

APPEASEMENT AND FORGIVENESS ON EREV YOM KIPPUR

by Rabbi Doniel Neustadt

The following is a discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

A well-known principle in the Mishnah states that Yom Kippur does not atone for sins committed bein adam l'chaveiro unless one has first sought to appease whomever he has wronged and obtained his forgiveness. The Divinely ordained power of Yom Kippur to atone for sins cannot be activated, so to speak, unless one has assuaged any hurt feelings that he has caused⁽¹⁾. Asking for forgiveness is usually an unpleasant task where one must lower himself to admit his wrongdoing to his fellow-man. Since people naturally wish to avoid such painful or embarrassing encounters, they delay asking for forgiveness for as long as possible. Recognizing this factor, the Rabbis established Erev Yom Kippur as the final "deadline". Since everyone wants to maximize Yom Kippur's potential to cleanse and purify himself from sin, that desire become the impetus to ask for forgiveness⁽²⁾.

One must ask to be forgiven for any type of act that may have harmed another person, whether it is of a physical, verbal or financial⁽³⁾ nature, etc. and whether the act was committed directly to the person's face or behind his back.

Before the advent of Yom Kippur, one should review in his mind any comments he has made or acts he has done that would require him to approach the injured party and ask for their forgiveness. While many people ask forgiveness from their friends for routine, relatively inconsequential slights, this is easily asked for and easily forgiven. But one must also approach those whom one has seriously wronged and obtain their forgiveness. This is much more difficult and absolutely essential.

QUESTION: Does Shimon need to appease or ask for forgiveness from Reuven if he knows that Reuven has already forgiven him in his heart?

DISCUSSION: There are two opinions. Some hold that as long as Reuven is appeased and no longer bears a grudge, then there is no reason for Shimon to ask forgiveness, since the goal has been achieved⁽⁴⁾. Others, however, maintain that the process requires that Shimon humble himself before

Reuven and make up for hurting him by asking forgiveness. The embarrassment involved is part of the purification process, a form of yisurim that the sinner must go through before Divine forgiveness may be granted. The fact that Reuven has already pardoned him does not remove that obligation(5).

While the major poskim, including the Mishnah Berurah, do not explicitly discuss this issue, we may support this point by mentioning that the Chafetz Chayim urged that the Declaration of Forgiveness paragraph, whose original place in the lengthy Tefillah Zakah was towards the end, be moved up to the beginning of the tefillah so that everybody will be sure to recite it(6). Apparently, it was his view that reciting this paragraph is crucial since it allows for forgiveness to be granted despite the fact that Shimon did not humble himself and expressly petition Reuven for forgiveness.

QUESTION: Reuven, who in the past spoke lashon ha-ra about Shimon, now seeks his forgiveness. If Shimon is unaware of what exactly was said about him, is Reuven required to repeat to Shimon what he said about him in order for Shimon to forgive him completely?

DISCUSSION: If the lashon ha-ra that was spoken was not "accepted" by the listeners and no harm was done to Shimon, Reuven does not have to ask Shimon's forgiveness at all. He must, however, repent for his sin and ask forgiveness directly from Hashem(7).

If the lashon ha-ra did cause harm to Shimon, and Shimon is aware of the lashon ha-ra that was said about him, Reuven must beseech Shimon directly. If Shimon is unaware of what was said about him, Reuven must tell him(8). If the information will cause Shimon embarrassment or pain, then Reuven need not elaborate upon the lashon ha-ra that was spoken(9). A general request for forgiveness will suffice.

Harav Yisrael Salanter(10) explains that there is no need to hurt Shimon by letting him know the lashon ha-ra that was spoken about him. He adds that the custom of asking forgiveness of everyone on Erev Yom Kippur avoids such unnecessary embarrassment(11).

QUESTION: Reuven feels that Shimon is upset at him for no reason at all. Does Reuven have to appease him anyway?

