

In the Yeshiva world of a hundred years ago it was often said, “People always speak of the genius of R’Chaim Ozer and the Tzidkuss of the Chofetz Chaim. If only they equally appreciated the genius of the Chafetz Chaim and the Tzidkuss of R’Chaim Ozer”.

There is an unspoken etiquette of the Shabbos Shuva Drasha. Whereas on Tisha Bav the theme is set for Bein Adom Lechavairo; the protocol for the Shabbos before Yom Kippur is reserved for Bein Adom Lamakom.

Yet, sometimes we must switch it around. It is imperative to recall the first Beis Hamikdosh and our lack of service to G-d as the impetus to its destruction¹. So too we must be awakened during these awesome days to the weight that crimes to each other carry in our yearly judgment. The Mishnah² makes this last point clear: “Sins between man and G-d - Yom Kippur provides atonement, but sins between man and man - Yom Kippur does not provide atonement until he appeases his fellow man” The Mishnah then sites a proof to this after which R’ Akiva says “Praiseworthy are you Israel! Before whom do cleanse yourselves? Who cleanses you? Your Father in heaven...” .

So important is this Halacha to the Teshuva process, that the Chofetz Chaim says³ that when seeking forgiveness from ones friend he must provide details of his actions that the victim may not have been aware of. This may seem somewhat odd; after all, the hurt you will cause him with this new information is perhaps tantamount to a sin itself! Indeed this is the approach of R ‘Yisroel Salanter who says⁴ one *must not* specify the extent of his sin when asking for Mechila. Yet, this approach too needs explanation; how can one be required to apologize and at the same time not have to specify his crime? Apologize for what?

Something in our Mishnah seems rather strange. Immediately after the Mishna makes clear the need for ones fellow man’s acquittal, R’ Akiva speaks of the idea that G-d is *all* we need to purify ourselves. Perhaps his teaching should have been placed in the first half, talking about sins between man and G-d. Yet there too it would appear inaccurate based on what the Mishnah will teach next.

But this is not our real question. What needs to be explained is not what *he* said rather the idea *before* his. After all, R’ Akiva was stating a fundamental truth- “Key Elokim Shophet”⁵ - G-d is the *only* judge. We express this idea during these days when we say, “Vchol Maminin Shehu Dayan Haemes - Only He is the true judge. How then does Hashkofos HaTorah embrace this notion of man deciding the fate of man?

¹ See Yumah 9b

² Yumah 85b

³ Siman 606:3. Sefer Chafetz Chaim 4:12

⁴ See Teshuvos Az Nidabru, Chelek 7:66

⁵ Tehilim 75:8

Let us ask even deeper. “Hakol Bidai Shamayim Chutz Mayiras Shamayim⁶”- Everything comes from Hashem. Nothing is by chance. Why then is anyone allowed to “punish” his friend for what he did? After all, what he did must have been part of G-d’s master plan. Why must I demand he appease me? For in the final analysis, I must have deserved what was done to me.

And finally, even if we could explain how we are told turn to anyone other than G-d, Why the victim? Of all people to choose - he should be the last. Is this Tzedek? Letting the enemy be the judge?

One of the most profound examples of divine retribution in the Torah are the Ten Makkos against the Miztrim, culminating at Yam Suff. But why were they punished? Were they not just carrying out what G-d had previously ordained⁷? The Ramban, in one of the answers he gives to this question says the following; that while it is true that they were in affects “doing their job”, nonetheless they worked the Jews too hard. Pained them too much. They went over the line. For this they were penalized.

But how is that possible? How can it be that suffering which was not warranted happened? If they weren’t stopped from harming the Jews by some divine intervention, then in essence the Jews must have deserved that too.

