

EXPLICIT FORGIVENESS

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PARASHAT KI TEITZEI lays out the procedure for corporal punishment, lashes administered by the court:

דברים כה:א-ג

כִּי־יִהְיֶה רִיב בֵּין אָנָשִׁים וְנָגְשׁוּ אֶל־הַמִּשְׁפָּט
וּשְׁפָטוּם וְהִצְדִּיקוּ אֶת־הַצָּדִיק וְהִרְשִׁיעוּ אֶת־
הַרָשָׁע: וְהָיָה אִם בֶּן הַכּוֹת הַרָשָׁע וְהִפִּילוּ הַשּׁוֹפֵט
וְהַכֹּהֵן לִפְנֵי כַּדֵּי רִשְׁעָתוֹ בְּמִסְפָּר: אַרְבָּעִים יִכּוּ
לֹא יִסִּיף כֹּהֵן יִסִּיף לְהַכְתּוֹ עַל אֵלֶּה מִכָּה רַבָּה
וְנִקְלָה אַחֲרָיו לְעֵינֶיךָ:

Devarim 25:1-3

When there is a conflict between people and they approach the court, you shall judge them and you shall vindicate the innocent and condemn the guilty. And if the guilty party is subject to lashes, the judge should bend him over and hit him a precise number of times according to his guilt. He may hit him forty times, but may not hit him more, lest he continue to hit him more than these, an excessive beating, and your brother will come to be disparaged before your eyes.

The Torah puts a clear limit on the number of lashes that a person may receive, lest your brother be humiliated and seen as “less than” by the court and its administrators. But this is not only a message to the court. By calling the guilty party—the *rasha*—“your brother,” the Torah is indicating to you who witness or learn about this case that even though this person has

sinned, they still remain your brother. The Torah is also telling the person who has absorbed the punishment that he has regained the status of brother.

The language of brotherhood here is not incidental. By using it, the Torah not only teaches about the status of the people in this case; the Torah is also modeling a general principle. It is showing us that there are times when a person’s status needs to be affirmed by other people around them. People who have been censured or feel marginalized need to **hear** that they are our brothers. We need to remind each other of our enduring or renewed closeness and, when relevant, make explicit our forgiveness of one another and the continuing strength of our relationship.

The first figure in Rabbinic literature to highlight the language of brotherhood here is R. Hananiah² ben Gamliel:

ספרי דברים פסקא רפו

ר' חנניה בן גמליאל אומר: כל היום קורא אותו הכתוב "רשע" שנאמר "והיה אם בן הכות הרשע"; אבל כשלקה, הכתוב קוראו "אחיו" שנאמר "ונקלה אחיו".

Sifrei Devarim #286

R. Hananiah ben Gamliel says: All day the verse calls him “the guilty one” as it says, “if the guilty party is subject to lashes.” But once he has absorbed the lashes, the verse calls him “your brother,” as it says, “your brother will come to be disparaged.”

1 The best translation of *rasha* is not “evil person” but guilty or condemned party.

2 This son of Rabban Gamliel is often referred to with the almost identical name, Hanina.

According to R. Hananiah ben Gamliel, the terminology of brotherhood comes to mark a stage of forgiveness. Before the person who has been found guilty absorbs his punishment, it is acceptable to think of him as a *rasha*. But once he has been struck by the court, he is forgiven and his slate is wiped clean completely. It is neither acceptable nor accurate to call this person anything but a fully reinstated and entirely welcome brother.

The Torah is also indicating to the person who has absorbed the punishment that he should no longer think of himself as a *rasha*. He is equal in value and brotherhood to those who once had power over him. Once he has accepted the consequences of his crime, he need not—and should not—feel like a *rasha* anymore. Although the punishment of lashes is both painful and shameful, the advantage that it has is clear and unique: once a person has gone through the ordeal, it is over; they come out whole and reinstated. Today, we rarely experience something that guarantees atonement and to hear in an unequivocal way: “You are whole now. You are completely forgiven.”

