

Selichot: An Alternative Mode of Prayer

We first find explicit mention of the custom of reciting *selichot*, special prayers of penitence and requesting forgiveness during the days preceding Yom Kippur, in the responsa of the *Ge'onim*,¹⁹ and from there it was codified by the *Rishonim*.²⁰

The framework of *selichot*, however, is already found implicitly in the Talmud (*Rosh Ha-Shanah* 17b), where the *gemara* discusses the revelation by God to Moshe of the 13 attributes.

“R. Yochanan said – if the verse had not stated it, we would not be able to say it (it would sound like blasphemy). God wrapped himself in a *tallit*, as a *sheli'ach tzibbur* would wrap himself, and he demonstrated to Moshe the order of prayer. He said to him, Whenever the Jewish people would sin, they should pray in accordance with this order, and I will forgive them.”

The 13 attributes serve as the core of the *selichot* prayers. They are repeated over and over, preceded and succeeded by *piyutim* dealing with themes of forgiveness. The terminology of the Talmud, “the order of prayer,” was expounded upon by Rav Mordechai Yaffe, the Baal Ha-Levushim (a contemporary of the Beit Yosef and a student of the Rama) in the *Levush Ha-Chur* 581. That phrase brought him to the understanding that *selichot* are prayers with a set order, similar to that of *Shmoneh Esrei*. Therefore the *selichot* are preceded by *Ashrei* and *Kaddish*, and are concluded with *Tachanun* and *Kaddish Shalem* just as *Shmoneh Esrei* all year round.

R. Soloveitchik expanded on this concept, that *selichot* are a form of an “order of prayer,” by noting that there is a very basic disagreement between the Rambam and the Ramban regarding the *mitzvah* of *tefillah*. The Rambam²¹ is of the opinion that there is a biblical commandment to pray daily, while the Ramban²² holds that although that is certainly true on the rabbinic plane, if there is a biblical commandment it is limited to praying in times of dire need, *eit tzarah*.²³ The Rambam certainly agrees that there is also a biblical commandment to pray in times of need, in addition to the daily prayer, but he codifies this obligation not in *Hilkhos Tefillah*, but rather in the heading of *Hilkhos Ta'anuyot* – “there is a positive commandment to cry out (*li-zok*) before God in any time of dire need that befalls the community.”

R. Soloveitchik posited that as opposed to the *Shmoneh Esrei*, which is the fulfillment of the commandment (biblical, according to the Rambam; rabbinic, according to the Ramban) of daily prayer, *selichot* represent the order of prayer of the unique *eit tzarah*, the biblical prayer of the Ramban and the Rambam, as codified in his *Hilkhos Ta'anuyot*.²⁴ With this distinction, the Rav explained the anomalies we find in the customs of *selichot*, as opposed to our daily prayer, while adopting the overview of the Levush that both are formal “orders of prayer.”

1. The Nature of the “Orders of Prayer”

Daily prayer is neatly divided into three sections – *shevach*, *bakashah*, and *hoda'ah* – praise, supplication, and thanksgiving. This is a formal order representing the etiquette of prayer. In the *selichot*, however, the praise and thanksgiving are combined in one long paragraph, *Shome'a Tefillah*, followed by the supplications. The Rav understood

¹⁹. See *Otzar Ha-Ge'onim* on *Rosh Ha-Shanah* 18a in the names of Rav Kohen Tzedek, Rav Amram Gaon, Rav Hai Gaon, etc.

²⁰. Rambam, *Hilkhos Teshuvah*, ch. 3, halakhah 4; *Rosh* towards the end of his commentary on *Rosh Ha-Shanah*; and the *Tur O.C.* 581.

²¹. *Sefer Ha-Mitzvot*, positive commandment 5; *Yad Ha-Chazakah*, *Hilkhos Tefillah*, ch. 1, halakhah 1.

²². Glosses on the *Sefer Ha-Mitzvot* of the Rambam.

²³. See the *Sefer Ha-Chinukh* 433 for a concise summary of the two opinions.

²⁴. Rav Neventzal, in his responsa at the end of his book, *Yerushalayim Be-Mo'adehah – Yerach Ha-Eitanim*, p. 143, comes to the same conclusion.

that this reflects the urgency of the prayer of dire need, which causes the ideal etiquette to be usurped by a desire to get the formalities out of the way, to allow the supplications to be stressed.

