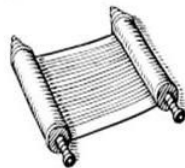


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“Good” Deeds Done in the Service of Evil?

October 1, 2014

Rambam asks us to imagine ourselves and our world at equipoise, with virtues and vices cancelling out perfectly, so that our next action decides G-d’s verdict. But is it true justice to weigh deeds against one another, rather than responding to each deed independently? I want to approach this highly metaphysical question by putting two very concrete halakhic analyses in dialogue: Professor Jeffrey Rosen’s take on *lashon hora*, and Rabbi Shaya Karlinsky’s approach to dealing with abuse allegations.

Let’s start with the obvious question regarding *lashon hora*: Since it is true, why should it be forbidden? Why shouldn’t we see maximum transparency as a good, and celebrate when a false image is shattered? Professor Rosen’s answer is that perfect transparency is never achieved. We are continually making educated guesses and filling in the blanks of our knowledge about others in order to complete our view of them. In this process, human nature tends to assign negative information disproportionate weight, and therefore a word of *lashon hora* can generate untold numbers of unjustified negative guesses. *Lashon hora* is therefore deceptive in result—it makes us think of people as worse than they are.

Rabbi Karlinsky notes that abuse allegations against popular rabbis and teachers often generate the opposite reaction. People rush to serve as character witnesses for the accused, and argue that their many acts of kindness and compassion make the abuse allegations implausible. Rabbi Karlinsky’s response builds off a Kli Yakar. Kli Yakar understands Devarim 25:13-16 as condemning both the honest and dishonest weights of a shopkeeper who maintains two sets, on the ground that the honest weights—and all the transactions for which they are utilized—are essentially covers for the fraud. When accused by a victim, the shopkeeper will produce the honest weights and satisfied customers, and use them to attack the credibility of the fraud accusation. So too, Rabbi Karlinsky argues, the abuser’s acts of kindness and compassion are a core part of their abuse.

On the surface, Rabbi Karlinsky and Professor Rosen are in serious tension. However, they dovetail in the following way: Our tendency to overplay the sins of others makes it hard for us to believe that someone who has sinned seriously is also capable of great good. Where the good is incontrovertible, we may choose to disbelieve the evil, since we cannot find a coherent narrative that explains it.

Rabbi Karlinsky’s solution to this problem is dramatic. He encourages us to disregard apparent good done by abusers, seeing it as instrumental to the evil, and so the evil becomes the only aspect of character left, and cannot be ignored.

I prefer a slightly different framing of the problem. It may not be that people disbelieve the accusations, but rather that they are hesitant to ruin a life for one misdeed when they know of much good the accused has done. Rabbi Karlinsky’s solution theoretically works for this version of the problem as well. But I’m not sure it works in practice. Here’s why:

If the fundamental issue is whether the allegations are accurate, it is directly useful to explain how the same person could have committed both great and foul deeds. But if the fundamental issue is justice, Rabbi Karlinsky’s theory has a more uphill climb. It requires us to believe both that the accused committed evil deeds, and that their good deeds are essentially meaningless.

Divrei Torah during this period of repentance should meet two criteria: cause self-reflection and be concrete. So let me put this question in a framework that functions as a soul-mirror, challenging us to make real decisions differently.

Are there people who do good primarily to enable doing or getting away with evil? Is this an underlying motivation for other people? I think the answer to both questions is yes, which is an introduction to more serious questions.

Base motivations can often be bent to positive aims. One can imagine a person successfully doing good their whole lives by convincing their evil inclination that, on some undefined day, their reputation will be so unimpeachable that they can act as they please without fear of consequences. So the real questions are: How much good is done by being alert for such motivations? How much harm is done by such suspicion?

Answering these questions properly may require developing a comprehensive taxonomy of people who do both significant good and significant evil. Here is a tentative and very incomplete attempt toward that end:

1. **Conflicted:** They have tasted the fruit of the Tree of Knowledge of Good and Evil and found it delectable either way. There is no ultimate way to know which will predominate their life. In the language of *mussar*, we might say that they constantly revisit the same “*bechirah* (choice) points.”
2. **Consistent:** They are fundamentally driven by a single basic passion, regardless of whether it leads to good and evil. Examples of such passions include power and eros.
3. **Goal-oriented:** They believe they have an end that justifies all means, and their actions ultimately aim at that end. In an extreme version, their end not only justifies any means, but fundamentally makes all other values irrelevant. Such people may believe that their attainment of power is an essential means, and can end up confusing that means with their ultimate end.
4. **Manipulative:** They have no values other than their own satisfaction, but are capable of making short-term sacrifices and carrying out long-term strategies. They will go to lengths to cement relationships that give them what they want. But they will badly use people after a relationship is established, using gratitude, insecurity, and hero worship to maintain control.

These are types, and very few people fit any of these descriptions precisely. But I suspect that each of us can recognize a little of ourselves in at least one.

It is very important to socially reward the conflicted and the consistent for the good they do. But Rabbi Karlinsky argues that we as a community and as individuals must recognize the manipulators for who they are. Gratitude and admiration are natural and generally wonderfully positive human emotions, but they can be perverted. The question is how we can tell which kind of person we are dealing with.

Perhaps the scariest experience of my life was attending a speech by the late Rabbi Meir Kahane. What terrified me was the way he insulted his followers—he seemed depressed that his supporters were generally not intellectually gifted—and nonetheless kept perfect control over them. I submit that the surest sign of a manipulator is the presence of acolytes who cannot tear themselves away no matter how badly they are betrayed or humiliated. When apologists for the accused include people whose trust he or she has betrayed, look out.

Now it seems to me from a legal theory perspective that in general we rule that interpersonal *mitzvot* do not require intent to be legally significant. Money given to the poor is charity even if given for the sake of personal aggrandizement, even if it is not ideal charity. So from a theological perspective, it may be that G-d rewards manipulators for the interpersonal *mitzvot* they do.

From a human perspective, however, we cannot allow the good they do to weaken our resolve to stop their ongoing manipulation, **and, as Rabbi Karlinsky argues, we cannot think in terms of balancing their good and evil.** We must take a particularly jaundiced view of any apparent *teshuvah*, minimally demanding that it be sustained for many years without relapse, before even thinking of considering them changed people.

It is also very important that we identify the goal-driven, not because their good deeds are done in service of evil, but because their good deeds are not predictive of how they will behave when faced by similar choices in the future. **Most specifically, they are likely to behave differently when trusted with power than when they are powerless.**

In the foremath of Yom Kippur, it is and should be emotionally difficult to set high standards for accepting the repentance of others even as we ask G-d to set abysmally low standards for our own. It is similarly hard to judge others by their worst aspects as we ask G-d to judge us by our best. We are mostly, I hope, conflicted or consistent sinners, striving to find ways to empower our best selves. We would rather believe that all others are doing the same, and we pray for G-d to take that as His premise. But that may be a Divine luxury in which we humans cannot always indulge.

Reciprocity as the Groundwork for Repentance

by Avinoam Stillman (SBM 2015)

September 2, 2015

Our first association with the term *vidui* is probably the “confession” of sins we recite repeatedly leading up to and on Yom Kippur. As Maimonides codifies in *Hilchot Teshuvah* 1:1, *vidui* is the obligatory verbal expression of *teshuvah*. But the term *vidui* is also used in rabbinic literature for various liturgical recitations, including for offering *bikkurim*, for *ma’aser*, and for animal sacrifices. What unifies these disparate meanings of the term *vidui*?

Verbal declarations create a reciprocal relationship between human beings and G-d. A relationship with G-d, like any other relationship, cannot, by definition, be one-sided. Without the belief that our actions matter to G-d, and the faith that our attempts to reach G-d produce Divine responses, *teshuvah* is meaningless. Thus, developing our understanding of the importance of reciprocity in both human and Divine relationships lays the groundwork for *teshuvah*.

The Palestinian Talmud, at the beginning of *Masekhet Bikkurim*, discusses whether a tree that is propagated using a process known as הברכה (“layering” in English), in which a branch of an “elder” tree is grown into the ground and cultivated as a “child” tree, can be a valid source of *bikkurim* if the tree passes through property not owned by the owner of the tree. The Talmud rules that neither the “elder” tree nor the “child” tree is valid if either passes out of their owner’s domain. This follows the principle that

כשם שילדה חיה מן הזקינה כך הזקינה חיה מן הילדה
“Just as the child lives from the elder, thus does the elder live from the child.”