According to Rashi, this fundamental need to be told that we are forgiven permeated the consecration of the *mishkan*. At the conclusion of the ceremonies, Moshe and Aharon went out to bless the people in order to confirm for them and to state explicitly that the sin of the golden calf had been atoned for and that God would once again want to be close to Benei Yisrael:

רש"י ויקרא ט:כג
 "וַיֵּצְאוּ וַיְבָרְכוּ אֶת הָעָם וַיֵּרָא כְבוֹד ה' אֶל כָּל
 הָעָם" ... לפי שכל ז' ימי המלואים שהעמידו
 משה למשכן ושמש בו, ופרקו בכל יום, לא
 שרתה בו שכינה, והיו ישראל נכלמים ואומרים
 למשה: משה רבינו! כל הטורח שטרחנו
 שתשרה שכינה בינינו ונדע שנתכפר לנו עון
 העגל! לכך אמר "זה הדבר אשר צוה ה' תעשו
 וירא אליכם כבוד ה'" (ויקרא ט:ו).

Rashi to Vayikra 9:23

"They went out and they blessed the people [and the glory of God was shown to all the people]" — ...because during all seven days of instatement, during which Moshe set up the mishkan, served within it and then dismantled it daily, the Shekhinah (Divine Presence) did not dwell in it. And Israel were distraught and they said to Moshe, "Moshe our teacher! All of the trouble that we undertook was so that the Shekhinah would dwell among us and we would know that the sin of the golden calf has been atoned for on our behalf!" Therefore he [had] said to them, "This is what God has commanded that you do and God's glory will appear to you" (Vayikra 9:6).

According to the verse, Moshe and Aharon blessed the people, followed by a revelation of God's glory. But in fact the real blessing, according to Rashi, comes much earlier, when Moshe provides instructions for a procedure that will demonstrate God's presence and His willingness to live with them.³ Benei Yisrael knew, theoretically, that the instructions for and the construction of the *mishkan* signified this willingness, but they still needed the revelation of God's presence. They needed to know for sure, and Moshe blessed them with this ability.

This same insecurity repeats on every Yom Kippur when we seek God's forgiveness and wait in fasting and prayer for God's response. When we rehearse the thirteen attributes of mercy in the Selihot (forgiveness) prayers,⁴ we always imagine a certain response, quoting, "*va-yomer Adonai salahti ki-dvarekha* - God said, 'I have forgiven according to your word'" (Bemidbar 14:20). This prayerful moment is extremely powerful as we imagine God responding to the attributes of mercy with the word we are most desperate to hear: *salahti*, "I have forgiven." In the Torah itself, however, this phrase is not a response to the attributes of mercy that we recite today (these were presented after the sin of the golden calf in Sefer Shemot), but rather to the time

3 See Vayikra 9:1-8. Both Aharon and the people need to bring sacrifices of expiation. Aharon's, non-coincidentally, includes a calf, an *eigel*, for a *hatat* offering. This is among the reasons for the Rabbinic reading that the *mishkan* comes to bring or signify atonement for the sin of the golden calf.

4 Shemot 34:6-7: "*Adonai Adonai el rahum ve-hanun, erekh apayim ve-rav hesed ve-emet, notzer hesed la-alafim, nosei avon va-fesha ve-hata'ah ve-nakeih.*"

when Moshe prays with his adaptation of the thirteen attributes: “God, slow to anger and great of kindness, who bears iniquity and wrongdoing” (Bemidbar 14:18). When God says “*salahti ki-dvarekha* - I have forgiven according to your word,” the words, *devarim*, to which God is referring are not the original attributes of mercy, but rather this later prayer of Moshe in response to the sin of the spies. We so need to hear that we are forgiven that Rabbinic literature and Jewish liturgy melds the two scenes together such that we recite the original thirteen attributes that God dictated in Shemot and receive the response that Moshe heard in Bemidbar.⁵

Yom Kippur is also the deadline for interpersonal reconciliation. Although we don’t hear confirmation of our forgiveness from God, it is possible for us to ask and receive forgiveness from one another. Yet doing so can often be humiliating and hard. We are often met with resistance or inscrutable silence. This was the case for Rav who was in a conflict with a local butcher:

תלמוד בבלי יומא פז.

