

**Do "Repentance, Prayer and Tzedakah
Avert the Severe Decree"?**

**a source sheet for a webinar
by Rabbi David Golinkin**

Reader

May our sanctification of Thy name ascend unto Thee; for Thou art our God and King.

Congregation

We will observe the mighty holiness of this day, for it is one of awe and anxiety. Thereon is Thy dominion exalted. On this day we conceive Thee established on Thy throne of mercy, sitting thereon in truth. We behold Thee, as Judge and Witness, recording our secret thoughts and acts and setting the seal thereon. Thou recordest everything; yea, Thou rememberest the things forgotten. Thou unfoldest the records, and the deeds therein inscribed tell their own story for lo, the seal of every man's hand is set thereto.

The great Shofar is sounded, and a still small voice is heard. The angels in heaven are dismayed and are seized with fear and trembling, as they proclaim: "Behold the Day of Judgment!" The hosts of heaven are to be arraigned in judgment for in Thine eyes even they are not free from guilt. All who enter the world dost Thou cause to pass before Thee, one by one, as a flock of sheep. As a shepherd musters his sheep and causes them to pass beneath his staff, so dost Thou pass and record, count and visit, every living soul, appointing the measure of every creature's life and decreeing its destiny.

Reader

ובכֵן וּלְךָ תַעֲלֶה קִדְשָׁהּ. כִּי אַתָּה אֱלֹהֵינוּ מֶלֶךְ:

Congregation

וּנְתַנֶּה תְּקוּף קִדְשַׁת הַיּוֹם. כִּי הוּא נוֹרָא וְאִיּוֹם. וּבוֹ תִּנְשֵׂא מַלְכוּתְךָ. וַיִּכּוֹן בְּחֶסֶד כְּסֵאֶךָ. וַתֵּשֶׁב עָלָיו בְּאַמַּת: אַמַּת כִּי אַתָּה הוּא דִין וּמוֹכִיחַ וַיִּוָּדַע וְעַד. וְכוֹתֵב וְחוֹתֵם וְסוֹפֵר וּמוֹנֶה. וְתוֹכּוֹר כָּל־הַנִּשְׁכָּחוֹת. וְתַפְתַּח אֶת־סִפְּרֵי הַזְּכוּרוֹנוֹת. וּמֵאֱלֹוֹ יִקְרָא. וְחוֹתֵם יָד כָּל־אָדָם בּוֹ:

וּבְשׁוֹפָר גָּדוֹל יִתְקַע. וְקוֹל דְּמָמָה דְקָה יִשְׁמַע. וּמַלְאָכִים יִחְפְּזוּן. וְחִיל וּרְעָדָה יֵאָחֲזוּן. וַיֵּאמְרוּ הִנֵּה יוֹם הַדִּין. לְפָקוֹד עַל־צָבָא מְרוֹם בְּדִין. כִּי לֹא יִזְכּוּ בְּעֵינֶיךָ בְּדִין. וְכֹל־בָּאֵי עוֹלָם תַּעֲבִיר לְפָנֶיךָ כַּבְּנֵי מְרוֹן: כַּבְּקֶרֶת רוּעָה עֹדְרוֹ. מֵעֵבִיר צֹאנוּ תַחַת שְׁבִטוֹ. בֵּן תַּעֲבִיר וְתִסְפּוֹר וְתִמְנֶה. וְתִפְקוֹד נַפְשׁ כָּל־חַי. וְתִחְתּוֹף קִצְבָה לְכָל־בְּרִיָּה. וְתִכְתּוֹב אֶת־גְּזֵר דִּינָם:

On New Year's Day the decree is inscribed and on the Day of Atonement it is sealed, how many shall pass away and how many shall be born; who shall live and who shall die; who shall attain the measure of man's days and who shall not attain it; who shall perish by fire and who by water; who by sword, and who by beast; who by hunger and who by thirst; who by earthquake and who by plague; who by strangling and who by stoning; who shall have rest and who shall go wandering; who shall be tranquil and who shall be disturbed; who shall be at ease and who shall be afflicted; who shall become poor and who shall wax rich; who shall be brought low and who shall be exalted.

