a *Shabbos* mode, which is strange. To reconcile the *ais ratzon* issue, some suggest that the power of the congregation overcomes it. The objectors to the custom clearly do not believe in this. Other reasons could include the reliance on the opinion that one should recite them at the beginning of the second watch. In fact, this seems to be the ruling of the *Shulchan Aruch* [1:2]. However, they would then be recited earlier than the practice in question. It is more likely to have been a compromise based on ignorance, between the two opinions on the optimum time. Obviously, one can not fulfill both opinions properly. Many communities do not follow *kabalistic* practices very strictly, in many other areas. It is also possible that there was confusion about *halachic* midnight, which is astronomical rather than by the conventional clock. In assimilated communities, the notion of copying

the church can not be discounted. To justify the practice, some suggest that the entire period of the second watch is considered optimum. However, the best justification is *tircha detzibura*. It is even possible that at some time the issue was decided on an emergency basis. It then became accepted as the norm. There is a concept of following a minority in emergencies. When the emergencies pass one reverts to the majority view.

In some situations, the Rabbis actually suspended the implementing of a decree because the *tzibur* would not be able to keep it. This means that when the *tzibur* might not be able to make the extra effort, it is better not to begin with it. In other situations, it is modified somewhat. First, it is considered too much to demand. Second, the *tzibur* might not listen anyhow. Thus, when there is a reasonable view to rely on to make things easier for the *tzibur*, the easy way is chosen. This is especially relevant to matters pertaining to congregational *tefilah*. On *Shabbos*, we recite a shorter version of the *shemone esrai*. During the week, when people need to go to work, we reduce *krias hatorah*. *Shema* was to include an additional passage. It was omitted due to *tircha detzibura*.

The principle behind this is to imitate Hashem's conduct. Hashem does not impose on His creations. We follow suit, and more so when imposing on a congregation. Individuals can work around their schedules. The *tzibur* must accommodate each other. Thus, in later times as well, this is taken into account. In the evening, many communities combine *mincha* with *maariv*, rather than convening a *minyana* a second time. This involves reciting *shema* and *shemone esrai* a little earlier than the ideal time according to most views.

An additional issue is raised. It is sometimes dangerous to be outside in the dark. Criminals have cover for their activities. If the scheduling of *selichos* means that a group will not be able to attend, it is preferable to schedule it at a time that only a minority considers acceptable. However, this must be tempered with the provision that the attendees know that this is not the norm. Furthermore, on *Motza'ei Shabbos* it is preferable not to recite *shlosh esrai midos* earlier than *halachic* midnight, or to chant them in full *pesukim*. [See Brochos 1a 9b 12b 29b 31a Megilah 22b etc., Poskim. Tur Sh Ar 53:11, etc. 581:1, commentaries (Piskei Teshuvos, Minhag Yisroel Torah). E.g., Igros Moshe OC II:105.]

On the Parsha ... Hashem, your G-d, will circumcise your heart and the heart of your seed, to love Hashem your G-d with all your heart and soul so you should live ... [30:6] The first letters of '*Es Levavecha Ve'es Levav*' your heart and the heart of .. spell the word *Elul*. This is why the custom is to rise early and say *selichos* for the month of *Elul*. Similarly, *lulai* he'emanti liros be tuv hashem, *lulai* spells *Elul*. From *Elul* forward I was afraid before Hashem. [*Baal Haturim*] But this verse refers to love, not fear! The connection seems to be, while Hashem will 'take the initiative' to unstop our hearts, we need to make ourselves available for it. By rising early and approaching Hashem first, we prepare our hearts for His circumcision on *Rosh Hashanah*. Furthermore, we approach Hashem in awe and trepidation during *Elul*, *Rosh Hashanah* and *Yom Kippur*, reciting *selichos*. Then, Hashem infuses us with the feelings of love for Him.



Sponsored by Frank and Beverly Lieberman in gratitude to Hashem on our 30th

anniversary. י י

© Rabbi Shimon Silver, September 2007.

Subscriptions and Sponsorships available. (412) 421-0508. halochoscope@hotmail.com