

THE FESTIVAL OF OUR GREAT JOY?

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IN MISHNAH TA'ANIT 4:8, Rabban Shimon ben Gamliel says:

לֹא הָיוּ יָמִים טוֹבִים לְיִשְׂרָאֵל כְּחֻמְשָׁה עָשָׂר
בְּאָב וּכְיוֹם הַכִּפּוּרִים, שֶׁבָּהֶן בְּנֵי יְרוּשָׁלַיִם יוֹצְאִין
בְּכֵלֵי לָבָן שְׂאוּלִים... וּבָנוֹת יְרוּשָׁלַיִם יוֹצְאוֹת
וְחוֹלוֹת בְּכַרְמִים.

*There were no days of joy in Israel greater
than the fifteenth of Av and Yom Kippur.
On these days the sons of Jerusalem would
go out in borrowed white garments... and
the daughters of Jerusalem would go out
and dance in the vineyards.¹*

The people of Jerusalem during the time of the Second Temple experienced Yom Kippur as a festival of great joy. This sentiment is echoed in Mishnah Yoma 7:4, which tells us that the High Priest would make a feast for his loved ones upon safely emerging from performing the Avodah service. Both Talmudim (Yerushalmi Ta'anit 4:8, 69c; Bavli Ta'anit 30b) explain that the source of this joy is the atonement and forgiving of our sins. But many of us do not experience Yom Kippur as a day of joy. For us, it is a day of awe and introspection,

when we contemplate our past actions and direct our prayers to appeal for God's mercy.

To gain a deeper understanding of the disconnect between our Yom Kippur and that of the inhabitants of Jerusalem, we should start by examining the verses in the Torah that describe the Yom Kippur service. Leviticus 16 describes the purification procedure of the High Priest in the tabernacle:

וַיִּקְרָא טֹזִיז

וַיִּכְפֹּר עַל הַקֹּדֶשׁ מִטְּמֵאֹת בְּנֵי יִשְׂרָאֵל
וּמִפְשָׁעֵיהֶם לְכָל חַטָּאתָם וְכֵן יַעֲשֶׂה לְאַהֲלֵ מוֹעֵד
הַשָּׁכֵן אֹתָם בְּתוֹךְ טְמֵאָתָם.

Leviticus 16:16

*Thus he shall purge the shrine of the
impurity and transgression of the Israelites,
whatever their sins; and he shall do the
same for the Tent of Meeting, which abides
with them in the midst of their impurity.*

The function of the service is to purge the tabernacle of the contamination caused by the impurities and transgressions of Israel. These sins penetrate the sacred space from afar, and, as a result, the High Priest is

¹ The citation of the *mishnah* is from the Kaufmann manuscript. For a full explanation of the development and meaning of this *mishnah*, see Pinhas (Paul) Mandel, “‘Lo Hayu Yamim Tovim le-Yisrael ke-Hamishah Asar be-Av u-khe-Yom ha-Kippurim’: Al ha-Mishnah ha-Aharonah shel Massekhet Ta’anit ve-Gilguleha,” *Te’udah* 11 (1996), pp. 147-178. According to Mandel, the romantic elements of the *mishnah* are a later addition to the text which distort its original meaning.

commanded to cleanse the sanctum, to ensure that God's presence remains in the tabernacle.²

At the conclusion of the chapter, however, there is an abrupt turn from the instructions for the High Priest to a commandment for all of Israel.

ויקרא טז:כט-לא

וְהָיְתָה לָכֶם לְחֻקַּת עוֹלָם בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעָשׂוֹר
לַחֹדֶשׁ תַּעֲנּוּ אֶת נַפְשֵׁיכֶם וְכָל מְלָאכָה לֹא תַעֲשׂוּ
הָאֶזְרָח וְהַגֵּר הַגֵּר בְּתוֹכְכֶם: ³⁰כִּי בַיּוֹם הַזֶּה יִכַּפֵּר
עֲלֵיכֶם לְטָהֳרָתְכֶם מִכָּל חַטֹּאתֵיכֶם לִפְנֵי ה'
תִּטְהָרוּ: ³¹שַׁבַּת שַׁבָּתוֹן הִיא לָכֶם וְעִנִּיתֶם אֶת
נַפְשֵׁיכֶם חֻקַּת עוֹלָם:

Leviticus 16:29-31

²⁹And this shall be to you a law for all time:
In the seventh month, on the tenth day of the
month, you shall practice self-denial; and you
shall do no manner of work, neither the citizen
nor the alien who resides among you. ³⁰For on
this day atonement shall be made for you to
purify you of all your sins; you shall be pure
before God. ³¹It shall be a sabbath of complete
rest for you, and you shall practice self-denial;
it is a law for all time.

Alongside the High Priest's purification of the tabernacle, we are obligated to take steps to turn inward and "purify ourselves of all our sins" through fasting, self-denial, and refraining from *melakhah* (work forbidden on Shabbat). We cannot sit idly as the High Priest purifies the tabernacle; we must also do our part.

