

# **Thoughts on Yom Kippur**

**A Collection**



**Part I**

**Laws of Repentance**

**Yom Kippur 5782**

**Rabbi Bernie Fox**

## Thoughts on Yom Kippur, A Collection Laws of Repentance

### Viewing *Teshuvah* in Two Frameworks

***If a person violates any commandment of the Torah – a positive or a negative command – whether this violation is intentional or unintentional, when one performs repentance and repents from the sin, he is obligated to confess before G-d, Blessed Be He ... This confession is a positive command. (Maimonides, Mishne Torah, Laws of Repentance 1:1)***

The above quote introduces Maimonides' Laws of *Teshuvah* – Repentance. Maimonides explains that the violation of any commandment engenders a requirement to perform *teshuvah*. Whether we sin through commission or omission, whether the sin is intentional or unintentional, we are required to repent. This repentance must include *vedoi* – a verbal confession of the sin and a commitment to change our behavior. Maimonides emphasizes the importance of this verbal declaration. He explains that this declaration is a positive commandment of the Torah.

In short, Maimonides teaches us that wrongdoing requires a twofold response. We must perform *teshuvah* and *vedoi*. *Vedoi* is a verbalization of the process of *teshuvah*. We put into words our regret for past behavior and our commitment to change.

Which of these two responses is more fundamental – *teshuvah* or *vedoi*? We would imagine that *teshuvah* is the more essential element. However, Maimonides indicates that *vedoi* is the more fundamental component. He explains that *vedoi* is a positive command.

Maimonides maintains that repentance requires a person to address the Almighty and declare one's contrition. *Teshuvah* is a prerequisite for *vedoi*. Without the internal recognition of wrongdoing and the commitment to abandon past behaviors, *vedoi* is meaningless. But the essential element of the process is the confession. However, there are instances in which Maimonides indicates that *teshuvah* is not merely a prerequisite for *vedoi*.

***The Laws of Repentance: There is one positive commandment – that the sinner should repent – before Hashem – from his sin and confess verbally. (Maimonides, Mishne Torah, Laws of Repentance, Introduction)***

Maimonides introduces each section of his Mishne Torah with a list of the commandments that will be discussed in it and a brief description of each commandment. In his introduction to the Laws of *Teshuvah*, he explains that a single *mitzvah* will be discussed in this section. He describes the *mitzvah* as *teshuvah* and *vedoi*. In this characterization of the commandment, the *mitzvah* includes two components – *teshuvah* and *vedoi*. Each component has equal significance. Let us compare this characterization of the commandment with the description provided above. In the description in the first law of the Laws of *Teshuvah*, Maimonides treated *teshuvah* as a prerequisite for *vedoi*. *Vedoi* is described as the essential element of the commandment. Maimonides stated, "This *vedoi* is a positive command."

## Thoughts on Yom Kippur, A Collection Laws of Repentance

***What is repentance? It is that the sinner abandons his sin and removes it from his thoughts and resolves never to do it again ... He is also remorseful over the past ... He calls on He Who Knows Thoughts to witness that he will never return to that sin ... And he must declare with his lips and verbalize these things that he has decided in his heart. (Maimonides, Mishne Torah, Laws of Repentance, 2:2)***

In his second chapter of the Laws of Repentance, Maimonides describes the process of *teshuvah*. He describes it as an internal assessment. The sinner evaluates his past sinful behavior and makes a firm commitment to act differently in the future. Maimonides adds that the final step in this process is verbalizing this internal assessment and commitment. In this discussion of *teshuvah*, Maimonides characterizes *vedoi* as part of the process of *teshuvah*. It completes the process.

This treatment of *vedoi* differs significantly from Maimonides' characterization in the first chapter. There, he described *teshuvah* as a prerequisite to *vedoi*. *Vedoi* is the primary component of the commandment and *teshuvah* is a prerequisite. In contrast, in the second chapter he describes *vedoi* as the conclusion of the process of *teshuvah*. Is *teshuvah* a prerequisite for *vedoi* or is *vedoi* the conclusion of the *teshuvah* process?

The answer is that according to Maimonides, *teshuvah* and *vedoi* can be viewed in two frameworks. In one framework *teshuvah* is a prerequisite to *vedoi*. But in the other framework *vedoi* is a part of the process of *teshuvah*. What are these two frameworks?

*Teshuvah* is fundamentally an internal process. It requires a person to evaluate past behaviors and conclude that these behaviors were improper and destructive. As a result of this evaluation, the person views the possibility of a better future. He wishes to secure this future and makes a commitment to completely break from past patterns of behavior and never return to them. In this internal process, verbalization is the final step.

