



## **MECHILA IN HUMAN AND HALACHIC TERMS: IMPLICATIONS FOR YOM KIPPUR AND BEYOND**

**T**eshuva is a mitzvah that is incumbent upon us throughout the year, but which takes on unique significance during Aseres Yemei Teshuva.<sup>1</sup> Similarly, achieving interpersonal reconciliation — via asking and granting *mechila* (forgiveness) — applies all year round, but assumes special relevance as Yom Kippur approaches.

Before reviewing the halachic sources pertaining to *mechila*, it is worth acknowledging the complexity of this issue on a human level. The question of how to seek and extend forgiveness should not be reduced to abstract formulations; it must also take into account psychological realities endemic to the human condition.<sup>2</sup> To ask forgiveness from someone

who we have wronged is no easy gesture. [This is especially true when the overture is done sincerely, rather than in a perfunctory, manipulative or patronizing manner.] It requires humbling ourselves, swallowing personal pride, and assuming genuine responsibility for having caused harm to another person. Likewise, to genuinely forgive someone who has wronged us can be equally challenging. There are times where forgiving doesn't sit right with us — whether because the hurt is too great or because the offender seems undeserving of our forgiveness (perhaps we are convinced that he lacks a genuine sense of remorse, or because we want to reserve the possibility of pursuing legal recourse to redress the crime).

On the other hand, as difficult as it is to forgive, withholding forgiveness can take a heavy toll on our emotional and physical wellbeing. Studies have found that people who rehearse unforgiving responses experience elevated blood pressure, which can eventually compromise the immune system.<sup>3</sup> It has been said: “Resentment is like a glass of poison that a man drinks while waiting for his enemy to die.”

This article will present not an unequivocal case for forgiving at all costs, but an appreciation of how the halacha engages the complex realities of human relationships. As will be seen, the picture is nuanced. Not every situation demands that we forgive. And yet, even as the halacha creates distinct parameters, it also leaves a measure of

latitude for going beyond the letter of the law when appropriate. It beckons us to aspire to ever greater levels of personal piety, offering us a glimpse of the tangible spiritual dividends that come along with such choices.

## Framing the Halachic Issues

Let us begin with a series of five questions. First, what is the source for the obligation to ask *mechila* and to grant *mechila*? Second, are these respective gestures interdependent or are they independent of one another? In other words, does someone whose initial request for *mechila* is rebuffed still have an obligation to seek forgiveness? Conversely, if the offender shows no remorse and has made no overture toward the person he wronged, is it incumbent upon the victim to initiate the process of reconciliation? Is he obligated to extend forgiveness unilaterally? Third, what is the role of *mechila* within the process of teshuva and as a prerequisite for achieving forgiveness? Fourth, are there offenses for which forgiveness need not be granted and for which it should not be sought? Fifth, what is the relationship between the requirement to extend *mechila* and the Torah's prohibition against bearing a grudge — *lo sitor es bnei amecha*? Is refusing to forgive synonymous with bearing a grudge?

## Two Sources for Mechila

There are two Mishnaic sources that establish the requirement to seek forgiveness from those whom we have wronged: one appears in Tractate *Yoma* in connection with Yom Kippur; the other in Tractate *Bava Kama* with regard to *chovel bachavero* — monetary obligations resulting from physically assaulting another Jew.

The mishna in *Yoma* (8:9) states a principle regarding the capacity of Yom Kippur to provide atonement:

עבירות שבין אדם למקום יום הכפורים מכפר עבירות שבין אדם לחבירו אין יום הכפורים מכפר עד שירצה חברו - את זו דרש רבי אלעזר בן עזריה: מכל חטאתיכם לפני ה' תטהרו, עבירות שבין אדם למקום יום הכפורים מכפר עבירות שבין אדם לחבירו אין יום הכפורים מכפר עד שירצה את חברו.

*Yom Kippur atones for transgressions between a person and God, but for a transgression against one's neighbor, Yom Kippur cannot atone, until he appeases his neighbor. Thus R. Eleazar ben Azariah expounds the text, "From all your sins before Hashem shall you be cleansed": For transgressions between a person and God, Yom Kippur atones; for transgressions against one's neighbor, Yom Kippur cannot atone, until he appeases his neighbor.*

In its discussion of this mishna, the Gemara cites various halachic rulings pertaining to the requirement of asking and granting *mechila*. These halachos are codified by Rambam, (*Hilchos Teshuva* Chapter 2) and *Shulchan Aruch* (OC 606) and include the following: If at first you don't succeed (in achieving the other's forgiveness), try a second and third time, and in the presence of three other friends. If the aggrieved party remains obstinate, one is absolved from pursuing the matter further, unless that person happens to be one's rebbi, in which case it is necessary to make continuous overtures in hopes of gaining forgiveness. If the offended party passes away, one must visit his grave and declare in the presence of ten: "*chatasi la'Shem elokei Yisrael ve'lepeloni ze she'chatsi lo*" — I have sinned against Hashem the Lord of Israel and to this individual whom I have sinned against.

