

### Three Levels of Return

The months of Elul and Tishrei do not come and go quietly. They bring with them a distinctive divine energy that cries out for reflection and self critique. However, the challenge is transforming this spiritual intangibility into emotional realism and, if we should succeed, only to then find the strength to let it evolve into physical action. This is, as we know, no simple task, yet it is one that has become slightly easier these past five years. Through the yearly anniversaries of September 11, that hover around Elul and the Aseres Y'Mai Teshuvah, and the images they bring, we are given a heightened awareness into the ethos of these awesome days, where it now has become possible to work backward; to see the physical reality of life, its fragility and vulnerability, transform that into emotional pain and awareness which, should almost by rite, transform itself into the spiritual domain.

The past five years have been perplexing for the American with their eyes wide open. We see the carnage on the streets of Baghdad and Basra, a ruthless leader and facilitator is still at large... and yet. And yet it has not come; that second attack on this soil. Have we succeeded? Is the thwarting of attacks on this land the very definition of success? Or does it only show that they, the terrorists, have failed meeting *their* goals, our goal for victory though is not based on attacks but rather in destroying its very desire and popularity? Is *a lack* of an action a sign at all?

This question goes far beyond the realms of political science and military strategy. Rav Aaron Kotler<sup>1</sup> was bothered by an analogous question as it relates to these Days.

*“We must ponder, if one did not fulfill one of the statutes of Teshuvah (regret, confession), however he did except on himself, in a true and sincere way, not to return to this sin forever, does he not get atonement? Or maybe, even if that were true, he is not called under the title of Rashah...”*

To put his question more succinctly; we know the Teshuvah rests on a tripod made up by: 1) Regret. 2) Confession. 3) Resolution. This is all well and good for the Jew in Elul and

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<sup>1</sup> Mishnas Rav Aaron pg. 232

Tishrei, where these ingredients are in the air and not easily forgotten, but what of the Jew, who in the middle of January decides to give up forbidden talk in all its forms – and he succeeds. Can we possibly say that his actions, although positive, and this person, although self improved, does not represent Teshuvah? That change was *not* accomplished? If Teshuvah is not change, then what is it?

Rav Aaron was not bothered simply by the logic of such a postulation alone but by the Talmudic facts as well.

Consider: The Talmud<sup>2</sup> tells us of the man who proposes marriage to a woman conditionally. Obviously in order for the marriage to be viable the condition has to be, at the very least, plausible. What if a man, asks the Talmud, a known scoundrel, proposes to a woman on the condition that he is a purely virtuous Tzadik? Surprisingly, instead of rejecting the marriage out of hand, the Talmud extends a hearty Mazel Tov to the couple. The Talmud explains the logic with this following comment: “...*since this man could have repented that instant in his heart*”. We are therefore told to err on the side of caution and accept this marriage.

Clearly then we see that these three conditions need not always be met, for in this example the man may have regretted his past deeds and perhaps accepted on himself change for the future, yet confession, which *must* be spoken was clearly not accomplished (“...*in his heart*”).

Then there is the stitch of Talmud<sup>3</sup> that is even more striking than the last. It is simply an opinion that is mentioned, that of Rebbe Yehudah Hanasi. Yom Kipper, he says, on its merits alone – without Teshuvah, has the muscle to atone for almost all types of sin. Here we find, at least in concept, atonement without *any* of these three conditions. So we return again to where we began; could lack of action alone, which is no doubt more powerful than the cases just mentioned from the Talmud, carry with it the power of Teshuvah?

Let us leave these difficulties and let them marinate in the following new discussion.

The Talmud<sup>4</sup> asks: “*How does one become a Baal Teshuvah*”? Who and by what has Teshuvah been fully consummated?