Here is another model of reciprocity, one in which, as *mori ve-rebbi* Rav Re’em HaCohen of Yeshivat Otniel pointed out, generations are interdependent. What holds true for trees is true for humans as well, as per Deuteronomy 20:19; כי האדם עץ השדה, “for a person is a tree of the field.” Unless both elders and children remain in the same domain, maintain mutual respect and recognize their reciprocal dependence, no first fruits can be brought, none of their products are blessed.

Mishna Ma’aser Shenii 5:13, also found in *Sifrei Piska* 303 on Deuteronomy 26:15, uses a verse from the *vidui ma’aser* to elaborate G-d and Israel’s reciprocity:

... השקיפה ממעון קדשך מן השמים – עשינו מה שגזרת עלינו אף אתה עשה מה שהבטחתנו
“Gaze from Your holy abode, from the heavens” (Deut. 26:15) –
We have done what You decreed upon us, so too You do what You promised us...

Our fulfillment of G-d’s command to provide for the poor creates a reciprocal responsibility for G-d to fulfill the promise of prosperity. As the Alter Rebbe notes in *Likkutei Torah* on *Parshat Re’eh*, the month of Elul is an acronym for Song of Songs 6:3, אני לדודי ודודי לי, “I am my Beloved’s and my Beloved is mine.” In both our human and our Divine relationships, then, Elul is a time to foster the interdependence and responsiveness that allow us to do *teshuvah* in the coming year.

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Is Teshuvah a Mitzvah?

by Judah Kerbel (SBM 2015)

September 30, 2016

Rambam presumably wrote *Hilkhot teshuvah* to elaborate on an obligation to do *teshuvah*. But *Avodat HaMelekh* (R. Menachem Krakowski, d. 1930) notes something peculiar – Rambam’s language in Chapter 1 does not indicate that *teshuvah* itself is a *mitzvah*:

כל מצות שבתורה בין עשה בין לא תעשה
אם עבר אדם על אחת מהן בין בזדון בין בשגגה
כשיעשה תשובה וישוב מחטאו חייב להתודות.

*All commandments in the Torah, whether positive or negative,
if a person transgressed one of them, whether intentionally or unintentionally,
when the person does teshuvah and repents from that sin, the person is obligated to confess.*

It seems here that the obligation associated with *teshuvah* is the confession! There is an assumption that one will do *teshuvah*, but Rambam never says that there is an obligation to abandon sins and engage in a process called *teshuvah*.

This problem is sharpened when one looks at Devarim 30:1-2:

וְהָיָה כִּי יָבֹאוּ עֲלֵיךְ כָּל הַדְּבָרִים הָאֵלֶּה
הַבְּרָכָה וְהַקְּלָלָה אֲשֶׁר נָתַתִּי לְפָנֶיךָ
וְהִשְׁבַּת אֶל לְבָבְךָ
בְּכָל הַגּוֹיִם אֲשֶׁר הִדִּיחֶךָ יְקֹוֹק אֱ-לֹהֶיךָ שְׁמָה:
וְשִׁבַּת עַד יְקֹוֹק אֱ-לֹהֶיךָ וְשָׁמַעְתָּ בְּקוֹלוֹ
כָּל אֲשֶׁר אֲנִי מְצַוְךָ הַיּוֹם
אֶתָּה וּבְנֵיךָ בְּכָל לְבָבְךָ וּבְכָל נַפְשְׁךָ:

*It will be that when all these things come upon you –
the blessing and the curse that I have presented before you –
then you will take it to your heart
among all the nations where Hashem, your God, has dispersed you;
and **you will return** to Hashem, your God, and listen to his voice,
according to everything that I command you today,
you and your children, with your heart and all your soul*

Ramban understands the second verse as presenting a *mitzvah* of *teshuvah* (30:11), “you **must** return” rather than you **will** return. In *Hilkhot Teshuvah* 7:5, however, Rambam presents this verse as a promise that G-d will redeem us and that we **will** do *teshuvah*.

What is the nature of *teshuvah* if *viduy*, rather than *teshuvah* itself, is the commandment?

Avodat HaMelekh suggests that *teshuvah* is not specifically commanded because it is assumed by definition as part of keeping the Torah. If one has violated a *mitzvah*, obviously one has to abandon that path! We don’t need a verse to teach us that – it is unfathomable to think otherwise, it is the foundation of the entire Torah. Rather, the Torah elsewhere (Bamidbar 5:6-7) teaches the *chiddush* that *teshuvah* requires verbal confession, and Rambam asserts that is the emphasis here as well.

A person wishing to make a proper change in behavior going forward cannot assume that wishing will make it so. One has to verbally commit to making that change happen, and to making a conscious effort to act cautiously to avoid making future mistakes. For Rambam, lack of confession undermines the entire *teshuvah* process.

Minchat Chinukh disagrees (Mitzvah 364). He holds agrees that there is a *mitzvah* to confess, and by not confessing one has not fulfilled that particular *mitzvah* – but if one genuinely repented in his heart

without verbally confessing, one has fulfilled the separate commandment of “you **must** return”, and one has still properly atoned for one’s sins.

Regardless of whether teshuvah is its own mitzvah, it is certainly tied to redemption. When we return to G-d, G-d will end the exile and bring us back to Eretz Yisrael. By working to strengthen our observance of *mitzvot*, and thereby reversing course when we have not met all of our obligations, we come closer to G-d (Rambam 7:6). As the Yamim Noraim approach, may will all merit to do our own *teshuvah* and to come together as a united people in doing *teshuvah*, to come closer to G-d, and to reap the benefits of the promises G-d made with our ancestors.

Judah Kerbel (SBM 2015) recently graduated from RIETS and is an SAR Beit Midrash Fellow.

Three Models of Repentance

September 11, 2012

As a Yeshiva University student, I was inevitably heavily influenced by the thought of R. Joseph B. Soloveitchik on almost all Jewish issues, with repentance certainly among them. In *Hakakhic Man*, R.S. presents repentance as the ultimate act of imitatio dei, arguing the following: G-d first appears in Torah as the Creator, and His ultimate creation is the human personality. Therefore, our teshuvah, by remaking our personality, is imitating G-d.

I have several objections to this powerful vision. (Note: I do not mean to suggest that the Rav was unaware of these issues, or that he did not have reasonable responses to them. This is not a full or fair treatment of his position, rather an introduction to an alternative.)

- 1) It seems to focus exclusively on the act, rather than on the content of repentance. Were someone to repent of their good deeds and resolve to become completely evil, it seems that R.S. would have to consider that as well an act of imitatio dei.
- 2) It makes the ultimate act of imitatio dei one that Hashem himself could never experience, as He is definitionally unchanging.
- 3) It seemingly should result in a complete lack of responsibility for past actions, as it views the repentant self as an ex nihilo creation.

What attracts me most about R.S.'s vision is its depiction of humanity as completely free, unbound not only by the objective past but even by the subjective past.

A radically different, in important ways diametrically opposed, account of repentance is offered by R. Zadok HaCohen of Lublin (N.B. I have read very little of his work myself – the following account is based almost entirely on secondary sources, and may not accurately present his views.) R. Zadok argues that because history enacts a Divine Plan in every detail, it follows that human beings cannot have any substantive impact on history. In other words, he is a historical determinist. However, he is aware that determinism as a philosophy is gravely weakened by its need to deny the substantive reality of perhaps the subjectively strongest human experience, choice. He is unwilling to argue that choice is only a psychological reality, with all decisions determined in advance by the nature of one's character. He therefore concludes that true choice is not about whether to do something, because what will or won't happen is predetermined by Hashem, but rather about the relationship of our will and Hashem's Will. At times we will something not in Hashem's plan, and it happens despite us – we could have chosen instead to have it happen in accordance with our will. More importantly for our topic, sometimes we choose to believe that we are willfully acting against Hashem's plan, although in fact all sins are Planned.

