**THE MITZVA OF 'SHABBATON' ON YOM HA-KIPPURIM**

**based on a shiur by Harav Aharon Lichtenstein**

Translated and adapted by Rav Eliezer Kwass

The Torah refers to the Jewish holidays as "mikra'ei kodesh," days of holy assembly. This holiness manifests itself most prominently through the prohibition against work. In Parashat Emor, the Torah reiterates this as it lists each one of the holy days - "This day is a holy assembly; do not do any work ("melakha" or "melekhet avoda") during it." On Yom Kippur, in addition to the prohibition against work, there is a requirement of "innui" (affliction) - that includes a prohibition against eating and drinking.

In light of this, one question naturally emerges in any attempt to understand the nature of Yom Kippur and its mitzvot: What is the relationship, if any, between the prohibition of work on the one hand and that of eating and drinking on the other?

At first blush, one is inclined to see no relationship at all between the two. Both happen to apply to Yom Kippur, but beyond this incidental characteristic they share nothing. In the lists of the 613 mitzvot they feature separately as two distinct mitzvot - a positive and negative commandment regarding work and a positive and negative commandment regarding affliction. The situation can be likened to the coinciding on the Seder night of the prohibition of breaking a bone in the Pesach sacrifice with the mitzva of eating matza - they apply at the same time but are otherwise unrelated.

A closer look, though, reveals a surprisingly strong connection. Quite a few times I merited hearing the following principle from the Gaon, Rav Yosef Dov Soloveitchik, zt"l, in the name of his father, the Gaon, Rav Moshe Soloveitchik, zt"l. He based himself on the Rambam's formulation of the positive mitzvot of "mikra kodesh" with regard to Yom Kippur.

The Rambam writes (Hilkhot Shevitat Asor 1:1):

"It is a positive mitzva to desist from work on the tenth of the seventh month, for it says, 'It should be a day of rest ("Shabbat Shabbaton") for you."

Later, in halakha 4, he adds:

"There is another positive mitzva on Yom Ha-kippurim, to desist ("lishbot") from eating and drinking, as it says, 'Afflict yourselves.' Based on tradition we learn, 'What is affliction? It is fasting.'"

The Rambam continues (halakha 5):

"We have also learned from tradition that it is prohibited to wash, to anoint oneself, to wear shoes or to have sexual relations on this day. There is a mitzva to desist from these just as one desists from eating and drinking, for it says, 'Shabbat Shabbaton' - 'Shabbat' with regards to eating [according to another version, 'with regards to work'], and 'Shabbaton' with regards to these matters."

According to the second version in which "Shabbat" refers to work, work and affliction are mentioned together in the same verse ("these matters" would then include eating and drinking along with the other afflictions). According to the first version, since "Shabbat Shabbaton" appears twice in the passage about Yom Kippur, we have one for work and the other for afflictions. According to both, the positive mitzva of affliction stems from "Afflict yourselves" (as the Rambam quoted in halakha 4).

Either way, though, we can see that the Torah is using these two verses to communicate a single directive: Transform the day of Yom Kippur into a Shabbat Shabbaton, both through refraining from work and through refraining from eating and drinking. To be sure, these are distinct mitzvot; one who both eats and does work on Yom Kippur has transgressed twice. Yet the two, when observed properly, fulfill a common goal - the transformation of the day into a Shabbat Shabbaton.

We can adduce several proofs for this principle, and in doing so, shed light on certain enigmatic passages in the gemara.

I. Rav Moshe zt"l brought a proof from the mishna (Yoma 66b):

"The elite of Jerusalem would escort him [the man leading the goat to the wilderness] until the first booth. There were ten booths from Jerusalem until Tzuk, [a distance of] ninety ris, seven and a half [ris] for each mil. At each booth they would say to him, 'There is food here. There is water.'"

The gemara (Yoma 67a) comments, "None of these men ever needed to eat the food, but one cannot compare a person with food available to him [for whom it is relatively easier to fast] with one who has none." One could understand this gemara to mean that the calls of the onlookers from the booths were only intended to show support for the messenger, but the ban on eating remains in force. The Rambam (Hilkhot Avodat Yom Ha-kippurim 3:7), though, clearly rules that he can eat if he needs to: "At every booth they say to him, 'There is food here. There is water.' If his strength fails and he needs to eat he can eat, but no one ever actually needed to." (Compare this with the comments of the Tosafot Yeshanim s.v. Lo [though the text there is unclear].)