<sup>2</sup> Kiddushin 49b. This question can be answered simply based on the words of the Minchas Chinuch Mitzvah 364 “...*but of course Teshuvah alone, even in ones heart, if one has regret in his heart completely, the A-lmighty accepts his repentance. Just there is as well a Torah decreed positive commandment to say an outward confession and if one does not, he has went against this precept, but nevertheless regarding his Teshuvah on the crime itself the Teshuvah alone atoned for him*”.

<sup>3</sup> Yoma 85b

<sup>4</sup> Ibid 86b

The answer given seems quite logical; one must be put in a familiar situation of this sin, with full opportunity, and refrain. This is codified by the Rambam<sup>5</sup> as well, and from his and the Talmud's words one can infer further that Teshuvah has a conditional value to it. When one assures oneself and the Al-mighty that the past will remain only the past, G-d grants him, in His great kindness, immunity on his word alone. But if this person eventually proves his sincerity or conviction wrong, retroactively his Teshuvah will be revoked<sup>6</sup>.

This law, although it too may be beneficial for our original question (again, not all three conditions are met, or at least mentioned), needs further independent analyses.

- 1) What is the difference between Teshuvah and a *Baal* Teshuvah? Is there a difference?
- 2) Why does the Rambam, when codifying this law, say "... *and he separates himself (from the similar, available sin) and does not sin because of his repentance*". This seems either redundant or not an absolute. What if one refrains out of fear of heaven<sup>7</sup>?

There also seems to be difference of opinion or perhaps different texts of this last stitch of Talmud. Rav Yitzchak Hutner<sup>8</sup> points out that Rabbeinu Yona in his Shaarei Teshuvah does not read this stitch like the Rambam, rather this form of Teshuvah (being put in the same circumstances and overcoming) is a non-integral - yet *higher plane* of repentance; Of course<sup>9</sup> one *must* make a sincere resolution for the future, but if he should fail in his new commitment it does not affect his Teshuvah rather he picks himself up and moves on. However, it is later in his Shaarei Teshuvah<sup>10</sup> that he quotes our Talmud and says the following; there is an even higher level of repentance that can reach the Throne of Glory: one who is put in a familiar situation of this sin, with full opportunity, and he refrains.

What Rambam sees as indispensable Rabbeinu Yona views as recommended, at least in Rav Hutner's reading.

Although, as we have quoted, some see in this as a dispute in interpretation, we will soon suggest another possibility.

<sup>5</sup> Hilchos Teshuvah 2:1

<sup>6</sup> See Meshech Chochmah, Shmos 15/30 who seems to say this explicitly regarding one who transgresses a negative commandment. See also LaTheshuvos Hashanah, where the author understands this as a "Siman" on his original return.

<sup>7</sup> See Sefer Likutim as well as Sefer Letshuvos Hashanah and Pachad Yitzchak Mamer 19:2

<sup>8</sup> Pachad Yitzchak Yom Kipper, Mamer 20:1

<sup>9</sup> Ikar 2

<sup>10</sup> Ikar 19

We should also mention that this concept of “Teshuvah Mallyusah” – “A Higher Level of Teshuvah” of Rabbeinu Yonah is peculiar; Similar to Rav Elchonon’s<sup>11</sup> explanation as to why two witnesses are no less valuable than a hundred – two witnesses is a Birur, a definite, and you can’t have a higher intensity to that which is already exact – if Teshuvah expunges the record, what more can one possibly add to it?

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Let us yet again quote from Rav Hutner, but from a different essay<sup>12</sup>. He poses a fascinating conundrum on an often quoted Talmud<sup>13</sup>. *“In the place (in the next world) where Baalei Teshuvah stand even the perfectly righteous can not stand”*. The Rambam explains the mechanics of this type of justice in a very simple manner: *“...for they (the Baalei Teshuvah) had to conquer their inclination more than Tzadikim”*. But can this be, ponders Rav Hutner, for although one who has tasted sin has a greater temptation, how can this translate into a greater reward for that which was brought on by one self?