What is the role of this step? Sometimes we have regrets and reconsider behaviors but our dissatisfaction with ourselves and our desire to change do not translate into a firm commitment. We are in a confused state. We recognize we have made mistakes; we must change, but we cannot translate these feelings into action. We keep our thoughts to ourselves. We are not ready to give objective expression to our personal musings. With verbalization, we move beyond vague regrets and visions of what might be. When we express our thoughts in words, we give our thoughts objective reality. *Teshuvah* requires that we move beyond internal contemplations to a firm commitment. The verbalization of *vedoi* is a concretization of the conclusions that we have reached through internal assessment. It is an expression of commitment.

This is the framework of the second chapter. Maimonides begins his discussion with the question, "What is *teshuvah*?" In this framework, *vedoi* is the final step in the process of change and commitment. It completes the process of *teshuvah*.

## Thoughts on Yom Kippur, A Collection Laws of Repentance

There is another framework in which *teshuvah* and *vedoi* must be evaluated. When we sin, we have not only hurt ourselves. We have ignored the expectations of Hashem and His Torah. We have estranged ourselves from our Creator and we have violated His will. We can only achieve His forgiveness through standing before Him, accepting responsibility for our actions, and declaring our determination to change. In this encounter with Hashem, we must make a verbal declaration. To stand before Hashem and seek His forgiveness, we must verbally express our acknowledgement of wrongdoing and our commitment to a new path. In this framework, the verbal declaration – the *vedoi* – is not merely a final concretization of our thoughts. It is the essence of our rapprochement with Hashem. In this framework, *teshuvah* is a prerequisite. Our declaration must be sincere. It must be based upon a thorough internal analysis and commitment. But this commitment is only the prerequisite to standing before Hashem and declaring our contrition and commitment. This is the framework of the first chapter of Maimonides' Laws of Repentance.

This analysis resolves the difficulties in Maimonides' treatment of the relationship between *teshuvah* and *vedoi*. In the first chapter of his Laws of Repentance, Maimonides is discussing our obligation to seek rapprochement with our Creator. In this framework, we are required to stand before Hashem, verbally acknowledge our sins, and declare our commitment to change. *Vedoi* is the essential element of this process; *teshuvah* is a prerequisite. In the second chapter of his Laws of Repentance, Maimonides is discussing the process of *teshuvah* – of internal change. *Vedoi* also has a role in this process. The verbalization of *vedoi* concretizes our thoughts and commitments. But in this process *vedoi* is not the essential element; it is the final step in the process of *teshuvah*.

Now, we understand Maimonides introductory remarks. The Laws of Repentance discuss a single commandment – *teshuvah* and *vedoi*. In this statement Maimonides treats *teshuvah* and *vedoi* as equal components of the commandment. This treatment alludes to the dual roles played by these two components. Each component assumes primacy in its respective framework. In the framework of the first chapter, *vedoi* is the essential element of the commandment. In the second chapter, *teshuvah* is the primary component.<sup>1</sup>



---

<sup>1</sup> For a similar analysis of these issues see Rav Yosef Dov Soloveitchik, *Al HaTeshuvah* (Jerusalem, 5739), Part 1.

## Thoughts on Yom Kippur, A Collection Laws of Repentance

### Meaningful Change

***Among the repentant behaviors are for the [sincerely] repentant person to call-out constantly before Hashem with cries and supplications. And one does charity according to one's ability. One greatly distances oneself from the thing in which one sinned. One changes one's name, saying, "I am a different person, and I am not the person who did those things." One alters one's actions so that they are all good and just... (Maimonides, Mishne Torah, Laws of Repentance 2:4)***

Maimonides describes the behaviors of the repentant individual. One of these behaviors is confusing. Maimonides explains that the repentant individual should alter all his or her actions. One must be positive and just in all actions.

To understand the difficulty with this comment, a short introduction is required. What is repentance? Repentance is not accomplished through a temporary cessation of the sinful behavior. *Teshuvah* is much more demanding. It requires that a person make a complete break with the sinful behavior. This is achieved only through a commitment to not again commit the sin. Maimonides' position on this issue is emphatic. He explains that a person who confesses a sin and does not resolve to completely discontinue the sinful behavior has not fulfilled the *mitzvah* of *teshuvah*. He compares this person to one who immerses in a *mikveh* – a body of water – while holding an impure object. The immersion cannot produce a state of purity until the person releases the impure object. Similarly, the purification process of *teshuvah* cannot proceed without a complete break from the sin. This complete break requires a firm commitment to abandon the sinful behavior.<sup>2</sup>

Maimonides explains that the sincerely repentant individual alters all his or her behaviors. Does this mean that repentance must be all-encompassing and include all aspects of a person's life? Is Maimonides suggesting that repentance from a specific sin requires a person to repent from all other inappropriate behaviors? This is not reasonable! *Teshuvah* requires a complete and permanent cessation of the sinful behavior. Maimonides cannot mean that repentance from a single sin requires that we permanently abandon all other wrongdoing. Such a requirement would render *teshuvah* virtually unattainable!

