

Hilkhot Teshuva 2:2
"The Knower of Mysteries Shall Testify for Him That He Will Never Repeat This Sin"
By David Silverberg

This essay will explore one particularly striking and difficult comment by Maimonides in presenting his definition of repentance, in the second chapter of Hilkhot Teshuva (*halakha* 2). He writes:

And what is *teshuva*: that the sinner abandons his sin, removes it from his thoughts, and resigns in his heart never to commit it again, as it says, "The wicked man shall abandon his path" (Yeshayahu 55:7). He likewise should regret the past, as it says, "For after I have returned I am remorseful" (Yirmiyahu 31:18), and the Knower of mysteries will testify for him that he will never repeat this sin again, as it says, "we shall no longer say, 'Our god!' to the work of our hands" (Hoshea 14:4).

Maimonides here very clearly delineates three components of the repentance process:

- 1) "abandoning" the sin, meaning, rejecting the act in one's mind and casting it outside the range of acceptable behavior;
- 2) accepting upon oneself never to repeat the wrongful act;
- 3) feeling and expressing genuine remorse for having committed the misdeed.

What remains ambiguous, however, is Maimonides' comment that "the Knower of mysteries will testify for him that he will never repeat this sin again." At first glance, Maimonides makes the astounding statement that once a sinner follows the three stages of repentance – abandoning the sin, committing oneself to never repeat it, and remorse – he is guaranteed to never again commit the wrongful act. Such an assertion, however, seems hardly defensible. Is it not possible for an individual to sincerely repent and then later in life experience a moment of weakness in which he stumbles again? Do we all not regularly make genuine commitments to change that we later find ourselves breaking?

A Demanding Standard

One might intuitively respond that Maimonides here simply raises the bar of repentance higher than we might have intuitively placed it. He establishes that to satisfactorily complete the process of *teshuva*, a sinner must undergo such a drastic transformation with respect to the wrongful act he committed to the point where the Almighty can testify that he will never repeat the misdeed. If a person sins, repents, and at some later point repeats the sinful act, then we can retrospectively determine that his repentance was inadequate. Though he may have genuinely felt and expressed contrition, his relapse is indicative of his deficient efforts to change and overcome the desensitization that naturally results from wrongful behavior. In retrospect, then, we may not consider a repeated sinner as having repented, even if he had attempted to do so in between the two instances of sin.

This indeed appears to be the approach taken by the work *Ve-shavita Shevi* (cited in the *Likkutim* section of the Frankel edition of *Mishneh Torah*), which associates Maimonides' comments with a similar passage in the work *Sha'arei Teshuva* (1:49) by

Rabbenu Yona of Gerona (Spain, 1180-1263). Rabbenu Yona writes that the process of repentance demands that one continuously "add fear of God in his soul each day" to the point where the Almighty can determine that this individual would not repeat the given violation even should he have opportunity to do so. Rabbenu Yona makes this remark in reference to what he terms "the highest rung of repentance," as opposed to Maimonides, who speaks here of the essential definition of repentance itself. Thus, by associating these two passages, the *Ve-shavita Shevi* implicitly asserts that Maimonides requires this level of transformation for one to achieve the basic standard of *teshuva*. In his view, it appears, Maimonides considers a penitent sinner as having achieved repentance only once he has transformed his attitude towards the wrongful act such that the Knower of future events can testify that he will never repeat it.

If so, then Maimonides disagrees in this regard with a number of other writers. Firstly, as mentioned, Rabbenu Yona points to this level of achievement as the highest standard of *teshuva*, as opposed to the essential definition of *teshuva*. According to Rabbenu Yona, if a sinner feels remorse and commits himself never to repeat the act, he has achieved the basic level of *teshuva* even should he relapse into sin at some later point. Similarly, Saadia Gaon writes in his classic philosophical work *Book of Beliefs and Opinions* (5:5):

Let me explain also that if the resolve on the part of a servant of God not to lapse into sin again is sincere, his repentance is accepted, so that if, as a result of temptation, he falls once more, his repentance is not thereby forfeited. What happens is rather that the iniquities he committed before his repentance are canceled, only those committed by him thereafter being charged against him. The same would apply even if this were to occur several times; namely, that he repent and lapse back into sin. Only the wrongs perpetrated by him after his repentance would count against him, that is, provided he has been sincere each time in his resolve not to relapse.

According to Saadia, then, a sincere commitment to never repeat a given sin qualifies as *teshuva* and effectively erases the original transgression, regardless of the individual's success or failure in keeping to that commitment. Even if he at some point repeats the act, the repetition is looked upon independently without reference to the original misdeed, which has been permanently erased from his record.