The mishna in *Bava Kama* (8:7), discussing monetary compensation for physical assaults, states the following:

אף על פי שהוא נותן לו אין נמחל לו עד שיבקש ממנו שנאמר (בראשית כ') ועתה השב אשת וגו', ומנין שלא יהא המוחל אכזרי שנאמר (שם) ויתפלל אברהם אל האלקים וירפא אלקים את אבימלך וגו'.

*Even when he gives him [the payment], he will not be forgiven until he seeks [pardon] from him, as it says, "Therefore, return the wife of the man [Abraham] for he is a prophet, and he will pray for you" (Genesis 20:7). And from where do we know the forgiver should not be cruel? As it says, "Abraham prayed to God and God healed Avimelech" (ibid 20:17).*

Rashi explains that the mishna refers to a situation where a person has been shamed by another in a manner — such as a blow to the ear or the cheek — where *beis din* would impose a monetary fine. The mishna teaches that monetary compensation is insufficient because emotional scars remain, and therefore the offender must also ask the other's forgiveness. Once forgiveness is requested, the victim should respond compassionately and grant forgiveness. The mishna proves this from the episode involving Avimelech's abduction of Avraham's wife, Sarah, which resulted in the kingdom being beset by a strange illness whereby pregnant women could not give birth. G-d threateningly appeared to Avimelech in a nocturnal vision and instructed him to return Sara to Avraham who, as a prophet, would pray to alleviate the suffering. In other words, Hashem directed Avimelech not merely to return Sara but also to procure Avraham's heartfelt forgiveness to such a degree that he would be naturally inclined to pray for Avimelech.<sup>4</sup> From here we derive

the obligation to seek forgiveness. By extension, Avraham's willingness to pray is the source for requiring us to grant forgiveness when asked. Not to have prayed would have prolonged the suffering and would have been deemed callous.<sup>5</sup>

What is the relationship between these two sources? Are the obligations derived in both instances identical? Or do these sources reflect separate and distinct obligations?

## Two Tiers of Mechila

An indication that the two sources reflect different aspects relating to *mechila* emerges from a seeming contradiction between two rulings of the Rambam. In codifying the mishna in *Bava Kama*, the Rambam suggests a fundamental distinction between bodily injury and monetary damages, implying that for the latter, there is no requirement to ask forgiveness:

אינו דומה מזיק חבירו בגופו למזיק ממנו, שהמזיק ממון חבירו כיון ששלם מה שהוא חייב לשלם נתכפר לו אבל חובל בחבירו אע"פ שנתן לו חמשה דברים אין מתכפר לו ואפילו הקריב כל אילי נביות אין מתכפר לו ולא נמחל עונו עד שיבקש מן הנחבל וימחול לו.

*A man who inflicts physical injury upon another is unlike one who damages another's property. If one damaged another's property, as soon as he has paid what he is required to pay he obtains atonement. If, on the other hand, he wounded another person, even though he has paid compensation on five counts he does not obtain atonement, and even if he has offered up all the rams of Nebaioth, he is not atoned, and his sin is not forgiven unless he asks forgiveness of the injured person who will pardon him.*

### Hilchos Chovel 5:9

On the other hand, when codifying the mishna in *Yoma*, the Rambam

includes theft in the list of offenses for which *mechila* must be sought:

אין התשובה ולא יום הכפורים מכפרין אלא על עבירות שבין אדם למקום ... אבל עבירות שבין אדם לחבירו כגון החובל את חבירו או המקלל חבירו או גוזלו וכיוצא בהן אינו נמחל לו לעולם עד שיתן לחבירו מה שהוא חייב לו וירצהו, אע"פ שהחזיר לו ממון שהוא חייב לו צריך לרצותו ולשאול ממנו שימחול לו, אפילו לא הקניט את חבירו אלא בדברים צריך לפייסו ולפגע בו עד שימחול לו.

*Repentance and the Day of Atonement atone only for sins committed between man and G-d ... but sins between man and man — for instance, if one injures his neighbor, or curses his neighbor or robs him, or offends him in like matters — are ever not absolved unless he makes restitution of what he owes and begs the forgiveness of his neighbor. And, although he made restitution of the monetary debt, he is obliged to pacify his neighbor and to beg his forgiveness. Even if he only offended his neighbor in words, he is obliged to appease him and implore him till he be forgiven by him.*

### Hilchos Teshuva 2:9

If monetary restitution suffices for one who caused monetary damage, the same should be true for theft. Why, then, does the Rambam rule that for the sin of *gezel*, we are required, in addition to returning the article or its value, to seek forgiveness from the victim?