Let me elaborate on that last sentence. R. Zadok believe that all sins are inevitable and determined. Our choice is whether to (arrogantly and falsely) view those sins as the products of our will and against Hashem's Will, or whether to view them – even when contra-halakhic – as expressions of Hashem's Will enacted with our acquiescence. (This perspective drives R. Zadok to develop his highly influential notion of aveirah lishmah, of the spiritually positive sin.)

For R. Zadok, repentance involve a change of attitude toward the past, a recognition not of responsibility but of lack of responsibility. True repentance is the recognition of the practical futility of one's own will. This conception fits very well with the Talmudic claim that repentance transforms past deliberate sins either into accidental sins or into virtues, as it argues that what changes in repentance is one's responsibility – or at least one's perception of responsibility – for the past.

I am, however, dissatisfied with this account as well. Firstly, my own preference is almost always for accounts that expand the scope and impact of human freedom rather than diminishing it. Secondly, I'm

not comfortable with repentance that disclaims responsibility, especially with an account that removes all possible responsibility for the consequences of sin. After all, if you always do what Hashem wants, how can you be responsible if things turn out badly?

So let me offer a third account. Let us assume that personality is unavoidably continuous, in other words that the past has an indelible impact on our character. Let us further assume that this implies that we can never be divorced of responsibility for our past actions.

The Talmud famously speaks of sublimation as a preferred way of dealing with evil impulses, suggesting, for example, that someone who feels bloodlust should become a ritual slaughterer. I think that a perhaps even stronger case can be made within the tradition for denying the existence of intrinsically evil character traits, although certainly some traits are more easily used for evil than others.

An alternative model of repentance based on the above would involve sober self-assessment together with a commitment to turning every aspect of our current personality, and of the world as we are responsible for it, to the best possible future use. Every aspect of past experience can be useful in Avodat HaShem, even if only by enabling us to better understand those who still commit the sins we have given up (and generally in far more positive ways).

A second point about repentance – how does one decide to change? If one is still the same person, how will one make different and better decisions in the future? An interesting Tosafot opens up an avenue of approach, although it certainly does not provide a rationally compelling answer. The Talmud states that people sin against their own will and HaShem's for three reasons – poverty, depression, and idolaters (or idolatry, depending on one's reading). Tosafot ask why sexual desire is absent from the list, as in several places the Talmud implies that sins under the influence of extreme arousal can be considered coerced. They reply that while on occasion sexual desire cannot be resisted, those occasions can be avoided with sufficient foresight. The Talmud's classic example of a young man bathed, perfumed, bankrolled, and placed in front of a brothel need not come up in every young man's life.

Perhaps, then, the obligation to repent should be carried out not merely through introspection but by actively seeking out the external influences that we are aware encourage our spiritual improvement. If we have inspirational friends or mentors, we should seek them out, and if we find certain texts or book encourage reflection, we should reread them.

Obviously many of us have been deeply affected by the mass murders of September 11. The sheer magnitude of the tragedy should have enabled repentance from specific deeds, and certainly enabled us to forgive others, out of a renewed sense of perspective. My sense, however, is that repentance out of shock is short-lived if not anchored in some other form of influence-to-change.

Gemar Chatimah Tovah. May we merit engaging together in the conversation of Torah for many years to come, and may those years be pleasant and peaceful for all Israel and all humanity as well.

Daat Zekeinim on Forgiveness

September 8, 2010

Daat Zekeinim cited in the name of RML a remarkable reading of Eliyahu's epiphany in 1 Kings 19. Eliyahu experiences, sequentially, a windstorm, an earthquake, and a fire, but G-d is in none of these¹. He then hears a "quiet delicate voice", which somehow does seem to be more Divine. RML identifies the first three experiences as being of 'enclosures' thronged with angels which must be passed through before one reaches G-d. He contends that sins, too, must pass through these enclosures to reach G-d, and that forgiveness of sins is only possible if they are intercepted before reaching G-d.

Daat Zekeinim cited RML as the rationale for the position of R. Yosay son of R. Yehudah on Yoma 86b that sins are forgiven the first three times, but not the fourth. In our printed Talmud that position is undisputed in the RIF and many other sources R. Yosay son of R. Yehudah actually holds that only the first two times are forgiven, and the position that the first three times are forgiven is cited from an anonymous beraita.

RML's position seems to contradict the statement by R. Levi on Yoma 86a that "Repentance is great in that it reaches the Heavenly Throne". This contradiction is made even more explicit by Pesikta Rabbati 44, which has G-d assuring the Jews that He will forgive them even if they sin "once, twice, three, or even seven times, even up to the Heavenly Throne".

But this contradiction can be resolved as follows.

One of the first Talmudic passages I ever learned was on Berakhot 26b. The Mishnah there cites R. Yehudah as holding that the morning prayer can be said "עד=until the fourth hour", and the gemara wonders whether he meant "until the beginning of the fourth עד "hour", or rather "until the end of the fourth hour". This is memorably expressed as "meaning "up to and including, or up to and not including?," ועד בכלל, או עד ולא עד בכלל." The Talmud in a number of other places identifies a similarly ambiguous "עד", rabbinic or Biblical, as the source of a rabbinic controversy.

Now we began by reminding you that Daat Zekeinim cites RML in his comment on Devarim 30:2, in which the key phrase is "Return, O Israel, עד Hashem your G-d". So we can reconcile RML with R. Levi by interpreting the latter as saying that repentance is great enough to reach עד the Throne of Glory, but עד לא בכלל=up to but not including – meaning that once the Throne is reached, forgiveness is impossible.

However, it seems that this resolution is incorrect, for a somewhat amusing reason. While the printed Talmud presents R. Levi's position as undisputed, Yalkut Shim'oni and many other sources show that the our text is once again lacking, and actually Rav Yochanan disagrees with R. Levi on the explicit ground that עד ולא עד בכלל. So RML does contradict R. Levi, but that's not an issue, since he is following Rav Yochanan.

With this in mind, we can perhaps resolve some of the difficulties with the Daat Zekeinim as a whole. Daat Zekeinim begins by citing in the name of R. Yochanan (just about all texts have either R. Yonatan or R. Natan), the statement "Great is teshuvah, for it brings the Redemption nearer", and then most peculiarly says "and all the other things about the greatness of repentance mentioned there"², before awkwardly transitioning to R. Yosay son of R Yehudah. The parallel version in Hadar Zekeinim³ (which incidentally has R. Natan rather than R. Yochanan) completely reworks the passages so that there is no transition at all, but rather two separate comments, and RML is cited not to explain the beraita, but rather the verse

¹ Rabbi Jonathan Sacks has cogently noted that G-d does speak out of a windstorm to Iyov.

² He cannot simply intend to cite all such statements, as R. Levi's statement is the second in the series on Yoma 86 – what happened to the first?

³ I assume these are printed off diff. ms. of essentially the same work – corrections are welcome. I contend here that the version in Hadar Zekeinim is a conscious editing of Daat Zekeinim.

from Iyov “Indeed G-d acts thus three times with a man”. But in this version there is really no connection between the second comment and Devarim 30:2.

I suggest accordingly, if speculatively, that the author of Daat Zekeinim originally עך ולא עך intended to cite R. Yochanan’s comment disagreeing with R. Levi on the ground .in Devarim 30:2. He followed this up by citing R עך as an explanation of the word בכלל Yosay son of R. Yehudah⁴, who also limits forgiveness, and then used RML to explain their position. However, the original commentary originally just had “as per R. Yochanan in Yoma”). A later scribe, perhaps because he had a text of Yoma similar to our printed edition, in which R. Yochanan’s disagreement is skipped, copied in the next statement (but left the attribution to R. Yochanan). Yet later copyists could not understand the transitions, and so either tried to turn it into a general citation regarding the greatness of repentance (Daat Zekeinim) or else split the comment in two (Hadar Zekeinim).

Turning once again to Yoma 86, we see that the printed text seems to have lost the “stricter” side of each of two separate arguments – R. Yochanan disagreeing with R. Levi, and the position that sins are forgiven twice but not three times⁵. Looking at the more complete parallels, however, we notice that each of them is unwilling to include to leave the strict positions as is. Rather, each ends up concluding that the more lenient position applies to communities, and the stricter to individuals.