We must conclude that Maimonides is not suggesting that the repentant individual must permanently discontinue all other inappropriate behaviors. Instead, he is acknowledging the value of change that is not accompanied by complete commitment. The repentant person should endeavor to discontinue all inappropriate behavior. It is true that such a drastic undertaking will not result in a permanent cessation of all wrongdoing. That is an unrealistic expectation. Nonetheless, temporary change has value. The sincerely repentant person should appreciate that value and seek change – even temporary change.

---

<sup>2</sup> Rabbaynu Moshe ben Maimon (Rambam / Maimonides) *Mishne Torah*, Hilchot *Teshuvah* 2:3.

## **Thoughts on Yom Kippur, A Collection Laws of Repentance**

This interpretation of Maimonides' position is implied by his carefully chosen words. He does not say that the repentant individual should repent from all other wrongdoing. He says that a repentant person alters his or her behavior. There is a tremendous difference between altering a behavior and repenting from it. An alteration is achieved even with a temporary suspension of wrongdoing. Repentance requires a complete commitment to permanently discontinue the behavior. This analysis confirms our interpretation of Maimonides' position. He is acknowledging the value of positive change – even temporary change.



## Thoughts on Yom Kippur, A Collection Laws of Repentance

### How Much *Tzedakah* Should We Give?

***Among the repentant behaviors are for the [sincerely] repentant person to call-out constantly before Hashem with cries and supplications. And one does charity according to one's ability. One greatly distances oneself from the thing in which one sinned... (Maimonides, Laws of Repentance 2:4)***

#### 1. Behaviors associated with *teshuvah*

Maimonides explains that the process of *teshuvah* – repentance – should be accompanied by other activities. Among the behaviors that he enumerates are prayers of supplication and *tzedakah* – giving charity. His position is reflected in the comments of the Talmud. It explains that three activities can cancel a negative decree. These are prayer, *teshuvah* and *tzedakah*.<sup>3</sup> According to the Talmud, these activities not only impact Hashem's judgment of us. They also have the power to reverse a negative verdict. In other words, if because of our misdeeds we are judged and sentenced to be punished, these activities have the capacity to nullify the sentence.

***My people, upon whom My name is called, humble themselves and pray and seek My presence and repent of their evil ways, I shall hear from heaven and forgive their sin and heal their land. (Devrai HaYamim II 7:14)***

#### 2. The Talmud's textual source for *tzedakah's* role in the *teshuvah* process

The Talmud cites the above passage as the source for its comments. This passage is part of a prophecy received by King Shlomo when he completed the construction of the *Bait HaMikdash*. Hashem tells Shlomo that when the people sin and are punished, they should call out to Him from the *Bait HaMikdash* and He will listen to their prayers. However, the *pasuk* identifies three activities that can rescue the nation – prayer, repentance, and seeking Hashem's presence. The Talmud explains that "seeking Hashem's presence" refers to *tzedakah*.<sup>4</sup>

***And Hashem spoke to Moshe saying: Speak to Bnai Yisrael and they should take for Me an offering. From every person, that which his heart moves him to give, you should take My offering. (Sefer Shemot 25:1-2)***

#### 3. *Teshuvah* and *Tzedakah* in the Torah

Rav Yosef Dov Soloveitchik *Zt"l* suggests that the Torah itself provides a source for the role of *tzedakah* in the *teshuvah* process and in moderating negative decrees. To understand his comments, an introduction is necessary. In Sefer Shemot, the incident of the *Egel* – the Golden Calf – interrupts the Torah's discussion of the building of the *Mishcan* – the Tabernacle. The discussion of the *Mishcan* begins with the above passages. In them, Hashem commands Moshe to collect the materials from which the *Mishcan* and its contents will be fabricated. These materials are to be collected through freely contributed donations. The Torah's account

<sup>3</sup> Talmud Yerushalmi, Mesechet Ta'anit 2:1.

<sup>4</sup> This is based upon Tehilim 17:16 which the Talmud understands to associate *tzedakah* with being in Hashem's presence.

## Thoughts on Yom Kippur, A Collection Laws of Repentance

continues with a description of the design of the *Mishcan*, its contents, and related issues. Then, suddenly the incident of the *Egel* and its aftermath are described. Upon completion of its discussion of the *Egel*, the Torah resumes its narrative regarding the *Mishcan*. This order suggests that the incident of the *Egel* occurred after Hashem commanded the nation to create the *Mishcan* and before its completion. However, the Sages' analysis of the texts led them to a different conclusion. They explained that the commandment to create the *Mishcan* was revealed to Moshe after the incident of the *Egel*. Moshe ascended Mount Sinai and petitioned Hashem to forgive Bnai Yisrael. On Yom Kippur, he descended having secured Hashem's pardon and immediately received the command to create the *Mishcan*.<sup>5</sup>

Rabbaynu Ovadia Sforno and others suggest that the commandment to create the *Mishcan* was a response to the incident of the *Egel*.<sup>6</sup> Sforno seems to maintain that the sin of the *Egel* demonstrated that the people remained vulnerable to the familiar attractions of idolatry. To assure that service to Hashem would not become tainted with idolatrous practices, this service was relegated to the tightly supervised environment of the *Mishcan*.

