



Hilkhot Teshuva 2:10
Granting Forgiveness to One's Fellow
By David Silverberg

It is forbidden for a person to be cruel and not grant pardon. One should rather easily forgive and not easily grow angry, and when the offender requests forgiveness he should forgive with a full heart and generous spirit. Even if he caused him distress and committed many offenses against him, he shall not exact revenge or bear a grudge. This is the way of the Israelite people and their principled heart. But the idolaters...are not like this; rather, they preserve their wrath eternally. It thus says (Shemuel II 21:2) with regard to the Givonites because they did not forgive or grant pardon, "and the Givonites were not among the Israelites."

(Hilkhot Teshuva 2:10)

After establishing in the previous *halakha* the requirement to request the victim's forgiveness to achieve atonement for interpersonal offenses, Maimonides now turns his attention to the victim, and requires that he willingly grant forgiveness to the offender. Regardless of the gravity or number of instances of the offense, the victim is enjoined to offer forgiveness rather than retain feelings of ill-will towards the offender.

This comment is rooted in a number of passages in the Talmud, including a comment in the Mishna in Masekhet Bava Kama (92a): "And from where [do we know] that if he [the victim] did not forgive him, he is cruel? As it says (Bereishit 20:17), 'Avraham prayed to God, and God healed Avimelekh and his household...'" After Sara's abduction by the Philistine king Avimelekh, the king returned her to her husband, Avraham, and asked forgiveness. Avraham immediately prayed to the Almighty on Avimelekh's behalf, indicating his wholehearted pardon for the king's crime. The Mishna views Avraham's reaction as a precedent for offering forgiveness even in cases of especially grievous offenses.

Likewise, the Talmud in Masekhet Yoma (87b) records Rava's statement that somebody accustomed to being *ma'avir al midotav* – "passing over his retaliations" – will be worthy of similar measures of forgiveness from the Almighty. The Talmud clearly approaches this remark as a normative halakhic ruling, enlisting it as a challenge against Rabbi Chanina's refusal to forgive Rav for insulting him. Rabbi Chanina's conduct is ultimately justified only on the basis of the extenuating circumstances surrounding the case, as described in the Gemara, suggesting that normally a victim is indeed obliged to grant forgiveness for wrongs committed against him.

Returning to Maimonides' remarks, he adds that extending forgiveness constitutes not merely an obligation, but also a hallmark of Jewish values: "This is the way of the Israelite people and their principled heart." He makes reference in this context to the incident described in the Book of Shemuel II (chapter 21), where the Givonite tribe demanded the execution of seven descendants of King Shaul as retribution for his crimes

against them. They outright refused to accept any monetary reparations, insisting instead on the death of seven innocent descendants of the king (21:4). In this context the prophet makes a point of emphasizing that this tribe did not belong to *Benei Yisrael* (21:2), which Maimonides explains as an expression of *Benei Yisrael's* characteristic willingness to forgive. It was because the Givonites "were not among the Israelites," and thus did not possess this quality of compassionate forgiveness, that they so cruelly demanded such a gruesome price to avenge Shaul's crimes.

"He Shall Not Exact Revenge or Bear a Grudge"

Among the more striking clauses in this passage is Maimonides' reference to the Torah prohibitions of *lo tikom* and *lo titor* – taking revenge and bearing a grudge (Vayikra 19:18). He writes, "Even if he caused him distress and committed many offenses against him, he shall not exact revenge or bear a grudge." The seeming implication of this comment is that refusal to grant forgiveness amounts to either revenge or a grudge, and thus transgresses either or both of these Torah prohibitions.

If so, then this passage appears to contradict Maimonides' remarks earlier in *Mishneh Torah*, in the final chapter of Hilkhot Dei'ot (*halakhot* 7-8), where he presents the following definition of *nekima* (revenge) and *netira* (a grudge):

What is "revenge"? One said to his fellow, "Lend me your axe," and he said, "I will not lend you." The next day, he needs to borrow from him, and his fellow says to him, "Lend me your axe," and he says, "I will not lend you, just as you did not lend me when I requested from you" – he has thus taken revenge...
What is a "grudge"? Reuven said to Shimon, "Rent me this house" or "Lend me this ox," and Shimon refused. Eventually Shimon came to Reuven to borrow or rent from him, and Reuven said to him, "Look – I am lending to you and I am not like you; I do not pay you back in accordance with what you did!" One who acts in this manner violates [the prohibition] "you shall not bear a grudge."

Maimonides here defines *nekima* in terms of actual retribution – acting with hostility in response to the other's hostility. *Netira* differs from *nekima* in that it involves a verbal response instead of actual mistreatment. One violates this prohibition by reminding the perpetrator of his wrongful act, even while acting kindly nonetheless.

Seemingly, refusing to grant forgiveness does not meet the criteria of either *nekima* or *netira*. This refusal takes place within a person's mind, and not through words or action, and thus does not appear to belong to these halakhic categories. One might contend that when the offender approaches the victim to request forgiveness, and the latter refuses, he indeed transgresses *netira* insofar as he verbally expresses the resentment he continues to harbor towards the offender. Still, this would seem to fall short of *nekima*, which, as mentioned, Maimonides defines in terms of concrete reprisal, rather than inner animosity or even verbal hostility.

