

HALOCHOSCOPE

This week's question:

Someone undertook to fast for *Yom Kippur Katan* (*Erev Rosh Chodesh*) in response to a critical situation. If the crisis would have been resolved before or during the fast, must the person finish his fast anyhow?

The issues:

- A) *Yom Kippur Katan*
- B) Undertaking a fast
- C) If the cause for fasting is resolved early

A) *Yom Kippur Katan*

Literally translated, this is a "small *Yom Kippur*". The concept comes from the *Kabalists*. *Rosh Chodesh* is a day of atonement, based on the communal *chatas*, sin-offering that is offered. In addition, an *olah*, burnt offering, atones for violations of positive *mitzvos*, or neglecting to perform them. The *olah* of *Rosh Chodesh* atones for the violations of the month. The *kabalists* say that it atones for the month. It seems that this refers to the past month. It seems that the actual day of atonement is *Rosh Chodesh* itself. Since one may not fast or say *selichos*-type prayers on *Rosh Chodesh*, it was pushed back to *mincha* on *Erev Rosh Chodesh*. Some seem to indicate that the atonement for the preceding month is actually at the end of the month, or *Erev Rosh Chodesh* of the incoming month. It is also possible that this is a preemptive atonement for the coming month.

The one main fast in the Torah, *Yom Kippur*, is for repentance and atonement. The other four main fasts are based on the *Churban*, destruction of the *Bais Hamikdash* and *galus*, the exile, and commemorate sad events. They are like a type of mourning fasts. One deprives himself of the comforts of living, including food and drink. *Taanis Ester* commemorates the fasting in preparation for the war, which is a type of penitence. It also commemorates the fasts that Ester proclaimed, albeit on different dates. These were fasts to evoke divine mercy during a period of hardship and calamity. While there is a component of penitence, the type of fasts is different. It could be termed earmarked repentance. It is focused on what might have gone wrong in this situation. Other fasts are observed just for the sake of repentance, without any known focus. These include the fasts that some people observe after *Pesach* and *Sukos*, known as *Behab*, Monday, Thursday and Monday. Some people fast every Thursday in the *Parshiyos Shemos* through *Mishpatim*, known as *Shovavim*, based on their acrostic. These are also routine penitential fasts.

On the days that we observe fixed fasts, such as those in the yearly cycle, there is a special *krias hatorah*, known as "*Vayechal*". These fasts generally commemorate hardships and calamities. The *poskim* debate whether this special *krias hatorah* is read on fasts that are purely for *teshuvah*, repentance. In its original form, *Yom Kippur Katan* was

instituted as a penitence fast. Hence its name. To justify the practice to read *vayechal* on *Yom Kippur Katan*, (when there is a *minyan*, quorum of ten men fasting), the poskim say that the fast has evolved into a *taanis tzara*, fast undertaken due to troubles and hardships. Indeed, even those who routinely fast every *Rosh Chodesh* have in mind that the fast should also help gain the merits needed to overcome the hardships that seem to be prevalent all the time.

The origins of this fast do not seem to go back further than R. Moshe Cordovero, the leader of the *Kabalists* in Tzefas. It was never adopted by the community at large, and is observed by few people. However, in some communities, it is observed on *Erev Rosh Chodesh Elul*, as a preparation for the *teshuva* of the month, and the *teshuva* season in general. Nonetheless, as mentioned, it is invoked periodically as an opportunity to combine a standard *teshuva* fast with some pressing crisis to make it a *taanis tzara*.

There is some debate on how long one should fast. Some say that one should not fast until nightfall, because it infringes on *Rosh Chodesh*, when one may not fast. Others maintain that one should finish it. The Talmud says that a fast that is not observed until night does not count. However, all agree that one should not delay eating, but should break the fast as soon as possible. In fact, the poskim discuss various *teshuva* fasts that are not observed all day, but until *mincha*. The earliest time for *mincha* is *mincha gedolah*, a half-hour after *halachic* midday. Some people call this a *taanis sha'os*.

