

WHAT'S THE TRUTH ABOUT ... Fasting and Wearing Leather on Yom Kippur?



MISCONCEPTION: It is prohibited to wear leather items, such as a leather belt or yarmulke, on Yom Kippur and Tishah B'Av.

FACT: Only leather shoes are prohibited on Yom Kippur and Tishah B'Av. One is permitted to wear belts, yarmulkes, jackets, or other items made from leather. Some authorities prohibit all “protective footwear,” even if there is no leather component.

BACKGROUND: A cursory search of the Web reveals that several web sites feature this misconception (<http://scheinerman.net/judaism/hhd/yomkippur.html>, accessed May 29 2011; <http://prime.peta.org/2008/10/yomkippurs-prohibition-against-leather>, accessed May 29, 2011). In fact, there are five *innuyim* (self-inflicted discomforts due to abstinence) that must be observed on Yom Kippur (see Vayikra 16:29, 31; 23:27, 29; Bamidbar 29:7) and on Tishah B'Av, as enumerated in the Mishnah (*Yoma* 73b and *Taanit* 30a) and Codes (*SA*, *OC* 554, 612-615). One of these *innuyim* is *ne'ilat ha'sandal*—the prohibition of wearing “shoes” (*OC* 554:16; 614:2).¹

Certain individuals are exempt from this prohibition, such as postpartum women (*Mishnah Yoma* 8:1), those who are ill or have wounds on their feet (*OC* 614:3), and midwives (*Ohr Someach*, *Hilchot Shevitat Asor* 3:8), among others (*OC* 614:4, based on *Yoma* 78b). Parents should initiate chil-

dren to this *innu'i* from a young age (*Yoma* 78b; *OC* 616:1; Rambam, *Hilchot Shevitat Asor* 3:7; Rabbi Chaim Kanievsky and Rabbi Shraya Duvlitzki, cited in Rabbi Moshe Harari's *Mikra'ei Kodesh, Chanukah*, pp. 136-141; see the dissenting opinion of Rabbi Shalom Messas, *ibid.*, p. 147).²

Three different halachic definitions of “shoes” are offered (cited by Ran in *Yoma* 78b)³ with respect to this prohibition: The Ba'al Hama'or opines that any “protective footwear,” even those not made of leather, are regarded as “shoes”; Rashi limits the definition to footwear made of leather or wood.⁴ The Rif and Rosh rule that footwear made of material other than leather are not considered “shoes.” These opinions are based in large part on the Talmudic discussion (*Yevamot* 101-102) of how to define a shoe for the purpose of *chalitzah* and on various Talmudic stories involving shoes (*Yevamot* 102b). The Gemara notes that several Amoraim wore non-leather shoes on Yom Kippur (*Yoma* 78a-b), and rules per the Mishnah (*Yevamot* 101a) that cloth shoes are not halachically considered shoes.

Normative halachah maintains that “shoes” refer to footwear that includes leather, even a small amount.⁵ Accordingly, footwear made only of cloth (e.g., sneakers) or any other material may be worn on Yom Kippur.⁶ But, as noted, there is an opinion that any “protective” footwear is prohibited. According to the Rambam (*Hilchot Shevitat Asor* 3:7), *innu'i* implies that one must feel the ground and sense that he is barefoot.⁷ The Bach (*OC* 614) testifies that several of his teachers would walk

completely barefoot on Yom Kippur, and he ruled accordingly. However, the Magen Avraham and Taz write that the generally accepted custom is to permit non-leather shoes. The opinion that prohibits any protective footwear is also cited by the *Sha'arei Teshuvah* (*OC* 554: 11) and the *Kaf Hachaim* (*OC* 554:72). The *Sha'ar HaTziyun* quotes the Chatam Sofer that when walking in the street on Yom Kippur one should wear thin shoes so as to feel the ground and sense that he is barefoot. The *Mishnah Berurah* (614:5) concludes that if possible, one should follow the strict opinion in this regard and not wear protective shoes.