Interestingly enough, the printed text of Yoma does contain a reference to the individual/community axis, with regard to R. Yosay son of R. Yehudah. However, in this version the point is to exclude the idea that individuals and communities are treated differently, specifically that individuals are forgiven fewer than three times. I invite suggestions as to how/why this version appeared. It is worth noting that all the changes in the printed edition are in the direction of expanding the scope of repentance.

I will conclude by citing Rosh, who even with the full text of Yoma, was unwilling to accept the notion that any number of sins could put one past the reach of forgiveness, and by implication fundamentally rejects the understanding of heaven put forth by RML:

“It seems correct to me that the meaning of “the fourth time they do not forgive him” is that if the sin related to a positive commandment, they do not forgive him immediately when he repents, but rather repentance freezes the situation and Yom Kippur atones, as with regard to those who violate negative commandments, and similarly, if the sin related to a negative commandment, repentance and Yom Kippur freeze the situation, and suffering washes the sin out.”

Ultimately the weight of Jewish tradition is that no one is ever beyond hope of forgiveness, and there is never sufficient justification for spiritual despair.

⁴ Perhaps originally he cited the anonymous position, as RML’s explanation requires the number 4 to be significant

⁵ Although it attributes the “lenient” position of the beraita to R. Yosay son of R. Yehudah, who held the “stricter” position!

How Often is Teshuvah Sincere?

September 4, 2014

How often is teshuvah sincere? The very notion of an annually successful day of repentance encourages cynicism, certainly if one sees resolution for the future as a defining element of genuine teshuvah.

On the other hand, if only permanent teshuvah counts, Yom HaKippurim could not fulfill its purpose. Sefer HaChinnukh asserts that Yom Kippur is intended to give us the psychological capacity to genuinely begin again, unencumbered by responsibility for past misdeeds; otherwise the weight of the past would forever be poised to fall on our heads. It therefore seems necessary to give significance to teshuvah-of-the-moment, even if it proves to be an ephemeral psychological state.⁶

As with interpersonal apologies, one way of navigating between the Scylla of cynicism and the Charybdis of trivialization is to set a limit to the number of chances one gives a sinner. Thus Vilna Talmud Yoma 86 cites R. Yose son of Rabbi Yehudah as allowing the cycle of sin-repentance-sin-repentance-sin-repentance, but no farther – repentance is not possible a fourth time, either for individuals or for communities. The more likely correct version of the Talmud, however, has Tannaitic texts⁷ conflicting as to whether to allow only one relapse, rather than two. It concludes that individuals are only permitted one, but communities are permitted two.

However, some rabbinic texts refuse to allow the effectiveness of teshuvah to be limited in this way. On Yoma 86a, Rabbi Levi emphasizes that repentance reaches all the way – whether openly or via tunnel⁸ – to the Throne of Glory, although Rabbi Yochanan disagrees⁹; the Throne of Glory serves to preclude any numerical limit¹⁰. The Talmud then raises another Rav Yochanan statement that apparently contradicts this position of his. It concludes that even Rav Yochanan only allowed a limit with regard to individuals; with regard to the Jewish People as a whole, cynicism about the sincerity of repentance is a small price to pay for avoiding even the theoretical possibility of a permanent breach between Hashem and His people.

I want to focus this week on the statement of Rav Yochanan that, according to the Talmud, *commits him to allowing repentance to work through as many sin-cycles as necessary.*

*Said Rav Yochanan: Great is repentance in that it pushes aside a Torah 'Do Not',
as Scripture says:*

*"If a man sends away his wife, and she marries another man, can she return to him again?! Surely such
a land would become utterly demoralized!?"*

But you have fornicated with many fellows, yet return to Me', says Hashem."¹¹

I see two ways of constructing the Talmud's argument here:

1. Rav Yochanan asserts that repentance overrides a 'Do Not'. Who but G-d Himself could override His commandment? Repentance therefore must reach past the angels to the Throne of Glory.
2. The Law says that there are no second chances for a wife's infidelity, but repentance allows the Jewish people a second chance in their "marriage" to G-d. This demonstrates that the whole concept of limiting chances does not apply to repentance.

⁶ In this regard I think a useful analogy can be drawn between repentance and conversion, although we will draw the same moral in other ways shortly.

⁷ It is unclear whether both are in the name of Rabbi Yose son of Rabbi Yehudah, or only the first

⁸ See inter alia Yerushalmi Sanhedrin 10:2

⁹ His disagreement, and the subsequent discussion, are also simply missing in the Vilna edition, as Minchat Yitzchak recognizes.

¹⁰ See Pesikta Rabbati 44

¹¹ Yirmiyahu is referencing the Biblical prohibition in Deuteronomy against wife-swapping, which the Rabbis understand as forbidding the return of adulterous wives a fortiori.

The first of these is a theological argument that presumes the incommensurability of Halakhah and Machshavah; Repentance works only because it transcends Law. This may appear to be the clear meaning of the words “overrides a Do Not”. However, this reading is greatly weakened when we recall that a parallel Talmudic statement, “Great is human dignity because it pushes aside a Torah ‘Do Not’”, is regularly given legal application¹².

The second, however, can be understood entirely within the realm of Halakhah; Repentance works because it overrides the legal barrier to second chances. More strongly, the legal barrier is only to the return of unrepentant spouses.

Taken at face value, this understanding suggests that the analogy in the verse is real, and therefore that repentance should actually permit a Jewish adulteress to return to her human husband. This has, to my knowledge, never been formally suggested¹³, but it has been suggested that it should and would be true if only we trusted human courts to accurately judge sincerity. Perhaps human courts can accept repentance only once it has proven permanent, and that of course can be known only after death.

In this spirit, Rav Yochanan’s statement is cited as evidence in a host of other formal halakhic discussions with regard to the specific topic of adultery, with regard to the relationship between ‘Dos’ and ‘Do Nots’, and with regard to the question of punishment.

These discussions reflect an attitude that assimilates repentance generally to the halakhic framework. For example, many scholars ask: Since the general rule is that we do not flog for ‘Do Nots’ that can be repaired by ‘Dos’¹⁴, even if the sinner has not yet repaired *his* sin, why can we ever flog? Can’t all ‘Do Nots’ be repaired by repentance? Rav A. I. Kook¹⁵ responded that repentance is not actually a commandment, but rather a precondition for the ‘Do’ of verbal confession.

Now the Rav z”l famously distinguished between the “*maaseh*=action” and “*kiyum*=fulfillment” of mitzvot, and suggested that fulfillment often requires achieving a particular subjective psychological state; for example, the *maasim* of mourning include eulogizing and not bathing, but the fulfillment is feeling sadness for the loss. It seems reasonable that in Rav Kook’s scheme, repentance would be not only the precondition for but the fulfillment of the mitzvah of verbal confession. But if one accepts the consensus position over Rav Kuk, we can suggest that within teshuvah itself there is both a *maaseh* – which is the resolution not to sin again¹⁶ – and a *kiyyum* – which is the achievement of a self capable of maintaining that resolution.

This distinction has been criticized for undermining the Law, as why should one perform the *maasim* if they will not generate *kiyumim*? What if other *maasim* seem more likely to generate the desired *kiyumim*? The way to forestall these antinomian possibilities is to recognize that part of the purpose of Law is to give meaning to shallow ritual, to make actions significant because they are performed within the legal context, regardless of their internal effect or reflection.

With that understanding, it turns out that by accepting our *maaseh teshuvah*, albeit one too often lacking a *kiyyum* – in halakhic terms, we can punningly say that it is not a *teshuvah shel kayama* – G-d is actually working very much within, as opposed to Halakhah, and that one lesson of Yom Kippur is that we should resolve to submit ourselves to the formalities even when they are not providing us with immediate powerful subjective experiences. And then, of course, we should maintain that resolution.

¹² There is much to discuss about the nature of those legal implications, but time prevents me from doing so here.

¹³ Although repentance may encourage us to find technical ways of denying that the adultery happened

¹⁴ For example leaving sacrifices uneaten past their appointed time, which can be repaired by burning the leftovers

¹⁵ Mishpat Kohen 125

¹⁶ Perhaps confession is part of the *maaseh*

Should One Repent From, or Rather Toward?

