

## תשובה על עבירות בין אדם לחבירו הרב צבי איינשטטר

In the last *Mishnah* of *Maseches Yoma*, R. Elazar ben Azaryah makes a *drasha* that Yom Kippur is *mechaper* for *aveiros bein adam laMakom* but not for *aveiros bein adam lachaveiro* until “*sheh’yiratzeh es chaveiro*.” One must ask *mechila* from the friend he wronged in order to gain *kapparah*. At the same time, it is important to keep in mind that every single *aveirah bein adam lachaveiro* is also a transgression of *Ratzon Hashem* and contains an aspect of *bein adam laMakom* as well.

Many *Acharonim* discuss the following famous question. When we cite this rule of *Yom Kippur* not being *mechaper* for *bein adam lachaveiro*, does this mean that the part of the *aveirah* which was against Hashem is still forgiven and only the interpersonal side of the *aveirah* requires the *mechila* or is the entire *aveirah* (both the part against his friend and the part against Hashem) still held against him until he obtains the *mechila*?

The *Pri Chodosh* (*Siman 606*) and the *Minchas Chinuch* (*Mitzvah 364*) are both of the opinion that one cannot achieve any *mechila* from *HaKadosh Boruch Hu* for example, transgressing *Lo Sigzol*, until one has obtained *mechila* from the person he perpetrated the *aveirah* against.

There is a *kasha* on this opinion from the *gemara Rosh Hashana 17b*. The *gemara* records an incident with *Bluriah hagiyoeres* and Rabban Gamliel. She asked him how the Torah in one *posuk* (*Devarim 10: 17*) states that Hashem doesn’t show favoritism but in another *posuk* (*Bamidbar 6: 26*) states explicitly that Hashem favors *Klal Yisroel*? R. Yose HaKohen answered her with the following *moshol*. A man borrowed money from his friend and swore in front of the king that he would repay the loan by a certain date. That day came and passed without repayment and the man went before the king to beg forgiveness. The king told him, “I can forgive you for insulting me by not abiding by your oath, but I cannot forgive you for not repaying the loan on time. Go appease your friend.” This idea is true by *Klal Yisroel*. Hashem favors no one when it comes to *aveiros bein adam lachaveiro*, but He does favor *Klal Yisroel* in regard to *aveiros bein adam laMakom*.

The *Chida* writes in his *sefer Devarim Achodim* that it seems to him that this story has two aspects to it, one *bein adam lachaveiro* and the other *bein adam laMakom*. In the *moshol*, it was as if Hashem was *mochel* on His half and told the man to obtain *mechila* on the other half. This *gemara* is a *kasha* against the *Pri Chodosh* and *Minchas Chinuch*.

In order to answer this *kasha*, let us first examine another *kasha* and then come back to answer them both.

There is a fascinating *Rashi* in *Yoma 87a*. The *gemara* quotes the *posuk* (*Shmuel 1, 2: 25*) which states, “*im yecheteh ish l’ish u’filelo Elofkjim yimchol lo*.” *Rashi* explains that “*u’filelo*” is from the word *pileil* and means *piyus* (appease). The *posuk* means that if one wrongs his friend but appeases him and gains *mechila*, Hashem will be *mochel* him.

This *posuk* is then saying that if one obtains *mechila* from his friend then Hashem will be *mochel* him. Rav Meir Arik, in his *sefer Tal Torah*, comments that there is a *chiddush gadol* from *Rashi*’s approach. Once a person gets *mechila* from his friend then he is done because Hashem will be *mochel* him automatically. One would not have to bother to do *teshuva* to Hashem once he gets the *mechila*.

However, it is clear all across the *Rambam* not this way. He writes explicitly that one must do *teshuva* and *viduy* to Hashem for *aveiros* done against others just the same as any other *aveirah*. The fact that he obtained *mechila* from the victim is not enough.

The question for us is if this is a *stirah* to *Rashi* and does *Rashi* then disagree with the *Rambam*?