Contemporary authorities such as Rabbi Chaim Kanievsky (*Shoneh Halachot* 614:3) and Rabbi Moshe Sternbuch (*Moadim u'Zemanim* 6:28), following the lead of the Gra (*Moadim u'Zemanim*, vol. 8, addendum to 6:28),⁸ recommend following the strict opinion when possible.⁹ Rabbi Yaakov Ariel, the chief rabbi of Ramat Gan, similarly rules that one should not wear plastic shoes that resemble wood in their protective nature.¹⁰ He observes that permission to wear sneakers was due to the fact that they were not as comfortable as leather (a factor for the Rif) and that one can sense the ground when wearing them (a factor for the Rambam). However, Rabbi Ariel prohibits wearing on Yom Kippur a non-leather shoe that one wears all year long, which is as comfortable and protective as leather shoes (as evidenced by the fact that one chooses to wear it regularly). He recommends wearing non-leather slippers, or simi-

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lar footwear, through which one feels the ground beneath his feet. Rabbi Shlomo Zalman Auerbach (*Halichot Shlomo*, Moadim, 5:17) disagrees, noting that our custom is to permit all non-leather shoes, even if they are comfortable, as today we are “*istinisim*” (fastidious).¹¹

In the Torah, shoes often symbolize one’s material essence, his physical connection to the terrestrial. In striving for a purer state of spirituality on Yom Kippur, one removes his shoes similar to Moshe’s doing so at the burning bush (Shemot 3:5, see Kli Yakar), Yehoshua outside of Yericho, the *kohanim* in the Temple,¹² and anyone ascending Har Habayit (*Mishnah Berachot* 9:5) today.

Clearly, there is no general prohibition against wearing leather on Yom Kippur. The five basic prohibitions do not even specify a prohibition against wearing *leather* shoes. They do include a proscription on wearing “shoes,” which according to the normative halachah is defined as leather shoes. ■

Notes

1. The early authorities debate whether the *innuyim* other than eating and drinking are of Biblical or rabbinic origin (e.g., Ran; Smag [*Aseh* 32]; Rambam [on Mishnah; *Shevitat Asor* 1:4-5 and *Maggid Mishnah*]; Tosafot; Tur [OC 611]). The Talmud (*Yoma* 77a) derives from the statement about King David in II Samuel 15:30, and the meaning of *yachaif* in Jeremiah 2:25 that going barefoot is an *innu’i*.

2. Regarding these laws, Tishah B’Av is usually similar to Yom Kippur. However, see *Iggerot Moshe*, YD 1:224 that a child of *chinuch* age, i.e., one who understands the Churban, may not wear leather shoes, but younger children may. The Chachmat Adam 152:17 rules that even older children who understand the Churban may wear leather shoes. Many though take the stringent position and maintain that even very young children shouldn’t wear leather shoes (*Sha’ar HaTziyun* 551:91).

3. See also *Aruch Hashulchan* (OC 614:2-4) for an overview of the opinions.

4. Rashi elsewhere states that a *na’al* (shoe) is “something that protects” (*Yevamot* 101a).

5. *Shulchan Aruch*, OC 554:16 and 614:2 following the Rif, Rosh, and Tur. Rabbi Ovadiah Yosef (*Yalkut Yosef*, Moadim [5748] p. 90) permits wooden clogs with a leather strap.

Although in this regard the accepted halachah is that “shoe” is synonymous with “leather shoe,” that may not be true for all *halachot*. For example, the SA (OC 4:18) requires one to wash hands after removing one’s shoe, and Rabbi Yitzchak Nissim, a former Israeli chief rabbi (1896-1981; *Yein Ha’tov* 1:13), discusses whether washing is required also for merely touching one’s shoe and whether the halachah applies to all shoes.

6. One must be careful not to mistakenly wear sneakers with leather sides.

7. *Yalkut Yosef* (ibid.) permits non-leather shoes because the ground can be felt through them.

8. There are divergent opinions with regard to the Morning Blessing

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“*She’asah li kol tzarki*” as it relates to thanking God for shoes (*Tur*, OC 46). Many Ashkenazim have the custom to recite the *berachah* on Yom Kippur (*MB* 554:31 and *Sha’ar haTziyun* 554:39), while many Sephardim (*Kaf Hachaim* 554:78; 613:10; *Kaf Hachaim Pilagi* 46:17) and the Gra (*Ma’aseh Rav*) maintain that the *berachah* should not be said on Tishah B’av or Yom Kippur. Among those Ashkenazim who do not say the *berachah*, many say it *Motzaei Yom Kippur* and *Motzaei Tishah B’Av* when they put on leather shoes.