Rav Soloveitchik suggests that another element of the command to create the *Mishcan* addresses the sin of the *Egel*. The *Mishcan* was created primarily through voluntary offerings. In other words, in response to the sin of the *Egel* the people were commanded to give *tzedakah*.<sup>7</sup>

In summary, Maimonides identifies *tzedakah* as an element of the *teshuvah* process. The Talmud asserts that *tzedakah* can even nullify a negative decree. Rav Soloveitchik explains that the relevance of *tzedakah* to *teshuvah* and forgiveness is demonstrated by the incident of the *Egel*. Hashem responded to this horrible sin by commanding the nation to engage in *tzedakah*.

Why is specifically the mitzvah of *tzedakah* associated with the *teshuvah* process? The Torah has many other commandments that have the potential to restore the repentant sinner's relationship with Hashem. Observance of Shabbat and Torah study are powerful encounters with Hashem. Why are not these *mitzvot* associated with the *teshuvah* process? Furthermore, according to the Talmud, *tzedakah* has the power to even nullify a decree of punishment. From where does *tzedakah* derive its powerful efficacy?

#### 4. Giving *tzedakah* to the extent of one's capacity

Maimonides makes an interesting comment that provides an important insight. He explains that the repentant individual should give *tzedakah according to his capacity*. The implication of this comment is that it is not the mere giving of charity that is associated with *teshuvah*. The repentant individual should give *tzedakah* to an extent that is personally substantial.

---

<sup>5</sup> Rabbaynu Shlomo ben Yitzchak (Rashi), *Commentary on Sefer Shemot* 31:18.

<sup>6</sup> Rabbaynu Ovadia Sforno, *Commentary on Sefer Shemot* 31:18.

<sup>7</sup> Rav Soloveitchik explained that in the wilderness the implementation of a command to give *tzedakah* presented a unique challenge. Generally, *tzedakah* is given in order to provide for a less fortunate person's needs. In the wilderness, *tzedakah* could not be given for this purpose. Hashem provided miraculously for all of the needs of the people. He provided manna, water, and all other necessities. In order to implement a commandment to give *tzedakah*, some project was required to which the people would contribute. The *Mishcan* was the project that Hashem selected for this purpose. (Recorded lecture. See also *Harerai Kedem*, vol 1, p 76)

## Thoughts on Yom Kippur, A Collection

### Laws of Repentance

This is a significant distinction. All of us give *tzedakah*. How much do we give? The amount differs widely. Also, the proportion of our income that we give varies. Some give the requisite ten percent. Some give more and others less. In short, from a quantitative perspective, there is enormous diversity in giving habits.

However, from a qualitative perspective, there is overwhelming consistency. Most people will give up to the point that requires personal sacrifice. When we reach the point at which further giving will require giving up something significant, we stop giving. For example, if a person realizes that by making a further or larger contribution to charity, he will have to postpone the anticipated purchase of a new car, he will not make the additional or larger donation. We each have our limit. However, the limit is generally determined by the same factor. Development professionals refer to it as the “ouch factor”. Giving ends at the “ouch”. Maimonides’ position is that the *tzedakah* is associated with *teshuvah* only when it evokes the “ouch”. The contributor can afford it but he feels it. He is making a sacrifice. Why is this important?

***What is repentance? It is that the sinner abandons his sin and removes it from his thoughts and resolves never to do it again ... He is also remorseful over the past ... (Maimonides, Mishne Torah, Laws of Repentance, 2:2)***

#### 5. *Teshuvah* is a behavioral and internal change

Maimonides describes the elements of *teshuvah*. Repentance is not only a commitment to reform one’s behavior. It is also an analysis of one’s past behavior. In fact, according to Maimonides, this honest reflection, assessment, and understanding of one’s past behavior is an essential element of repentance. This seems odd. If a person reforms his behavior – for whatever reason – is he not repentant? He has embarked on a new, more appropriate path. He is committed to turn his life around. Why must he return to his past, painfully recall his wrongdoings, dwell upon his errors, and declare his regrets? The past cannot be changed! Why not focus on the future?

*Teshuvah* requires more than behavioral change. It demands that we reform our attitudes and refine our values. Introspection, value clarification, and reshaping of our attitudes and beliefs are as essential as the behavioral change. The process of *teshuvah* only achieves its full meaning when it is predicated upon purification of one’s inner-self.

When this process takes place in its entirety, the repentant individual changes his behavior because he understands that it was misguided. He sees his previous behavior as predicated upon false values, flawed beliefs, and erroneous notions. He is moved to change by a sincere sense of regret. He has emerged from darkness and confusion into the light of true understanding. He is a transformed individual.