BUT REPENTANCE, PRAYER AND RIGHTEOUSNESS
AVERT THE SEVERE DECREE.

For according to Thy name so is Thy praise. Thou art slow to anger and ready to forgive. Thou desirest not the death of the sinner but that he return from his evil way and live. Even until his dying day Thou waitest for him, perchance he will repent and Thou wilt straightway receive him.

Verily, Thou as Creator knowest the nature of man, for he is but flesh and blood. Man's origin is dust and he returns to the dust. He obtains his bread by the peril of his life; he is like a fragile potsherd, as the grass that withers, as the flower that fades, as a fleeting shadow, as a passing cloud, as the wind that blows, as the floating dust, yea, and as a dream that vanishes.

BUT THOU ART EVER OUR LIVING GOD AND KING.

Thy years have no measure nor hath the length of Thy days any end. None can conceive Thee, nor fathom Thy mysteries. Thy name is glorious and we therefore pray that our name be forever linked with Thine own.

* In the words of the mystic utterance recorded in Holy Scriptures, we sanctify Thy name, so that the angels in heaven unite with Israel on earth in glorifying Thy sovereignty.

* Isaiah 6.

בראש השנה יכתבון. וביום צום כפור יחתמון. כמה יעברון. וכמה יבראון. מי יחיה. ומי ימות. מי בקצו. ומי לא בקצו. מי באש. ומי במים. מי בחרב. ומי בתיה. מי ברעב. ומי בצמא. מי ברעש. ומי במגפה. מי בחניקה. ומי בסקילה. מי ינות. ומי ינוע. מי ישקט. ומי יטרף. מי ישלו. ומי יתסר. מי יעני. ומי יעשר. מי ישפל. ומי ירום:

ותשובה ותפלה וצדקה
מעבירין את רוע הגזרה:

כי כשמך בן תהלתך. קשה לבעוס ונוח לרצות. כי לא תחפוץ במות המת. כי אם בשובו מדרךכו וחייה. ועד יום מותו תחכה לו. אם ישוב מיד תקבלו: אמת כי אתה הוא יוצרם. ואתה יודע יצרם. כי הם בשר ודם: אדם יסודו מעפר וסופו לעפר. בנפשו יביא לחמו. משול כחרס הנשבר. כחציר יבש. וכצייץ נובל. כצל עובר. וכענן כלה. וכרוח נושבת. וכאבק פורח. וכחלום יעוף:

ואתה הוא מלך אל חי וקיים:

אין קצבה לשנותיה. ואין קץ לארץ ימיה. ואין לשער מרכבות כבודך. ואין לפרש עלום שמך. שמך נאה לך ואתה נאה לשמך. ושמנו קראת בשמך:

עשה למען שמך. וקדש את שמך על מקדישי שמך. בעבור כבוד שמך הנערץ והנקדש. בסוד שיח שרפי קדש. המקדישים שמך בקדש. דרי מעלה עם דרי מטה.

A great shofar is sounded
and a still small voice is heard.
The angels in heaven scurry about
and are seized with fear and trembling.
They say:
"Behold, the Day of Judgment!"...
All who enter the world
You will cause to pass before You
kivney maron [=like *b'nay maron*].
As a shepherd examines his flock
passing his sheep beneath his staff,
so do You make pass, count, enumerate
and remember every living soul,
decreeing the measure of every creature's life
and writing their verdict...

The question is: what does "*kivney maron*" mean? The phrase is taken from the Mishnah (*Rosh Hashanah* 1:2), but there, too, the meaning is unclear:

The world is judged at four seasons:
At Pesah – for grain,
At Shavuot – for the fruit of the trees,
On Rosh Hashanah, all who enter the world pass before Him
kivney maron, as it is written: "He who fashions the hearts of
them all, who discerns all their actions" (Psalms 33:15),
and on Sukkot – for water.