Or as Rav Y. Salanter teaches<sup>14</sup>:

The statement in Perkei Avos, “L’phum Tzarah Agra” – “The Harder The Toil (in serving G-d) the More Reward (one gets)” applies only to the one faced with a challenge based on his upbringing, temperament or any other *outside* force (a bad influencing fellow moves in next door or a blizzard makes it arduous to walk to Shul) but it unquestionably can not apply to the one who put himself knowingly into temptation or challenge on his own volition.

Of course a Baal Teshuvah should be praised and forgiven but why should he be put on a pedestal simply for his *self imposed defiance* (as the Rambam seems to explain)?! Is he really greater than the Tzadik, let us say Reb Moshe Feinstein, who never brought himself into said situation, itself no easy feat, in his lifetime<sup>15</sup>?!

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Let us attempt to strand a single thread through all these questions (this is not to include Rav Aaron’s dilemma) - an attempt at a truth that can resolve them all.

Let us take a closer look at the Rabbeinu Yonah cited earlier. He does more than just quote his version of the Talmudic text but adds the following: *“there is an even higher level of repentance...that of the Baal Teshuvah... that can reach the Throne of Glory: one*

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<sup>11</sup> See Kovetz Ha’aros, Kesubas/20

<sup>12</sup> Mamar 19:14

<sup>13</sup> Berochos 34b

<sup>14</sup> Or Yisroel Mamer 8, Kochvei Or Mamer 8

<sup>15</sup> Indeed, many commentators make a similar observation on the previously cited Talmud “Who is a Baal Teshuvah...” - that it can not be a case where he entered purposively into said situation, see Anaf Yoseph, Sfas Emes et. al. (this is especially clear considering the text of Rambam “... UM’YISYACHED IMAH...”

*who is put in a familiar situation of this sin, with full opportunity, and he refrains. ...**he who asserts his rule (KOVESH) completely over this desire until it no longer exists***".

**Purging.** He owns (Baal) this desire to dismiss it at will.

Perhaps the Rambam (ibid 2:1) never argued with this interpretation as Rav Hutner had asserted. The Rambam too only refers to this brand of Teshuvah as "*Gamurah*" - "*Superior*"<sup>16</sup>, and indeed this is what was meant by those cryptic words "...**because of his Teshuvah**", - for if one refrains out fear of heaven alone, yes Teshuvah was accomplished, but this superior level of the Baal Teshuvah has not been reached. In order to attain this loftier title of Baal Teshuvah the deterrence can not come from an inspirational vacuity, but from a purging of this temptation that took place long ago at the moment of the return.

The Talmudic declaration of "*In the place (in the next world) where Baalei Teshuvah stand even the perfectly righteous can not stand*". Is referring, not to he who repents, but to the Baal Teshuvah whose unique reward is **not** based on a stronger fight than the average man, for that is a description of ordinary Teshuvah in its simplest form<sup>17</sup>, but rather on the inner essence of the *Baal* Teshuvah; this inclination/impurity does not exist within this person and he therefore, on a uncomplicated level of comparative souls, is more clean. Indeed this is truly what the Rambam (ibid 7:4) had said in his explanation of the Baal Teshuvah remuneration phenomenon "...for they (the Baalei Teshuvah) had to conquer their inclination more than Tzadikim – KOVESHIN YITZRO YESER MEHEN" the Baal Teshuvah did what a Tzadik was never forced to do - and indeed *the sinful man who wants to repent as well* was never forced to do - flush out and eliminate an evil force from their soul.

**A Tzaddik too can do this**, return - SHAV- a temptation to its source and he too will be called a Baal Teshuvah.

As the Lev Simchah (Sixth Rebbe of Ger - Simchah Bunim Alter April 6, 1898 - August 6, 1992) responded to the student who told the Rebbe that he was learning in Ohr Sameach "...but was not a Baal Teshuvah" – "Far Vos Nisht!" – Why Not!!