#### 6. *Tzedakah* and value clarification

Now, the association between *tzedakah* – as described by Maimonides – and *teshuvah* is

## Thoughts on Yom Kippur, A Collection Laws of Repentance

obvious. A person who gives up to the “ouch” but no further makes a calculation. He weighs the spiritual value of supporting a compelling cause or need against his relatively trivial material desires. After weighing one against the other, he decides his material desires are the more important. This person is struggling to embrace the reality of spiritual values. However, he cannot fully incorporate them into his decision-making process. His material desires and experiences remain more real and more compelling than spiritual values. He can give *tzedakah* up to the “ouch” but no further.

In overcoming the “ouch”, a transformation takes place. A threshold is passed over. The spiritual asserts itself as more real and compelling than the fleeting gratifications and the meaningless pursuit of material desires.

This is the special significance and power of giving *tzedakah* to the full extent of one’s capacity. Like *teshuvah*, it requires a process of value clarification. Through one’s *tzedakah*, the repentant individual reaffirms, demonstrates, and implements one’s sincere transformation. The person who was condemned to be punished no longer exists. He has departed and been replaced by a new enlightened individual. The decree is nullified because the emergent individual is innocent of his predecessor’s sins.



## Thoughts on Yom Kippur, A Collection Laws of Repentance

### Taking Responsibility for Our Behaviors

***Repentance and Yom Kippur only atone for sins committed toward Hashem ... However, sins committed toward another person ... are not forgiven until one pays his friend all that he is obligated to pay him and appeases him. (Maimonides, Mishne Torah, Laws of Repentance 2:9)***

Maimonides explains that the violation of any commandment engenders an obligation to repent from wrongdoing. Repentance is essential in securing atonement. However, repentance alone is not adequate in every case to secure atonement. Maimonides explains in the *halachah* above that there is a fundamental difference between a sin committed against Hashem and a sin committed against another individual. If we sin against Hashem, we violate the parameters of the relationship between ourselves and our Creator. Atonement is secured through repairing this relationship. Through repentance, we restore our relationship with Hashem and secure atonement.

When we sin against another individual, we violate the parameters of two relationships. The *mitzvot* of the Torah establish clear expectations concerning our relationships with other individuals. When we violate a commandment that regulates our relationships with others, we violate one of Hashem's commandments. Because we have violated a commandment of Hashem, we must repair our relationship with Him. Therefore, we must perform *teshuvah*. We have also acted outside of the proper parameters of our relationship with another individual. The Torah requires us to also repair this relationship. We must return the relationship to within the parameters established by the Torah. To accomplish this, we are required to make restitution and any other payments required by the Torah to the damaged party. We are also required to secure the forgiveness of the person we harmed.

***And just as I forgive every person, so too cause all others to look kindly upon me and completely forgive me. (Teffilat Zakah)***

It is customary in many Ashkenazic communities to individually recite *Teffilat Zakah* prior to *Kol Nedrai*. *Teffilat Zakah* is a fascinating and moving prayer. The prayer ends with an acknowledgement that we can only atone for sins committed against another individual, through securing this person's forgiveness. The *teffilah* continues with a declaration. One grants forgiveness to all others that have sinned against him. Then, one beseeches Hashem to intervene on his behalf with those against whom he has sinned. One asks Hashem to inspire these people to forgive him for the sins he has committed against them.

This element of *Teffilat Zakah* deserves careful consideration. It is based on an interesting premise. In *Teffilat Zakah*, we forgive individuals who have not necessarily approached us and asked for forgiveness. Similarly, we ask Hashem to cause those against whom we have sinned to forgive us. Some of these people whose forgiveness we are seeking, we have not personally approached. The *teffilah* implies that forgiveness is effective in securing atonement, even when the sinner has not made any personal appeal to the affronted party. In other words,

## Thoughts on Yom Kippur, A Collection Laws of Repentance

atonement requires *teshuvah* and the forgiveness of the aggrieved person. However, it is not necessary for the wrongdoer to personally appeal to the injured party.

This does not accord with Maimonides' position. According to Maimonides, we are required to ask the offended party for forgiveness. It is not adequate that the person spontaneously forgives us in a moment of charity. We cannot secure atonement without directly asking the person we have harmed for forgiveness.

***Even if he only verbally insulted his friend, he is obligated to appease him and confront him until he forgives him. If his friend does not wish to forgive him, he brings to him a delegation of three people that are his friends. He confronts him and asks for forgiveness. If he is not appeased, he brings him a second and third delegation. If he is still not appeased, he abandons him, and this person that has not offered forgiveness is the sinner. (Maimonides, Mishne Torah, Laws of Repentance 2:9)***

Maimonides acknowledges that sometimes a person will not willingly and eagerly forgive a wrongdoing. What is the extent of the obligation to appease the injured person? Maimonides explains that we cannot discharge our obligation through asking once. We must persist. We must recruit a delegation of supporters, and in the presence of this delegation we must press our case with the injured person. One delegation is not enough; we must return with new delegations even a second and third time.