The Babylonian Talmud (*Rosh Hashanah* 18a) gives three different explanations for *kivney maron*:

What is *kivney maron*?

- 1) Here they translate: "like *b'nay imrana*".
- 2) Resh Lakish said: like the ascent of Bet Maron.
- 3) Rav Yehudah said in the name of Samuel:
like the troops of the House of David.

① ונענה חתן

בדין. ובלבאי עולם מעביר לפניך כבני מרון: כבקרית
רועה עדרו. מעביר צאנו פתח שבטו. בן מעביר
ותקפור ותמנה. ותפקוד גפוש בלתי. ותקתוד קצקה
לקל בריתה. ותכתוב אתגור דינים:

② משנה ר"ה ג"ל כ"ט י"א

③ ר"ה ג"ל י"ח י"א
④ ר"ה ג"ל י"ח י"א

משנה בארבעה פרקים העולם נידון:
בפסח על התבואה, בפעצרת על פירות האילן, בראש
השנה - כל באי עולם עוברין לפניו כבני מרון.
שנאמר "היצר יחד לבם המבין אל כל מעשיהם".
ובחג נידונין על המים.
גמ' ר"ה י"ח י"א

"בראש השנה כל באי העולם עוברין לפניו
כבני מרון". מאי "כבני מרון"? הקא תרגימו כבני
אמרנא. ריש לקיש אמר: כמעלות בית מרון. אמר
רב יהודה אמר שמואל: כחילות של בית דוד.

⑤ משנה ר"ה א"ג כ"ו קויטאן
המאה ה"א - ג"ה (?) , א"ט"ה (?)

באתינהו פרקים העולם נידון בפסח
על התבואה בפעצרת על פירות האילן
בראש השנה כל באי העולם עוברין
לפניו כבני מרון שנאמר יחד לבם
ומבין אל כל מעשיהם ובחג המים
על המים יד על טענת הדשים

החיים

מעלות בית מרון
לפי הגרסה שבדין הכותנה היא
לדרך תולדה המלוכה לכפר
מרון שבגליל העליון, שחמרים
שסביבו הם הנבזים בחרי ארץ
ישראל.
יש גורסים כאן ימעלות בית
חרון" חנוכרות כפסוקות
אחרים במעלה תגול בוותר,
אלא שאין חז"ר מתישב היטב
עם הגרסה "כבני מרון"

אמרנא - ככנשים שמונין אותן
לעסקן, ויולאך זה אחר זה נפסח קטן,
שאינן יכולין ללאם כאלה. כמעלות בית
מרון - הדך קנה, ואין שנים יכולין
ליך זה נלד זה, שהעמק עמוק משני
לדי הדך. הכי גרסינן: ורב יהודה
אמר שמואל כחילות של בית דוד.
והר גרסינן אמר רבה בר בר חנה
כו'. כחילות של בית דוד - וכבני
מרון - כבני חילום של מלך. מרון
- לשון מרום ואלטה. וכן היו מונין
אותם יולאים זה אחר זה, נלחמם
למלחמה. וכולן נסקרין וכו' - ואף

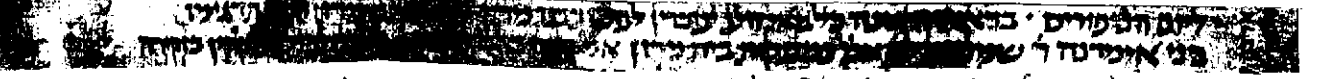
⑥ לוספא כ"ו וינה ט"ו ר"ה א"ג: י"א
מאה אביראן ז"ל 307

11. בראש השנה כל באי עולם עוברין לפניו
כבני מרון, שני היוצר יחד לבם וגו'.