רב הוה ליה מילתא בהדי ההוא טבחא. לא אתא לקמיה במעלי יומא דכפורי. אמר איהו: איזיל אנא לפיוסי ליה! פגע ביה רב הונא, אמר ליה: להיכא קא אזיל מר? אמר ליה: לפיוסי לפלניא! אמר: אזיל אבא למיקטל נפשא! אזל וקם עילויה הוה יתיב וקא פלי רישא. דלי עיניה וחזייה. אמר ליה: אבא את? זיל לית לי מילתא בהדך! בהדי דקא פלי רישא, אישתמיט גרמא ומחייה בקועיה וקטליה.

Talmud Bavli Yoma 87a

Rav had an issue with a certain butcher who did not come to [reconcile] with him on Erev Yom Kippur.⁶ He said to himself: I will go and make up with him. Rav Huna met him [on his way] and said to him, “Where is the Master going?” [Rav] said to him, “To appease so-and-so.” [Rav Huna] said: “Abba (i.e., Rav) is going to kill someone!” [Rav] went and stood upon [the butcher] who was sitting and skinning a head. [The butcher] raised his eyes and saw him. He said, “Are you Abba?! Go! I don’t have an issue with you!” As he was

skinning the head, a bone slipped, hit [the butcher] in his [own] throat, and killed him.

This dramatic story does not tell us what happened initially between Rav and the butcher. But it does make clear that Rav’s desperation to reconcile led him to do something considered beneath his dignity—going to appease the butcher who should have come to him—and something dangerous—as Rav Huna correctly predicted that the butcher would come to a bad end. Rav needed to hear that he was forgiven, and the butcher’s refusal to engage with this need, his dismissal of Rav, was considered to be so cruel that circumstances led him to accidentally die at his own hand.

The buildup to Yom Kippur is a time during which many of us are reviewing our habits and our behavior, and scrutinizing our interpersonal interactions over the past eleven months. We are looking to correct any mistakes that we have made and to right any wrongs we have committed. We are looking to see if there is anyone we have damaged financially or personally, and are summoning up the strength we need to own up to our flaws, to compensate those from whom we have taken, and to apologize sincerely. This, we know, is what an authentic attempt at *teshuvah* demands from us.

But we ought to go one step further. Think about the people who may have hurt you and may be afraid that you wish them ill. Think about the people who may be suffering emotional or spiritual anguish over you. Who are the people who need to be reassured that you have forgiven them? Who are the people who might think that they have sinned against you, but have not? Who are the people who may be thinking poorly of themselves for no reason on your account?

When someone does apologize to you, don’t just thank them for the apology. Let them know that you truly forgive them. If the apology is unnecessary, reassure them that they have done nothing wrong and be clear about how you do and did feel. Repentance is a difficult process and sometimes the light of *teshuvah* is hard to see. When I sin against God, I cannot know with certainty if and when God forgives me. But this should not be the case when I sin against my fellow human being, my brother. Another person can and should tell me, “*Salahti*, I have forgiven you.” That person can be warm to me and demonstrate to me that they harbor no resentment.

5 See for example פרשת פקודי סימן ב (בובר) which quotes *salahti* as a response to Moshe after the sin of the golden calf.

6 According to both Rashi and the Maharsha, Rav was wronged by the butcher. However, the language and Rav’s willingness to go and appease (as opposed to be appeased by) the butcher implies a more mutual conflict.

This year, in addition to ensuring that our own processes of *teshuvah* are thorough and complete, let's work on improving the experience of *teshuvah* for others. Recognize the very real anguish that others may feel on your account and demonstrate that you forgive them. Through honest and clear communication, you can help them to see that they are innocent in your eyes and loved by you. Give positive feedback. Extend reassurance and say to others the words that we all need to hear: "*Salahti*, I have forgiven." ♦