Indeed, a number of early authorities write explicitly that refusing to grant forgiveness does not violate the Torah prohibitions of *nekima* and *netira*. Rashi, for example, in one of his published responsa (245), addresses an intriguing case of a person who vowed never to forgive a certain individual who intentionally injured him. He later

regretted the vow, and the question arose if perhaps the vow may be rendered void on the grounds of *shevu'a le-vatel et ha-mitzva*. This principle establishes that a vow taken to transgress the Torah is *ipso facto* null and void, since all Jews are previously bound by our collective oath to observe the laws of the Torah. The victim thus posed the question of whether his vow may be ignored given that it entailed a violation of the prohibitions against exacting revenge and harboring ill-will towards an offender.

Rashi ruled that the oath was technically valid, and did not constitute a *shevu'a le-vatel et ha-mitzva*. He notes that the Talmud in Masekhet Bava Kama, as cited above, does not cite the prohibitions of *lo tikom* and *lo titor* as the Biblical source for the requirement to offer forgiveness, and pointed instead to Avraham's reconciliation with the Philistine ruler Avimelekh. Apparently, the Talmud did not view refusing a request for forgiveness as a direct violation of these laws, because, presumably, such refusal does not meet the strict criteria that define these prohibitions, as we inferred earlier from Maimonides' description of *netira* and *nekima*.

It thus stands to reason that Maimonides employs the terms "grudge" and "revenge" in the colloquial, rather than strictly halakhic, sense, as referring to a general feeling of resentment towards one's fellow. Beyond the specific command forbidding verbal or practical reprisal, the spirit of these prohibitions requires also that the victim eliminate all hard feelings and forgive the perpetrator – in Maimonides' words – "with a full heart and generous spirit."

Hilkhot Teshuva, Hilkhot Dei'ot and Hilkhot Choveil

Curiously, this passage in Hilkhot Teshuva marks the second of three contexts in *Mishneh Torah* in which Maimonides discusses the importance of granting forgiveness. The first instance is in Hilkhot Dei'ot (6:6), where Maimonides addresses the prohibition against despising one's fellow Jew, and the requirement for a victim to approach the perpetrator to politely express his feelings, rather than concealing them:

When a person commits an offense against another, he [the victim] should not despise him silently... Rather, it is a *mitzva* for him to inform him [of his feelings]...as it says (Vayikra 19:17), "You shall surely reprove your fellow." And if he then changed [his heart] and asked him to forgive him, he must forgive, and the forgiver shall not be cruel, as it says, "Avraham prayed to God [on behalf of Avimelekh]."

The third context in *Mishneh Torah* where this subject appears is Hilkhot Choveil U-mazik (5:10), amidst Maimonides' discussion of the requirement to request forgiveness in cases of physical injury. Maimonides writes:

It is forbidden for the victim to be cruel and not forgive; this is not the way of the offspring of Israel. Rather, once the injurer requests of him and pleads to him once or twice, and he knows that he repented from his sin and regrets his evil, he should forgive him. And whoever forgives quickly – he is praiseworthy and the Sages are pleased with him.

The question arises as to why Maimonides found it necessary to present this *halakha* on three separate occasions in his code of law. Once he mentioned the requirement to forgive in Hilkhot Dei'ot, why must he repeat it in Hilkhot Teshuva and then again in Hilkhot Choveil?

As is always the case when we find repetition in *Mishneh Torah*, we should explore the possibility of approaching this *halakha* as a multifaceted requirement. Meaning, if Maimonides makes mention of the obligation to extend forgiveness in three different contexts, it stands to reason that he viewed this obligation as stemming from three different sources, or as relevant to three different halakhic frameworks.

The late Lubavitcher Rebbe, Rabbi Menachem Schneerson (*Likutei Sichot*, vol. 28), develops such an approach in explaining the repetition of this *halakha*. In Hilkhot Choveil, Maimonides addresses the injurer's obligation to compensate the victim and thereby atone for his wrongdoing (see Hilkhot Choveil 5:9, and the previous installment in this series). In this context, Maimonides adds that the victim, for his part, must cooperate in this process and enable the offender to earn expiation for his crime, by graciously granting forgiveness.

The process of *teshuva*, by contrast, involves more than atoning for a particular act. In a famous passage later in Hilkhot Teshuva (7:6-7), Maimonides describes how repentance not only helps to avoid the repercussions of wrongdoing, but also changes the individual's overall stature and standing: "Yesterday he was despised by the Almighty – repulsed, distant and abominable – but today he is beloved and cherished, near and adored... Yesterday he was separated from the Lord God of Israel...but today he is attached to the Divine Presence." *Teshuva* is aimed at not merely atoning for the particular misdeed, but also repairing the sinner's relationship with his Creator and changing his status from "despised" to "beloved," from "distant" to "near." By extension, in cases of interpersonal offenses, the victim is enjoined to assist in this process by offering complete forgiveness for the crime and agreeing to treat the offender as though the incident had never transpired. As Rav Schneerson noted, in this context Maimonides emphasized that the victim must forgive "with a full heart and generous spirit," a clause that he did not include in the parallel passage in Hilkhot Choveil. In the framework of Hilkhot Teshuva, the victim is called upon to not merely offer forgiveness for the criminal act, but to look upon the offender as somebody precious and beloved, as though he had never committed the offense.

