

Parsha Ponders

Rosh Hashanah | September 29, 2019 | 29 Elul 5779

*Tipping the scales*¹

דרשו יקוק בהמצאו קראוהו בהיותו קרוב

Seek out Hashem when He is to be found; call out to Him when He is close²

Every person has a mix of merits and transgressions. We are taught that someone who has more merits than transgressions is considered a *tzaddik*, a righteous person. Someone who has more transgressions than merits is considered a *rasha*, a wicked person. Someone who is exactly 50-50 is considered a *beinoni*, someone in the middle³. On Rosh Hashanah, everyone's status is determined. Someone who is ruled as a *tzaddik* is sealed for life. Someone who is ruled as a *rasha* is sealed for death. Someone who is a *beinoni* has their judgement stalled until Yom Kippur. If they repent, then they will be sealed for life. If not, they will be sealed for death⁴.

This is the Rambam's formulation. His source is the *gemarra*, which says⁵ that there are three books open on Rosh Hashanah. One for *tzaddikim*, who are sealed for life, one for *reshaim*, who are sealed for death, and one for *beinonim*, who have their judgement stalled⁶. However, the *gemarra* finishes by saying that if the *beinoni* is meritorious by Yom Kippur, they will be sealed for life, and if not, not. Since a *beinoni* is exactly 50-50, describing them as meritorious implies they simply have to tip the scales. If they do a single *mitzvah* in the days between Rosh Hashanah and Yom Kippur, they'll be sealed for life. Any *mitzvah* should seem to suffice⁷. Why then did the Rambam specify **if they repent**, they will be sealed for life?

Besides the calculation of a person's merits and transgressions, there's something else that is taken into account. A person could be held accountable for not repenting; for not bothering to fix the relationship with their Creator⁸. A person has a way to spare themselves from the consequences of their actions, and they maintain their rebellious nature? This is the epitome of *chutzpah*. Our Sages gave an excellent parable to demonstrate this⁹: Imagine a person is in prison with a group of criminals. The criminals dig themselves an escape tunnel, and this person remains in their cell. The jail guard comes and sees the lone prisoner, and can only think what a huge fool this person is for not taking the opportunity to escape. So too Hashem says to the wicked: "Repentance is before you, and you don't take advantage?!"¹⁰

If a person is held accountable for delaying repentance, all the more so during the Ten Days of Repentance between Rosh Hashanah and Yom Kippur. Especially if they don't repent on Yom Kippur

¹ Based Ohr Yisroel *Kochavei Ohr* § 5

² Isaiah 55:6

³ Mishneh Torah *Hilchos Teshuvah* 3:5

⁴ Ibid § 3

⁵ Rosh Hashanah 16b

⁶ See the Ran *ad. loc.* who has a unique approach to this *gemarra*, since the literal words of the *gemarra* are hard to accept. We see tons of wicked people who live after Rosh Hashanah, and many righteous people who die. The Rambam *loc. cit.* however seems to take the *gemarra* literally. See Ra'avad and Kesef Mishnah *ad. loc.*

⁷ See Kiddushin 40b and Rashi *ad. loc.*

⁸ See Sha'arei Teshuvah 1:2 and Reishis Chochmah *Sha'ar HaTeshuvah* Chapter 1

⁹ Koheles Rabbah 7:32, brought in Yalkut Shimoni *Kesuvim* § 906

¹⁰ See Yevamos 48b that even delaying conversion to Judaism is worthy of punishment, all the more so someone who is obligated to repent

itself. While repenting throughout the year is the proper thing to do, on Yom Kippur itself there's a specific *mitzvah* for all to repent¹¹. This is such an important *mitzvah*, that neglecting it is a greater affront. As well, the reward for *mitzvos* is determined by their difficulty. The harder the *mitzvah*, the greater the reward¹². The inverse is true as well. The harder the *mitzvah*, the smaller the punishment for neglecting it. That means the easier the *mitzvah* is, the less its reward, and the greater its punishment for transgression¹³.

The *gemarra* brings¹⁴ a contradiction between two verses. One verse says: "For which nation is so great to have G-d so close to it like Hashem, our G-d, whenever we call to Him?"¹⁵. Another says: "Seek out Hashem when He is found"¹⁶. This sounds like He is not always to be found. The *gemarra* answers that Hashem is close to a community whenever they call out to Him, but not an individual. When is an individual close to Hashem? During the Ten Days of Repentance. What does this mean? It means our repentance is more readily accepted during this time¹⁷. Therefore, since Hashem is so to speak making Himself available to accept sincere repentance, a person who neglects to do so greatly increases their transgression¹⁸. For sure on Yom Kippur, where there is a bonafide obligation to repent.

Now we can answer our question on the Rambam. The *gemarra* just says a *beinoni* needs to be meritorious after Rosh Hashanah to get a good judgement. This sounds like they simply have to tip the scales and perform a single *mitzvah*. Why did the Rambam specify that a *beinoni* who repents will be sealed for life? As we have seen, the Ten Days of Repentance are an auspicious time for repentance. Hashem makes it easier to repent. Someone who neglects to do so is committing a grave crime. As well, someone who doesn't repent on Yom Kippur is transgressing the obligation to do so. Even if a *beinoni* were to perform a single *mitzvah* while his judgement is stalled, it wouldn't help. The negative effects of failing to repent will override any merit they gained. Therefore, the Rambam is advising someone who is a *beinoni* to repent. Not only will this prevent any transgressions, it will earn the person the necessary merit. Besides, this is the easiest time to repent!

May everyone have a *kesivah vechasima tovah*, and a sweet new year!

¹¹ Mishneh Torah *loc. cit.* 2:7; Sha'arei Teshuvah 2:14

¹² Avos 5:23

¹³ See Menachos 43b

¹⁴ Rosh Hashanah 18a; Yevamos 49b

¹⁵ Deuteronomy 4:7

¹⁶ Isaiah *loc. cit.*

¹⁷ Mishneh Torah *loc. cit.* § 6

¹⁸ See Yoma 87a for a story which demonstrates this principle