



What was Moses' purpose in his Ha'azinu address, speaking in poetic style? What would be forfeited had he addressed the nation in prose?

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Weekly Parsha

Ha'azinu

RABBI BERNIE FOX

Moshe Compared the Torah to Rain and Dew

My lesson shall drop like rain. My saying shall flow like dew – like wind-blown rain upon the herb, like a powerful shower upon the covering of vegetation. (Devarim 31:2)

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Yom Kippur



ATONEMENT

God's Justice

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RABBI REUVEN MANN

(Ha'azinu cont. from pg. 1)

Weekly Parsha

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Rashi explains that in this pasuk, Hashem is describing the effects of the Torah upon its students. In the first portion of the pasuk, the Torah is compared to rain and dew. What is the message transmitted through this comparison? Rashi explains that although the earth needs rain in order to sustain life, rain is not always appreciated. Rain can cause inconvenience. The traveler does not wish to battle inclement weather. A farmer whose harvested crops are still in the field is not pleased with a summer storm. Dew does not have the life-sustaining power of rain. However, it is more appreciated. Dew provides moisture, without inconvenience.[1]

Rashi understands the pasuk to contain a fundamental lesson. A few preliminary observations are necessary to understand this message. Some activities only provide future reward. Often a person is required to make a tremendous sacrifice in order to secure this future benefit. A person may work fifty years, in a job he despises, in order to someday enjoy a dreamed-of retirement. A parent will sacrifice and endure hardship for years in order to provide the best opportunities for his or her beloved child. In contrast, other activities provide only immediate and fleeting benefit. These activities offer no long-term gain. For example, an extra-rich dessert is great for a moment. But the longer-term consequences are not as pleasant. The pleasure of a drug-user epitomizes this type of activity. The pleasure of the high is short-term. The long-term effect of the activity is a shattered life.

Rashi understands rain to represent an activity with a long-term sustaining effect. Dew, in contrast, symbolizes activity providing immediate joy and benefit. He explains the pasuk to mean that the Torah combines the benefits of rain and dew. Like rain, Torah sustains life. Through observance and study of the Torah we can achieve eternal life in Olam HaBah – the World to Come. Yet, the Torah also has the quality represented by dew – immediate gain. We are not required to sacrifice happiness in this life. Instead, the Torah enhances our temporal existence in the material world.

How are these two outcomes accomplished? The Torah enriches our lives in this world by providing us with guidance in our everyday affairs. It teaches us a perspective, provides us with an understanding, and helps us develop self-discipline. With these tools, we are better prepared to confront and deal with the challenges of life. At the same time, the Torah encourages the development of the human's unique spiritual element. This element is immortal and survives the temporal material world and participates in Olam HaBah.

The second portion of the pasuk makes reference to wind-blown rain falling upon an herb, and a powerful shower falling upon the mantle of vegetation. Again, the pasuk is teaching some lesson about Torah. In order to grasp this message, we must determine the meaning of the various symbols – wind-blown rain, the individual herb, a powerful shower, and the mantle of vegetation. The association between the symbols also requires analysis. The wind-blown rain is associated with the individual herb. The powerful shower is associated with the mantle of vegetation.

Again, Rashi provides a hint to the interpretation of the pasuk. He comments that the wind-blown rain strengthens the herb it strikes. In a similar way, the study of Torah strengthens the student. Rashi seems to understand this second portion of the pasuk as describing two methods by which Torah can be transmitted. These two methods are described as wind-blown rain and as a powerful shower.[2] Apparently, each method has its application. One



method is applicable when dealing with the individual – the single herb. The other method is required when teaching a large group – the mantle of vegetation.

Torah is taught in many forums. It may be transmitted from rebbe to talmid – teacher to student. Even in the classroom, the rebbe works with a small group of students. In this situation, the teacher has the opportunity and responsibility to recognize the individuality of the pupil. Torah is also transmitted in larger forums. In the synagogue, the rav must inspire a congregation. He cannot study the reaction of each individual as he addresses his congregation. He must speak to the group. The rebbe deals with the single herb. The rav must communicate with the entire mantle of vegetation.

Each of these situations requires a unique approach. The rebbe's success depends upon assuming the role of wind-blown rain. The teacher must be demanding. High expectations stimulate the student to grow and become a scholar. The rebbe can be demanding because each individual student can be carefully observed. This allows the teacher to vary demands corresponding to the abilities and needs of the individual pupil.

The rav of a kehilah – a congregation – does not have this luxury. He must use a different means to achieve his goal of effectively teaching the lessons of the Torah. He must present his thoughts with power and impact. This requires a clear, sharply-defined message. This way he inspires his congregation through demonstrating the wisdom and beauty of the Torah.