⑦ משנה ר"ה א"ג: גירוסאני דפ וינציאה
ר"ה - ר"ה

אביראן כוונתו עשר כו'. ג
בארבעה פרקים העולם נידון בפסח
על התבואה. בפעצרת על פירות האילן. ובראש השנה כל באי העולם עוברין
לפניו כבני מרון שנאמר יחד לבם המבין אל כל מעשיהם. ובחג המים
על המים יד על טענת הדשים

⑧ גמ' ר"ה י"ח י"א בקטז א"ג ג"ה, א"ט"ה א"ג י"א, א"ט"ה א"ג י"א
המאה ה"א - ג"ה (?) , א"ט"ה (?)



⑨ Naftali Wieder, Journal of Jewish Studies 18 (1967), pp. 3,5

Current version
היום הרת עולם היום יעמיד
במשפט כל יצורי עולמים) אם
כבנים אם כעבדים אם כבנים
רחמנו כרחם אב על בנים ...

T.-S. N.S. 275/154
היום הרת עולם והיום העביר כבנימרון
כל באי העולם אם כבנים אם כעבדים אם
כבנים רחם עלינו ורחם אב על בנים

genizah text of this prayer, preserved in the British Museum, Or. 5557. G, fol. 68a, confirms the reading of the Kaufmann Codex. The relevant passage runs as follows: וכל באי העולם העביר [כבנומרן] לפניך. The same spelling, albeit with the expression divided into two separate words, appears in European manuscripts of Franco-German and Italian provenance. This is the case in MS. Parma 3007 and MS. Halberstamm 67 (Hirschfeld's Catalogue 201), fol. 266. Both have an identical version: וכל באי עולם העביר כבנו מרון לפניך. Similarly, *Mahzor Roma*, MS. Halberstamm 69 (=Hirschfeld 217), fol. 206b reads: וכל באי העולם בראש השנה העביר לפניך כבנו מרון. But highly significant is the fact, which has gone hitherto unnoticed, that this reading still appears in the early printed editions of *Mahzor Roma* (Casal Maggiore 1485-6, Rimini 1521 and Bologna 1540).

Chapter Three

DO "REPENTANCE, PRAYER AND TZEDAKAH AVERT THE SEVERE DECREE"?

Rosh Hashanah 5766

In Chapter Two, I explained one difficult word – *kivinumeron* – in the High Holiday poem *Unetaneh Tokef*.¹ In this chapter, I would like to tackle a much tougher topic: the theology of *Unetaneh Tokef*.²

I) A Summary of the *Piyyut*³

Unetaneh Tokef has six parts:

- a. God and the heavenly court judge all living creatures on *Yom Hadin*, the day of judgment.
- b. one by one *kol ba'ey olam*, all who enter the world, pass before God *kivinumeron*, like a cohort of soldiers being counted, or like a shepherd counting his sheep and He decrees their destiny.
- c. on Rosh Hashanah it is written and on Yom Kippur it is sealed: who shall live and who shall die, who by fire and who by water, who by earthquake and who by plague.
- d. but repentance, prayer and *tzedakah* "avert the severe decree".
- e. God wants the sinner to repent.
- f. Man's origin is but dust and his end is dust, but God is the ever-living King.

1 All brief references below refer back to Chapter Two, notes 3-4.

2 This article is based on a lecture which I gave to the Rabbinical Assembly of Israel, September 5, 2004 and to 450 rabbis via the United Jewish Community's "Torah from Jerusalem" video conference on September 8, 2005.

3 For translations of *Unetaneh Tokef*, see above, Chapter Two, note 2.

Appendix A

A Translation of the Rabbi Amnon of Mainz Narrative

by Prof. Ivan Marcus

(from: Zvia Ben-Yosef Ginor, ed., *Essays on Hebrew Literature in Honor of Avraham Holtz*, New York, 2003, pp. 35-37)

(The following translation of the text of the earliest version of the Amnon narrative is based on ed. Zhtomir, based on an Amsterdam Ms., with corrections from it and from Ms. Frankfurt.)