And, in fact, we can almost say that the gemara must be read the way the Rambam does, for one cannot really describe as "one who has food available to him" a person who merely can see food but knows that he is prohibited to eat it! Since it is too far-fetched to posit that the gemara refers solely to a messenger who is unversed in the halakha, we must conclude that he is permitted to eat should he need to.

Such a dispensation, however, deviates sharply from the normal guidelines of Temple worship. Would one entertain the possibility that a priest who, for reasons of health, must consume non-kosher food in order to perform the service, would be permitted to do so? True, we have a biblically-derived principle that on Yom Kippur, the sacrifice should be brought "'in its proper time' - even in impurity, 'in its proper time' - even on Shabbat." But this teaches us only that the prohibition of work can be waived. It makes no mention of eating.

Apparently, said Rav Moshe zt"l, the Rambam views the prohibition of work and the requirement of affliction as two manifestations of one phenomenon - Shabbaton. The two mitzvot together - as a unit - are pushed aside by the imperative of the Yom Kippur sacrifices.

Alternatively, one can agree with the opinion of the Tosafot Yeshanim that the messenger may not eat (and in fact, the gemara on 81a says, "Affliction, which was not permitted, differs from work, which was permitted," and Rashi there explains that work was permitted for purpose of worship in the Temple, but affliction was not waived. The Rambam would have to say either that the two passages represent different talmudic views, or that while work is totally permissible ["hutra"], affliction is only minimally waived ["dechuya"]) and still maintain our thesis that the ban on work and the ban on eating operate jointly by saying that though they share a common goal, they still abide by different rules.

II. Another proof can be brought from a parallel passage on Mo'ed Katan 9a. The gemara discusses the unique celebration of Sukkot that took place the year that King Shlomo dedicated the Beit Ha-mikdash. It lasted fourteen days, starting a week before the holiday.

"Rav Parnakh said in the name of Rabbi Yochanan, 'That year Yisrael did not observe Yom Ha-kippurim, and they were worried, saying, "Maybe the enemies of the Jews (euphemism for "we") will be punished?" A heavenly voice came out and said to them, "You are all invited to the World to Come." How can one derive this? Through the following kal va-chomer: If during the dedication of the mishkan (in the desert) the sacrifices of the heads of the tribes were offered on Shabbat, even though the mishkan only had temporary sanctity and those sacrifices were individual and the punishment for Shabbat desecration is death by stoning - it should certainly be permissible to offer sacrifices to dedicate the Beit Ha-mikdash on Yom Kippur, for the mikdash is permanently holy, the sacrifices are communal, and transgressing Yom Kippur only carries with it the punishment of kareit (lit., "cutting off," considered less stringent than the death penalty). Why were they worried, if they had a strong logical basis to legitimize what they were doing? The sacrifices of the heads of tribes in the time of the dedication of the mishkan were totally devoted to Heaven, whereas during the dedication of the Beit Ha-mikdash, they were involved in a human celebration. Why did they, in fact, not just bring sacrifices and forgo the eating [on Yom Kippur]? There can be no real celebration without eating and drinking.'"

This kal va-chomer is puzzling if one does not assume a connection between eating and work on Yom Kippur. Why else should one compare work done at the dedication of the mishkan with eating and drinking done at the dedication of the mikdash? So again we see that since fasting and resting from work operate in tandem to endow Yom Kippur with the status of Shabbaton, it naturally follows that if one is waived, so is the other.

III. Further support for this concept can be brought from the mishna on Yoma 81a:

"If one forgot that it was Yom Kippur and ate and drank during one period of forgetfulness, he brings one sin-offering. If one eats and works during one period of forgetfulness, he brings two sin-offerings."

The second statement of the mishna seems superfluous: would we need a mishna to teach us that if one worked and ate non-kosher food on Shabbat he brings two sin-offerings? But once we realize that on Yom Kippur, the ban on work and the ban on eating are intrinsically linked, we understand the need to teach that, after all, the two still are distinct transgressions and therefore obligate two separate sin-offerings.