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A Wise Person Sees the Future

To Hashem do you act this way? You are a foolish nation without wisdom. He is your Father and the One who established you. He made you and placed you upon a foundation. (Devarim 32:6)

The pasuk addresses a future generation of Bnai Yisrael. It is confronting people who reject Hashem and His Torah. This rebellion against Hashem and His law is characterized as the action of a nation of fools. Rashi comments that such people are foolish for they forget the past. The history of the Jewish people serves as testimony to Hashem's relationship with Bnai Yisrael. The nation has no wisdom because it fails to foresee the outcome of its behavior. The rejection of Hashem can only result in disaster.[3] Rashi's comments correspond a famous teaching of the Sages. The Sages ask, "Who is wise?" They respond, "One who sees the future." [4]

This teaching of the Sages requires some analysis. There are many characteristics that are associated with a wise person. Why did our Sages specifically associate the wise person with the ability to foresee the future? Another problem stems from the strange phraseology adopted in this teaching. No human can see the future. We can see only the present. Regarding the future, we predict likely outcomes.

The present we perceive with our senses. These sense perceptions are very real to us. No normal person would purposely walk in front of an oncoming train. We have no doubt as to the reality of the speeding train, and no doubt that crossing its path will result in disaster. In contrast, we can perceive the future only as an idea. The future cannot be seen through the senses. For this reason, the future often seems less real than the present. Mere ideas do not strike us, as quite as definite, as sense perceptions. It is difficult to take something seriously that only exists as an idea. However, this denigration of the reality of ideas is an illusion. Ideas are just as real as sense perceptions.

Our Sages did not regard a person as wise simply because the person has accumulated a breadth of knowledge. They defined a wise person as an individual who is guided by wisdom. This means that the reality of ideas is as definite to the wise person as input received through the senses. The Sages characterized this quality by referring to "seeing" the future. To a person who is truly wise, the future, although only an idea, is as real as the present that is seen through the senses.

The message of the pasuk is now clearer. The rejection of Hashem will inevitably result in a negative consequence. Why would the people expose themselves to this outcome? The pasuk responds that this behavior reflects a lack of wisdom. The people will become absorbed in material pursuits. They will strive to fulfill immediate desires. These desires will seem very real and pressing. Concurrent to this immersion in the quest

for material gratification in the here and now, will come a disregard or dismissal of the future consequences of this behavior. The future only exists as an idea. To people steeped in materialism, an idea will seem illusionary and vague. The result is that the future will be ignored in order to indulge in immediate pleasures.

The Selection of Bnai Yisrael from Among the Family of Nations

When the Most Exalted gave nations their portions, when He separated humanity, He established the boundaries of the world according to the number of Bnai Yisrael. (Devarim 32:8)

Hashem saved humanity from the Deluge through Noah and the ark. Soon afterwards, humankind became entangled in a new rebellion. The people of the earth joined together in building the Tower of Babel. Rashi understands the above pasuk as containing a reference to the Dispersion following this attempt to rebel against Hashem. Rashi explains that Hashem spared humanity despite this sin. He further explains that the reason for His compassion was that humanity contained the antecedents of Bnai Yisrael. Hashem's mercy was motivated by His will to create this special nation.[5]

In order to fully understand this concept, it is helpful to consider Rav Samson Rafael Hirsch's discussion of the development of humanity. Rav Hirsch explains that the original design of creation did not include the concept of a special or chosen people. All of humanity was chosen and participated in a shared relationship with Hashem. Also, humanity was not composed of a family of nations. All of humanity formed a single family. After the Deluge Hashem revised this design and put a different plan into place. The new plan included the creation of numerous distinct nations. This new design also dictated the selection of one nation from among the others. This nation – Bnai Yisrael – would have a special relationship with Hashem and experience His revelation. These special people would be nurtured and developed into nation of teachers for the rest of humanity. Through service to Hashem and adherence to the Torah, this nation would demonstrate and teach Hashem's will to all of humanity.

In short, despite the rebellion involved in building the tower, Hashem spared humankind. Rather than destroying humankind in response to this rebellion, He revised His design for humanity and selected Yaakov and his descendants as His vehicle for bringing His truth to humankind.[6]

Humanity is Responsible for its Own Development

Jeshurun thus became fat and rebelled. You grew fat, thick, and gross. The nation abandoned the G-d that made it, and spurned the Mighty One that was its support. (Devarim 32:15)

The history of humanity is full of folly. Adam and Chava sinned and they were expelled from Gan Aiden – the Garden of Eden. The descendants of Adam and Chava sinned and they were destroyed in the Deluge. Only Noah and his family were spared. Their progeny built the Tower of Babel and they were dispersed. This pattern continues into modern times. Wars are being waged throughout the world. Unchecked hunger and disease rage in various parts of the world. Certainly, an omniscient Creator should have been able to predict these expressions of human shortcoming and acted more proactively! How can we reconcile Hashem's omniscience with the repeated failures of humanity – His creation?