The *Lechem Mishneh* (in *Hilchos Chovel*) suggests that in two respects the sin of theft is deemed more serious than damaging another's property. First, because unlike the case of damages, the thief actually profits from the victim's loss. Second, because the victim of a theft feels personally violated. For these reasons, the sin of theft is treated on par with physical assault, for which we are required to ask forgiveness. According

to this approach, for all instances of monetary loss, with the exception of theft, the perpetrator need only offer monetary compensation and would not be required to seek forgiveness from the victim.<sup>6</sup>

However, other commentators<sup>7</sup> suggest that the two rulings of the Rambam are meant to reflect two tiers relating to the obligation of seeking forgiveness. When distinguishing between bodily assault and property damage, the Rambam refers to the requirement of seeking *mechila* as part of the process of making restitution, in accordance with the law stated in *Tractate Bava Kama*. Along with monetary compensation, the offender owes the victim an apology. Interestingly, the language of the Rambam implies further that not only must the offender seek forgiveness, he must also "attain" forgiveness.<sup>8</sup> Without seeking — and possibly also attaining — *mechila*, the offender has yet to undo the effects of his actions. By contrast, when damaging another's property, full restitution is achieved merely by restoring the victim financially. Nevertheless, one who causes property damage has a separate obligation to ask his victim's forgiveness as a prerequisite for receiving atonement from G-d. This is based on the derivation of "From all your sins before Hashem shall you be cleansed." Hence, the Rambam in *Hilchos Teshuva* includes theft in the list of sins for which we must ask for forgiveness as part of the teshuva process, and as a means of attaining forgiveness from G-d.

Based on this analysis, it is conceivable that for physical assaults one must continue to make efforts to attain forgiveness as part of making "emotional restitution," even beyond asking three times, inasmuch as

restitution is not complete until one attains forgiveness.<sup>9</sup> On the other hand, with regard to attaining atonement on Yom Kippur, what is key is the effort toward seeking the other's pardon — which applies even to monetary wrongs. Under normal circumstances, it is enough to make an honest effort three times, after which there is no longer an obligation.

### **Obligations of the Victim When the Offender Hasn't Requested Mechila**

Are we obligated to forgive without being asked?

The midrash in *Bamidbar Rabbah* (19) states definitively that the obligation to forgive only applies when the offender expresses remorse and asks for forgiveness. The midrash derives this from a verse in the Book of Shmuel where Shmuel agreed to pray for the people after they expressed remorse for having demanded of him that he appoint a king.

ומנין שאם סרח אדם לחבירו ואמר לו חטאתי שנקרא חוטא אם אינו מוחל לו שנא' (ש"א יב) גם אנכי חלילה לי מחטוא לה' מחדול להתפלל בעדכם אימתי כשבאו ואמרו חטאנו שנא' ויאמר העם אל שמואל חטאנו כי עברנו את פי ה' ואת דבריך השיב חלילה לי מחטא לה'.

*How do we know that if a person sinned against his friend and said "I have wronged you," that [the friend] is considered a sinner if he doesn't forgive him? Because it states, "As for me, far be it from me to sin against the Lord and refrain from praying for you." When did this take place? When they came and said, "we have sinned," as it is stated, "The nation said to Shmuel, 'We have sinned for we have transgressed the word of G-d and your word,'" and he replied "far be it from me to sin against the Lord ..."*

Does the halacha require the aggrieved party to do anything to help spur the offender to seek *mechila*?

The Gemara in *Yoma* 87a, records the practice of R. Zera

ר' זירא כי הוה ליה מלתא בהדי איניש הוה חליף ותני לקמיה ומציא ליה כי היכי דנית וניפוק ליה מדעתיה.

*When Rabbi Zera had a complaint against a person who insulted him, he would pace back and forth and present himself, so that the offender would come and appease him.*

Rashi explains that R. Zera would purposely make himself available to the person who wronged him — *ulai yevakesh mimenu mechila v'yimchol lo* — perhaps he will ask forgiveness and forgiveness will be granted. The Gemara there records a similar story involving Rav.

These practices, while not rising to a formal obligation, nevertheless suggest that it is appropriate for the offended party to make himself physically available to the offender, thus affording him an opportunity to ask *mechila*. R. Yitzchak Blazer (*Kochvei Or*, no. 5) finds a precedent for this in the fact that Hashem draws close to us during the Aseres Yemei Teshuva, in order to give us the opportunity to do teshuva before Yom Kippur. If so, the merit of doing so might be specifically associated with the period before Yom Kippur. Indeed, the Gemara seems to associate the practices of these rabbis with the period just prior to Yom Kippur as a means of ensuring that the offender do what is necessary to attain divine forgiveness on Yom Kippur.

Upon further reflection, however, there may be a firmer halachic basis to require the victimized party to take initiative in the process of reconciliation — not only in

connection with Yom Kippur but throughout the year. This would be predicated on the mitzvah of *hocheiach tochiach es amisecha*. (*Vayikra* 19:17) Although classically understood as a commandment to rebuke someone who is committing an aveira, many Rishonim assume that this mitzvah also refers to a case in which one perceives that he has been wronged by another in a manner that is likely to arouse feelings of hostility. In such a situation, the offended party is obligated to confront the offender and air his grievance rather than keep the resentment within.

The Rambam writes:

כשיחטא איש לאיש לא ישטמנו וישתוק ... אלא מצוה עליו להודיעו ולומר לו למה עשית לי כך וכך ולמה חטאת לי בדבר פלוני שנאמר הוכח תוכיח את עמיתך.

*When one person sins against another, [the victim] should not contain it and remain silent ... rather, there is a commandment to inform the offender and say to him, "Why did you do this to me and why did you sin against me on this matter?" as it states, "you shall surely rebuke your neighbor."*

### **Hilchos De'os 6:6**

Ramban and several other commentators interpret this pasuk in a similar fashion.