What is the purpose of these delegations? It seems that the delegation exerts pressure upon the injured party. We hope that the peer pressure will influence him and evoke his forgiveness.

Maimonides maintains that to secure atonement we must make every reasonable effort to appease the person we have harmed. He tells us that it is not enough to repeatedly appeal to this person for forgiveness. We are required to assemble delegations – time and again – and appeal to our friend for his forgiveness. It is difficult to understand this requirement. It is reasonable for the Torah to require the wrongdoer to make repeated appeals to the injured person. In some instances, it is understandable that the injured party may not be immediately convinced of the sincerity of the repentant wrongdoer. But why is the wrongdoer required to assemble delegations?

One possibility is that to achieve atonement, the sinner must secure the forgiveness of the person he has harmed. If he needs to enlist the assistance of others, he must take this measure. But this is clearly not Maimonides' position. If the sinner takes all required measures and the injured party refuses to forgive him, he nonetheless receives atonement. So, if the forgiveness of the injured person is not absolutely required, why assemble these delegations? Would it not make more sense to simply require the repentant sinner to make a specified number of appeals?

## Thoughts on Yom Kippur, A Collection

### Laws of Repentance

In short, there are two interesting elements in Maimonides' position. First, he disagrees with the position expressed in *Teffilat Zakah*. According to Maimonides, we cannot secure atonement for a sin against another individual simply through repentance and the person's forgiveness. We are required to personally appeal to the individual against whom we have sinned. A spontaneous act of forgiveness – not preceded by an appeal – does not secure atonement. Second, the forgiveness of the person we have sinned against is not absolutely required to secure atonement. If the person refuses to provide his pardon, atonement can still take place. Nonetheless, the repentant person is required to take extreme measures to secure this pardon. Why are these extreme measures – the forming of up to three delegations of supporters – required?

To resolve these difficulties, we must return to an issue discussed earlier. When a person sins against another individual, there are two dimensions to the sin. It is a violation of the Torah. The sin breaches the relationship between the sinner and his Creator. The sin also represents a deviation from the proper relationship between the sinner and the injured person. It is obvious that to restore one's relationship with Hashem, repentance is necessary. But how is one required to respond to the damage to one's relationship with others?

Maimonides maintains that securing the person's forgiveness is not adequate, neither is this forgiveness absolutely necessary. One cannot secure atonement through unsolicited forgiveness. One is not denied atonement because of the obstinacy of the person that bears a grudge. To secure atonement, there is one absolute requirement in addition to repentance. The sinner must assume responsibility for his wrongdoing. He must demonstrate his acceptance of responsibility through proactively seeking to restore the proper relationship with the injured person. Spontaneous forgiveness is inadequate. Spontaneous forgiveness does not include an acceptance of responsibility by the wrongdoer. He has done nothing to restore the relationship. He is merely the beneficiary of a charitable act by the injured party. In contrast, when the sinner appeals repeatedly to the injured party for his forgiveness and when he goes so far as to assemble delegations to support his plea, he demonstrates that he not only regrets his behavior, but he also accepts responsibility for correcting the relationship. Once he has assumed responsibility, even if he fails to secure forgiveness, he has executed his duty. Now, he can secure atonement.



## Thoughts on Yom Kippur, A Collection Laws of Repentance

### Time to Get Serious – Really!

***Always, a person should see oneself as half guilty and half meritorious. Perform one mitzvah and he should rejoice! He has tipped his scale to the side of merit. Perform one sin, woe to him! He has tipped his scale to guilt. [This is] as it says: And one sinner destroys much good. [This means that] because of a single sin much good is lost to him.***

***Ribbi Eleazar, the son of Ribbi Shimon, said: Because the world is judged according to its majority and the individual is judged according to his majority, [if] one does one mitzvah he should rejoice! He has tipped his scale and the scale of the world to the side of merit. He commits one sin, woe to him! For he has tipped his scale and the scale of the world to guilt. [This is] as it says: And one sinner destroys much good. [This means that] because of a single sin that this person performed, much good is lost from him and from the entire world. (Mesechet Kedushim 40a)***

### I. The process of judgment

In the above text, the Sages of the Talmud discuss the Divine judgment of the individual and the community. They explain that the individual is judged by one's actions. If most of one's actions are good, one receives a positive judgment. If most of one's actions are wicked, one receives a negative judgment.<sup>8</sup> They add that a person should view one's actions as equally divided – merits in perfect balance with wicked actions or liabilities. One *mitzvah* will tip the scale and secure a positive judgment and one sin will result in a negative judgment.

The Sages add that the entire world is judged on the same basis. Therefore, a single *mitzvah* or sin can tip the scale for oneself and for the entire world.