Our parasha provides a response to this issue. In our parasha, Moshe again shares with Bnai Yisrael his prophecy regarding view nation's future. The nation will become "fat". The people will become accustomed to the wealth of the Land of Israel. They will begin to take their prosperity for granted. They will forget that their material success is an expression of divine providence. It is a reward from Hashem for observance of the Torah. Once the nation loses sight of its dependence upon Hashem, the people will abandon the Torah and Hashem. Moshe explains that this behavior will be punished. He describes the tragedies that Bnai Yisrael will experience.

Moshe foresaw the future. The people would abandon Hashem and His Torah. Certainly, Hashem knew this same future. Yet, Hashem allowed Bnai Yisrael to embark upon the path that would ultimately end in tragedy and exile. Why did Hashem not take the action needed to prevent this calamity?

Rav Yitzchak Arama in his commentary, Akeydat Yitzchak deals with this question. His response is based upon two tenets of the Torah. First, he explains that although Hashem is fully aware of the future, He created us with freewill. Hashem grants us authority over our own choices. Second, Akeydat Yitzchak explains that humanity was not created as a finished product. Instead, Hashem made humankind responsible for its own development and progress.

These tenets provide a response to our question. Hashem is omniscient. He knows the future. However, in creating humanity, He gave us control over our decisions and development. We are imperfect creatures. Therefore, our freedom to choose is also a freedom to make tragic errors and mistakes. In short, human folly is inherent in our ability to

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guide our own destiny.

Although Hashem has granted us ultimate authority over our development, this does not mean that He does not provide us with guidance. Hashem forewarns us and chastise us through His prophets. Yet, ultimately we chose whether we will listen to the warnings or ignore them.[7]

In short, our mistakes and errors are not indicative of a lack of foresight on the part of Hashem. Instead, humanity's blunders are the outcome of authority over our development that Hashem granted us in His design of creation. ■

1 Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 32:2.

2 Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 32:2.

3 Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 32:6.

4 Mesechet Tamid 32a.

5 Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on Sefer Devarim 32:8.

6 Rav Shimshon Raphael Hirsch, The Nineteen Letters (Feldheim, 1969), pp. 46-56.

7 Rav Yitzchak Arama, Akeydat Yitzchak on Sefer HaAzinu.



Yom Kippur: 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, Hilchot Teshuvah 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 prophesy. He explains the differences between the prophetic achievement of Moshe and the level of prophecy achieved by other prophets. Maimonides comments that Moshe is the master of all prophets. His prophesy is distinguished from all prophets that preceded him and that follow

him.(1) It seems clear that Maimonides maintains that no other individual will achieve the level of Moshe! Yet, in our text, Maimonides tells us that each of us can be a Moshe!

This question can be answered on different levels. On the simplest level, this apparent 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 the perfection that he achieves. Spiritual perfection is a prerequisite for prophecy. However, one's personal perfection does not assure that prophecy will be achieved.(2) Hashem may grant the 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, at its various 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 capture the full meaning of the term tzadik. The term is derived from the word tzedek. Tzedek means justice. This indicates that the tzadik is a person associated with justice. 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. Assume 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 for various individuals. 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 missions. However, personal righteousness is an expression of faithfulness to the highest role each individual can achieve.

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



The Kohen Gadol's Preparations for Yom Kippur

Seven days before Yom HaKipurim we separate the Kohen Gadol from his home to his residence in the Temple... (Mishne Torah, Hilchot Avodat Yom HaKipurim 1:7)

The Temple service on Yom Kippur was performed by the High Priest. His preparation for this responsibility began seven days before Yom Kippur. On this date, the Kohen Gadol left his home and relocated to a special residence in the Bait HaMikdash. He spent these seven days prior to Yom Kippur in this residence.

What is the reason for this practice? This Talmud discusses this issue in Tractate Yoma. Rebbe Yochanan maintains that the practice is derived from the initiation of the Mishcan, in the wilderness. Aharon and his sons had been chosen by Hashem to serve as the priests in the Mishcan. After the Tabernacle was completed, a seven-day period of initiation was required. During this period, the kohanim were removed from their homes. The Kohen Gadol, in preparation for Yom Kippur duplicates this separation.(3)

Raish Lakish offers a different explanation. He explains that the obligation is derived from the Revelation at Sinai. Before Moshe ascended Sinai to receive the Torah, he was required to separate from his home. The Kohen Gadol duplicates this practice.(4)

Rav Yosef Dov Soloveitchik Zt"l explains that this dispute provides a key insight into the separation of the Kohen Gadol. Rebbe Yochanan maintains that the separation of the Kohen Gadol is based on the initiation period of the Mishcan. Why were the kohanim isolated? This was required in order for the kohanim to prepare for service in the Mishcan. During this period, they mastered the various services they would perform. Apparently, Rebbe Yochanan maintains that the service of Yom Kippur requires similar preparation. The preparation was required to assure the Yom Kippur service was performed properly.