This is perhaps the implication of the source cited by the Mishna for this obligation, namely, Avraham's forgiveness of Avimelekh. Recall that the Mishna pointed to the fact that Avraham prayed for the well-being and immediate cure of Avimelekh and his household, whom God had stricken on account of Sara's abduction. Avraham's prayer established the precedent on the basis of which the Mishna determined that a victim should extend forgiveness. "Forgiveness" thus means genuine goodwill towards the perpetrator, to the extent that one wishes and prays for his well-being and success. In the context of Hilkhot Teshuva, where Maimonides deals with the comprehensive cleansing process of *teshuva*, he bids the victim to forgive his penitent offender "with a full heart and generous spirit," to the point where he genuinely wishes and passionately prays for his well-being – just as Avraham offered a heartfelt prayer on Avimelekh's behalf. Here forgiveness is required not merely in the sense of a pardoning a particular offense, but

rather in the broader sense of the complete restoration of friendly and congenial relations between the two parties.

Finally, in Hilkhoh Dei'ot Maimonides presents this requirement from a third angle, namely, from the perspective of one's personal *middot* (character traits), the obligation to develop refined conduct. Irrespective of a person's responsibilities to his fellow, he bears the obligation to be tolerant and forgiving, rather than ill-tempered and vengeful. Whereas in Hilkhoh Teshuva and Hilkhoh Choveil Maimonides introduces the requirement to forgive as part of one's responsibilities to a penitent offender, in Hilkhoh Dei'ot he speaks of one's responsibilities to himself, to his own character development. Part of the development of fine character is accustoming oneself to sincerely forgive offenses committed against him, and to harbor no ill-will towards those who have wronged him.

Forgiving Unrepentant Offenders

It is noteworthy that in all three contexts, Maimonides makes it clear that he refers only to situations where the offender asked the victim for forgiveness. It seems that the obligation to forgive does not apply if the offender shows no remorse and has no interest in the victim's forgiveness. This is particularly evident from Maimonides' comments in Hilkhoh Choveil: "...once the injurer requests of him and pleads to him once or twice, and he knows that he repented from his sin and regrets his evil, he should forgive him." The victim is bidden to grant forgiveness only once "he knows that he repented from his sin and regrets his evil," and not if he has reason to suspect that the offender as yet feels no remorse for his crime.

In fact, at least in certain situations, Maimonides rules that it is forbidden to grant forgiveness until the offender requests it. In the final passage of Hilkhoh Talmud Torah (7:13), Maimonides emphasizes that a Torah scholar must be forgiving and tolerant, even towards those who insult and denigrate him. He then adds the following qualification to this rule:

When does this apply? When they insulted or denigrated him privately. But if a Torah scholar is insulted or denigrated in public, it is forbidden for him to forgive his honor, and if he did forgive, he is punished, for this is an insult to the Torah. He should rather avenge and bear a grudge over the matter like a snake, until he asks him forgiveness, and he should [then] forgive him.

In the case of a Torah scholar, *Halakha* actually forbids granting forgiveness until the offender apologizes. Since the public denigration of a Torah scholar constitutes a disgrace to the Torah itself, it may not be forgiven until the offender repents and requests forgiveness.

It would seem that with regard to other people, the victim may offer unsolicited forgiveness, as it is only his personal honor – as opposed to that of the Torah – that is at stake. Even so, as we noted, the requirement to grant forgiveness does not apply unless and until the offender expresses contrition and asks for the victim's forgiveness.

"It is Forbidden for a Person to be Cruel"

The Mishna in Bava Kama, as cited earlier, introduces this *halakha* by admonishing that "if he [the victim] did not forgive him, he is cruel." Maimonides, accordingly, defines this *halakha* in all three contexts in terms of avoiding "cruelty" (*akhzari*) towards the offender, seemingly emphasizing the fact that refusal to grant forgiveness amounts to nothing less than sheer "cruelty."

Instinctively, we generally approach the term "cruelty" as referring to far harsher conduct than harboring resentment towards those who have wronged us. "Cruelty" is often associated with heartless sadism and unprovoked evil perpetrated for evil's sake. But the Rabbis nevertheless employ this somewhat charged word in reference to refusing to grant forgiveness, perhaps to instruct that forgiving wrongs is very much a part of the basic code of decency. In our relations with other people, we are to be accepting of the fact that human beings are prone to mistakes, both major and minor. We cannot demand perfection; we can only demand that people acknowledge their mistakes and make a sincere effort to improve.

Hence, it is very "cruel" to refuse to forgive a penitent offender, to deny him the right to erase the stains on his record and start a fresh page. Every individual deserves the opportunity to change, improve and grow, and even a person's victims must grant him this opportunity and recognize his potential to overcome his flaws and move closer towards perfection.