The Ramban explains that part of the rationale for doing so is in order to facilitate reconciliation by affording the offender an opportunity to ask for *mechila*.<sup>10</sup> Thus we see that that one who is wronged is mandated by the Torah to take action and initiate a process by which the offender will be more likely to seek forgiveness for his actions.

Finally, it should be noted that although we are not required to grant forgiveness to someone who has not specifically requested it, there exists a level of *midas*

*chasidus* — a higher standard of piety — which would encourage us to extend forgiveness unilaterally. Thus, the Gemara (*Megillah* 28b) records that R. Nechunya ben HaKana attributed his longevity to the fact that he never went to bed bearing resentment toward his colleagues. The Gemara states that this parallels Mar Zutra's bedtime practice to forgive all those who sinned against him. We see that it is not obligatory to unilaterally forgive someone, but it is commendable to do so. Indeed, the introductory paragraph for *Kerias Sh'ma al HaMita* printed in many siddurim contains a prayer that mirrors Mar Zutra's practice, forgiving those who sinned against us. Such an expression of unsolicited *mehila* is also incorporated in the *Tefillah Zakah* prayer recited by many just before or after Kol Nidrei.

### Instances in Which We Need Not Forgive: Slander and the Good of the Offender

The Rama writes:

והמוחל לא יהיה אכזרי מלמחול אם לא שמכוין לטובת המבקש מחילה, ואם הוציא עליו שם רע א"צ למחול לו.

*One should not be cruel and withhold forgiveness, unless it is for the benefit of the one seeking forgiveness. If one was a victim of slander, one need not forgive.*

**Rama, Orach Chaim no. 606**

The Rama has identified two categories for which we need not forgive: when our intention is for the benefit of the offender, and when our reputation was slandered.

Let us first explore the latter exemption. The earliest source for this ruling is the following comment of the Talmud Yerushalmi (*Bava Kama* 8:7):

א"ר יוסה הדא דתימר שלא הוציא לו שם רע אבל הוציא לו שם רע אין לו מחילה עולמית.

*R. Yosa said: When was this said? When*

*he did not slander his name; but if he slandered his name he can never be forgiven.*

The most obvious rationale for not having to forgive a slanderer is that the damage is irreversible, since there will be people who heard the original slander and did not hear about the slanderer's contrition.<sup>11</sup> Additionally, the sin of slander affects not only the person spoken about but also his progeny in future generations.<sup>12</sup> R. Yitzchak Hutner (*Pachad Yitzchak*, Yom Kippur, no. 38) suggests a more innovative explanation. He explains that the obligation to forgive others is modeled after Hashem's forgiveness of us. Just as Hashem forgives us when we sin against Him, so must we emulate Hashem and forgive others when they sin against us. However, since Hashem does not forgive those who commit the sin of *chilul Hashem* — desecrating His name and reputation — so are we not obligated to forgive those who damage our reputation.<sup>13</sup>

The first exception presented by the Rama — that we may be unforgiving if our intent is for the benefit of the offender — requires clarification. According to the *Bach*, the source for this exception is an incident recorded in Tractate *Yoma* 87b. The Gemara relates how on one occasion Rav offended Rav Chanina. Although Rav tried to appease Rav Chanina numerous times, Rav Chanina would not forgive him. The Gemara comments:

ור' חנינא היכי עביד הכי והאמר רבא כל המעביר על מדותיו מעבירין לו על כל פשעיו, אלא ר' חנינא חלמא חזי ליה לרב דזקפוהו בדיקלא וגמירי דכל דזקפוהו בדיקלא רישא הוי אמר שמע מינה בעי למעבד רשותא ולא איפייס כי היכי דליזיל ולגמר אורייתא בבבל. *How could Rav Chanina do this? Didn't*

*Rava say: Anyone who is forgiving will be forgiven for all his sins? Rather, Rav Chanina had a dream and saw Rav hanging on a palm tree, and there is a tradition that one who is hanging on a palm tree will become a leader. He [R. Chanina] said [to himself]: Apparently Rav is destined to be a leader; Let me not appease him so that he will go and teach Torah in Babylonia.*

According to Rashi, Rav Chanina's motivation was for his own self-preservation. Since he [Rav Chanina] was already a rosh yeshiva in Eretz Yisrael, he worried that Rav's destiny as a leader, were it to unfold in Bavel, would come at the expense of his own position, thus hastening his own demise. R. Chanina's inflexibility forced Rav to leave Eretz Yisrael and establish a new Yeshiva in Babylonia.

The *Bach* (OC 606) and the *Bi'ur HaGera* (ibid) note that according to Rashi's explanation, there is nothing in this story to support the Rama's ruling that we may refuse to forgive for the sake of the offender since, as noted, R. Chanina's refusal was for his own sake. Rather, the Rama must have interpreted the Gemara differently. Rav Chanina's dream suggested to him that Rav was destined to become a rabbinic leader, which might saddle him with communal responsibilities that would detract from his Torah studies. Therefore R. Chanina refused to forgive Rav so that he would be enticed to relocate to Babylonia, which would allow him to remain focused on his studies. Hence, R. Chanina's refusal to forgive Rav was intended for the benefit of Rav himself. The *Bach* wonders, however, why the Rama chose to interpret the Gemara differently than Rashi and to derive a novel ruling based on such an interpretation.