Raish Lakish maintains that the separation of the Kohen Gadol duplicates the isolation of Moshe

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before ascending Sinai. This suggests a different reason for the Kohen Gadol's separation. Moshe was destined to ascend the mountain and enter into a special relationship with Hashem. This required a special preparation. The Kohen Gadol on Yom Kippur will enter into the most sacred area of the Temple. He will, figuratively, stand before Hashem. Like Moshe, this event requires a period of seven days devoted to preparation.(5)

Rabbaynu Nisim asks an interesting question on Raish Lakish's opinion. Moshe entered into a unique relationship with Hashem at Sinai. He achieved a level of prophecy no other human being ever duplicated. The Kohen Gadol on Yom Kippur will not approach this level of intimacy with Hashem. Hashem commanded Moshe to prepare for this unique encounter through a period of isolation. It does not follow that this requirement should be applied to the Kohen Gadol! True, the relationship into which Moshe would enter required a prior period of isolation. However, the Kohen Gadol would not achieve this intimacy!

Rabbaynu Nisim responds that Moshe did not need this isolation in order to prepare himself for the prophecy. Moshe was a unique individual. One of Moshe's special qualities was that he did not need prior preparation to receive prophecy. He existed in a perpetual elevated spiritual state. If Moshe did not need any preparation to receive prophecy, why was he commanded to isolate himself? Rabbaynu Nisim responds that this command was explicitly designed to teach a lesson to future generations. This is the lesson that Raish Lakish maintains is derived from this episode. A person entering into the "presence" of Hashem must spiritually prepare for the event. In other words, Hashem did not command Moshe to separate himself in order to prepare for prophecy. He commanded Moshe to enter into isolation as a lesson to others who would approach Hashem.(6)

The Requirement to Eat on the Eve of Yom Kippur

It is a mitzvah to eat and drink on the eve of Yom HaKippurim and to partake of an extensive meal. (Shulchan Aruch, Orech Chayim 604:1)

Shulchan Aruch explains that we are commanded to partake of an extensive meal on the eve of Yom Kippur. This halacha is discussed in the Talmud. The Talmud explains that one who eats and drinks extensively on the eve of Yom Kippur is regarded as having fasted for two days.(7)

The commentaries offer various explanations for this requirement. Rashi explains that the Torah requires us to partake of a substantial meal on the eve of the fast in order to prepare ourselves for the ordeal of fasting.(8) Rashi essentially maintains that meal on the eve of Yom Kippur is a preparation for the fast. This is a difficult concept to understand. Every mitzvah requires preparation. On Succot, we live in

the succah. In order to fulfill this mitzvah, we must build a succah. This is a necessary preparation for the fulfillment of the commandment. Yet, the building of the succah is not regarded as a part of the mitzvah of living in the succah. It is a preparation. In contrast, Rashi seems to indicate that preparation for Yom Kippur, through eating and drinking, is part of the actual performance of the command!

Rabbaynu Asher deals with this issue. He too, explains the requirement to eat and drink prior to the fast. He offers the same explanation as Rashi. However, he adds important comments. He explains that this law is designed to demonstrate Hashem's love for Bnai Yisrael. He offers a parable, which illustrates the concept. A King decrees that his son should fast on a predetermined date. He then commands his servants to feed his son on the day prior to the fast. The King wishes to assure that the son will be well prepared to endure the challenge of the fast. Similarly, Hashem assigns us a day of the year to fast. This is an opportunity to atone for our transgressions. He then commands us to eat and drink the previous day. He wishes to help us through the ordeal.(9)

The comments of Rabbaynu Asher provide an answer to our question. The preparation for Yom Kippur is different from the preparation for Succot. We build a succah because of strictly practical considerations. These preparations are not part of the actual mitzvah of living in the succah. The preparations for Yom Kippur are not motivated by practical considerations. Instead, these preparations are designed to place Yom Kippur in the proper context. The day must be viewed as an expression of Hashem's compassion for His people. This is accomplished through fulfilling the obligation of eating and drinking on the eve of the fast. This helps present Yom Kippur as an expression of Hashem's compassion for His people. Therefore, the meal on the eve of Yom Kippur is a fundamental component of the actual mitzvah.



Securing the Forgiveness of Those We have Wronged

Repentance and Yom Kippur only atone for sins committed towards Hashem ... However, sins committed towards another person ... are not forgiven until one pays his friend all that he is obligated to pay him and appeases him.

(Maimonides, Mishne Torah, Hilchot Teshuvah 2:9)

The ten days between Rosh HaShanah and Yom Kippur are devoted to repentance – teshuvah. 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. When 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 have violated the parameters of two relationships. The mitzvot of the Torah establish clear expectations regarding our relationships with other individuals. When we violate a commandment that regulates our relationships with others, we have violated 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. However, 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. In order 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 have harmed.