In the daily prayer, *Kedushah*, the sanctification of God's name, has a set place in the third *berakhah* of *tefillat ha-tzibbur*, the communal prayer. In the *selichot*, the 13 attributes serve as the parallel *davar she-bi-kedushah*. They are recited repeatedly, over and over, punctuating the supplications in a staccato manner. Again, the formal structure is ruptured to allow for a cry of urgency, and an effort to repeat and repeat the special formula that, according to the *sugyah* in *Rosh Ha-Shanah*, guarantees forgiveness.

2. Day/Night

The obligation of daily prayer is linked in the Talmud (*Berakhot* 26b) to the daily sacrifices. As these sacrifices were brought twice daily, in the morning and in the afternoon, the parallel prayers are the primary obligation, with the evening prayer classified as "*reshut*," non-obligatory.²⁵ In other words, daily prayer is a daytime obligation.

Selichot, on the other hand, were customarily recited at night. In the Rambam's *Hilkhot Teshuvah* (3:4) language, "the custom is for all to wake up at night..."; the *Tur* and *Mechaber* (*O.C.* 581:1) speak of rising during *Ashmoret Ha-Boker* (the final 1/4 or 1/3 of the night). According to the Rav, this is due to *selichot*'s unique character as prayer in the time of need, the prayer of crying out, *ze'akah*. The time for such a prayer is night, as Yirmiyahu points out repeatedly in *Eikhah* – "*bakho tivkeh ba-lailah*" (1:2); "*kumi roni ba-lailah*" (2:19). Night both reflects the mood of the prayer, and the fact that it is an *eit ratzon*, a time that God is more accepting of our prayers.²⁶

3. Individual/Communal

The Rambam (*ibid.*) writes that these special prayers were recited at night "*be-vatei keneset*," in the synagogues. Daily prayer has two points of reference – the individual and the community. The *selichot* only have a communal point of reference. This is implicit in the formulation of the Rambam, and is explicit in the codification of the Rama (*O.C.* 565:5) in the name of the Maharil and the *Or Zaru'a* – "and no individual should recite *selichot*." Although the *Mishnah Berurah* points out that the *Acharonim* found this restriction to be very difficult to understand, it can fit into the Rav's categorization. According to the Rav, again we have a reflection of the unique status of *selichot* as a *tefillah* of *ze'akah*, as formulated by the Rambam in *Hilkhot Ta'aniyot*, "to cry out before God in any time of dire need that befalls the community." This is reinforced by the content of the *piyutim*, that stress the communal state of *churban* and *galut*, which we have brought about with our sins, for which we beg forgiveness.

There is one area in the custom of reciting *selichot* in which we find a plethora of opinions: the beginning date. Although the *Ge'onim* agree unanimously that *selichot* are recited during *Aseret Yemei Teshuvah*, and that is how it was codified by the Rambam, Rav Hai Ga'on mentions that he heard there are those who begin on Rosh Chodesh *Elul*, and that custom is codified by the *Mechaber* in *Shulchan Arukh*.²⁷ The Ran²⁸ points out in addition that in Barcelona they began on the twenty-fifth day of *Elul*, and the *Tur* adds that the custom in Ashkenaz is to begin on Sunday one or two weeks before Rosh Ha-Shanah, to allow for a minimum of four days of *selichot* before Rosh Ha-Shanah. The Ran explains that all these customs have two roots that stem from a common factor: *selichot* are recited during a period of time when we have a historical precedent for God showing us his divine mercy. There are two such historical antecedents – the period of atonement for the sin of Adam, and the period of atonement for the sin of *dor ha-midbar*, namely the Golden Calf. If we are dealing with the former, then *selichot* are recited from the day of creation (twenty-fifth of *Elul*), or the day that symbolizes creation (Sunday), or day of Adam's creation (Rosh Ha-Shanah), until Yom Kippur. All these customs are variations of a common theme, the atonement of mankind in the past should serve as a model for the present. If we are dealing with the latter, then *selichot* are recited from Rosh Chodesh *Elul* through Yom Kippur, recalling the third set of forty days that Moshe spent on Mount Sinai, which marked the atonement of the Jewish people of his generation, which should serve as the model for the present. Both approaches refer to a collective atonement, of mankind or the Jewish people, which fits in with the communal nature of the *selichot* prayers. Thus, the *selichot* serve as a paradigm of the "order of prayer" of *ze'akah*, the biblical command, mandate, and opportunity, to cry out before God in times of dire need.

²⁵. See the summary of the talmudic *sugyah Berakhot* 26b–27b in the *Hilkhot Tefillah* of the Rambam, 1:5–6.

²⁶. *Mishnah Berurah* 581, introduction.

²⁷. *O.C.* 581.

²⁸. *Rosh Ha-Shanah Alfassi* 3a.