



Explicit Forgiveness

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Parashat Ki Teitzei 5779

In this week's *parashah*, we learn about the procedure for corporal punishment, lashes administered by the court:

דברים כה:א-ג

כִּי־יִהְיֶה רִיב בֵּין אָנָשִׁים וְנָגְשׁוּ אֶל־הַמִּשְׁפָּט וְשֹׁפֵטוֹם וְהַצְדִּיקוּ אֶת־הַצְדִּיק וְהִרְשִׁיעוּ אֶת־הָרָשָׁע: וְהָיָה אִם בֶּן־הַכּוֹת הָרָשָׁע וְהַפִּילוּ הַשֹּׁפֵט וְהִכָּהוּ לִפְנֵי כָדִי רִשָּׁעָתוֹ בְּמַסְפֵּר: אַרְבָּעִים יִכּוּ לֹא יוֹסִיף כֹּן יוֹסִיף לְהַכּוֹתוֹ עַל אֵלֶּה מִכָּה רַבָּה וְנִקְלָה אַחִיר לַעֲיֹנֶיךָ:

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. By calling the guilty party, the *rasha*,¹ “**your brother**”, the Torah is indicating to you who witnesses or learns about this case that even though this person has sinned, they still remain your brother. But this is not only a message to the court. The Torah is also telling the person who has absorbed the punishment that he has regained the status of brother.

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



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 our forgiveness of one another and the continuing strength of our relationship explicit.

The first figure in Rabbinic literature to notice and highlight the language of brotherhood is R. Hananiah ben Gamliel in the Sifrei:

ספרי דברים פסקא רפז

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**.

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. It is rare to experience something that guarantees atonement and to hear in an unequivocal way: "You are whole now. You are completely forgiven."



The Torah is full of stories of brothers who wrong one another and need to be forgiven. Among the most famous are the sons of Ya'akov, Yosef and his brothers. Upon reuniting, Yosef's brothers are treated by him with kindness and he amply provides for them:

בראשית מז:יא-יב

וַיֹּשֶׁב יוֹסֵף אֶת אָבִיו וְאֶת אֶחָיו וַיֵּתֵן לָהֶם אַחְזָה בְּאֶרֶץ מִצְרַיִם בְּמִיטֵב הָאֶרֶץ בְּאֶרֶץ רַעַמְסֵס כַּאֲשֶׁר צִוָּה פַּרְעֹה: וַיְכַלֵּל יוֹסֵף אֶת אָבִיו וְאֶת אֶחָיו וְאֶת כָּל בֵּית אָבִיו לֶחֶם לְפִי הַטָּף:

Bereishit 47:11-12

Yosef settled his father and his brothers and he gave them a holding in the land of Egypt, in the best part of the land, in the land of Raamses, as Pharaoh commanded. And Yosef sustained his father and his brothers and his father's entire household with bread according to the number of children.

Yet when Ya'akov passes away, the brothers are seized by panic that Yosef has not truly forgiven them and will let them starve:

בראשית נ:טו-כא

וַיֵּרְאוּ אֶחָי יוֹסֵף כִּי מֵת אָבִיהֶם וַיֹּאמְרוּ לוֹ יִשְׁטָמֶנּוּ יוֹסֵף וְהִשָּׁב יוֹשִׁיב לָנוּ אֶת כָּל הָרָעָה אֲשֶׁר גָּמְלָנוּ אֹתוֹ: וַיֵּצֵא אֶל יוֹסֵף לֵאמֹר אָבִיר צִוָּה לִפְנֵי מוֹתוֹ לֵאמֹר: כֹּה תֹאמְרוּ לְיוֹסֵף אֲנָא שָׂא נָא פֶשַׁע אֶחָיךָ וְחַטָּאתָם כִּי רָעָה גָּמְלוּךָ וְעַתָּה שָׂא נָא לִפְשַׁע עֲבָדֵי אֱלֹהֵי אָבִיר וַיִּבֶךְ יוֹסֵף בְּדַבָּרִים אֵלָיו: וַיֵּלְכוּ גַם אֶחָיו וַיִּפְּלוּ לִפְנֵי וַיֹּאמְרוּ הִנֵּנוּ לְךָ לַעֲבָדִים: וַיֹּאמֶר אֲלֵהֶם יוֹסֵף אֵל תִּירָאוּ כִּי הִתַּחַת אֱלֹהִים אָנִי: וְאַתֶּם חֲשַׁבְתֶּם עָלַי רָעָה אֱלֹהִים חֲשַׁבָה לְטֹבָה לְמַעַן עֲשֶׂה כִּי־זֶה לַהֲחִיַּת עַם רַב: וְעַתָּה אֵל תִּירָאוּ אֲנִי אֶכְלָל אֶתְכֶם וְאֶת טַפְכֶּם וַיְנַחֵם אוֹתָם וַיְדַבֵּר עַל לִבָּם:

Bereishit 50:15-21

Yosef's brothers saw that their father died and they said, "Maybe Yosef will bear a grudge against us and return to us all of the evil that we have bestowed on him!" So they sent a message to Yosef saying, "Your father commanded us before his death saying, 'Thus you should say to Yosef: Please bear the iniquity of your brothers and their sin because they have bestowed evil upon you.' Now, please bear the iniquity of the servants of the God of your father." And Yosef cried as they spoke to him. And his brothers also went and they fell before him and said, "We are your slaves." And Yosef said to them, "Do not fear, for am I in place of God? You thought to do evil unto me, but God thought it to be good in order to do as I do this day, sustaining a great people. And now, do not fear. I will sustain you and your children." And he comforted them and spoke to their hearts.

Yosef's past treatment of his brothers suggests that he has forgiven them and intends to continue supporting them, but the brothers do not trust it. Yosef's kindness is not enough. They need to hear from him explicitly that he wishes them no harm in order to trust that he will sustain them in the future. They need to know that he considers them not his enemies, but his brothers.

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 state explicitly that the sin of the Golden Calf had been atoned for and that God would 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 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.² *Benei Yisrael* knew, theoretically, that the instructions for and the construction of the *mishkan* signified this willingness, but they needed the revelation of God's presence. They needed to know for sure, and Moshe blessed them with this ability.

² 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.



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,³ we always imagine a certain response, quoting, **VaYomer Adonai salahti kidvarekha, 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 original attributes of mercy (which were presented after the sin of the Golden Calf and which we recite in our prayers), but rather to the time when Moshe repeats *his* version of the thirteen attributes: **ה' אֶרֶךְ אַפַּיִם וְרַב חֶסֶד נָשָׂא עוֹן וּפְשָׁע... God, slow to anger and great of kindness who bears iniquity and wrongdoing...** (BeMidbar 14:18). When God says "*salahti kidvarekha*," "I have forgiven according to your word," the words, *devarim*, that He is referring to are not the original attributes of mercy, but rather this 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 so that we recite the original thirteen attributes that God dictated in Shemot and receive the response that Moshe heard in BeMidbar.⁴

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 וחזיה. אמר ליה: אבא את? זיל! לית לי מילתא בהדך! בהדי דקא פלי רישא, אישתמיט גרמא ומחיה 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.⁵ He said to himself: I will go and make up with him. Rav Huna met him [on his

³ Shemot 34:6-7: "Adonai Adonai eil rahum v'hanun, erekh apayim v'rav hesed v'emet."

⁴ See for example ב (בובר) פרשת פקודי סימן ב which quotes *salahti* as a response to Moshe after the sin of the Golden Calf.

⁵ 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.



way] and said to him, “Where is master going?” [Rav] said to him, “To appease so-and-so.” [Rav Huna] said: “Abba (i.e. Rav—DW) is going to kill someone!” [Rav] went and stood upon [the butcher] who was sitting and skinning a head. He 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] skull, and killed him.

This dramatic story does not tell us what happened between Rav and the butcher. But it makes 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.

Parashat Ki Teitzei always falls out in the month of Elul, which inaugurates the High Holiday season. This 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 are 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.

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.

Wishing you a Shabbat of reassurance.