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

It is customary in many Ashkenazic communities for the members of the community to individually recite Tefilat Zakah prior to Kol Nedrai—the opening prayer of Yom Kippur night. Tefilat 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 tefilah continues with a declaration. The individual reciting the prayer grants forgiveness to all others that have sinned against him. Then, he beseeches Hashem to intervene on his behalf with those against whom he has sinned. He asks Hashem to inspire these people to forgive him for the sins he has committed against them.

This element of Tefilat Zakah deserves careful consideration. It is based on an interesting premise. In Tefilat Zakah we forgive individuals who have not necessarily approached us and asked for forgiveness.

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Similarly, we ask Hashem to cause those we have sinned against to forgive us. Presumably, some of these people whose forgiveness we are seeking, we have not personally approached. The tefilah implies that forgiveness granted by an injured party is effective in securing atonement, even in instances in which the sinner has not made any personal appeal to the affronted party. In other words, 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 seem to accord with Maimonides' position. According to Maimonides, we are required to ask the offended party for forgiveness. It is not adequate that the injured 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, Hilchot Teshuvah 2:9)

Maimonides acknowledges that sometimes a person will not willingly and eagerly forgive a wrongdoing. What is the extent of the sinner's 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 exerted by the delegation will influence the person who has been harmed and evoke his forgiveness.

As we noted above, Maimonides apparently maintains that in order to secure atonement, we must make every reasonable effort to appease the person we have harmed. Yet, Maimonides 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 possible explanation is that in order to secure atonement, the sinner is required to obtain the forgiveness of the person he has harmed. Enlisting the assistance of others is one of many possible measures that the sinner may employ in order to overcome the resistance of the injured party. According to this reasoning, enlisting assistance is merely an example of possible measures the sinner may use in order to secure the forgiveness. Presumably, if this method fails, the sinner is required to resort to whatever other means are necessary to win the requisite pardon. But clearly this is not Maimonides' position. Maimonides explains that the pardon of the injured party is not absolutely essential. If the injured party refuses to forgive the repentant petitioner, 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 that the sinner make a reasonable effort to secure forgiveness? Perhaps a more relevant standard would require that the repentant sinner make a specified number of appeals.

In short, there are two interesting elements in Maimonides' position. First, Maimonides seems to disagree with the position expressed in Tefilat 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 in order to secure atonement. If the person refuses to provide his pardon, atonement can still take place. Nonetheless, the repentant person is required to take an extreme measure to secure this pardon. Why is this extreme measure – the forming of up to three delegations of supporters – required?

In order to resolve these difficulties, it is helpful to 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. In this respect, the sin damages 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 in order to restore one's relationship with Hashem, repentance is necessary. But how is one required to respond to the damage that has been caused in one's relationship with others?

Maimonides maintains that merely receiving the person's forgiveness is not adequate, neither is this forgiveness absolutely necessary. One cannot secure atonement through unsolicited forgiveness. Neither is one denied atonement because of the obstinacy of the person that bears a grudge. But in order 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 has demonstrated 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. ■

1 R abbaynu Moshe ben Maimon (Rambam/Maimonides) Mishne Torah, Hilchot Yesodai HaTorah 7:6.

2 R abbaynu Moshe ben Maimon (Rambam/Maimonides) Mishne Torah, Hilchot Yesodai HaTorah 7:5.

3 Mesechet Yoma 2a.

4 Mesechet Yoma 3b.

5 Rav Yosef Dov Soloveitchik, Avodat Yom HaKippurim, p 7.

6 Rabbaynu Nisim ben Reuven Gerondi (Ran), Derashot HaRan, pp. 48-49.

7 Mesechet Yoma 81b.

8 Rabbaynu Shlomo ben Yitzchak (Rashi), Commentary on the Talmud, Mesechet Yoma 81b.

9 Rabbaynu Asher, Commentary on the Talmud, Mesechet Yoma, Chapter 8, note 22.

A special thank you to

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Moshe Ben-Chaim



ATONEMENT

God's Justice

RABBI REUVEN MANN

Written by R. Moshe Ben-Chaim

This week I had the opportunity to discuss Maimonides' Laws of Repentance with Rabbi Reuven Mann. He offered a number of beautiful explanations for Maimonides' many statements. I will paraphrase Rabbi Mann's ideas...

In the opening chapter of his Laws of Repentance, Maimonides outlines the following four criteria essential for our atonement, which correspond to four types of sin: repentance (teshuvah), Yom Kippur, afflictions, and death. These correspond to the increasing degrees of human evil.

Failure to fulfill positive commands require our repentance to grant us God's atonement. Nothing additional is needed...once one repents, he is atoned for his inactivity. If one sins by performance, actively breaking a negative command like kosher, again one requires repentance but he is not atoned until Yom Kippur. If one violates a command met with death by the courts, or excision, repentance and Yom Kippur hang in the balance until this individual receives afflictions, which complete the atonement. And finally, if one sins in a manner that defames God, all three above, plus death, are required to make a full atonement.

What is the relationship between the offense and the means of atonement in each case?