Rabbi Menachem Meiri (France, c. 1249-1315), in his essay on repentance (*Chibbur Ha-teshuva*, 1:9), likewise advances this theory and draws evidence from the famous Talmudic analogy of *toveil ve-sheretz be-yado* (literally, "one who immerses with a rodent in his hand"). The Gemara (Ta'anit 16b) compares a sinner who confesses verbally without the sincere intention of repenting to a person who immerses in a *mikveh*, ostensibly for the purpose of ritual purification, while still holding in his hand the carcass that had rendered him impure. Just as a person seeking purification must discard the carcass before he immerses, so must a sinner "discard" his sin – by resolving never to repeat it – before attempting to achieve "purification" through confession and prayer. The Meiri extends this analogy one step further, noting that if an individual discards the carcass and immerses, subsequent contact with the carcass does not retroactively invalidate his immersion. It rather constitutes a new experience of *tum'a* (ritual impurity)

that bears no relation whatsoever to his previous state of impurity. By the same token, the Meiri contends, a person who sincerely repented achieves a state of spiritual "purity" that cannot be undone by subsequent mishaps. A recurrence introduces a new state of "impurity" that does not retroactively undermine his *teshuva*.

It appears that according to the reading of the *Va-shavita Shevi*, Maimonides disagrees, and retroactively invalidates *teshuva* once the sinner relapses into sin. Of course, this interpretation results in a rather frightening conclusion regarding the nature of *teshuva*, and leaves us wondering how we can ever properly fulfill this fundamental and critically important *mitzva*.

Other Approaches

Others, however, understand this passage differently. Both the *Kesef Mishneh* and the *Lechem Mishneh* (two of the classic commentaries to *Mishneh Torah*) read Maimonides' remark to mean, "he shall call the Knower of mysteries as witness to the fact that he will never repeat this sin." According to these commentators, the word *ya'id* in this passage means not "testify," but rather "call as witness" (as in Devarim 31:28 and Yirmiyahu 32:10), and its subject is thus not God, but the repentant sinner. His commitment to change must be made with such sincerity that he should feel confident summoning the Almighty, the "Knower of mysteries," to testify to this effect. Disingenuous declarations can deceive people, but not God. Maimonides therefore requires (according to this reading) that a penitent sinner call God to bear witness to his sincerity; if he can honestly summon God to testify to his genuine commitment to change, then he has indeed achieved *teshuva*.

According to this approach, then, a subsequent relapse does not undermine one's *teshuva*. Maimonides, like the writers cited earlier, acknowledges the value and success of sincere repentance regardless of its impact upon the sinner's conduct henceforth. The "testimony" of which Maimonides speaks in this passage is a kind of self-test to determine the sinner's sincerity: if he can honestly summon God to testify to his genuine remorse and commitment to never repeat the act, then his *teshuva* is sincere.

Indeed, Rabbenu Yehuda Ha-chasid (Germany, 1150-1217), in his famous work *Sefer Ha-chasidim* (20), writes explicitly that a sinner should declare as part of his process of repentance, "I call upon me as witness the Knower of mysteries that I will never again repeat this sin." This notion has its roots in the Midrashic volume *Yalkut Shimoni* (Hoshea, 532), which records an exchange between Israel and God in which God offers to testify, as it were, to His nation's sincere resolve to discontinue their sinful conduct. The Midrash records this exchange in the context of the prophet Hoshea's famous and timeless exhortation, "*Shuva Yisrael ad Hashem Elokekha*" ("Return, O Israel, unto the Lord your God" – Hoshea 14:2). *Chazal* homiletically read the word *ad* ("unto") as *eid* ("witness"), such that the prophet admonishes Israel to "return" to the point where they could summon God to testify to their sincere change of heart. This passage is likely the source upon which Maimonides and Rabbenu Yehuda Ha-chasid based their respective comments admonishing a penitent sinner to summon the Almighty as a "witness" to his sincerity.

A number of writers suggested drawing proof to this reading of Maimonides' remarks from the terminology he chose in referring to God in this passage – "Knower of

mysteries." Revealingly, Maimonides describes the Almighty as the "Knower" of mysteries, and not of future events. If this passage focuses on the individual's faithful adherence to his commitment, that he must repent to the point where God can determine that he will never repeat the sinful act, then we would expect Maimonides to emphasize God's knowledge of future events. Instead, he focuses on the Almighty's awareness of "mysteries," of man's unspoken thoughts. This description well suits the context of this passage if Maimonides speaks here of the individual's sincere conviction, and not of his future success or failure in acting upon that conviction.