It should be noted that the *Mishna Berura* 606:9, suggests that the Rama's example of not forgiving for the benefit of the offender refers to a case where the victim senses that the offender lacks a sufficient degree of contrition. Therefore, not granting forgiveness is meant to spur him to a fuller awareness of the gravity of his sin.<sup>14</sup>

## Offenses for Which We Need Not Ask Mechila

Are there times when asking *mechila* is not required or inappropriate?

In a letter published by the son of the Chofetz Chaim,<sup>15</sup> the story is told that after completing his work on the laws of forbidden speech, the Chofetz Chaim brought the manuscript to Rav Yisrael Salanter for an approbation. After reviewing it, Rav Yisrael demurred, citing what he felt was a problem with one of the rulings. In section I, 4:12, the Chofetz Chaim ruled that if someone spoke lashon hara about someone else, thus causing him harm, and the victim is unaware of the source of the harm, the offender must nonetheless ask for *mechila*. Rav Yisrael asserted that if the victim is unaware of the transgression, letting him know that the offense took place will cause him anguish. Therefore, it is best not to ask for *mechila*.<sup>16</sup>

This issue is, in fact, the subject of great controversy among latter-day poskim. Many concur with Rav Yisrael Salanter.<sup>17</sup> Others suggest that in such a situation, one should ask for *mechila* in general terms without referencing the specific incident.<sup>18</sup>

## Mechila and the Prohibition against Grudge-Bearing

In Parshas Kedoshim (Vayikra 19:18), the Torah presents the prohibition against bearing a grudge toward a fellow Jew — *lo sitor es bnei amecha*. Does this prohibition require us to automatically forgive others, even if they have not explicitly expressed remorse and asked for our forgiveness? If so, why does the midrash (cited above) assume that we are not obliged to forgive when the offender has not asked for forgiveness? Furthermore, why do we derive the imperative of *mechila* from Avraham Avinu and not from this mitzvah?

To understand the relationship between *lo sitor* and *mechila*, it is necessary to explore the paradigmatic example chosen by Chazal for the prohibition of *netira*, as cited by Rashi (19:18) based on the *Toras Kohanim* and *Yoma* 23a:

ואיזו היא נטירה א"ל השאילני קרדומך אמר לו לאו למחר אמר לו השאילני מגלך אמר לו הא לך ואיני כמותך שלא השאלתני זו היא נטירה שנוטר האיבה בלבו אע"פ שאינו נוקם.  
*What is bearing a grudge? If one says to another, "Lend me your hatchet," and he replies "No!" and on the next day he says to him "Lend me your sickle," and he replies: "Here it is; I am not like you, because you would not lend me" — this is called "bearing a grudge" because he retains enmity in his heart, although he does not actually avenge himself.*

In this instance, the individual bearing a grudge is presented with an opportunity to take revenge by refusing to lend the implement. However, at this very same moment, he uses the opportunity to express triumphantly how he chooses to act in a benevolent fashion in stark contrast to how his friend behaved toward him the previous day.

According to many Rishonim (e.g. *Yerei'im* 197-198 and *Semak* no. 131), the prohibition of *netira* is violated only if the grudge is verbalized in the form of "I am not like you" and in the context of the situation described. According to this view, the prohibition of *lo sitor* does not directly relate to the requirement of granting *mechila*. However, other Rishonim such as *Sefer HaChinuch* (no. 241), imply that no verbal declaration is required.<sup>19</sup> We violate *lo sitor* simply by harboring a grudge against another individual. This is also the simple inference from Rashi's comments — "he retains the enmity in his heart." If so, we must consider whether the prohibition of *lo sitor* requires us to extend forgiveness in all circumstances even without being asked. There are two approaches to understand why this may not be so.

First, Rashi, in a responsa (no. 245), discusses the case of two individuals who were involved in a physical altercation, whereupon one of the parties took an oath never to forgive the other. Normally, we cannot take an oath to violate a mitzvah. The question posed was whether this oath constitutes an oath to violate *lo sitor*, in which case it would not be binding. Rashi responded that the oath does, in fact, take effect (and would need to be halachically annulled), since the prohibition of *lo sitor* would not obligate this individual to forgive someone who physically beat him. Rashi avers that *lo sitor* applies only to situations such as lending utensils, where the aggrieved party can be reasonably expected not to bear a grudge against someone for simply denying his request to borrow a tool. However, an individual who suffered physical or emotional anguish at the hands of another would have a far more difficult time resisting such an impulse.