9. See *Torah Lodaas*, vol. 3, pp. 50-53. For those who argue that non-leather shoes are not halachically considered shoes, there is the possibility of violating the prohibition of carrying on Shabbat. The Ramban (commenting on *Shabbat* 66a) raises this question. The Ran (*Yoma* 2b, s.v. *u’mihu*) justifies the standard practice of wearing non-leather shoes publicly on Yom Kippur by asserting that since they are standard attire on Yom Kippur, they are not a “burden” and may be “carried” on one’s feet.

10. *Shu”t B’ohala Shel Torah* 2 (5760), 291-293.

11. He does say (*ibid.* 5:16) that non-leather shoes that look like leather shoes should be avoided because of *marit ayin*.

12. *Kohanim* not wearing shoes during Birkat Kohanim is an unrelated matter (see *Aruch Hashulchan*, OC 128:11-12).

MISCONCEPTION: It is preferable to eat a little and then spend Yom Kippur day in shul *davening* rather than stay at home in bed fasting.¹

FACT: Fasting is unquestionably the preferred option.

BACKGROUND: Fasting on Yom Kippur is a Biblical requirement, while praying the entire day is, at most, a long-standing custom, albeit one with a lot of significance.²

Yom Kippur is mentioned several times in the Torah (Leviticus 16:29, 31; 23:27, 29, 32; Numbers 29:7) and the central theme each time is “*innu’i*,” affliction of one’s soul. Chazal explain that on the most fundamental level this refers to a complete abstention

from eating and drinking (see *Yoma* 73b-74b; *SA*, OC 612). Thus, when the Torah (Leviticus 23:29) states: “For whatever person shall not be afflicted on that day, he shall be cut off from his people” it is prescribing the punishment of *karet* to one who eats or drinks on Yom Kippur.

Chazal explain that there are a total of five *innuyim*, afflictions, that apply on Yom Kippur. In addition to abstaining from food and drink (which count as one type of affliction), one must also avoid washing, anointing, wearing shoes, and engaging in marital relations. However, these other prohibitions do not entail the punishment of *karet* if they are violated, and the early commentators are divided as to whether they are of Biblical (e.g., Ran) or rabbinic origin (e.g., Tosafot).

In contemporary society, Yom Kippur is equated in many people’s minds with an all-day (or a nearly all-day) synagogue service. However, it was not always that way. In ancient times, the central Yom Kippur rite was the service performed in the Temple by the high priest. This is described in detail in the Torah and in even greater detail in the Talmud. Indeed, the vast majority of Tractate *Yoma* deals not with fasting or atonement, but with the Temple service. It was only post-Churban that the prayer service took on greater significance.

Throughout the ages and the changing methods of worship on Yom Kippur, the one thing that has always remained constant is the Biblical injunction “to afflict oneself” by abstaining from the five specific sources of comfort, including the most significant, not eating or drinking. This hierarchy of priorities is reflected in an observation by Rabbi Avigdor Nebenzahl,³ former chief rabbi of the Old City in Jerusalem, that despite the importance of the final climactic prayer service of Neilah, one should not exert oneself (to stand, for example) to the degree that he will then have to break the fast early, or worse, have to go to the hospital. There is no point in expending extra effort during Neilah if it undermines the Biblical fast.

Similarly, Rabbi Yehoshua Neuwirth (*Shemirat Shabbat Kehilchata* 39:28, cited in *Nishmat Avra-*

ham, vol. 1, p. 306) states that someone who is weak, such that the fast will be difficult for him if he goes to shul, is obligated to fast and should stay in bed and not eat or drink even small amounts that are less than the punishable quantities (the size of a large date for food and a cheekful of liquid). In a footnote, he cites this in the name of the Chatam Sofer (*Shu”t* 6:23), who notes that even a small amount of food or drink, termed *chatzi shiur*, is a Biblical prohibition (for a healthy person). Rabbi Neuwirth also quotes what he heard from Rabbi Auerbach regarding one who is already permitted to drink small quantities throughout Yom Kippur because of illness: If remaining in bed will reduce the number of instances of drinking, even by one, then it is preferable to stay in bed rather than *daven* with a *minyan*. This was reprinted in the subsequently published *Halichot Shlomo (Moadim: Tishrei-Adar, 4:6)*, where it is stressed (*ibid.*, note *tet*) that this is true according to all opinions because fasting is the “mitzvah of the day,” and in comparison, the mitzvah of communal prayer is relatively insignificant. Furthermore, (*ibid.*, note 23, cited from *Nishmat Avraham*, vol. 5, p. 50) in practice Rabbi Auerbach instructed pregnant women to remain at home if the effort of attending shul would cause them to eat or drink, or even increase the amount they would drink if they were already drinking.