Sinful Acts and a Sinful Lifestyle

Rabbi Yechezkel Sarna (Rosh Yeshiva of the Chevron Yeshiva, 1890-1969), in his *Daliyot Yechezkel* (vol. 3, p. 154), suggests a much different explanation of Maimonides' comments by distinguishing between two distinct situations of repentance. Rabbenu Yona (*Sha'arei Teshuva* 1:11) famously establishes two different programs of repentance for different kinds of sinners. If a person transgressed "by way of chance, because he experienced a desire and his inclination intensified in him and attacked him, and his intellect and senses did not come to his rescue when it confronted him," then his process of repentance begins with remorse. He should think to himself of the gravity of his misdeed and experience anguish and distress for having violated the word of God. This experience will help ensure his ability to withstand the pressures of the evil inclination the next time he is confronted by this kind of desire for sin.

Rabbenu Yona then proceeds to depict another prototype, a person "who is constantly stationed on an improper path" and "at all times loves evil and places the stumbling block of his sin opposite him." This sinner did not experience a momentary lapse of restraint; rather, he has set himself on a path of sin, whereby the violation has become part of his routine and lifestyle. Such an individual, Rabbenu Yona writes, cannot begin the *teshuva* process with the emotional experience of contrition. His first step must be a practical change of habit and lifestyle. Whereas the occasional sinner should begin the *teshuva* process by focusing on the past, which will, in turn, help ensure proper conduct in the future, the one who has fallen into a sinful routine must first focus his attention on the future, on reshaping his habits and lifestyle. Only once he has altered his lifestyle and broken old habits can he then experience and sincerely express his regret for the direction he had taken.

Rabbenu Yona thus delineates two distinct processes of repentance: one for an isolated sinful act, and another for a sinful lifestyle. When a person commits an isolated sinful act, *teshuva* requires that he contemplate the severity of sin and thereby arrive at a sincere commitment to never repeat the transgression. One who has grown accustomed to sin, for whom a certain violation has become a way of life, must begin by changing his routine and habits, and only later turn his attention to contemplating the gravity of the sins he had committed.

Another expression of this distinction appears in a comment by the Gemara in Masekhet Nidda (70b). The Gemara cites two seemingly contradictory verses with regard to the question of whether God wishes that the wicked should die. To resolve this seeming contradiction, the Gemara explains that one verse speaks of a case *be-osin teshuva* ("when they repent") whereas the other addresses a situation of unrepentant

sinner. Rabbi Yisrael Lipkin of Salant (founder of the *Mussar* movement, 1810-1883) noted the Gemara's use of the present tense in speaking of a situation of *teshuva*: "when they repent." The Gemara speaks here of sinners who are still involved in the struggle to change, to break old habits and live a more perfect lifestyle. According to Rabbi Yisrael Salanter, the Gemara refers to the second kind of *teshuva* described by Rabbenu Yona, whereby one who had led a sinful lifestyle works to change directions and place himself on the correct path. Even if he has yet to perfect himself, even while he still struggles with his habituated sinful tendencies, God patiently and eagerly awaits for the completion of this process and does not wish for his demise.

Rabbi Sarna suggested that we employ these two models of *teshuva* to explain Maimonides' demand that one repent to the point where the Almighty can testify that he will never relapse into sin. According to Rabbi Sarna, this demand will apply differently in the two situations described above. In the case of an isolated act of sin, Rabbi Sarna contended, we can easily understand this requirement. He points to the extreme examples of Adam in the Garden of Eden, the Israelites and the incident of the golden calf, and King David and the sin he committed with Batsheva. In these and similar cases, of an otherwise righteous individual or group of individuals who committed a fateful mistake, we can reasonably assume that they would never have repeated the given act should the opportunity have arisen. When dealing with an isolated incident of sin, Maimonides' demand applies in its simplest sense: the sinner must contemplate the gravity of his misdeed to the point where it can be guaranteed never to occur again at any point in the future.

Maimonides' directives likewise apply with regard to the second model of *teshuva*, namely, the long, grueling process of changing habits and lifestyle, only in a slightly different fashion. True, the individual cannot necessarily declare at the beginning stages of *teshuva* that he will never again commit the sinful act. What he can and must affirm, however, is that he will never despair from this process, that he will continue working to change direction until he indeed follows consistently the path of flawless observance and devotion. If a sinner cannot commit himself to try to change sinful habits, then he has indeed failed to perform *teshuva*; repentance by definition requires this kind of commitment. Even if he cannot honestly commit himself never to repeat individual actions, he must make a commitment to embark on the long, difficult, circuitous road of character refinement, and to make every effort to remain on that road until it brings him to perfection.