The Chicago Center
Digest
Mishna Berura
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סימן תר״ה סעיף א׳

Halacha Highlight

Kaparos

Shulchan Siman 605 Seif 1

מה שנוהגים לעשות כפרה בערב יום כפור וכו׳

The custom to perform *kaparos* on *erev* Yom Kippur etc.

Shulchan Aruch references the practice of *kaparos* on *erev* Yom Kippur and he writes that one should refrain from the custom. Mishnah Berurah (סק״א) explains that it is out of concern that it is an idolatrous practice. Rema comments that many *Geonim* cite the custom as do many later authorities and its practice is now widespread and one should not deviate from the practice since it is ancient. The ideal time to perform *kaparos* is on *erev* Yom Kippur as mentioned by Shulchan Aruch. However out of concern for the many things that could go wrong if numerous birds are slaughtered in a short period of time and sometimes in the dark (ע׳ מ״ב סק״ב), the custom developed to perform *kaparos* a day or two before *erev* Yom Kippur since one may do *kaparos* at anytime during the *aseres yimei teshuvah*. Elef HaMagen, however, notes that one who uses money or a fish should perform the ritual on *erev* Yom Kippur since the concerns related to slaughtering do not apply (אלף המגן על מטה אפרים סק״ה).

Rema mentions that the custom is that a man takes a male rooster and that a female takes a female hen. A pregnant woman takes a male and female. Mishnah Berurah (סק״ג) explains that she takes a male because the fetus may be male and she takes a female since even if the fetus is female it counts for herself and the fetus. Mishnah Berurah then mentions that some people have a pregnant woman take a male and two females. A female for herself and then a male and female since the fetus may be male or female. In the event that a pregnant woman had an ultrasound and was told the gender of the baby, there are *Poskim* who maintain that it is sufficient to use a female for herself and a male or female in accordance with the indication of the ultrasound. Others relate that experts agree that one cannot know with certainty the gender of the fetus from an ultrasound and the woman should take either a male and female or a male and two females depending upon her custom (ע׳ פסקי תשובות אות ב׳).

Stories to Share

Seeking Atonement

מ״ב סי׳ תר״ה, ס״ק ב׳: ״ויכול לבוא לידי איסור נבילה...״

Today's amud discusses the halachos of slaughtering kaparos.

A man who had a large household was shocked to hear that a local shochet had been caught knowingly feeding treifos to the community. He wondered what he must do to atone for his oversight.

When he asked his rav he was surprised again. "You need not do anything at all. This is clear from the Ben Ish Chai regarding a town shochet who was caught feeding the entire city neveilos and treifos. When they did thorough investigations it became clear that he had been doing this for several years. The town promptly deposed him from his job and wondered how they could possibly atone for eating treif. The Ben Ish Chai ruled that they need not do anything to atone. He reasoned that the shochet definitely had a chezkas kashrus, since he was ordained and appointed to his job by chachomin and even dayanim. The moment one has ordination as an expert in shechitah and bedikah and there is no discernible flaw in his emunah, it is certainly permitted to eat from his shechitah. So what could the community have done that they failed to do? Should we prohibit ever eating meat because the shochet might be a rasha who slaughters with a blemished knife or the like? The Torah permits this and the chachomim never prohibited. In your case, the shochet did not take proper precautions. But you cannot be held responsible for this!"

רמח״ל בקונטרס לענין ר״ה

Overview

Siman 605 Seif 1:

One should refrain from following the custom to perform the *"kaparah"* ceremony on *erev* Yom Kippur of slaughtering a chicken for each male and reading some *pesukim*. Some *Gaonim* record this practice as did many later authorities and it is the custom in all these regions and one should not deviate from it since it is an ancient custom. The custom is to take a male for a male, a female for a female and a woman who is pregnant takes two in case she gives birth to a male. We choose white chickens in accordance with the *pasuk* that states (Yeshayahu 1:18), "If your sins will be red like crimson they will be whitened like snow." The custom is to give the chickens to the poor or to redeem the chickens with money and to give that to the poor. Some places have the custom to visit graves and to give more *tzedaka* and it is a proper custom. One should slaughter the chicken right after it was passed over a person and he put his hands on it similar to the procedure for a *korban*. The intestines are thrown on the roof or into the courtyard, places from which birds will take it.

- The reason to refrain from this practice is that it seems idolatrous. (M.B. 1)
- One should contemplate that he is deserving of what is being done to the chicken and it is only due to his repentance that it is being done to the chicken rather than to himself. (M.B. 2)
- It is best to slaughter the chicken early in the morning. In places where many people gather the slaughterer must be careful that his knife remains valid for slaughtering and if there is a concern that he won't be able to exercise sufficient caution it could be done a day or two before Yom Kippur. Alternatively, one could give *tzedaka* in order to avoid the potential prohibition of *neveilah*. (M.B. 2)
- The pregnant woman takes a male, in case the fetus is male and a female since even if the fetus is female, the woman and her daughter can discharge their obligation with a single chicken. Even two men may use a single rooster if each one cannot afford his own. Some have a pregnant woman take two females and a male. (M.B. 3)
- One need not go out of his way for a white chicken but if given the choice white is preferable. If chickens are not available one may take a goose or any other creature that cannot be used as a *korban*. (M.B. 4)
- Redeeming the chicken is preferred since giving the chicken to the poor could embarrass them but if they are not embarrassed it may be preferable to give them the chicken since it will save them a step in preparing. (M.B. 5)
- One should not use *ma'aser* money to redeem the chicken. (M.B. 6)
- There is a disagreement whether one should avoid putting his hands on the head of the chicken since it looks as though he is sanctifying a korban and slaughtering it outside of the Bais HaMikdash. (M.B. 8)