In such instances the prohibition of *netira* does not apply.<sup>20</sup> Nevertheless, once the offender expresses remorse for his actions, we are encouraged to emulate the conduct of Avraham Avinu and grant *mechila*, although doing so is not within the purview of the mitzvah of *lo sitor*. It follows that according to this approach, whenever the prohibition of *netira* is operative (i.e. for monetary provocations), we would indeed be obliged to offer the offender unilateral forgiveness.<sup>21</sup>

Alternatively, it may be argued that avoiding the transgression of *lo sitor* need not be accompanied by the granting of forgiveness.<sup>22</sup> Perhaps the prohibition against *netira* merely requires that the victim of a slight forget about the episode and not keep the memory alive in his mind. By prohibiting the harboring of a grudge, the Torah wishes to ensure that the victim of a wrong not be held emotionally hostage to the grudging sentiments that the episode generates within his consciousness,<sup>23</sup> thus allowing the victim of the hurt to “move past it,” irrespective of whether the other party has expressed remorse for his affront.<sup>24</sup> Granting forgiveness, on the other hand, is a moral obligation that only applies if and when forgiveness is sought out by the party who acted wrongly. Forgiving unilaterally is, at best, a *midas chasidus*, as noted earlier.

Support for such a distinction can be found in the following comments of Ritva:

דנהי דאמרה תורה לא תקום ולא תטור לגמול לו ברעתו מ"מ לא אמרה למחול לו מחילת שמים.  
*Granted that the Torah prohibits taking revenge or bearing a grudge, nevertheless, [the Torah] did not say that one must forgive.*<sup>25</sup>

**Ritva, Rosh Hashanah 17b**

## Preparing for Yom Kippur: Strategies to Facilitate the Ability to Forgive

As noted in the introductory comments, the topic of *mechila* should also be explored on a human level. The imperative to forgive, even when absolutely required, does not come easy. All the more so if we aspire toward a loftier moral standard. While there may be clear-cut instances where we need not forgive, it is tempting to hide behind lame excuses to withhold our *mechila*, even when we should be letting go of the grievance. Not only might we disregard the model of Avraham Avinu, we may even fall prey to the biblical prohibitions of *nekima* and *netira* — vengeance and grudge-bearing. Rather than giving others the benefit of the doubt, we might ascribe malicious intent without bothering to investigate the facts, and then hypocritically approach Hashem on Yom Kippur and beseech Him to see the best in us.

If we are to be worthy of Hashem's forgiveness, it behooves us to do our utmost to forgive others. As the Gemara (*Rosh Hashana* 17b) teaches: “*hama'avir al midosav ma'avirin lo al kal peshav*” — one who is less exacting and demanding toward others will merit that Hashem will also be less exacting toward him.

From the language of Chazal and the Rishonim, three strategies emerge that can empower us to forgo petty grievances and extend *mechila* to those who have wronged us.

One approach is to consciously trivialize the wrong. Frequently, we find it difficult to forgive because we perceive the offense as more egregious than it truly is. In elucidating the Torah's prohibition against taking

revenge, the Rambam (*Hil. Deos* 7:7) writes the following:

ראוי לאדם להיות מעביר על כל דברי העולם, שהכל אצל המבינים דברי הבאי ואינן כדאי לנקום עליהם.

*It is appropriate for a person to not be exacting with regard to worldly matters; for sophisticated people all of these matters are trivial and are not worth taking revenge over them.*

Yom Kippur is a day that reframes the priorities of life, and helps us to see things for what they truly are. Having a broader vision about the fragility of life and purpose of creation can inject us with a healthy dose of humility, and enable us to overlook many wrongs that may seem very important at the time but matter far less when considered from a broader perspective.

A second strategy is to remind ourselves that everything we experience occurs by Divine decree. When we see ourselves as masters of our own realities, in control of the events of our lives, it is difficult to forgive others for their misdeeds. If we view our experiences and interactions as expressions of *hashgacha pratit*, we are less likely to lash out at those who are merely unwitting agents to communicate a Divine message. This approach is suggested by *Sefer HaChinuch* as the basis for overcoming the urge to take revenge and bear grudges.

Yom Kippur is a day when we naturally feel a visceral connection to the *Ribono Shel Olam*. Such an intense feeling of closeness allows us to view all that happens to us, including setbacks that seemingly emanate from other people's conduct, as communications from Hashem. The more we deepen our sense of *emuna* in *hashgacha pratit*, the easier it is to extend genuine forgiveness.

There is a third strategy that can serve as a powerful motivation to shed grudges and graciously extend *mechila* toward others: It is the ability to connect with the humanity of the one who offended us, and to recognize that all Jews are, in a very real sense, part of one family. The Talmud Yerushalmi (*Nedarim* 9:4) offers the following parable to illustrate how we can avoid the impulse to take revenge. As someone is cutting meat with a knife in one hand, he accidentally cuts his other hand. It would be ludicrous to imagine the wounded hand taking revenge against the “cutting” hand since they are both part of the same organism. Such should also be our perspective on our fellow Jews — we are part of one family.

### **Yom Kippur: A Day That Epitomizes Jewish Unity**

The notion that klal Yisrael are a single family is symbolized by the notion of *shevatim* — each with a distinct path, but all as part of a larger collective. Indeed, in the Yom Kippur liturgy we refer repeatedly to Hashem as “*machalan leshivtei Yeshurun*” — a forgiver of the tribes of Yeshurun. Why is Hashem referred to by this designation? And why is it preceded by the appellation “*salchan le’Yisrael*” — forgiver of Israel?