Along with the fast, there are *selichos* that are recited: The poskim debate whether they should be said before *mincha*, so they do not encroach into *Rosh Chodesh*. The consensus is to say them after *chazaras hashatz*, the repetition of *shemone esrai*. Ideally, they should be finished before sunset, but one may continue after this time to finish them. When there is a crisis in a community or world-wide, it is usually the *selichos* that are said communally. [See Sh Ar OC 417:1 566:2, commentaries.]

B) Undertaking a fast [Excerpted from Halochoscope XVII:30]

The established fasts are incumbent on all Jews. There is no need to undertake them personally. A personal fast cannot be counted as such unless one verbally undertook to fast prior to the actual fasting. Ideally, a fast should begin at the beginning of the Jewish day, which is nightfall the evening beforehand. However, the Talmud does not require this for most fasts, including personal fasts. Nonetheless, once the Jewish date has begun, it is too late to verbally undertake the fast. One who refrains from eating that day might have made a nice gesture, but cannot count it towards his specific personal regimen. Thus, the latest time to undertake the fast is before evening. The common practice is to make a statement at the conclusion of one's personal *shemone esrai* at *mincha* on the preceding day. The poskim debate exactly when the commitment is made. The Talmud says "at *mincha*". We follow the view that it may be made at any time on that day, or even a few days earlier. Once it was made, the commitment has the force of a *neder*, and is binding. It must be made before sunset.

Yom Kippur Katan is not really a personal fast. It is an established *minhag*. Certain fasts are considered so widespread that one need not verbalize an undertaking to consider it binding. This means that though not all people fast, it is considered similar to a communal fast in this respect. In this group are fasts to commemorate past events and *teshu-*

va fasts. *Teshuva* fasts need not be completed until the end of the day. They are merely to put oneself in pain for 'future events', that the potential harsh decrees of punishment should be torn up. One may rely on the supposed adoption that never meant to complete the day in fasting, but meant to put oneself into pain until *mincha*. On the other hand, a personal fast that is undertaken specifically must be observed all day. It is understood that the undertaking is to fast a 'day'.

Yom Kippur Katan seems to fall in the category of a personal fast in this respect. The *kabalah* is based on the *minhag*. The poskim discuss similar fasts, such as *Behab*. If the community has the practice to fast, even though not everybody fasts, an individual need not make the *kabalah*. He may consider the communal *minhag* enough to make it a fast for himself as well. Others contend that the indication is that the community adopts it as their *minhag* with a *kabalah* of sorts, in a blessing made on the preceding *Shabbos*. Any congregant that says *amein* may assume that he has made a *kabalah* if he so wishes. It is the type of *amein* that can also be considered a voluntary *kabalah*. He could revoke it later. *Yom Kippur Katan* is even less prevalent than *Behab*, with fewer people adopting it routinely. Therefore, most poskim maintain that one should make a *kabalah taanis* every time, even if one personally practices this fast every month.

Saying *bli neder* means that one serves notice that his vow is not binding. It is a sincere undertaking to do a good thing. However, he does not wish it to be counted as a *neder*, and to commit himself to the consequences thereof. Such notice is made in a general way on *Erev Rosh Hashanah*. That notice specifically excludes *nidrei taanis*, the *kabalah* in our case. Therefore, if one wishes to keep this option for a fast, he must verbalize it at the time of the *kabalah*.

However, this form of *kabalah taanis* is very controversial. The concept does not appear in early sources. It seems to have been introduced later, and found its way into *sidurim*. Many poskim question its validity. Since the fast is meant to be like an offering, how could one make it provisional? Thus, most contemporary poskim maintain that a *kabalah bli neder* does not count towards a proper *taanis*. Rather, there are other terms that can be used to insert a condition on the *kabalah*. He may say "... if I am able to!" Rather than making the entire commitment provisional, it makes it conditionally binding.