September 20, 2012

One of my favorite halakhic questions of all time is one where someone begged to be allowed to sin once, so that they could obtain the incomparable merit of the mitzvah of repentance. The assumption of the question was that one can only repent from, that *teshuvah* is always about restoring a past better personality. This seems to fit well with the literal definition of “teshuvah” – return. And while the classical formulation involves both “regret for the past, and commitment for the future” – in other words, repentance both from and toward - one can argue that even the commitment for the future is about going “forward to the past”, about returning to who one was before one sinned.

However, the Talmud famously distinguishes between “repentance out of fear” and “repentance out of love”. Repentance out of fear erases past sins; repentance out of love converts them into virtues. In other words, repentance out of fear is past-focused, and seeks only to correct what has happened, whereas repentance out of love seeks to use even past sins as a vehicle for a better future. Repentance out of fear is repentance from; repentance out of love is repentance toward.

In our day, the term “baal teshuvah” refers primarily to someone who has become halakhically observant for the first time. We use the term *teshuvah* to describe going ‘back to the future’, returning to an ideal state that one has never actually experienced. Thus our primary model is repentance out of love, and we are in an excellent position to deeply internalize the model of “repentance toward”.

I think this gives us a window into several other aspects of repentance that are sometimes overlooked. One example: Rambam teaches that repentance relates to character traits as well as actions. One can only repent from actions, but one can repent toward better character. Repenting from an action is the attempt to get back to where one was before one sinned, but repenting from a character trait is often an attempt to create a new self, better than any self that one has previously inhabited or been.

Another example: Repenting of an evil deed is purely repentance from, but what is repentance from an imperfectly performed good deed? For example, how does one repent for having had incomplete *kavvanah* during davening, even if one nonetheless fulfilled one’s obligation? From having given *tzedakah* to a poor person without a smile and encouraging word? For not having called to say “Good Shabbes” to someone for whom it would have made a difference? When one is repenting for missed opportunities, it seems that the goal must rather be to repent toward, to become the kind of person who misses fewer such opportunities.

I suspect that this is also often true with regard to communal repentance, and specifically the aspect of individual repentance that relates to one’s responsibilities for creating a just, compassionate, and religiously vibrant community. It’s hard to measure what difference, if any, one’s failures in that regard made – perhaps somebody else stepped up to the plate when you stepped away, or perhaps the idea wouldn’t have worked anyway. The process of building community is rarely about actual restoration, as people come and go and a community is always being reshaped and recreated. Communal *teshuvah* generally is, and should be, about being better than the community has ever been.

In truth, our use of the term *teshuvah* has deep roots in the Talmud. When Rav Yochanan meets Resh Lakish for the first time, Resh Lakish is an armed bandit, and Rav Yochanan commands him “Return”! While Tosafot suggest (for other reasons) that Resh Lakish may have been a yeshiva student gone wrong, the straightforward reading is that Resh Lakish first became involved with Torah at that moment.

And on another level, from Tanakh to our day Jews have described their vision of *Geulah*, Redemption, as a return, even though it is a return to something they have never experienced, and in many ways to something that never existed in the past. May it be His Will that our generation’s special capacity to understand *teshuvah meiahavah*, repentance out of love, enables us to repent toward ultimate *Geulah*.

Is It Better to Have Sinned and Repented Than Never to Have Sinned at All?

September 12, 2013

Is it better to have sinned and repented than never to have sinned at all? Most literate Jews would instinctively answer yes – we have ingrained in memory

במקום שבעלי תשובה עומדים אין צדיקים גמורים יכולים לעמוד
In the place where penitents stand, the absolutely righteous cannot stand

Indeed, a prominent beit din in Vilna once received this question:

“Since penitents are greater than those who have never sinned, and I have never sinned, may I sin once in order to become a penitent?”

The astonishing answer came as follows:

Mishnah Yoma 8:9 reads:
האומר אחטא ואשוב, אחטא ואשוב – אין מספיקין בידו לעשות תשובה
One who says “I will sin and repent, sin and repent” – they do not give him the means to repent
The repetition of “sin and repent” indicates that it is indeed permitted to sin once in order to repent, so long as one would otherwise not have sinned.

It is less well known that the superiority of penitents is explicitly controversial in the Talmud. Rabbi Abahu advances it, but the Talmud introduces Rabbi Abahu by saying that his position disagrees with that of Rabbi Yochanan as cited by Rabbi Chiyya bar Abba:

כל הנביאים לא נתנבאו אלא לבעלי תשובה
אבל צדיקים גמורים –
"עין לא ראה א-להים זולתך מה יעשה למחכה לו (ישעיה סד:ג)
All the prophets prophesied only about (the reward for) penitents
But the absolutely righteous –
“No eye has seen, G-d, other than You(rs), what You will do for those who wait for You

Rabbi Yochanan clearly held that it is better never to have sinned. But what is the issue underlying this machloket? More strongly: Once we become aware of Rabbi Yochanan’s opinion, we must wonder whether Rabbi Abahu’s position is at all coherent. The Rabbis often make decrees נשכר ושלם יהא חוטא נשכר to avoid allowing circumstances in which a sinner would gain a legal advantage, precisely because of this issue.

Torat Chayyim offers two suggestions:

a) Penitents have a harder time avoiding sin, since from life-experience, they know the pleasures of sin. b) The observance of mitzvot by someone who has never been tempted is considered passive, whereas the observance of mitzvot by someone who overcomes temptation is considered active, and active deeds are greater than passive deeds.

Both these suggestions explain plausibly why the actions of penitents might be greater than the actions of never-sinners. But they do not address the deeper question of whether it is just of G-d to allow failure to sin to limit spiritual achievement.

Maharsha, by contrast, simply refuses to allow sinning to yield better results than not sinning.

His suggestion is that Rabbi Abahu referred to those who repent from having been tempted and almost sinned. He apparently believes that this lets him have his theological cake and eat it too – the thought of

sinning is not actually a sin, and there would be no injustice if one benefited from having thought of sinning, but yet it is wrong enough that one can repent of it. This position is clever, but to my mind not compelling.

Rav Eliyahu Dessler refused to believe in the disagreement, as part of his general refusal to believe that one can find genuine disagreements about values among Torah Sages. He therefore endorses the suggestion offered by his students that penitents more effectively demonstrate Hashem's grace, whereas – contra Torat Chaim and Maharsha – the quality of service of never-sinned is superior.

I find it challenging to deny disagreement when the Talmud explicitly declares it, and in any case, it is not clear to me how this distinction explains why penitents receive a greater reward and/or reach a higher spiritual level.

Instead, I suggest instead the following. The Talmud follows Rabbi Abahu by citing a disagreement, between R. Yehoshua ben Levi and R. Shmuel bar Nachmeni, as to what it is that “no eye has seen, G-d, other than You”. Both positions explicitly relate the conversation back to Creation and Eden. In other words, the dispute about whether penitents are superior or inferior to never-sinned is not at core about the psychology and sanctity of individuals. Rather it is an argument about how human beings should react to the sin of Adam and Eve.

It is perhaps necessary to mention here that for Rambam (and my eleventh grade rebbe), the whole Garden story is self-evidently metaphor. All human beings are born innocent, and experience no shame in nakedness. But at some point those who are sane naturally “eat the fruit”, that is to say they experience themselves as erotically and aesthetically charged beings in an erotically and aesthetically charged environment.

Rabbi Yochanan argues that the proper response is to try to undo sin. By this he means that the surface goal of repentance is to make yourself the person you would have been had you never sinned. But the deeper goal is really to undo the consequences of sin, namely the acquisition of an independent sense of right and wrong = to make yourself what Adam and Eve were until they ate the Fruit. This is why Noah deliberately set out on alighting from the ark to plant a vineyard – so that he could get drunk and remove all his clothes without experiencing shame.

Rabbi Abahu, by contrast, thinks that innocence cannot be regained, or perhaps should not be regained. There will always be a חן/Ham present, who will make a mockery of your protested innocence by making you their erotic or shameful visual object. The knowledge of good and evil cannot be effectively unlearned – it is part of being human.

For Rabbi Abahu, the goal is to acknowledge and own one's sins, to commit to never doing it again and yet to finding a way in which you are better or deeper as a result of having sinned.