***A person whose iniquities are greater than his merits immediately [is condemned]<sup>9</sup> to death in his wickedness... Similarly, a country whose sins are greater [than its merits] is immediately [condemned to] annihilation... Similarly, the whole world, in its entirety, if their sins are greater [than their merits], they are immediately [condemned to] destruction. (Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Teshuvah 3:2)***

### II. The aggregated actions of the community

---

<sup>8</sup> Rambam explains, "This assessment is not according to the number of merits and iniquities but according to their greatness. A merit may count against many iniquities... There is a sin that may count against many merits..." (Rambam, Hilchot *Teshuvah* 3:2) In other words, the number of sins and merits of a person does not determine one's judgment. The judgment process considers also, the seriousness of the sins and the greatness of one's meritorious deeds. Some sins and good deeds have lesser significance than others. Some have great significance and more impact on the verdict.

<sup>9</sup> Rambam writes that he dies immediately. However, this conflicts with many of his other statements. For example, Hilchot *Teshuvah* 7:6-7. There, Rambam describes the power of repentance to restore the sinner's relationship with Hashem. The sinner he describes is completely alienated from Hashem. Yet, he is given the opportunity to repent and restore his relationship with Hashem. To resolve this conflict, the words "is condemned" are added. The person is condemned to death but may earn reprieve through repentance.

## Thoughts on Yom Kippur, A Collection Laws of Repentance

The commentaries disagree over the meaning of the Talmud's last statement. Rambam – Maimonides – position is presented above. He explains that like the individual, every country, and the entire world is judged based upon the cumulative actions of its members. When a community is judged – whether a country or the entire human community – the actions of all its members are aggregated and evaluated. The judgment of the community is determined by whether the aggregate is composed of mostly merits or mostly sins.

Based on this position, Rambam explains the Talmud very literally. A single action by a single individual can change the balance and determine the judgment that will be passed on the community.

### III. A community of individuals

Rabbaynu Nissim presents an alternative interpretation of the Talmud's last statement. The community is judged based on its members. If most of its members are righteous, then the community receives a positive judgment. If most are wicked, then the community receives a negative judgment. One person, whose behaviors are perfectly balanced, can determine Hashem's judgment. If this person commits a sin and tips his scale toward guilt, he adds himself to the community's wicked and condemns the community. His *mitzvah* adds him to the community's righteous and saves the community.<sup>10</sup>

To illustrate the difference between these two interpretations, consider this situation. A community's judgment is in balance. A person who is among the righteous performs an additional *mitzvah* or a person among the wicked commits another sin. Will this *mitzvah* or sin impact the verdict on the community? According to Rambam, it will. It adds to the aggregate *mitzvot* or sins of the community and it shifts the scales. According to RaN, the number of righteous or wicked members of the community has not changed. Hashem's judgment of the community is not impacted.

### IV. The community serves its members

These two interpretations reflect different understandings of the relationship between the community and the individual. According to RaN, a community – a nation, or the entire world – is treated as a collection of individuals. The righteousness or wickedness of a community is determined by the character of its individual members. The community that promotes and nurtures righteous individuals has value. A community that harbors and encourages wicked individuals is worthless and its existence has no purpose.

### V. The community as an organism

Rambam adopts a different view. His view is more difficult for us to recognize and accept because of the extraordinary importance we place upon the individual. But Rambam posits that the community is as significant as the individual. It is treated and judged as a single body. It is more than a collection of individuals. It is an entity of significance.

---

<sup>10</sup> Rabbaynu Nissim ben Reuven, (RaN) *Notes to Commentary of Rabbaynu Yitzchak Alfasi*, Mesechet Rosh HaShanna 3a.

## Thoughts on Yom Kippur, A Collection Laws of Repentance

Rambam argues that a community is not judged based upon its individuals. It is judged as a unique organism. Does this community do good or evil? This is determined by the aggregated actions of its members.

***Just as one's iniquities and merits are weighed at the moment of one's death, so too, each and every year, the iniquities and merits of every human being are weighed on the festival of Rosh HaShanah. One who is found righteous receives a verdict of life and one who is found wicked receives a verdict of death. Those who are between [righteous and wicked] are suspended until Yom Kippur. If one performs teshuvah, one receives a verdict of life. If not, one receives a verdict of death. (Rabbaynu Moshe ben Maimon (Rambam / Maimonides) Mishne Torah, Hilchot Teshuvah 3:3)***

### VI. The urgency of Yom Kippur

The process of judgment is underway. Our individual destinies, and the destinies of our community and humanity are being decided in the coming days. This process took place a year ago. Many individuals were condemned to death or suffering. Nations were sentenced to devastation – economies are shattered, and political systems are stressed to the breaking point. The United States and Israel have not been spared. Hundreds of thousands have died, and we cannot yet measure the economic and political damage. Now, we are being judged again. We have an opportunity to earn salvation for ourselves, for our communities, perhaps, even for humanity. What greater motivation can there be for repentance!