It is possible that for *Bahab* the *kabalah* can work this way. We have already cited the ruling that *amein* can be considered a *kabalah*, yet that one may retract it. Perhaps a *kabalah bli neder* has a similar effect. The poskim debate whether a single *kabalah* can work for a series of fasts. For *Bahab*, it seems to work, based on the *amein* mentioned earlier. The bigger question would be whether one who said *amein*, fasted the first Monday, and then had second thoughts for Thursday. Could he retract his *kabalah* retroactively? If so, what does the first fast mean for him? Or is the *kabalah* like three separate undertakings? Could one retract the *kabalah* for the first fast, and then fast on the other days, based on the original *amein*?

For *Yom Kippur Katan*, a standard *kabalah* is binding for the whole fast. What if one made the *kabalah* with the understanding that he might not fast all day? Since it is a *teshuva* fast, if he never made a *kabalah* but relied on the *minhag*, he would be allowed to break it before evening. May he make the *kabalah* contingent on these terms? It would

seem that he must specify this if he wishes it to work. Otherwise, he should fast the whole day. [See Taanis 12a-b, Poskim. Tur Sh Ar OC 492 562:2 (BHL, Dirshu 24) 6-8 12 563 568:1-2, Birur Halacha, commentaries.]

C) When the crisis is resolved

What if a fast is undertaken to resolve a specific crisis, and the crisis is resolved before the fast ends? May one break the fast right there and then? The Talmud discusses a communal fast for rain. If it rains before the fast begins, there is no need to fast. The debate ensues on the case of rains coming during the fast day. The poskim apply some of the rulings from that discussion to a fast for a crisis that then gets resolved.

There are a few different scenarios here: The crisis might have been over even before the person adopted the fast. He just did not know yet. In this case, his adoption could be considered a mistake. The crisis could be over before the fast began, such as before daybreak. It could be over before midday, or after midday. There are also four possible categories: It could be a personal fast with no preconditions. Since there were no preconditions, he must complete the fast. The entire undertaking was with the hope that his prayers would be answered. It could be a personal fast with a precondition or a mention of the crisis, for example, that a person is sick. The person might then recover or die before or during the fast. If he made his *kabalah* conditional on the person remaining ill, he can claim that if he recovered, there is no longer any purpose in the fast. It could be a community fasting. In this case, the *kabalah* has an in-built *tenai*, provision. *Lev bais din masneh alaihem*, the community is assumed to make it provisional on the need to resolve the crisis. Alternatively, some say that the principle here is that we do not impose undue hardship on an entire congregation. Finally, if the crisis had already been resolved before the *kabalah*, there never was a real need. The *kabalah* was by mistake.

We have shown that *Yom Kippur Katan* is treated by and large as a personal fast. Unless there was a clear provision in the *kabalah*, it is assumed that the fast is binding all day. If the *kabalah* mentioned the crisis, such as "I undertake to fast to help my brethren in peril in such-and-such place!" the fast could be considered conditional on there being a crisis. If it is resolved, there is no more crisis over which to fast. The poskim debate cases where the crisis is over but not with the desired result. The example would be an ill person, who then died. Some say that in some such cases, the fast is no longer binding. Others say that this does not constitute the end of the crisis in terms of the fast.

It is possible that *Yom Kippur Katan* in modern times is always tied to a communal crisis. Thus, there is an implied communal nature to the *kabalah*. Accordingly, if the crisis was resolved early, the fast would be terminated. This would be decided by the leaders of the community that is fasting. The individual could not make this determination. [See Taanis 19a 25b, Poskim. Tur BY Darkei Moshe Sh Ar OC 569:1-2, commentaries.]

In conclusion, if only this individual fasts, he may not terminate it when the crisis passes, unless he stipulated this. If it is adopted communally, the leadership may terminate it if they see fit.

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