There is a sense in which I might argue, in the manner of Rav Dessler, that really there is no dispute here. Rabbi Yochanan sees teshuvah as disassociation from sin, which we call teshuvah miyir'ah, repentance out of fear or awe; Rabbi Abahu sees teshuvah as the transmutation of sin into virtue, which we call teshuvah meiahavah, repentance out of love. The never-sinned are greater than disassociative penitents, but not as great as transmutative penitents.

But I prefer to argue differently. Rabbi Yochanan here essentially denies the possibility or legitimacy of teshuvah meiahavah – how can sins become virtues?! This is parallel to the question of whether G-d can justly permit a world in which the experience of sinning raises one's spiritual potential. I suggest that the issue of injustice never arises because the need to repent is an intrinsic aspect of the human condition – not in the sense that everyone necessarily violates a specific Divine command, but rather that we enter into adulthood imperfect, with unresolved issues about how to relate and manage ourselves as physical and erotic beings.

This is a close cousin of Rambam's notion that one can do teshuvah toward character perfection. Rabbi Abahu's position has I think become dominant because it better conforms to the general thrust of Jewish tradition, which impose responsibility on human beings as-they-are – שם הם באשר – rather than as -they-might-be-imagined. This is why, for example, we never set celibacy as an ideal.

We can apply Rabbi Abahu's attitude to other types of issues. Some visions of Orthodoxy see the Enlightenment and modernity as the Tree of Knowledge of Good and Evil, and seek to have us uneat the fruit. I believe this approach is not sustainable – there are too many Hams around to tell us that we are simply ignorant, or intellectually naked.

Others seek to deny that the Tree provided any true knowledge at all, so that our task is to resist integrating that knowledge into our beliefs and values.

The Center for Modern Torah Leadership believes that it is futile to pretend that we are not different – that our eyes have not been opened, that we do not see that

- a) identity can be fluid, that
- b) separate is often not equal, that
- c) Revelation cannot convey unmediated Truth; it requires human interpreters, and more.

We see this recognition as a source not of despair but rather of responsibility, as obligating our community to engage in *teshuvah meiahavah* toward its never-yet-achieved best self.

Teshuvah in the Age of Dataism

by Rabbi Avraham Bronstein (SBM 2002)

September 28, 2017

In the thought of Rabbi Joseph B. Soloveitchik, *teshuvah* is inextricably connected to humanity's overriding mandate to create. "God wills man to be a creator – his first job is to create himself as a complete being," he wrote. "Man, through repentance, creates himself, his own I."

Soloveitchik's emphasis on the human ability to create and shape both oneself and one's surrounding reality echoes his own context. As Yuval Noah Harari charts in his bestsellers *Sapiens* and *Homo Deus*, the modern era has been about humanism and has seen authority stripped from external forces, whether rulers, gods, or some combination, and refocused within individuals. We see the effects of this shift in terms of politics (democracy), economics (market capitalism), and a variety of other fields.

The underlying assumption of our era, Harari notes, is the belief in the inherent integrity and dignity of individuals who possess the free will to express themselves. Increasingly, and along the same lines as Soloveitchik, this is what many contemporary Jewish thinkers came to mean by *Tzelem Elokim* – of humanity created in the "image of God." Rather than seeing *teshuvah* simply as contrition for wrongdoings, Soloveitchik saw genuine *teshuvah*, the recreation of the self, as the most profound form of *imitatio dei*.

Harari's point, though, is that these humanist assumptions were the product of their times – and times are quickly changing. Humanism is becoming obsolete, and is being replaced by what he calls "Dataism," a worldview focused on the creation and free flow of ever-increasing amounts of information that is analyzed and shared by increasingly powerful computers. Human agency is quickly becoming outstripped by biotechnology and AI that know more about ourselves than we do – and we are increasingly comfortable outsourcing control of our lives to the Cloud.

In Soloveitchik's footsteps, Rabbi Jonathan Sacks recently wrote,

It was Judaism, through the concept of teshuvah, that brought into the world the idea that we can change. We are not predestined to continue to be what we are. Even today, this remains a radical idea. Many biologists and neuroscientists believe that our character and actions are wholly determined by our genes, our DNA. Choice, character change, and free will, are – they say – illusions.

Sacks' foil here is the determinism and predestination at the heart of the Greek tragedies. Today, however, we are less certain about how independent our choices actually are than we have been in centuries. In particular, we are increasingly aware of the external forces that push us seamlessly in specific directions. In a world where our belief in democracy is shaken by fake news driven by social media algorithms, and our belief in market capitalism is shaken by custom-tailored Amazon recommendations and Google search results, it should be myopic to have faith in our ability to perform self-creation through *teshuvah*.

Harari himself addresses this concern. He concludes:

If you don't like this, and you want to stay beyond the reach of the algorithms, there is probably just one piece of advice to give you, the oldest in the book: know thyself. In the end, it's a simple empirical question. As long as you have greater insight and self-knowledge than the algorithms, your choices will still be superior and you will keep at least some authority in your hands. If the algorithms nevertheless seem poised to take over, it is mainly because most human beings hardly know themselves at all.

Read this way, our introspection during this High Holy Days season takes on special urgency. As Harari notes, the technology is improving much more quickly than our ability to adapt to it. The question of questioning who we are – really – and to what extent we are simply responding to stimuli that are carefully calibrated by a computer somewhere to generate our response is critical, even existential. If we don't want to lose agency over our own lives, this is the time to reassert control. In his *Laws of Teshuvah*, Maimonides explains that the biblical Pharaoh, by the end, did not actually have control over his choices –

the consequence for the life he had lived to that point. Likewise, the self-creation of *teshuvah* is, increasingly, all that stands between us and a passive, AI-driven journey through life.

Another avenue forward is shifting our understanding of *Tzelem Elokim* to a meaning that may survive our Dataist future. Even if we admit that we simply don't have that complete control to shape ourselves and our lives – and perhaps that was always the reality behind the curtain – being created in God's image still challenges us in a fundamental way.

Harari admits that modern science, for all its success in comprehending human responses and thought patterns, has not yet come to a satisfactory understanding of consciousness itself. Though we know which neurons and chemicals are involved, the actual feeling of transcendent love is still mysterious and awe-inspiring. Perhaps in this spirit, Rabbi Eliyahu Dessler wrote that *Tzelem Elokim* is really about the human capacity to feel compassion and empathy, and responding to others with generosity and kindness. God is not to be emulated so much as a Creator, in this reading, but as a Giver.

Our liturgy may already know this. According to one popular reading of Unetaneh Tokef, we assert that repentance does not affect the circumstances of our lives, but the quality of our response. Our *teshuvah* – and *avodat Hashem* more broadly – might likewise focus less on our agency and choices, and more on the strength of our human connections and relationships, and the cultivation of empathy and love.

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Saying the Unsayable: Why G-d Wore a Tallit to Lead the First Selichot

September 30, 2016

On Rosh HaShannah 17b, Rabbi Yochanan explains the opening of Exodus 34:6 via an arresting image.

“... ויעבר ה' על פניו ויקרא” –
אלמלא מקרא כתוב, אי אפשר לאומר!
מלמד שנתעטף הקדוש ברוך הוא כשליח צבור,
והראה לו למשה סדר תפלה.
אמר לו:

כל זמן שישראל חוטאין –
יעשו לפני כסדר הזה, ואני מוחל להם.

“Hashem passed before h/His face, and h/He proclaimed”:

Were it not written in Scripture, it would be impossible to say this!

This teaches us that The Holy Blessed One wrapped Himself like a congregational prayer leader and showed Mosheh the order of prayer.

He said to him:

Whenever Israel sins,

they should do before me just like this order, and I will forgive them.

Rabbi Yochanan seems shocked by his own theological audacity. But what is it about this image that so shocks him? Is it the blatant anthropomorphism of G-d wearing a tallit?

This aspect of the image certainly bothered many later rabbis. Rabbi Yom Tov ibn Ashbili (RITVA) hastens to explain that the verse is written from Mosheh’s perspective – he saw this in a prophetic vision, but it was only a metaphor. Rabbeinu Chananel contends that G-d ordered an angel to appear as if he were wearing a tallit, or alternatively, that G-d created an angel with the appearance of a tallit-wearing human.