Sins can be divided into two general categories. There are things we do that are wrong. But we do not realize that we are acting improperly. Every group or community can identify behaviors in other groups that deserve scrutiny and assessment. The more religious will point to the less scrupulous observance of those they deem less religious. Those who view themselves as members of more moderate religious movements will condemn the fanaticism of others. Each group is suspected of unknowingly acting improperly. Perhaps, the criticisms have some validity. However, because the sin is unknown to the sinner, he cannot repent from it. This type of analysis is not the most productive. It is not the starting point in *teshuvah*.

The starting point is to give our attention to the other category of sin. We need to look inward, and to seek out our own actions and behaviors that we know are sinful. Each of us can easily identify ways in which we can be more observant, and better people. These are obvious areas to focus upon. This is where a *teshuvah* movement must begin. It is time to become serious. We need things to become better and not to further degenerate. In the coming days, we have our best opportunity to end our suffering and the misery of so many. Please, let us seize the opportunity.



## Thoughts on Yom Kippur, A Collection Laws of Repentance

### Every Person Can be as Righteous as Moshe

**Do not think... that the Holy One, Blessed be He, decrees upon a person from the moment of creation that the individual will be a righteous person or an evil person. It is not so! Rather every individual is capable of being a righteous person like Moshe or an evil person like Yiravam.... (Mishne Torah, Laws of Repentance 5:2)**

Maimonides explains that we are endowed with free will. We are the product of our choices. Hashem does not decree upon any individual that this person will be wicked or righteous. Instead, the Creator empowers us. Through our choices, we fashion ourselves. Maimonides explains that we are not limited by predetermined constraints. Each of us can be as righteous as Moshe.

This comment seems to contradict other statements by Maimonides. In Hilchot Yesodai HaTorah, Maimonides discusses prophecy. He explains the differences between the prophetic achievement of Moshe and the level of prophecy achieved by others. Maimonides comments that Moshe is the greatest of all prophets. His prophecy is distinguished from all prophets that preceded him and that follow him.<sup>11</sup> Maimonides maintains that no other individual will achieve the level of Moshe! Yet, in our text, he tells us that each of us can be a Moshe!

This question can be answered on different levels. On the simplest level, this contradiction can be resolved through better understanding the phenomenon of prophecy. Maimonides explains that prophecy is not acquired through the unilateral efforts of the prophet, or in response to his perfection. Spiritual perfection is necessary but not adequate to assure that prophecy will be achieved.<sup>12</sup> Hashem may grant this person a vision. It is also possible that Hashem will not respond with a prophetic communication.

This understanding of prophecy provides an obvious answer to our question. Maimonides is telling us that we can each achieve the righteousness of Moshe. It does not follow that this righteousness will secure the prophetic vision of Moshe. Prophecy is not secured through individual effort alone. Hashem bestows prophetic vision. He has indicated that He will not elevate another individual to the prophetic level of Moshe.

However, our question can be resolved in a different manner. Maimonides comments that any individual can be a *tzadik* like Moshe. What does the term *tzadik* mean? The term can be loosely translated as “righteous”. However, this translation does not fully capture the term’s meaning. The term is derived from the word *tzedek*. *Tzedek* means justice. This indicates that the *tzadik* is a person associated with justice.

---

<sup>11</sup> Rabbaynu Moshe ben Maimon (Rambam/Maimonides) *Mishne Torah*, Hilchot Yesodai HaTorah 7:6.

<sup>12</sup> Rabbaynu Moshe ben Maimon (Rambam/Maimonides) *Mishne Torah*, Hilchot Yesodai HaTorah 7:5.

## Thoughts on Yom Kippur, A Collection Laws of Repentance

Justice is a difficult concept to define. However, we can make the following observation. The concept of justice assumes the existence of an order within the universe and society. Justice requires that a person live within this order. Let us consider an example. Two individuals come to court. One claims to be owed money by the other. How does the court resolve the issue? The court assumes that an order exists. This order dictates specific rights between individuals. The court attempts to resolve the issue through applying these rights to this case. In short, justice is achieved through applying a system of order to the case.

What does this tell us about the *tzadik*? The *tzadik* wishes to fulfill his or her role in the universe created by the Creator. What is this role? It certainly differs from individual to individual. However, we know the outline. We must observe the Torah and serve Hashem. We are each created with unique talents and abilities. These traits dictate different specific roles for various individuals. No individual can be a prophet on par with Moshe. This is not part of our individual mission. However, personal righteousness is an expression of faithfulness to the highest role one can achieve.

Now, we can understand Maimonides' comments. To be a *tzadik*, a person does not need to be as wise as Moshe or a prophet. Yet, every person can work toward fully actualizing his or her potential and fulfilling one's individual role.