The *Meshech Chochma* (*Vayikra* 16:30) explains that “*salchan le’Yisrael*” alludes to *aveiros* between man and G-d — all of which are rooted in the *chet ha’eigel*. The second expression — “*machalan le’shivtei Yeshurun*” — refers to interpersonal sins (*bein adam lachaveiro*). This is because every sin *bein adam lachaveiro* has its roots in the sin of *mechiras Yosef*, carried out by the *Shivtei Kah* — the sons of Yaakov Avinu, who sold Yosef into slavery. The

very symbol of unity — the notion of *shevatim* — was put to the test early in our history, leading to interpersonal strife and near bloodshed.

The Torah’s description of the happy reunion in Egypt of Yaakov’s family leaves us with the impression that the reconciliation was complete and that no hard feelings remained. However, Rabbeinu Bachyei (*Bereishis* 50:17) presents a chilling insight. He notes that despite the brothers’ expressing remorse to Yosef for having wronged him, and notwithstanding Yosef’s comforting response and reassurance, Yosef never explicitly forgave his brothers. Apparently, there was no full closure.<sup>26</sup> Because their sin remained unforgiven, it came back to haunt their descendants centuries later through the harsh decrees of the *asara harugei malchus* — the ten martyred Sages of Israel, as alluded to in the Yom Kippur liturgy.

Yom Kippur is also a day meant to heal that rift. There is a passage in the Yom Kippur liturgy that enumerates the various halachic restrictions particular to the day.

The passage then continues with the following:

יום שימת אהבה ורעות, יום עזיבת קנאה ותחרות.

*A day of establishing love and friendship; a day of forsaking jealousy and competition.*

Apparently, Jewish unity is as defining an aspect of Yom Kippur as are the basic restrictions. On Yom Kippur, we emulate the angels not only in our ability to refrain from earthly pleasures, but also in our ability to epitomize peace — as it says “*oseh shalom binromav*” — He makes peace in the heights (*Iyov* 25). In explaining the basis for asking *mechila* before

Yom Kippur, the *Tur* (OC 606) cites a midrash in *Pirkei de’Rebbi Eliezer*, which states the following:

מה מלאכי השרת שלום ביניהם כך ישראל ביום הכיפורים.

*Just like the ministering angels have peace among themselves, so too the Jewish people on Yom Kippur.*

Rav Soloveitchik often noted that reconciling with our fellow Jew before Yom Kippur is not merely to remove the barrier to attaining individual atonement. Rather, it is based on the fact that Yom Kippur provides a collective *kapara* for the entire Jewish people. For this reason, we recite a verse at the outset Yom Kippur that emphasizes the communal atonement — “*ve’nislach lechal adas bnei Yisrael*.” To be worthy of that special gift of Divine forgiveness, we must first join together as one people in a spirit of genuine unity and reconciliation.

As we beseech the *Ribbono Shel Olam* for His forgiveness, may we mirror the spirit of forgiveness in our own lives — not just looking at the technical halachic requirements, but connecting to the essence of the attributes of Hashem who is described repeatedly in the Yom Kippur liturgy as *melech mochel vesole’ach* — a King who pardons and forgives. May we use these precious opportunities to shed old grudges, trivialize old slights, see all that happens around us as messages from Hashem, to reach out to others and love our neighbor as ourselves. In this merit, may we achieve reconciliation with Hashem, and may we be worthy of all His blessings in this year and the years ahead.

## Endnotes

1. Chazal (*Yevamos* 49b) teach that the verse *dirshu Hashem b'himatzo* — seek out Hashem when He is present (*Yeshayahu* 55:6) — refers to the ten days from Rosh Hashanah to Yom Kippur.

2. For an excellent psychological overview of the topic of forgiveness, see *How Can I Forgive You?* by Janis Spring Ph.D. (HarperCollins, 2004).

3. See “Holding a Grudge Can Be Bad for Your Health,” available at: <https://www.webmd.com/depression/news/20000225/holding-a-grudge-can-be-bad-for-your-health>.

4. See the comments of Meiri cited by *Shita Mekubetzes*, *ibid*.

5. For another example equating praying for the offender with granting forgiveness, see Rashi to *Bemidbar* 21:7 (where Moshe prayed to remove the plague of the fiery serpents after the people begged his forgiveness). See also Midrash *Bemidbar Rabbah* (*ibid*) for additional examples. See also *Tosefta Bava Kama* 9:10, which implies that the imperative to pray applies even when the offender did not expressly request that prayers be offered (see *Minchas Bikkurim*).

6. Interestingly, R. Yona (*Shaarei Teshuva* 1:44) implies that with regard to theft, *mechila* is not required.

7. *Maasei Roke'ach*; *Shtei Halechem* (R. Moshe Chagiz) #15.

8. R. Moshe Chagiz tentatively suggests this possibility (“*lulei demistapina...*”) based on the language of the Rambam. However, he subsequently backtracks stating that it is difficult to be that stringent.