I am not convinced, however, that Rabbi Yochanan’s shock issue here was anthropomorphism (or that any of the later rabbis believed it was). Anthropomorphism is all over Tanakh, and RITVA and Rabbeinu Chananel are trotting out standard solutions for the issue. Something more must have triggered Rabbi Yochanan’s assertion that Scripture here writes the otherwise unsayable.

What might this have been?

The declaration “Were it not written in Scripture, it would be impossible to say this!” appears seven times in the Talmud. Several of these can be understood as referring to anthropomorphism, but several of them cannot. The clearest example is Bava Batra 10a, also said by Rabbi Yochanan.

א”ר יוחנן
מאי דכתיב “מלוה ה’ חונן דל”?
אלמלא מקרא כתוב, אי אפשר לאומר!
כביכול – עבד לזה לאיש מלוה
Said Rabbi Yochanan:

What is the meaning of “Those who are gracious to the poor are Hashem’s creditors” (Proverbs 19:17)?

Were it not written in Scripture, it would be impossible to say this!

As if it were possible – the borrower is slave to the [human] creditor.

There is no physical imagery at all here. What then is the issue?

Let’s look at one more example, from Berakhot 32a:

“ועתה הניחה לי ויחר אפי בהם ואכלם ואעשה אותך לגוי גדול וגו’”
אמר רבי אבהו:

אלמלא מקרא כתוב, אי אפשר לאומר!
 מלמד שתפסו משה להקדוש ברוך הוא כאדם שהוא תופס את חבריו בבגדו,
 ואמר לפניו:
 רבונו של עולם, אין אני מניחך עד שתמחול ותסלח להם!
 “Now you leave go of Me, and My anger will burn amidst them and consume them . . .”
 Said Rabbi Abbahu:
 Were it not written in Scripture, it would be impossible to say this!
 This teaches that Mosheh seized The Holy Blessed One like a person seizing his fellow by the garment,
 and said before Him:
 Master of the Universe, I will not leave go of you until you absolve and forgive them!

I suggest that common denominator, the issue in each case, is not anthropomorphism, but rather the depiction of G-d as subject or servile to human beings. Berkahot 32a depicts G-d as subject to detention by Mosheh; Bava Batra 10a as subject to the will of charitable people; and Rosh HaShannah 17a as manipulable by human beings via the recitation of a verbal formula, namely the “13 Attributes”. Call it magic or theurgy, the last is surely the most shocking.

Now Rabbi Yochanan states that he can say this only because Scripture says it – but what if Scripture could be understood differently? Would we be allowed to take one of several possible interpretations and claim that it permitted saying the otherwise unsayable?

Here again it is vital to understand exactly what Rabbi Yochanan thought was unsayable. If the issue were anthropomorphism, he could simply agree with Ramban that על פניו ה' יעבור means that G-d passed before **Mosheh's** face, and nothing would compel him to permit or accept the image of G-d's tallit. But he was bothered by magical theology, not by anthropomorphic metaphors.

Rabbi Yochanan could not evade the issue by having *Mosheh* be the subject of ויקרא (h/He proclaimed). He **knew** that G-d was the One who proclaimed the 13 Attributes, and that He intended them to be recited efficaciously by Mosheh, because in Bamidbar 14:17-18 Moshe recited them after declaring that this is “as G-d had previously spoken = כאשר דברת לאמר”, and G-d then forgives them “in accordance with Moshe's speech = כדברך”. Rabbi Yochanan's challenge was to make sense of this apparent theological absurdity in some way. His solution was the image of G-d as Shaliach Tzibbur.

Some background information is necessary here. Rabbinic literature depicts human beings as wrapped in tallitot for prayer even when they are praying alone, and both G-d and humans as wrapped in tallitot even when not praying. So Rabbi Yochanan has no *exegetical* need to introduce the notion of G-d as congregational prayer leader even if he translates “passed before His face” as a reference to wrapping a tallit.

Now only Mosheh was present atop Sinai – there was no “congregation” (although Mosheh was “equal to all of Israel”). Furthermore, Bamidbar 14:17–18 proves only that Mosheh could use the formula, not that it would be useful permanently for the Jews. Rabbi Yochanan presents G-d as a **congregational** prayer **leader** in order to move from the verse to a claim that the formula works for post-Mosheh congregations as well.

Based on Shemot 34 and Bamidbar 14, we can only know that reciting the 13 Attributes works to save *all* of Israel, so most likely Rabbi Yochanan treats a halakhic *tzibbur* as a formal representation of the entire Jewish people.

The question that remains is – (how) does presenting G-d in this way solve the underlying problem of G-d's apparent manipulability? Why does this image help make the verse's theology sayable, if only barely?

My very tentative answer is that Rabbi Yochanan's goal was to connect the verses to the practice of communal fasts. Why? Because if reciting the 13 Attributes were simply a matter of magic, with

forgiveness automatic, there would be no need to fast or repent. By limiting the efficacious recitation to the context of a communal effort at repentance, Rabbi Yochanan opens up the possibility that the 13 Attributes work only insofar as they help us change into the sort of people who can be at least plausibly worthy of Divine forgiveness.

At the same time, the depiction of G-d as shaliach tzibbur emphasizes that G-d very much wants us to make those changes, and that He Himself prays for His mercy to be revealed above His other attributes (see Berakhot 7a).

Apples and Honey, Repentance and Covenant

by Batsheva Leah Weinstein (MA 2015, 2016)

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We all know of the *minhag* to eat apples dipped in honey on Rosh Hashanah. The reason most often given for this custom, and indeed we say this before we eat them, is that it symbolizes our desire for a sweet new year. However, as the Maharil points out, the language used to describe this *minhag* is "נוטלים התפוח" – "אוכלים דבש עם תפוח" – we eat honey with an apple. This implies that the apples themselves are important. This can also be derived by the fact that we make a bracha "בורא פרי העץ" as opposed to a "שהכל נהיה בדברו", which tells us that it is the תפוח that is the עיקר, the main thing, and not the honey. We can now ask our question: why do we dip apples in honey?

When Yaakov, pretending to be Esav, comes to Yitzchak to receive the bracha for the firstborn, Yitzchak says, "ראה ריח בני כריח השדה אשר ברכו ה'" – see the scent of my son like the scent of a field that was blessed by Hashem. רב יהודה בריה דרב שמואל בר שילת says in the name of Rav, "כריח שדה של תפוחים" – the scent of a field of apples. The *midrash Bereishit Rabbah* says that when Yaakov entered the room, the fragrance of בני גן came in with him. Thus, the apples that we eat on Rosh Hashanah symbolize בני גן, an appropriate reference for the Day of Judgement.

In the *midrash* בראשית רבתי, Rav explains this *passuk* in a different way. When Yitzchak saw that the children of Yaakov who rebelled against Hashem "יתנו ריח טוב שיעשו תשובה" – that they will give off a good scent, meaning that they will repent and return to God, the presence of the שכניו rested on him and he was able to give Yaakov the *bracha*. According to this interpretation, the field of apples refers to בני ישראל doing *teshuvah*. Consequently, when we eat apples, it is a reminder for us to do *teshuvah*.

Another reason for eating apples is from a *passuk* in *Shir Hashirim* which says "כתפוח בעצי היער" – like an apple tree amongst the trees of a forest, which refers to בני ישראל. R' Tzadok Hakohen explains that בני ישראל are compared to apples because, just like the fruits of an apple tree come before the leaves, so too בני ישראל said נעשה – we will do – before נשמע – we will hear. Overlooking the scientific accuracy of this statement, our point is, that just like the important thing of the tree – the fruits – come before the less important part of the tree – the leaves, so too בני ישראל put the important thing – doing what G-d commanded – before the less important thing – finding out what G-d wants us to do. Therefore, apples remind us of מתן תורה and our covenant with G-d in which we promised to obey His Torah.

Here we have a number of reasons of why we eat apples on Rosh Hashanah, all based on references to apples in the *p'sukim*. We dip them in honey for a sweet new year but the apples themselves are also symbolic and relevant to Rosh Hashanah.