I found in the handwriting of Rabbi Ephraim of Bonn bar Jacob that Rabbi Amnon of Mainz wrote (the liturgical poem beginning) "And let us affirm (the holiness of the day": *Unetaneh toqef qedushat hayom*) because of a wicked incident that happened to him and these are his words:

An incident involving Rabbi Amnon of Mainz, the greatest figure of his generation (*gedol ha-dor*) and (a man of) wealth and family lineage, (who was also) "Well built and handsome" (Genesis 39:6). It happened that the ruler and (his) officials tried to persuade him to convert to their error [=religion]. "He refused" (Genesis 39:8) to listen to them. "It happened as" they "would talk to him about this, day in and day out, that he would ignore" them (from Genesis 39:10).

But the ruler pressed him and "one such day" (Genesis 39:11) (the ruler) forced (the officers) on Amnon so much that he said to them, "I want to consult (with others) and think it over for three days".

He said that only to get them off his back, but as he left the ruler, he remembered that [he had answered the ruler the way he had - by saying the obscenity (*nibbul hapeh*) to the ruler, that he would take counsel concerning this and (he realized)] that it sounded as though he actually were uncertain. Did he really need any advice or further thought about denying the living God? He returned home and could not eat or drink. He grew ill and relatives and friends came by "to comfort him, but he refused to be comforted, saying, 'No, I will

go down mourning over my words in Sheol! And he wept" (Genesis 37:35) and grew despondent.

On the third day, as he was writhing in agony, the ruler sent for him, but he said, "I will not go". The enemy sent many more dignitaries to him, each one more distinguished than the other, but he still refused to go to him.

The ruler (finally) said, "Bring Amnon to me, right now, even against his will!" They rushed out and got him. He said to him, "What is the matter, Amnon? Why did not you come on the day that you said you would, after getting advice, and answer me in obedience to my demand?"

Amnon answered him, "I will determine my punishment. The tongue that lied to you should be cut out". Rabbi Amnon wanted to sanctify God for having said what he said.

But the ruler replied, "No, I will not cut off the tongue, because it spoke well. Rather, I will cut off the feet which did not come when you said they would, and I will torture the rest of (your) body".

The enemy then ordered that his fingers, hands, and feet be cut off, joint by joint. At each stage they asked him, "Do you want to convert to our faith?" And he said, "No".

When they had finished cutting them off, the wicked one commanded that Rabbi Amnon be laid out on a shield, his severed fingers next to him, and he sent him home.

Now the reason he is called Rabbi Amnon is because he believed (*he'emin*) in the Living God and suffered severe tortures out of the love for his faith, all because of what he had said.

Afterwards, the time of Rosh Hashanah was approaching. He asked his relatives to carry him to the synagogue with the preserved parts of his fingers and to place him near the cantor. They did so.

When the cantor was about to recite the *Qedushah*, (and the liturgical poem that begins,) "And the beasts which are...", Rabbi Amnon said to him, "Wait a moment, and I will sanctify the Great Name". And he replied in a loud voice, "And so, may Holiness rise up to You", meaning, I have sanctified Your Name on account of Your Kingdom and Unity.

Afterwards he said, "And let us affirm (*Unetaneh toqef*) the Holiness of the day", and he said, "It is true that You are a judge and a rebuker" in order to justify God, that all his finger and foot

Repentance, Prayer and Tzedakah

parts should rise before Him as well as the entire episode. And he said, "everyone's seal is on (his sinful deed)"; "and You will remember (to reward or punish) every living being", for one's (future) is decided on Rosh Hashanah.

When he had finished the whole *silluq* (prayer), he vanished (*nistaleq*) and disappeared from the notice of everyone in the world; "then he was no more, for God took him" (Genesis 5:24).