If one is inactive in his sin, like failure to wave the Lulav (inactivity being the lowest level of sin) repentance alone is necessary. With 1) remorse for the infraction coupled with 2) the determination not to repeat the offense (the 2-part formula of Repentance) one receives full atonement. Nothing more is required for this type of sin. This is because his sin was not in action, but in his refusal of God's direction towards the good. However, once he regrets that poor choice and resolves to adhere to God's commands (as is evidenced in his repentance which itself is a positive command) his repentance is complete and nothing more is required.

If however, one violates a negative command, like eating non-kosher, illicit relations, lashon hara and the like, he has indulged his instinctual drives. Repentance alone cannot correct his flaw; he must undo his new attachment to the desires through abstention on Yom Kippur. Yom Kippur's fasting, sexual abstention, lack of bathing and shoes help train the person's energies back towards restraint. Once a person uses Yom Kippur to realign his values to where his instincts are back under the control of his intellect, he is atoned.

But what if one sins even more grievously by breaking the Sabbath or other sins that meet with death by the court: why are repentance and Yom Kippur insufficient, demanding an additional component of affliction? The reason is that in these offenses, one acts more brazenly. Violating severe areas of Torah, one expresses greater corruption of the soul, which is generated out of one's egotistical drives. He feels his needs and objectives surpass fundamentals like Sabbath that recall the Creator, and other laws where the punishment is death. Afflictions will now correct this arrogant individual as he is humbled through trying times.

The highest degree of sin includes a defamation of God's name. How does one's death atone in this case? We must appreciate that it is not death per se

that atones. It is in this manner that such an individual is atoned: the delay of atonement until death forces one to realize he is living with his sin for the remainder of his life. He faces the enormity of his error. The corrective measure – atonement – in this case is the realization of the gravity of his sin, and that his very life has been compromised. For example, suppose one sins by an extra-marital affair. He is then remorseful and confronts his wife. She may say she will forgive him, provided it "never" occurs again. Now, only with a life of unbroken loyalty will his wife forgive him...not with one or even ten years of chastity; but only at the end of their days together can she determine that he has kept his word. Defaming God unveils the worst distortion, where one not only violates God's word, but reduces His reputation. This utmost sin can be atoned only through an absolute commitment, and "absolute" translates as 100% support of God's will...until he dies. Thereby, death becomes the barometer that he has in fact acted absolutely proper: since his violation he has not returned to his evil.

I thank Rabbi Mann for sharing his time and his Torah thoughts.

In the end, we learn that atonement is granted only when the sinner has been corrected. Each atonement mentioned above perfectly addresses the person's error in each case.

We come away with a new appreciation for God's wisdom and precision of His Torah. The Torah is a perfect system as it was designed by a Perfect Creator. "If we dig for it [Torah ideals] like silver and like buried treasures we chase after it, then we will understand the fear of God and we will find knowledge of God." (Proverbs 2:4) ■

the SCAPEGOAT

RABBI ISRAEL CHAIT

Written by a student



The Scapegoat is a very unique sacrifice. All other sacrifices require slaughter and blood sprinkling, which is the fulfillment of the sacrifice and reflects the presence of atonement. However, the Scapegoat is brought to a desolate place and is brutally killed by being thrown over a precipice. Chazal teach us that the nations of the world criticize the B'nai Yisroel for its practice of the Scapegoat as being solely ritualistic and ceremonial. Although the gentiles have ritualistic practices, they are symbolic and their performances engender some emotional satisfaction unlike the Scapegoat. Judaism prides itself on the fact that ones commitment to the Torah is based upon his intellectual conviction and that its commandments are ethical and moral principles. We must therefore explain the significance of the Scapegoat and the intellectual insight the Torah is imparting to us.

The Eben Ezra gives us a clue as to the secret of the Scapegoat. He states that a basic secret of the Scapegoat is after the word "azazel" and when you are 33 years old you will know this secret. If one counts 33 verses from the word "ha'midbarah", the word after "azazel", which appears in Leviticus, chapter 16 verse 10, one may get a clue. The verse that is being referred to is 17,7. The verse states: "They should no longer sacrifice their sacrifices unto the satyrs that lead them astray. Rashi explains the word l'saeirim to mean l'shaydim, unto the demons. The Eben Ezra is teaching us that if one desires an

insight into the Scapegoat he [sic] must recognize that adhering to this practice will lead one to the practice stated in chapter 7 verse 17. The Israelites will no longer turn astray and sacrifice to the demons as the nations of the world. We will explain this insight after we examine several salient laws with respect to the Scapegoat. It is interesting to note that the Rambam holds that the Scapegoat renders atonement without repentance for all commandments that are not punishable by kares, excision. Rabbi Yehudah HaNasi's position in the Talmud, although we do not rule like him, is that even the "day of Yom Kippur" itself effectuates atonement. We must appreciate how atonement works, if the sinner is not repentant. Halachically, Teshuva implies that one must return to God. His relationship with the creator must be rekindled as a result of his recognizing the cause of his sin and being able to elevate himself to a higher intellectual level. The individual is a changed person, one who is no longer drawn by the temptations of the instinctual nor the frailties of the emotional components of his nature, which causes him to commit the sin. We therefore must understand how does the mere practice of the Scapegoat grant atonement to a sinner?