9. See previous note.

10. For a lengthy analysis of this obligation as it relates to reconstructing the language of the pasuk, as well as to various hashkafic rationales and halachic implications, see this author’s *Asher Chanan: Shiurim U’Ma’amarim*, pp. 21-44.

11. This reason is quoted by *Magen Avraham* (OC 606) in the name of *Terumas Hadeshen*. See also *Levush* *ibid*.

12. See *Bach* OC 606 and *Sema* CM 422 6.

13. *Mishna Brura* (OC 606:11) cites the opinion of the *Magen Avraham* that there is a *midas chasidus* to forgive even in cases of

slander. This position seems more tenable according to the earlier rationales but would not necessarily hold according to the explanation of R. Hutner. Additionally, the language of the Yerushalmi, “*ein lo mechila olamis*” (there is no forgiveness) implies that there is not even a *midas chasidus* to forgive in such an instance. Interestingly, the Ramban (*Bereishis* 20:7, interpreting the phrase “*ve’es kol venochachas*”) asserts that although Avraham willingly forgave Avimelech, Sarah continued to quarrel with him and refused to be appeased. Ramban concludes by stating that the Torah informs us of this fact as a credit to Sarah. R. Wolf Boskowitz (son of the *Machtzis Hashekel*) in his commentary *Seder Mishne* (*Hilchos De’os* 6:6) suggests that Avimelech’s sin toward Sarah entailed an element of slander (inasmuch as it created the false impression that Sarah engaged in provocative conduct that led Avimelech to take her), for which she would not be obliged to forgive. This would suggest that in a case of slander there is no obligation whatsoever to forgive, even on a level of *midas chasidus*. (For other innovative interpretations of “*ve’es kol venochachas*,” see the commentaries of Radak and R. Avraham ben HaRambam *ibid*.)

14. It is unclear what Talmudic source serves as a basis for this ruling.

15. *Michtevai Harav Chofetz Chaim, Sichos* p. 9.

16. In an interesting addendum to this story, R. Ahron Soloveitchik (*Parach Mateh Aharon, Hil. Dei’os* 7:5 p. 88; *Hil. Teshuva* 2:19, p.187) relates in the name of R. Yitzchak Hutner that the Chofetz Chaim then asked R. Yisrael Salanter if he would write an approbation that would include a sentence stating his disagreement with that particular halacha. R. Yisrael countered that doing so would be insufficient to erase the impression that he agreed with all the sefer’s contents, since many people would not bother to read his appropriation in its entirety. Hence, writing an approbation would constitute a violation of “*lifnei iver lo siten michshol*.”

17. R. Ahron Soloveitchik (*ibid*); R. Shlomo Zalman Auerbach (*Halichos Shlomo* 3:6).

18. *Moadim UZmanim* 1:54 in the name of Rav Dessler. See also, *Az Nidberu* 7:65.

19. For an elaboration on the range of views regarding the prohibition of *netirah*, see *Asher Chanan* pp. 45-64.

20. The basis for distinguishing between slighter provocations of a monetary nature and more severe provocations is based on a passage in *Yoma* 23a. For a fuller elaboration, see *Asher Chanan* p. 45 note #2.

21. See *Chizkuni* (*Vayikra* 19:18), whose language suggests that in monetary cases, one would indeed be required to extend unsolicited forgiveness based on the prohibition of *lo sitor*.

22. This distinction would seem to be incontrovertible according to the view of the *Sefer HaChimuch* (no. 241), that one violates *lo sitor* even without verbalization and even in the face of serious provocations.

23. R. Elyakim Krumbein (*Techumin* Vol. 6 pg. 297) suggests that this perspective aligns well with the rationale given by the Rambam, *Hilchos Deios* 7:8, that the prohibition of *netirah* is a safeguard against taking revenge. Once the grudging emotions recede, one is less likely to lash out in retaliation.

24. This notion is reminiscent of a psychological phenomenon discussed by Dr. Janis Spring in her book *How Can I Forgive You*, which she calls “acceptance” and describes as “a healing gift to yourself that asks nothing of the offender.”

25. The Ritva utilizes the aforementioned distinction to explain why the nightly practice of one of the Amoraim to offer unsolicited forgiveness to all who wronged him is deemed “*midas chasidus*,” and would not be mandated by the biblical prohibition of *lo sitor*. It should be noted that while it is clear from the Ritva’s words that *lo sitor* does not require us to forgive, it is not entirely clear whether the Ritva’s intention is to distinguish in the manner presented here (*lo sitor* = detaching emotionally from the episode) or in a slightly different fashion.

26. There is much discussion regarding Rabbeinu Bachyei’s comments. Some suggest (see for example *Ayeles Hashachar* to *Vayeichi*) that Yosef couldn’t bring himself emotionally to extend *mechila* because the hurt was so great. Others (see R. Simcha Zissel Broide, *Sam Derech* to *Vayeichi* and *Chayim B’yad* no. 57) suggest that Yosef fully forgave the brothers, but didn’t express it verbally. R. Asher Milunil (*Sefer Haminhagos* pg. 21) suggests that Yosef did forgive his brothers, but didn’t pray for them as did Avraham for Avimelech.