Rabbi Dessler⁸ answers this last question with an astounding insight into the inner workings of Hashgacha Pratis. We are under the impression that on Rosh Hashanah G-d decides if we should live or die. While this is indeed true, there is a lesser-known third category: To just be. To live – but without G-d taking a complete active part in your daily life. Accordingly we can become Kaylim – Vessels in the hands of man. Consequently, one man would indeed be able to cause harm to his fellow even if Bidai Shomayim he does not deserve it¹⁰! The Uhr Hachaim¹¹ puts it this way – “Since man has free will, he can therefore have the power to kill someone who is undeserving...”. He continues¹² with this thesis to explain Yehuda’s motives when he stood before Yoseph after Benyamin was accused of thievery, as follows: Until now, any trouble the Shevatim encountered was accepted as punishment from G-d for selling their brother. Therefore they could not fight it. But Binyamin took no part in the sale; hence his suffering was at the hands of this viceroy, not G-d’s! This is why he felt he was allowed to challenge him.

Our first two questions on the Mishna are now explained. There *are* times when G-d decides to let humans take control. It is up to *us* to Daven that we remain in the first category of life; under G-d’s control *only*. We also now see why we must forgive. Because, as radical as it might seem, it *may not have happened anyway*.

⁶ Kesubus 30b

⁷ See Beraishis 15:13,14

⁸ Michtav MeyEliyahu Chelek 4 pg.93-99. See also Chemde Genuza by Rabbi Dov Halpern for a lucid treatment of this issue.

¹⁰ See Teshuvos HaRaSHBaSH –195 where he uses this same idea to answer a different question.

¹¹ Beraishis 37:11. See also Tos. Kesubus 30b that one has the power to harm oneself.

¹² Beraishis 44:18

This view, of man's power over a system of balance and scales is, not surprisingly, not universally accepted¹³. There is a second approach to understanding Mechilah. A far simpler one that is based upon the basic concept of Middah Keneged Middah¹⁴. At the root of any misdeed that one does to another is a severe lack of Bitachon. Someone who harms his fellow man feels he must "play G-d" and take matters into his own hands. Consequently this is how he is punished – by turning the tables and letting the victim of his crime "play G-d" on his fate. The criminal now must be Machniah - Humble himself-to man.

According to this second approach, the concept of Mechilah may have nothing to do with the *victim* rather it is a punishment to the *sinner*. Accordingly the one who suffered has no real grief with this fellow man. This idea may shed some light on the view of R'Yisroel Salanter. As long as Person A lowered himself to Person B, he fulfilled what was necessary of him. On the other hand, if we take the first approach to Mechilah, then the opinion of the Chafetz Chaim seems quite understandable; the concept of Mechilah is real. This may not have happened if not for Person A. Therefore Person B must know what was done to him so he can evaluate his feelings.

Let us now return to R' Akiva's statement. "Before whom do cleanse yourselves? Who cleanses you...?", is perhaps not an explanatory statement rather a *plea*: No matter which approach to the Mishnah and the concept of Mechilah we take, we must be reminded that it need not be this way. We must strengthen our Bitachon in Hashem and not take matters into our own hands. We also must purify ourselves to the point of deserving true Hashgacha Pratis and indeed having only G-d to answer to.

“ Key Imcha Haslichah Leman Tivarey”
“Because with you is forgiveness, so that you should be feared”
Tehilim 130:4

It would seem that common sense would tell us otherwise. If G-d is all forgiving why then should I fear Him¹⁵? But this is a tragic mistake. Here the Pasuk reminds us of one of the greatest *strengths* - the ability and fortitude to forgive. That capability, from the One to whom all transgressions travel, is the paramount justification for fear. This concept helps us understand another Pasuk that is apropos to these days - “ Ledovid Hashem Orey Vyishy Mayme Eyra”- “...my salvation, whom shall I fear”? Precisely *because* he pardons us we fear Him. During these days we must emulate His ways and find that untapped strength within ourselves to be Mochel those who have wronged us. If we can do that, then our hope for a year of blessings is that much more secure¹⁶.

¹³ The Gra disagrees. See Kisvei HaTzadik R' Yoseph Zundel MeSalant pg.112

¹⁴ See Sanhedrin 90b

¹⁵ We see this from the beginning of the Mishnah quoted above, which teaches not to sin thinking Yom Kipper will absolve it (and if you do, as a punishment, Yom Kipper will not help you.)

¹⁶ See Bava Metzia 85a “Hoieil Umarachem Nerachem Ulav”- “Since he shows mercy, let us show mercy to him.”