The last Mishna in the tractate of Yumah quotes a statement of Rabbi Akiva, which states "Happy are you Israel before whom you are purified, and who purifies you, your Father in heaven." This is a puzzling statement. Anybody who performs Teshuva and returns to God, as a result of his own actions, is purified before God. This applies even to a Gentile. Why then does Rabbi Akiva specify a Jew; and furthermore it seems from his statement that Teshuva is extraneous to this purification process. We must try to comprehend Rabbi Akiva's teaching.

Nachmanides comments on the Eben Ezra, explaining the service of the Scapegoat discusses a Medrash. The Medrash says that the children of Jacob give Samael, their prosecuting angel, a bribe on Yom Kippur. This bribe is the sacrificial Scapegoat. It is given so that he should not annul their sacrifices. The Scapegoat has all the sins of the Children of Israel on its head, as set out in the verses in the Torah. The Medrash continues, "as a result Samael will see that there is no sin on Yom Kippur and will explain before God, 'Creator of the world, there is one nation in this world which are akin to the ministering angels. Just like the ministering angels are bare footed, so too on this day the Jews are bare footed'." Samael makes similar observations when addressing God with respect to eating, drinking, standing all day, making peace amongst themselves and being free of sin. In all these activities the Jewish people on Yom Kippur are comparable to the ministering angels. The Holy One upon hearing these testimonies from the prosecutor Samael, makes atonement for the altar, the sanctuary, the priests of Israel and for all the people of the assembly of Israel. This is the Agadah that the Rambam quotes to help us understand the Scapegoat.

This Agadah raises several questions: Who is Samael and how is he bribed? Originally the purpose of the bribe is so that the sacrifices should not be annulled, however the seeming result of the bribe is that it is responsible for the entire atonement of Yom Kippur. Maimonides, in his "Guide for the Perplexed" states that Samael is the appellation applied by our sages to Satan. The derivation of the word Samael is "Sam-El", the blinding of God. Samael represents that part of human nature, which blinds the individual from perceiving the ultimate reality, God. The Yetzer Hara and Satan are used interchangeably by Chazal and represent mans evil inclination which is rooted in his physical nature. Chazal use the term Satan, which implies something external to man, to signify that this part of man is not his essence. Rather the tzelem Elokim – intelligence – is man's essence. Chazal use the term Yetzer Hara to teach us that although it is not man's essence, we are nevertheless responsible for this part of us. The key to understanding the Scapegoat is appreciating its inexorable connection to the atonement of Yom Kippur. There were two goats, which were subject to the lottery. One was designated for God and was brought upon the altar as a sacrifice. The second goat was designated l'azazel and was the saeer ha'mishtaleyach, the goat that was sent away to meet its final destiny in the desert. The atonement of the day of Yom Kippur was really a result of the goat that was designated l'azazel and not the one that was brought as a sacrifice. The atonement of Yom Kippur is unique because it atones for many sins, kalot vechamurot, lenient and stringent sins. Whereas a korban chatas is brought for a particular maaseh aveira, act of violation, and atones for that particular sin. On Yom Kippur "lifneh Hashem tetaharu", we are purified before God. The essential character of the day atones. This is a different type of forgiveness than a specific korban chatas, a sin offering. Yom Kippur is related to the state of the gavra, the individual. The day atones the individual. A person, who appreciates the sanctity of the day, demonstrates that he, as an individual, is worthy of forgiveness. Consequently, this new status results in the removal of the particular sins.

An understanding of the service of the Scapegoat gives us insight into the essential nature of the sanctity of Yom Kippur and its function as a purifier. The Scapegoat atoned for all the sins of the Jews. Leviticus Chapter 16, Verses 21 and 22 tells us that Aaron placed his hands on the Scapegoat and confessed all the sins of the Children of Israel and all their transgressions, and placed them on the head of the Azazel goat. How does this goat serve to forgive all the sins of the Jewish people? The Torah is teaching us that the sins of man are really separate and extraneous to his essential nature. Aaron was capable of removing all of man's sins and placing them on the head of the goat. The Scapegoat as stated,

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Yom Kippur

represents the Satan, man's evil inclination, the part of man driven by his fantasy. This service signifies that the part of man, which is based upon his emotions and fueled by his fantasy, is really not reflective of man's true essence, his Tzelem Elokim, his intelligence. This part of man, his instinctual nature, may be severed from his true nature. However, if man follows his fantasies and his evil inclination, he is doomed as the Scapegoat, to face a brutal and lonely death.