DISCUSSION: Yes, for two reasons. Firstly, because Reuven must clarify whether or not Shimon has a legitimate claim of which Reuven is unaware. Secondly, Sefas Emes(12) proves from the Talmud that even when someone is unjustifiably upset, he must still be appeased.

It is reasonable to assume, though, that this is only required when Reuven actually did something that could cause Shimon to be upset. But if, in fact, Reuven did absolutely nothing wrong, and Shimon's grievances are irrational - possibly because he is jealous of Reuven or he is an insecure, neurotic individual - then Reuven would have no obligation to appease Shimon.

QUESTION: Can the appeasement be made through a messenger or must it be done in person?

DISCUSSION: L'chatchilah, it is preferable that it be done in person. If, however, this is difficult to do,

or if there is a better chance of forgiveness being granted if a third party mediates, then it should be done through a third party [or by phone or mail](13).

QUESTION: How is Reuven supposed to react to Shimon's appeasement?

DISCUSSION: Reuven is required to let his anger towards Shimon - even when justified - dissipate and abate. Reuven must do this not only for the sake of Shimon who otherwise will be denied atonement, but also for his own sake. The following four reasons are offered: As children of Avraham Avinu, we are expected to learn from him and follow his example when he graciously forgave Avimelech for abducting Sarah(14). Anyone who conducts himself differently is, in the words of the Rambam, cruel and akin to the hard-hearted Gentiles(15). Middah Kneged Middah - Hashem deals with us in the same manner that we deal with others. If Reuven pardons Shimon for anything Shimon may have done to him, including acts that Shimon did intentionally or in spite, then Hashem will forgive Reuven for any sins committed against Him, including those sins done intentionally or in spite(16). One who allows hatred towards another person to remain in his heart blocks his prayers from reaching heaven(17). According to some Rishonim(18), one who refuses to forgive transgresses the Biblical prohibition of Lo sitor (Do not bear a grudge).

QUESTION: If Reuven refuses or rejects Shimon's appeasement, what should Shimon do?

DISCUSSION: If Reuven rebuffs Shimon, Shimon must return twice more(19) to ask for forgiveness. When he returns he should not go alone, but with three people who stand by while he appeases Reuven(20). If that, too, fails, Shimon has done his duty and is no longer required(21) to ask for forgiveness(22).

QUESTION: Are there any situations when Reuven is not required to forgive and may continue to hold a grudge against Shimon?

DISCUSSION: Yes. There are several such cases: If Shimon owes him money and refuses to pay or denies his debt(23). If Shimon slandered him falsely (motzi shem ra) and there is a possibility that some people who heard the slander will not hear its retraction(24). If, however, such a possibility does not exist, then Reuven is obligated to forgive(25).

If Reuven fears that the episode will repeat itself; i.e., he will pardon Shimon and Shimon will hurt him again(26). If Reuven withholds forgiveness in order to reform Shimon's future conduct towards people(27).

QUESTION: After Shimon petitioned Reuven for forgiveness, Reuven forgave him, but only outwardly. In his heart Reuven is still angry. Has Shimon fulfilled his obligation?

DISCUSSION: In the opinion of Alter of Kelm(28), Shimon has fulfilled his obligation once Reuven has verbally expressed forgiveness. The fact that in his heart he has not done so does not negate his spoken word in keeping with the rule of devarim shblev einam devarim. But other poskim disagree and rule that Shimon has not fulfilled his obligation and must further pacify Reuven(29).

QUESTION: After Reuven physically attacked Shimon with provocation, Shimon returned the blows many times over. Does Reuven still need to ask forgiveness from Shimon or has Shimon evened the score between them?

DISCUSSION. Reuven is still required to ask for forgiveness. The fact the Reuven was injured more severely than the injury he inflicted on Shimon, does not alter the fact that Reuven hit Shimon first. Moreover, since Reuven caused Shimon to strike him (which is a sin rendering him a rasha), he must seek his forgiveness for that as well(30).

The same halachah applies with verbal abuse. If Reuven provoked Shimon and Shimon answered back sharply, Reuven is required to ask forgiveness from Shimon(31).