I would like to propose that *Rashi* does not argue with the *Rambam*. The *pshat* is that there are two *nekudos* in the *bein adam laMakom* itself. If a person harms his friend, whether emotionally, physically, financially or otherwise, he has done two *avlos bein adam laMakom*. One is transgressing the word and will of Hashem who commanded not to do that act, which is a lack of *morah* towards *HaKadosh Boruch Hu*. This is no different than eating *treif* or violating Shabbos or eating a *seudah* outside of the *Sukkah* on *Sukkos*. The other *avlo* is that *HaKadosh Boruch Hu* cares about your friend and is *makpid* on his welfare. Therefore, when you wrong the friend and he is hurt, Hashem holds that against you as well.

When we say that Hashem is automatically *mochel* once your friend is *mochel*, that is referring to the latter *avlo* we just mentioned. If the friend is happy, Hashem no longer holds that aspect against you. The friend has the status of *bonim laMakom* and one could imagine the father of a wronged individual not forgiving the culprit so easily. We don't say that Hashem still holds it against you even after the friend was *mochel*.

However, one still must deal with the fact that he rebelled against the word of Hashem. That aspect still requires a *teshuva*. This is what the *Rambam* means when he writes that even after *mechila* from another person one must still do *teshuva*. *Rashi* could agree to this.

Now that we have this *yesod* that there are two aspects to the *bein adam lachavero*, we can go back to answer our original question. What is the *din* if someone does *teshuva* on an *aveira bein adam lachaveiro*? Does it have any effect on the *bein adam laMakom* part of it?

I want to be *mechadesh* that even according to the *Pri Chodosh* and *Minchas Chinuch*, one could get rid of one aspect of the *bein adam laMakom*. At least one can erase the *avlo* against Hashem of disobeying His will even if there is still the *avlo* of hurting his friend, a son of Hashem. The *nafka mina* is if one did *teshuva* and only afterwards received *mechila* from his friend— does he need to do *teshuva* again? According to my *chiddush*, it comes out that one would not have to do *teshuva* again. The *teshuva* originally functioned for the *avlo* against Hashem and now the *mechila* automatically absolves the *avlo* which Hashem holds against him for harming His child. However, this is a *chiddush* because the regular *pshat* in the *Pri Chodosh* explains that Hashem is not *mochel* at all on any *bein adam laMakom* until the *bein adam lachavero* side is settled.

According to this *chiddush*, the *moshol* from *Maseches Rosh Hashana* is very *meduyak*. I saw a question in the *sefer Yechaveh Da'as* as follows. How could we compare the *moshol* to a regular *aveirah bein adam lachavero*? In the story, the man is committing two separate actions, one against the king and another against his friend. One is breaking the oath and the other is not repaying the debt. According to my *pshat*, it is a very good *moshol*. When one wrongs his friend, he was already *mushba v'omed lifnei Har Sinai* not to do such a thing. In essence, he is doing a totally separate action at the same time as the *aveirah* against his friend. Hashem can be *mochel* on the broken oath even without *mechila* from the friend.

I would like to end with a small practical idea regarding *bein adam lachavero*. We all know that we talk about *teshuva* and try to do *teshuva* but we actually need to accomplish it. That is the main *mitzvah* for this time of year and we shouldn't get lost in all the other preparations.

One suggestion is that if a person ever feels that he should say something that will or might hurt another person and is justified in his own head to do so, the best *eitzah* is to wait. Don't say it right away. We see so many times that in the heat of the moment a person feels one way and then later, even a mere few hours, he calms down and sees it in a different light. This is a tremendous *eitzah* for being *mechaper* for *ona'as devarim*.

My second *eitzah* is that when one feels angry or insulted by another person, he should stop and think how many times Hashem is justified to be angry at us for things we have done. The same exact thing that happened to him could be something he himself is guilty of against Hashem. Insults, lack of gratitude, lack of respect, all of these things and much more are possibly on a list of our misdeeds against Hashem. Why should I be upset at my friend if I don't want Hashem to be angry at me? Just like I want *mechila* from Hashem, so should I be *mochel* my friend. Once a person can convince himself to let things go more easily, he puts himself in perfect position to ask Hashem to be *mochel*.

We should be *zoche* to a year full of *mechila selicha v'chappara* and a *gut g'bentchte yohr*.