The Midrash quoted by Nachmanides can now be understood. We bribe Samael and give him the Scapegoat. We, as Torah Jews, recognize that the pursuit of the fantasy blinds us from perceiving "chachmas haboreh", the wisdom of our Creator. We acknowledge by the service of the Scapegoat, that there is a spiritually higher nature to man, his true essence that we value. As Torah Jews, we thereby attempt to lead our lives based upon the Tzelem Elokim. By bribing Samael, we acknowledge that there is a part of man's nature, which is overpowering. However, we cannot deny our instinctual nature, but must acknowledge that it stems from the lower part of man's being, and as such, must be dealt with. If we deny our instinctual nature "Samael", it can have tragic consequences. On the contrary, we recognize the instinctual part of man's nature but acknowledge our life long struggle as Torah Jews to separate that part of our nature from the Tzelem Elokim. Only by "bribing" Samael and recognizing the potent powers of fantasy, can we hope to ever be successful in combating these forces and removing them from overwhelming our actions as Torah Jews. We demonstrate that ultimately if one is led astray by the powers of the fantasy, he will surely perish and be doomed to spiritual genocide.

The Scapegoat was taken to the desert by the "ish iti", a specially prepared man. This demonstrates that the ultimate destruction of the Scapegoat is not fortuitous. Rather, it is a necessary result that the pursuits of the fantasy will lead to one's downfall. That is why the ish iti was mezuman l'kach, was prepared for this job, to ensure and guarantee that the Scapegoat would meet its eventual destruction. This recognition by Klal Yisroel that we appreciate the overwhelming force of man's instinctual nature and constantly strive to overcome it and elevate our lives to a higher spiritual plane, makes us akin to the mal'achey hashares, ministering angels. This causes Samael to remark that on Yom Kippur the Children of Israel are like the Ministering Angels. The Ministering Angels are not under the influence of the instinctual, they are not swayed by emotions. Similarly on Yom Kippur the Jewish people demonstrate through the prohibitions of the day (eating, drinking, cohabitation, and wearing leather shoes etc.) that we abstain from these physical pleasures to demonstrate that there is a higher part to man's existence.

This explains how the Scapegoat atones for all sins. Since man recognizes this concept and appreciates that his physical existence leads him on the path of Samael, he must strive through chachma, wisdom, to live life based upon his Tzelem Elokim, and thus become a different type of person. Yom Kippur is a day of reality whereby he recognizes the dangers in his daily existence of Samael, but elevates himself on this day to be pure before Hashem. This explains that although a person did not do teshuva on a particular maaseh aveira, act of sin, but since he recognizes the consequences of Samael and that man's true essence is chachma, he has elevated himself to higher spiritual level and he is a being worthy of forgiveness.

We can now understand the reason why there are two goats, one for Hashem and one for azazel. This represents man's dual nature, his intellect that is l'Hashem and his instinctual which is l'azazel. In order to have the sacrifice to Hashem, you must have the Scapegoat. One cannot be successful in his struggle as a talmid chachom unless he recognizes the lower part of human nature. Intellectual perfection cannot be achieved if one simply represses his instinctual nature. By repressing one's instinctual nature it still remains an influential part of his personality.

The many meticulous details with respect to the performance of the Scapegoat also evidences this concept. A person is driven to the life of the physical by many powerful forces. Each of these drives is shattered by the method of performance mandated by the Torah by bringing the Scapegoat. A person is drawn to the life of the material because of the enticements of the physical pleasures that one imagines is comforting when living an instinctual existence. This

is why the Scapegoat is brutally thrown over the cliff to a torturous death. This represents that visions of physical pleasures are illusory and transitory and ultimately will result in a painful shattering of such false emotions. A person is also drawn to the life of the physical because he feels that material success garners respect and popular acceptance by the masses. Therefore the Scapegoat is sent out with one man, alone without any fanfare, to a desolate and lonely place in the desert. This demonstrates that leading a life of materialism will ultimately and invariably result in a lonely and desolate existence. Lastly, a person is fooled by the entrapments of a physical existence in order to insulate himself from the limited nature of such an existence and to cater to his fantasy of immortality. Thus the Scapegoat always meets the same destiny, a harsh and cruel termination, to help emasculate any such fantasies that a person may harbor.

We can now appreciate Rabbi Akiva's statement quoted in the last Mishna in Tractate Yumah. "Happy are the Children of Israel because they are purified before God." Although it might be possible in isolated cases for individuals to come to the true recognition of God, however, for a nation of people, on such a large scale, it is impossible. How fortunate are we Torah Jews who have a system of Torah and Mitzvos, (that contains the abstract and beautiful practice of the Scapegoat), a system based upon chachma that allows us to recognize man's true nature and remove ourselves from living a purely physical existence, the life of fantasy that ultimately leads to man's downfall. Therefore Rabbi Akiva exalts "how happy are we the nation of Israel that we are fortunate to such a blessing." ■

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