While these two elements of Yom Kippur might be seen to complement each other, they are also in tension.³ In the first section, it is only the sterilization of the tabernacle by the priests that effects atonement for all of Israel. The people do nothing, and atonement is provided exclusively by the priestly ceremony. The end of the chapter (and the description of Yom Kippur in Leviticus 23, discussed below) moves away from this model, and

demands action by the entire people of Israel in order to achieve atonement.

These two characterizations of Yom Kippur were at the center of a major debate between Jews of the Second Temple period.⁴ The Temple Scroll from the Dead Sea Sect and the Sadducean book of Jubilees both embrace the perspective that the individual must repent in order to gain atonement. In fact, the book of Jubilees connects atonement on Yom Kippur to the story of Jacob's sorrow after his sons falsely tell him that they found bloody evidence of Joseph's death. According to Jubilees, Jacob received their report about Joseph on the 10th of Tishrei and plunged into an inconsolable state of mourning:

Jubilees 34:23-25

For this reason, it has been ordained regarding the Israelites that they should be distressed on the tenth of the seventh month—on the day when (the news) which made (him) lament Joseph reached his father Jacob—in order to make atonement for themselves on it with a kid—on the tenth of the seventh month, once a year—for their sins. For they had saddened their father's (feelings of) affection for his son Joseph. This day has been ordained so that they may be saddened on it for their sins, all their transgressions, and all their errors; so that they may purify themselves on this day once a year.⁵

The book of Jubilees suggests that the Torah's requirement to bring a goat as a sin offering is an atonement for the brothers' action of dipping Joseph's coat in goat blood (see Genesis 37:31). Furthermore, the people of Israel are required to be "saddened... for their sins," just as Jacob was distraught because he believed that Joseph was dead. The author of Jubilees requires one to feel a deep sense of sadness and regret in order to purify oneself and receive atonement. A similar perspective appears in a polemical work found in the Dead Sea Scrolls, which vehemently chastises the Pharisees and their followers who "deport

2 See Jacob Milgrom, *Anchor Bible: Leviticus 1-16* (1998), pp. 1061-1065. See also my colleague, R. Shai Held, "Yom Kippur: Purifying the Tabernacle and Ourselves," printed in *The Heart of Torah* (2017) and available here: <https://hadar.org/torah-tefillah/resources/yom-kippur-purifying-tabernacle-and-ourselves>.

3 See David Frankel, "Recasting the Temple Purification Ritual as the Yom Kippur service," available here: <https://www.thetorah.com/article/recasting-the-temple-purification-ritual-as-the-yom-kippur-service>.

4 For a full analysis of the Second Temple sources see Cana Werman's essay in Werman and Aharon Shemesh (eds.), *Revealing the Hidden: Exegesis and Halakha in the Qumran Scrolls* (2011), pp. 348-363.

5 Translation from James Kugel, *A Walk Through Jubilees* (2012), p. 209.

themselves foolishly on their festivals” (להתעולל) ⁶. They desecrate the solemnity of the day with their celebrations, and disregard the aspect of self-denial.

This perspective stands in sharp contrast to the custom of the people of Jerusalem described in the Mishnah. The people would go up to the Temple in order to observe the High Priest’s purification ritual—and immediately upon its successful completion, the celebrations would begin. There was no sense that the day demanded any sort of introspection or reckoning with the sins of the previous year.

In many ways, the destruction of the Temple put an end to this debate. There is no longer a High Priest to perform the purification ritual, nor an altar on which to sprinkle the blood to erase our sins from the previous year. For *Hazal*, the focus of Yom Kippur practice had to shift away from the rituals of the Temple and toward the actions of the individual. Nonetheless, an intriguing *midrash* explores the possibility that the day of Yom Kippur in and of itself can effect the automatic erasure of our sins. The *Sifra*, the tannaitic midrashic collection on the book of Leviticus, demonstrates how the lack of a Temple and the ability for Yom Kippur itself to provide atonement are intertwined. The *midrash* expounds Leviticus 23:27-28:

ויקרא כג:כז-כח

²⁷אֶךָ בַּעֲשׂוֹר לַחֹדֶשׁ הַשְּׁבִיעִי הַזֶּה יוֹם הַכִּפּוּרִים
הוא מִקְרָא קֹדֶשׁ יִהְיֶה לָכֶם וְעָנִיתֶם אֹתוֹ
נִפְשֵׁיכֶם וְהִקְרַבְתֶּם אֶשָׁה לָהּ: ²⁸וְכָל מְלָאכָה
לֹא תַעֲשׂוּ בְּעֶצְמֵם הַיּוֹם הַזֶּה כִּי יוֹם כִּפּוּרִים הוּא
לְכַפֵּר עֲלֵיכֶם לִפְנֵי ה' אֱלֹהֵיכֶם:

Leviticus 23:27-28

²⁷Indeed, the tenth day of this seventh month is the Day of Atonement. It shall be a sacred occasion for you: you shall practice self-denial, and you shall bring an offering by fire to God; ²⁸you shall do no work throughout that day. For it is a Day of Atonement, on which expiation is made on your behalf before God your Lord.

