



The Collective Conversation

Weekly Torah Essays from the
Young Israel of Scarsdale Community



Sefer Davarim

Parshat Nitzavim

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Is There a Jewish Version? (part 2)

By Steve Smith

In The Collective Conversation *dvar Torah* for *Parshat Beha'alotcha*, we discussed the Spanish & Portuguese Synagogue's contest that resulted in dubbing this decade The Mulligan Years. The name refers to the custom of some golfers who — contrary to the rules — declare a Mulligan or a 'do-over.' We ended the conversation with a tale of woe over my response to S&P's follow-up contest, what is a Jewish Mulligan.

As I said then, I was sure I was right until I realized that I was wrong: my instinctive response, *Pesach Sheni*, is not correct. *Pesach Sheni* is a 'make up,' and though exegetically understood as evidence of *Hashem's* compassion and willingness to give us a second chance, a 'make up' is not a 'do-over.' *Pesach Sheni* is not the winning contest entry I was searching for.

That brings us back to the question that animates this conversation, is there a Jewish Mulligan? It turns out that our *parsha* provides the answer. Follow along:

First, the *parsha* draws attention to our free will. הַבְּרָכָה וְהַקְלָלָה אֲשֶׁר נָתַתִּי לְפָנֶיךָ, *the blessing and the curse that I have set before you*, and then encourages us to choose the blessing (*Devarim* 30:1-6).

A few *pesukim* later, that encouragement turns to compassionate understanding that recognizes that the correct choice may not always be easy for us. כִּי הַמִּצְוָה הַזֹּאת אֲשֶׁר אֶנְכִי מְצַוְךָ הַיּוֹם לֹא־נִפְלְאת הוּא מִמֶּנּוּ וְלֹא רַחֲקָה הוּא מִמֶּנּוּ. *Surely, this mitzvah which I enjoin upon you this day is not too baffling for you, nor is it beyond reach.* (30:11)

The Rambam sussed out the process of *teshuva* from these *pesukim*: The encouragement to choose a blessing, not a curse, combined with the compassionate understanding that sometimes a life of *mitzvot* is difficult, is the intellectual underpinning to *teshuva*. At its core, *teshuva* is recognition that we are human, that we err, and that we can atone and grow.

Reb Nachman of Breslov put it succinctly: "If you believe that you have the power to spoil things, then you must also believe that you can repair them."

Teshuva is the Jewish Mulligan I was searching for, and part of its foundation is in our *parsha*.

Actually, we should note that *teshuva* is one of many opportunities to repent that are part of the tapestry of Jewish life: For example, in Temple times there was a קָרְבַּן חַטָּאת, *a sin offering*. Today our opportunities include *tefillah* — notably the daily *Amidah* where we find both סְלַח לָנוּ (*pardon us*) and מְחַל לָנוּ (*forgive us*) — giving charity and more.

Is there a Jewish Mulligan? It turns out that our *parsha* provides the answer.

But the word *teshuva* refers to more than an event, it's the handle by which we refer to full atonement.

Genuine regret undoes past actions not as a matter of law but as a matter of compassion.

The rabbis understood the difference between a 'make-up' and a 'do-over' and gave it a name, *tashlumin*. Rabbi Aharon Lichtenstein, z"l, defined *tashlumin* as, "An opportunity to make amends for a missed opportunity." He noted that there are two models with a clear difference between them: "The first type of *tashlumin* is if you missed the first opportunity, you have a second chance. The paradigm is *Pesach Sheni*." "The second type of *tashlumin*," he continued, "applies to prayer — this is *teshuva*."

The Rambam famously defined *teshuva* as a three-step process: 1) stopping the sinful act and 2) viewing it as unacceptable behavior, 3) vowing never to do it again, and orally expressing genuine remorse (*Mishneh Torah Hilchos Teshuva 2:2*). Actually, my use of the term "the sin" is not accurate. Properly understood, *teshuva* changes one's entire personality; it is not intended to deal with sins a la carte.

Rabbi Akiva said, *מָה מְקוּמָה מְטַהֵר אֶת הַטְּמְאִים אִף הַקְּדוּשׁ בְּרוּךְ הוּא מְטַהֵר אֶת יִשְׂרָאֵל* *Just as a ritual bath purifies the impure, so too, the Holy One, Blessed be He, purifies Israel (Yoma 85b)*. Rav Soloveitchik noted that, just as immersion in a *mikvah* must be total, as one cannot immerse one organ at a time, so too *teshuvah* should be total and comprehensive. Genuine regret undoes past actions not as a matter of law but as a matter of compassion. *Teshuva* is the Jewish Mulligan.

The Rambam outlined **what** to do in 3 steps. Rabbi Lichtenstein reviewed the teaching of *Rishonim* and outlined 4 "organizing principles" that define **when** to do it.

1. *Occasional* — Done following the commission of an עֲבֵרָה, *a sin*. "Sin is not left as a festering sore [untreated]," writes Rabbi Lichtenstein.
2. *Annual* — The context of *Occasional* is like going to the doctor with a symptom, which is treated in isolation. In contrast an *Annual* check-up, addresses the entire patient.
3. *Perennial* - Revisiting all of one's transgressions each year vs. focusing only on those that are new. Rav Eliezer ben Yaakov calls revisiting all praiseworthy. (*Yoma 86b*)
4. *Perpetual* — Dovid Hamelech wrote, "my sin is in front of me every day," (*Tehilim 51:5*). This implies he practiced *Perpetual teshuva*. It's like always having your finger on your pulse.

Rabbi Lichtenstein noted that different types of transgressions require different approaches to *teshuva*. We can extend that to say that it is up to each of us to define a strategy that fulfills our *parsha's* compassionate challenge to make the right choice when we are confronted with הַבְּרָכָה וְהַקְּלָלָה, *the blessing and the curse* and fix it when we don't.

I'll add one more thing: in our case, an occasional Mulligan is — legally — part of the game.

Steve wants to thank everyone who responded to the challenge laid down in the Collective Conversation for Parshat Beha'alotcha and suggested possible Jewish Mulligans.

Want to write or dedicate a Parsha essay?
Please contact Steve Smith at stevenjsmith@yahoo.com



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