FOOTNOTES

1. See Birkei Yosef 606:1 and Hirurei Teshuvah (Harav M. Gifter), pg. 121.
2. Mishnah Berurah 606:1. See Tur for another reason why Erev Yom Kippur was chosen as the appropriate time to take care of this need.
3. While Erev Yom Kippur seems an unlikely time to settle monetary claims, actually, it is a very good time to do so, for there is no greater impediment to atonement than wrongful possession of someone else's money (Mishnah Berurah 606:1).
4. Teshuvos D'var Yehoshua 5:20; Az Nidberu 7:65.
5. Pele Yoeitz (Teshuvah) See also Tanchuma, quoted in Beiur ha-Gra 606:1; For a detailed explanation see Moadim u'Zamanim 1:54 quoting Harav Itzele Peterburger and Hirurei Teshuvah, pg. 123.
6. See the ArtScroll Machzor.
7. Rabbeinu Yonah in Sha'arei Teshuvah 207, quoted by Chafetz Chayim, Lashon ha-Ra, 4:12
8. Chafetz Chayim, ibid.
9. Mishnah Berurah 606:3
10. Quoted by Harav E.E. Dessler and published in Mo'adim u'Zemanim 1:54.
11. See Az Nidberu 7:66, who rules in accordance with this view. In his opinion, as long as Shimon is unaware that lashon ha-ra was spoken about him, there is absolutely no requirement to inform him of what was said.

12. Yuma 87b.
13. Mishnah Berurah 606:2.
14. Aruch ha-Shulchan 606:2.
15. Rambam, Hilchos Teshuvah 2:10.
16. Sha'ar ha-Tziyun 606:8. See also Tiferes Yisrael, Yuma 8:54.
17. Mateh Efrayim 606:4 quoting Kabbalists.
18. See Rambam, Hilchos Teshuvah 2:10 and Sefer ha-Teshuvah, pg. 221; Terumas Hadeshen 1:307 and 2:212. See also Chezkuni Vayikra 19:18. See, however, Ritva (Rosh Hashanah 17a) who disagrees.
19. If Reuven is Shimon's rebbe, then there is no limit to how many times Shimon must ask for forgiveness.
20. Rama 606:1.
21. According to some poskim, he has done his duty and his atonement on Yom Kippur will no longer be blocked (Pri Chadash). Most poskim, however, hold that while he is not required to ask more than three times, if he wishes to do so he may [since, after all, he was still not forgiven]; Mishnah Berurah 606:5 and Sha'ar ha-Tziyun 6.
22. Shimon, however, should announce [in the presence of ten people] that he did his very best to appease Reuven and it is not his fault that Reuven refuses to be appeased (Rama 606:1). See explanation in Beir ha-Gra.
23. Rambam Hilchos Teshuvah 2:9.
24. It is middas chasidus, however, to forgive even in this situation; Mateh Efrayim 606:4.
25. Aruch ha-Shulchan 606:2.
26. Mishnah Berurah 606:10. This is similar to the case cited in Tefilah Zakah where the sinner says, 'I will sin against him and he will forgive me'.
27. Rama 606:1. Reuven must, however, remove the hatred from his heart and only show it outwardly; Mishnah Berurah 606:9.
28. Quoted by Harav R. Grozovsky (Sefer ha-Zikaron Even Tzion, pg. 542). See also Ohr Yisrael (Nesivos Ohr, pg. 116).
29. Harav S.Y. Elyashiv (oral ruling quoted in Toras ha-Adam le-Adam, vol. 3, pg. 36); Alei Shur, vol. 2, pg. 240. See also Teshuvos v'Hanagos 1:739.
30. Harav Y. Zilberstein (Toras ha-Adam le-Adam, vol. 3, pg. 11).

31 Teshuvos Zichron Yehudah 1:201 based in part on Pischei Teshuvah C.M. 421:3.

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Rabbi Neustadt is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos.

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