ספרא אמור, פרשה יא, פרק יד

(1) שיכול: אין לי יום הכיפורים מכפר אלא אם כן עשאו מקרא קודש, והתענה ולא עשה בו מלאכה; לא קראו מקרא קודש ולא נתענה בו ועשה מלאכה מניין [שהיום מכפר]? ת"ל "יום הכיפורים הוא".

(2) שיכול: אין לי יום הכיפורים מכפר אלא עם הקרבנות ועם השעירים יום הכיפורים מכפר; ומניין אף על פי שאין קרבנות ואין שעיר היום מכפר? תלמוד לומר "יום הכיפורים הוא".

(3) יכול יכפר על השבים ועל שאינן שבים? ודין הוא: חטאת ואשם מכפרים, ויום הכיפורים מכפר, מה חטאת ואשם אין מכפרים אלא על השבים אף יום הכיפורים לא יכפר אלא על השבים!

(4) לא, אם אמרת באשם וחטאת שאין מכפרים על הזדון כשגגה, תאמר ביום הכיפורים שהוא מכפר על הזדון כשגגה?

(5) הואיל והוא מכפר על הזדון כשגגה יכפר על השבים ועל שאינן שבים! תלמוד לומר: "אך"—הא אינו מכפר אלא על השבים.

Sifra Emor, Parashah 11, Chapter 14

(1) For I might think that Yom Kippur atones only if one made it a sacred occasion, and practiced self-denial, and abstained from *melakhah*. How do I know that even if one did not do these, the day atones? Scripture states: "It is the day of atonement."

(2) For I might think that Yom Kippur atones only with the offerings and with the goats. How do I know that the day atones even without them? Scripture states: "It is the day of atonement."

(3) I might think that it atones both for those who repent and those who do not. Logic dictates: A sin-offering and a guilt-offering atone, and Yom Kippur atones. Just as they atone only for those who are penitent, so Yom Kippur should atone only for penitents!

⁶ See Joseph M. Baumgarten, "Yom Kippur in the Qumran Scrolls and Second Temple Sources," *Dead Sea Discoveries*, vol. 6, no. 2 (1999), pp. 184-191.

(4) No, this may be so for a guilt-offering and a sin-offering, which do not atone for intentional sin as they would for an unintentional sin. Would you say the same for Yom Kippur, which atones for both intentional and unintentional sin?

(5) Since it does, we should say that it atones both for those who do repent and for those who do not! Scripture states “Indeed” (וַיֵּן, a term of exclusion). This teaches that it atones only for those who repent.

The *midrash* begins (section 1) with the surprising assertion that Yom Kippur will still provide atonement even if one transgresses the commandments associated with the day. The Torah’s language, “it is the Day of Atonement,” indicates that the day itself will atone, even if its sanctity is violated. This approach is more far-reaching than the celebrations of the people of Jerusalem. They would gather at the Temple to make sure that the purification ritual was successful, while the *midrash* argues that one can ignore Yom Kippur entirely and still be granted atonement.

This extreme formulation seems to be laying the groundwork for the teaching in section 2. The Temple service is essential for the purification ritual that achieves atonement. One could easily argue that without the Temple, Yom Kippur would be ineffective. Here, however, our Rabbis reject this argument, and maintain that atonement can be achieved even without sacrifices. Again, they anchor their teaching using the same words from section 1, “it is the Day of Atonement”—even if there are no sacrifices. This *midrash* demonstrates the complete transformation of the day from its origins in the latter part of Leviticus 16, which introduced the participation of individuals in the process of atonement, through the Second Temple sects who placed greater emphasis on the need for individual repentance.

Our Rabbis’ striking conclusion that the sacrifices are not necessary for atonement leads in turn to the question explored in the final sections of the *midrash* (sections 3-5). Perhaps just as the sacrifices are not necessary, repentance is also not necessary to achieve atonement? This approach, arguing that simply the arrival of the day of Yom Kippur is enough to provide atonement, would lead to an unprecedented conclusion. However, this Sifra

notes the verse’s use of the word וַיֵּן, which is often used as an indication that something is excluded from the verse’s scope, and subsequently rejects this possibility. Indeed, the Sifra rules here in the same way as in Mishnah Yoma 8:8, that repentance is necessary for atonement.⁷ This represents an enormous shift. To the people of Jerusalem, all that was necessary was the Temple purification ritual. To the post-Temple Sifra and Mishnah, in contrast, all that is necessary is individual repentance.

While many of us are firmly entrenched in a Yom Kippur of *teshuvah* and introspection—and for good reason!—we should not lose sight of the elements of joy and celebration that have always been part of the day. Like the people of Jerusalem who were overwhelmed with a feeling of joy upon seeing the High Priest emerge from performing the Temple purification ritual, even without the sureness of being forgiven we can embrace the celebration of a fresh start and a new year full of opportunity. ♦

7 Bavli Shevuot 13a cites a tradition that includes a position that Yom Kippur atones for almost all transgressions even without repentance. Ritva on this *sugya* explains that his position is relevant only when there is a Temple purification ritual. In times without a Temple, repentance is necessary. See Saul Lieberman, *Tosefta Kifshutah to Kippurim* (Yoma) 4:9, p. 826.