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Shofar Metaphors

September 16, 2009

טעמי מצות שופר לרב סעדיא גאון (אוצר הגאונים, ראש השנה, חלק הפירושים, סימן קעג)

מה שצונו הבורא ית' לתקוע בשופר בראש השנה יש בזה עשרה ענינים:

א. מפני שהיום היתה תחלת הבריאה, שבו ברא הקב"ה את העולם ומלך עליו, וכן עושים המלכים בתחלת מלכותם, שתוקעין לפנין בחצוצרות ובקרנות להודיע ולהשמיע בכל מקום התחלת מלכותם, וכן אנו ממליכין עלינו את הבורא יתברך ביום הזה, וכך אמר דוד: "בחצוצרות וקול שופר הריעו לפני המלך ה'".

ב. כי יום ר"ה הוא ראשון לעשרת ימי תשובה, ותוקעים בו בשופר להכריז על ראשנו, כמי שמזהיר ואומר: 'כל הרוצה לשוב, ישוב; ואם לאו, אל יקרא תגר על עצמו!'

וכן עושים המלכים, מזהירין את העולם תחלה בגזרותם, וכל העובר אחר האזהרה אין שומעין לו טענה

ג. להזכירנו מעמד הר סיני, שנאמר "וקול שופר חזק מאד", ונקבל על עצמנו מה שקבלו אבותינו על עצמם נעשה ונשמע.

ד. להזכירנו דברי הנביאים, שנמשלו כתקיעת שופר,

שנאמר "ושמע השומע את קול השופר ולא נזהר ותבא חרב ותקחהו – דמו בראשו יהיה, והוא נזהר - את נפשו מלט"

ה. להזכירנו חרבן בית המקדש וקול תרועת מלחמות האויבים, כמו שנאמר "כי קול שופר שמעתי נפשי תרועת מלחמה", וכשאנו שומעים קול השופר נבקש מאת ה' על בנין בית המקדש.

ו. להזכירנו עקידת יצחק, שמסר נפשו לשמים, וכן אנחנו נמסור נפשנו על קדושת שמו, ויעלה זכרונו לפניו לטובה.

ז. שכשנשמע תקיעת שופר נירא ונחרד ונשבר עצמנו לפני הבורא, כי כך הוא טבע השופר, מרעיד ומחריד, כמו שנאמר "אם יתקע שופר בעיר ועם לא יחרדו".

ח. להזכיר את יום הדין הגדול ולירא ממנו, שנאמר "כי קרוב יום ה' הגדול, קרוב ומהר מאד, יום שופר ותרועה".

ט. להזכירנו קבוץ נדחי ישראל ולהתאוות אליו, שנאמר בו "והיה ביום ההוא יתקע בשופר גדול ובאו האובדים בארץ אשור וגו'".

י. להזכירנו תחית המתים ולהאמין בה, שנאמר "כל יושבי תבל ושוכני ארץ כנשוא נס הרים תראו וכשמעו שופר תשמעו".

Rav Saadia Gaon's Rationales for the Mitzvah of Shofar

That which the Creator may He be blessed commanded us to blow the shofar on Rosh HaShannah contains 10 topics:

1. Because that day was the beginning of the Creation, on which The Holy One Who is Blessed created the world and reigned over it, and thus behave human kings at the beginning of their reigns, they cause trumpets and horns to be blown before them, so as to inform and publicize everywhere the beginning of their reign, and thus we coronate the Creator may He be blessed over us on this day, and thus wrote David: "With trumpets and the sound of a shofar hariu before the king Hashem".

2. Because the day of Rosh HaShannah is the first of the Ten Days of Repentance, and we blow shofar on it in order to serve notice on ourselves, like someone who serves notice and says: 'All who wish to repent, repent; and if not, let them not declare themselves wronged!', and thus kings behave - they first caution the world about their decrees, and (therefore) anyone who violates after the caution, we pay no heed to his explanations.

3. To remind us of the Standing Up at Mount Sinai, as Scripture says "and the voice of a shofar, very powerful",

and (thereby) we will accept upon ourselves what our ancestors accepted upon themselves (in the form) “naaseh v’nishma”

4. To remind us of the words of the prophets, which are compared to the blast of a shofar, as Scripture says: “and the hearer heard the sound of the shofar but did not take caution, and the sword came and took him – his blood is on his own head, whereas he who did take caution – he rescued his life”

5. To remind us of the destruction of the Holy Temple, and the sound of the enemies’ battle teruah, as Scripture says: “for the sound of a shofar my soul hears, the teruah of war”, and when we hear the sound of the shofar, we will plead to G-d about the Building of the Holy Temple,

6. To remind us of the Binding of Isaac, who gave his life over to Heaven, and so too we should give our lives over for the sake of the Holiness of His name, and (thereby) our remembrance will arise before him to good result

7. Because when we hear the blast of the shofar we will fear and tremble and shatter ourselves before the Creator, because such is the nature of the shofar, that it causes terror and trembling, as Scripture says: “Can it be that a shofar will blow in the city, and the populace not tremble!?”

8. To mention the great Day of Judgment and be in awe of it, as Scripture says: “Because the great day of Hashem is neat, near and hurrying, a day of shofar and teruah”

9. To remind us of the collection of the scattered of Israel and to yearn for it, about which Scripture says: “it will be on that day – He will blow a great Shofar, and those lost in the Land of Ashur will arrive etc.”

10. To remind us of the resurrection of the dead and to put faith in it, as Scripture says: “All dwellers on Earth and inhabitants of the land will see as the banner is raised on the mountain, and when the shofar is audible they will hear”.

Rambam writes that there are two ways of being unjust to religious metaphors:

- taking them literally and mocking them, and
- taking them literally and accepting them.

Thus, for example, it is wrong to use “His legs will be standing on that day on the Mount of Olives” as evidence that G-d has legs, and wrong to use it as evidence that Tanakh has a primitive corporeal notion of G-d.

The question this leaves open is what purpose metaphor serves, if one is required to understand that it is mere metaphor. One possibility is that it serves as a temporary bridge that enables us to arrive at truth – after we understand the *nimshal*, the symbolized, there is indeed no further use for the *mashal*, the symbol. The midrashic metaphor of King Solomon “chaining metaphor to metaphor until we could pull the waterjug up from the well” may support this idea.

But it would be truer to my experience to say that the best symbols have enduring worth. This may be simply a function of beauty – even after we have concluded, say, that “the fog comes in on little cat’s feet” means that it comes in silently and unhurriedly, the description can still bring a smile. Or it may be a function of residual meaning – surely “silent and unhurried” does not exhaust the qualities of a (little) cat’s tread. The metaphor of Divine legs, as well, endures, and Tanakh remains worthwhile for those who understand that G-d is incorporeal.

For vigorous anticorporealists such as Rambam, however, it seems critical that one never be lost in the metaphor, that there not be even a momentary suspension of disbelief in the literal meaning, at least after the initial understanding. This is not quite the same thing as the midrashic “*k’beyakhol*”, “as if it were

possible”, which seems to encourage a twilight state in which one believes the literal meaning while affirming its impossibility.

It seems to me that another example of this unwillingness to function on the k’beyakhol level is found in this week’s text. Rav Saadia Gaon goes out of his way to ensure that every reason for shofar makes clear that the shofar has no effect on Hashem, that Hashem does not listen for or hear the shofar, but rather that He pays attention only to us. Thus the shofar reminds us to act self-sacrificingly like Yitzchak, not to remind G-d of Yitzchak’s willingness to self-sacrifice.

RaSaG was certainly aware that the Torah describes G-d as “hearing”. What, then, made him unwilling to give rationales for the mitzvah of shofar that assumed that metaphor? Perhaps it was a reaction to a contemporary context in which many took that metaphor with absolute literalness. Perhaps the words of Tanakh are immutable, and therefore one must fight for their meaning, whereas rationales for mitzvot can be cast aside when their cost becomes too great.

It is perhaps worth thinking about the “makhnisei rakhmim” controversy in this light. (On that, see SBM alumnus Rabbi Shlomo Brody at <http://text.rcarabbis.org/?p=265>.) Perhaps communities that don’t see belief in personified angels as at all plausible can sing songs about intercessory angels with impunity.

Bivrahah leshanah tovah. May we all be inscribed in the Book of Life (and all parallel metaphors).