Rabbi Yisroel Salnter's theory (as well as the common sense it was founded on) remains intact! Rabbi Huntner's riddle has been solved!

I believe the most compelling corroboration to this theory can be gleaned from a previously cited Talmud; "*How does one become a Baal Teshuvah? A sin comes his way once and then a second time and he refrains...*"

<sup>16</sup> As many commentators point out, this term is interpreted to mean a "Teshuvah Malyusah".

<sup>17</sup> See Meshach Chochmah Devarim 31/17 who explains that the reason Rambam does not seem to include Teshuvah as an independent Mitzvah (as opposed to Vidduy – see Shabbos Shuvah/05) is because not sinning and following the Torah – simple Teshuvah - has more to do with our excepting of the Torah at Sinai than with an autonomous commandment.

Did you see it? The Talmud made no reference to previous sin. It does not say for example "...the *same* sin comes his way..." or "...he who sins, repents *and then* that sin comes his way...", this perhaps is shedding light on the fact that one need not sin to attain this title! By Showing a resolute resilience to a specific universal temptation is evidence alone to what this person – the once Rashah or the previously Tzadik – has accomplished; Purging of this desire and the cleansing of their soul<sup>18</sup>.

Teshuvah Malyusah is not a redundant addition to Teshuvah for it speaks to entirely different approach to change.

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As we have seen there are different levels of repentance. Let us find more.

Returning to our original question;

All Rebbe Yehudah Hanasi had taught was that Yom Kipper has the ability to atone<sup>19</sup>. An illustration of this may be the person who forgives the loan because he is tired of running after the money - the money may not be owed but the flaw in the man he was collecting from unfortunately remains intact<sup>20</sup>. On the flip side, the Talmud in Kiddushin hinted *not* to instantaneous *atonement*, but, as the commentators understand it<sup>21</sup>, to a low rung of return where your sins remain but the *Shem Rashah* vanishes - A Tzaddik with baggage as it were.

In fact the Chelkas Michokek says that a thief who is בתשובהמהרהר (thinks of Teshuvah in his heart) *before* he pays his victim back is called a Tzadik - בקרא צדיק.

An example of this brand of "Teshuvah" would be the opposite case - where the borrower of the funds has had enough of his own unreliability and begins working on getting the money back - his temperament may have changed but the loan still needs to be returned.

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The Medrash in Koheles Rabbah<sup>22</sup> tells us that a person is given three names in his lifetime: That which the parents give, what friends and neighbors call this person and a name based on how the person defines them self.

<sup>18</sup> See however Rif and his text of this stitch. See as well Rashi s.v Shebo DaVar.

<sup>19</sup> Indeed, during the rest of the year, we only make references to Selichah and Mechliah – not Kapparah. See Rabbi Shimshon Pinkus Tipheres Torah/13

<sup>20</sup> An example given by many Meforshim – see Tosphos Yeshanim – in explaining Rebbe's view.

<sup>21</sup> Rav Aaron ibid. I have heard this from Rav Shlomo Miller as well.

<sup>22</sup> Koheles Rabbah, Parshah 7: end of 3a

Some go through Yom Kipper - and indeed religious life as well - on cruise control, doing what they have been doing since their parents had taught them. They will fast and go through the motions of the Day and perhaps, as Rebbe Yehudah Hanasi in Tractate Yoma had taught us, the Day will smile back at them, but a Teshuvah in action, as a verb, was not accomplished.

For some this may not be enough, they will want to *change* themselves as well. But these modifications are born out of social pressures; maybe to impress a girl one wants to propose to as was the case we saw in Tractate Kiddushin. Such a return, although lacking, can accomplish what the previous case could not.

Finally there is the third level: Teshuvah that was born out of autonomy. Change for self. Change for G-d. And within this category there is a secret passageway that leads to the Throne of Glory, where one need not worry that the sin will return for it is he who will return it. He will own it. Own himself and his destiny. The Baal Teshuvah.