About him is written, "How abundant is the good that You have in store for those who fear you" etc. (Psalms 31:20).

After all this happened, and the truth (was realized?) that Rabbi Amnon had been elevated and requested at the Court on High on the third day of his purification, he appeared in a night vision to Rabbenu Qalonimos ben Rabbi Meshullam ben Rabbi Qalonimos ben Rabbi Moshe ben Rabbi Qalonimos. He taught him that *piyyut* (that begins), "And let us affirm the holiness of the day" (*Unetaneh toqef*), and (Amnon) commanded that (Rabbenu Qalonimos) disseminate it throughout the Exile as a memorial to him, and the Gaon did so.

Insight Israel

<i>Unetaneh Tokef</i>	Romanus
the angels shudder, fear and trembling sieze them	everything trembles
you open the book of records; you call to mind all things long forgotten	the books are opened, the hidden things are made public
the angels shudder,	the angels are dragged before the throne
they say it is the Day of Judgment	they cry: glory to Thee, most just judge!
the great trumpet is sounded	upon the sound of the trumpet
they are not pure before thee	nobody is pure before thee
as the shepherd musters his flock, so do You cause to pass, number every living soul	like a shepherd he will save
but repentance, prayer and <i>tzedakah</i> avert the severe decree.	Therefore, penitence and prayer will save you.

2. Menachem Zulay already pointed out to Eric Werner in the 1950s that *Unetaneh Tokef* is found in a very ancient Genizah fragment from the late eighth century, 200-300 years before Rabbi Amnon was supposed to have composed the poem!¹⁴ In a recent article, Ya'akov Spiegel also refers to an early Genizah fragment and suggests that *Unetaneh Tokef* was written by none other than the famous poet Yannai, who lived in Eretz Yisrael in the sixth century.¹⁵
3. As I explained above in Chapter Two, *Unetaneh Tokef* contains the Greek word "*kivinumeron*", like a cohort of soldiers being counted, which is taken from *Mishnah Rosh Hashanah* (1:2). It is possible that a medieval Ashkenazic poet used this Greek word

14 Werner, p. 253.

15 Spiegel, pp. 27-29.

standard translation of the problematic sentence is not accurate and that the poet **changed** the wording of the *Yerushalmi*. The *Yerushalmi* says: *Sheloshah devarim mevatlin et hagezeirah* – “three things annul the evil decree”, whereas the poem says that three things *ma'avirin et ro'a hagezeirah* – “make the evil of the decree pass”.

□ Rabbi Saperstein explains:

Death, sickness, impoverishment, tragic as they may be, are not identical with evil. They do bear a potential for truly evil consequences. They can poison, embitter, fill us with self-pity, destroy a marriage, blind us to the needs of others, turn us away from God. But the evil consequences of even the most fearsome decree are not inevitable. If penitence, prayer and charity cannot change the external reality, if they cannot arrest the malignant cancer, they can indeed ensure that the evil potential in that reality will not become actual and enduring, but will pass. They can enable us to transcend the evil of the decree. This, I believe, is the simple meaning of the Hebrew words. And this is a meaning which I can, in conscience, share with that eleven year old girl [whose mother died of cancer].²⁰]

In other words, the *Yerushalmi* (and the *Bavli* too) had a very simple yet problematic theology: if you do X, Y, and Z you will annul the severe decree. The author of *Unetaneh Tokef*, who lived in the Land of Israel shortly after the time of the *Yerushalmi*, did not agree with that theology. In his opinion, repentance, prayer and *tzedakah* cannot annul or eliminate evil, but by searching our souls through *teshuvah*, praying to God through *tefillah* and helping other people through *tzedakah* we help ourselves and others cope with evil and “make the evil of the decree pass”. This is the *peshat* (simple meaning) of *Unetaneh Tokef* which, I believe, most modern Jews can relate to.

20 *Ibid.*, pp. 24-25.