Rabbi Auerbach (*ibid.*, note 24, cited from *Nishmat Avraham*, *ibid.*) expanded this idea and stated that if caring for the children would cause a woman to eat, then her husband is obligated to remain at home and assist with the children. He explained that this is because the husband shares his wife’s obligations. This would apparently not apply to others. Thus, if a single mother (or a woman whose husband is out of town⁴) will have to break her fast because of the effort involved in caring for her children, a neighbor would not be obligated to forgo shul attendance to help with the children so that she does not break her fast (although it would probably not be prohibited for him or her to do so).

Developments in contemporary medicine give rise to a new question:

What actually constitutes breaking a fast? Is intravenous feeding considered breaking one's fast? Regarding Yom Kippur, the prohibition is not one of eating but an obligation to afflict oneself, a condition that may be somewhat relieved by IV feeding. Nonetheless, it is nearly universally agreed that fasting means avoiding taking in food and drink orally (see *Shu"t Chatam Sofer*, OC 127; *Achiezer* 3:61; *Chelkat Ya'akov*, OC 215; *Tzitz Eliezer* 10:22:21; *Teshuvot Vehanhagot* 2:290, and Rabbi Yitzchak Zilberstein, *Shabbat Shabbaton*, chap. 96). Thus, an IV on Yom Kippur may actually not violate the restrictions of the day. If indeed artificial nourishment is less of a prohibition, should a person who needs to eat opt instead for an IV? Most authorities say that one is not required to do so, and some actively discourage it. Some of the reasons advanced are: 1. It might be prohibited to insert an IV (*Iggerot Moshe*, OC 4:101:3); 2. food may be healthier (*Iggerot Moshe*, OC 3:90, 92); 3. other aspects of IV may be harmful (Maharsham 1:123); 4. There is no halachic obligation to search for a way to

avoid having a sick person eat on Yom Kippur (Rabbi Levi Yitzchak Halperin, *Ma'aseh Choshev* 3 [5757], 21, 265-274).

The above pertains to a sick person for whom the choice is either eating or using an IV, and the halachic preference seems to be to allow normal eating and drinking. But what about if the choice is between staying in bed and fasting or going to shul but taking IV nourishment? It would seem that the halachah in such a case is to remain in bed.

None of this is meant to minimize the all-day communal prayer service in shul. The praying in shul, the service in the Beit Hamikdash, and the fasting, all have one goal – to bring one closer to God and lead one to *teshuvah*. It is not just about abstaining from food; it is about repentance (I Samuel 7:6) and experiencing a spiritual awakening (Yoel 2:12). This message is included in the *haftarah* of Yom Kippur itself (Isaiah 58:5-6; cf. *Mishnah Ta'anit* 2:1, based on Yonah 3:6). Thus, while the fast must be observed in all its technical details, we must bear in mind that the fast is the means, not the goal. It is a tool that

serves the ultimate purpose of repentance. May we all have a healthy fast and may our prayers be answered, whether they are recited in the synagogue or at home. ■

Notes

1. Rabbi Yaakov Wehl, z"l, my rebbe at the Hebrew Academy of Nassau County (HANC), would regularly use this misconception as a springboard for discussions about Yom Kippur.

2. There is no halachic authority who rules otherwise, but it is worth noting that it is not as simple as I have presented it. Dr. Avraham Avraham (*Nishmat Avraham*, vol. 4, pp. 81-83), for example, questions this halachah based on the ruling regarding setting sail on *erev Shabbat* for the purpose of a mitzvah (OC 248:1; *MB*, *ibid*:2).

3. Quoted in Rabbi Moshe Harari's *Mikra'ei Kodesh, Hilchot Yom HaKippurim*, p. 283, note 24.

4. It is clear from Rabbi Shlomo Zalman Auerbach that if the wife cannot handle the children alone without breaking her fast, her husband should not make plans to leave for Yom Kippur.

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