IV. In light of this approach, we can understand an unclear gemara, also found on Yoma 81a.

"Five passages are written referring to forbidden labor [on Yom Kippur]: one warning about the day; one warning about the night; one stating the punishment for work during the day; one stating the punishment for work at night; and one remains for us to derive from it a warning about the afflictions both during the day and the night (even though there is no explicit warning in the Torah about the five afflictions of Yom Kippur, this passage is considered the warning, for the Torah does not punish unless it states a warning)."

The gemara is puzzling. Why the need for separate commands against work, one for the day and one for the night? For all the other holidays, one recorded prohibition of work suffices for both day and night. The Tosafot Yeshanim on the passage (s.v. Chad) relate to this, commenting, "I do not know if in every place there is a need for a separate warning about the punishment for work at night and in the day, on Shabbatot, the holidays, and the intermediate days of the festival."

Utilizing Rav Moshe zt"l's principle, though, we are now able to understand this enigmatic gemara. The distinction between the day and the night of Yom Kippur emerges from a discussion on Shevuot 13a. The gemara asks: According to Rebbe's opinion that Yom Kippur brings atonement even to those that do not repent, how can the punishment of kareit for Yom Kippur itself ever exist? For other sins, even though Yom Kippur atones for everything, God is able to mete out a punishment before Yom Kippur, but the punishment for transgressing Yom Kippur itself will always be immediately and automatically atoned for - so when can this kareit ever apply? The gemara answers: "When one transgresses Yom Kippur at night and then dies right away, the DAY DOES NOT ATONE FOR HIM." Rashi explains that only the daytime of Yom Kippur atones, as it is written, "On this day He will atone for you."

If, as we have seen, the prohibition against work on Yom Kippur is instrumental in producing the special character of the day, the possibility arises that it would be limited to the time in which the day effects its atonement. It is because of this that there is a need for individual derivations for both the day and the night. This also explains the need for the Torah to emphasize, "From nightfall to nightfall you should rest," with regard to Yom Kippur alone. One might have thought to distinguish between the night and day of Yom Kippur, and the Torah tells us not to.

On Shabbat and Yom Tov, though, one would not have even thought of making such a distinction. This is either because the day and night are not separate halakhic entities (although the principle that "The honor of the day precedes that of the night" [Pesachim 105a], seems to go against this, but this is not the forum for a full discussion of this issue. Likewise, according to the Jewish mystical tradition, the day and night of Shabbat certainly are separate entities [see Ramban Shemot 20:8], but this is a realm I am not qualified to speak about), or because even if they are, there is no reason to prohibit work in one part of the day and not the other.

The most likely explanation for the difference between Shabbat and Yom Tov on the one hand and Yom Kippur on the other, though, is related to what is involved in creating "Shabbaton." On Shabbat and Yom Tov, the "Shabbaton" is identified solely with the prohibition against work. These are, in fact, two sides of the same coin, for there is no other factor involved in the composition of this Shabbaton. Just as the whole day is a Shabbaton, so too on the whole day work is prohibited. On Yom Kippur, though, both the prohibition of work and that of eating transform Yom Kippur into a "Shabbaton." Hence it might have made sense to define the scope of the prohibition against work differently and limit it to that part of the day in which the essence of Shabbaton is manifested. To reject this possibility, the derivation teaches that all of the prohibitions of Yom Kippur apply during the day and the night.

To be sure, this solution works less smoothly if one is inclined to view the two elements of Shabbaton on Yom Kippur as discrete and to say that the two prohibitions - of work and of eating - only fall out by chance, as it were, on the same day. One could, of course, still say that even if the prohibition of work is a distinct entity, there is room to posit that it is connected to the time of atonement, and in this way distinguish Yom Kippur from other holidays. However, it is clear that R. Moshe zt"l's principle explains the matter much more clearly and fully.

(Originally published in Alon Shevut 5:1 & 5:2. Reprinted in Daf Kesher #201, Tishrei 5750, vol. 2, pp. 348-350.

This translation was not reviewed by Rav Lichtenstein.)