

Sins Against God ... Sins Against Persons ... To Whom is Atonement Due

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The ten days from Rosh Hashana through Yom Kippur are known as the Days of Awe. It is a time of *teshuvah*: of repentance and atonement. *Teshuvah* is a process of turning away from inappropriate behavior and returning to the right course. Maimonides tells us in his *Hilbot Teshuvah* that repentance requires three things: an acknowledgement of improper behavior, sincere contrition for our offenses, and a commitment to change. The Rambam's proof-text for finding that the penitent must specify the sin for which he repents is Exodus 32:31 in which Moses said, "Alas, this people is guilty of a great sin in making for themselves a god of gold." Without that specification it would not be clear that a person is committing to change the specific sinful behavior of which he is repenting.

Repentance is different from atonement. Repentance without atonement is positive, in the sense that future behavior will not compound the damage done in the past, but the damage done in the past needs to be repaired. The essence of atonement (at-one-ment) is repair of damage done. The repair required to effectively atone differs depending on the character of the offense.

The Mishna teaches that for sins of a person against God, the Day of Atonement atones, but for sins of a person against another person the Day of Atonement does not atone until the one who sins appeases the one sinned against. (M. Yoma 8:9) The Mishna continues: if one says "I will sin and repent, I will sin and repent, he will not be given an opportunity to repent ... I will sin and the Day of Atonement will effect atonement, then the Day of Atonement does not effect atonement." So, a person cannot rely on the day itself for atonement while clearly intending to continue in his transgressions. The intention to continue improper behavior is both evidence of a failure to repent and a bar against effective atonement.

During Yom Kippur we recite confessional prayers and supplications known collectively as the Viduy. In traditional settings those are recited at least nine times – at the Mincha service of Erev Yom Kippur and twice each in the Maariv, Shacharit, Mussaf, and Mincha services of the day of Yom Kippur. Some recite it a tenth time, before the Kol Nidre service.

The traditional Viduy recited by the congregation has three parts. The first is called the Viduy Zuta, or the short confession. The statements recited by the congregation are written in the plural and they are in general terms, "We have sinned, we have betrayed, we have been cruel, we have scorned..." (In the current Reform machzor these are translated in the present tense i.e., we sin, we betray, we act perversely....) The short confession is followed by a longer and more detailed one called the *Al Chet*, for the phrase that introduces each of its statements.

The form of the *Al Chet* in the current Reform machzor consists of 24 statements, but the earliest forms of the *Al Chet* were much shorter. And they specified *kinds* of sin as opposed to specific sins. The siddur of Rav Saadia Gaon, for example, which dates to the 10th century CE, had only four *Al Chet* statements. The congregation confessed to sins committed: a) deliberately, b) through error, c)

in secret, and d) openly. That was followed by a blanket confession of all transgressions of positive commandments and then all regarding negative commandments.

Even earlier was the 9th century siddur of Rav Amram Gaon. Rav Amram's list included seven *Al Chet* statements confessing to transgressions committed a) under duress or willingly, b) through hardheartedness, c) through error, d) through reckless speech, e) openly or in secret, f) with open indecency, and g) through offensive talk.

Jewish liturgy tends towards expansion over time. Rarely, before the Reform Movement, was anything *removed* from the liturgy. So, as time passed, the *Al Chet* was expanded.

Jewish poets and liturgists have been historically fond of the alphabetic acrostic structure, in which a key element—often each sentence or verse, but sometimes another key word—follows the order of the Hebrew alphabet. A full acrostic pattern, then, would have 22 elements, each representing one of the Hebrew letters. In time, the *Al Chet* was expanded from the four statements of Rav Saadia to a full alphabetic acrostic with 22 statements.

When that was done the authors had a challenge. In order to have 22 statements rather than four, 18 additional categories of transgression needed to be described. The words used to describe those additional 18 kinds of sin had to start with the appropriate Hebrew letter and each letter could be used only once! It is no wonder that the language of *Al Chet* sometimes seems forced, and that translations vary widely.

The expansion was taken even further by the Eastern European Jews of Ashkanaz, who created a double acrostic *Al Chet* with forty-four statements. If 22 confessions were good, surely 44 would be better. And if it took verbal skill to find 22 words for different categories of sin, it took that much more to find 44! Versions of the double acrostic form of *Al Chet* are still found in Orthodox (ArtScroll, for example) and Hasidic (the Chabad Tehillat HaShem, for example) prayerbooks. The current Conservative machzor has reverted to the single acrostic form, while the current Reform machzor has abandoned the acrostic form. Its *Al Chet* service has 24 statements, and no attempt is made to choose its language on the basis of the alphabetic pattern.

In the third element of the Viduy the congregation asks for forgiveness for sins described in terms of the kind and severity of the punishment specified for transgression. The traditional format includes nine categories. The first four are for the kinds of offenses for which specific kinds of sacrificial offerings are required. The scale of punishment then increases to sins for which corporal punishment is specified, and the final category is of transgressions for which the death penalty is imposed. That element of the Viduy does not appear in the current Reform or Conservative prayerbooks.

All three parts of the formal confessional prayers of Yom Kippur, in all traditions, are written in the first person plural. *We* have done or failed to do something. Most describe categories or classes of transgression rather than specifics. Acknowledging that we have sinned both “deliberately and by mistake,” which is the first *Al Chet* in the current Reform machzor, does not reference a specific transgression.

The language of the introductory *Al Chet* statements presents a difficulty important to our subject. The introductory phrase, “For the sin that we have sinned ...” is followed by the Hebrew *l'fanecha*.

The preposition indicated by the Hebrew letter *lamed* is attached to the unambiguous Hebrew phrase meaning “your (God’s) face,” (*fanecha*). That preposition, when used with a form of the Hebrew meaning *face*, is usually understood to mean *before you*. And most translations do understand the preposition in that way, translating the *Al Chet* phrase as, “For the sin that we have sinned before you ...” which, in itself, suggests only that God is aware of the transgression.

The current Reform machzor, however, takes a less literal approach, understanding the phrase to mean “The ways we have wronged you ...” The implication is that all of the sins included in the *Al Chet* statements are sins against God. The Reform translations do implicitly address the difference between sins against God and sins against other persons. The 24 *Al Chet* statements in the Reform machzor are structured in couplets. The first statement in each couplet is translated, “The ways we have wronged You...,” suggesting the wrongs then named have been against God. The second statement in each couplet is translated, “and harm we have caused in Your world...,” which suggests harm toward others. The distinction is only an apparent one, however. There is nothing in the actual wrongs specified that supports the distinction. It seems the editors of the book wanted to make a point through their English translation that does not actually appear in the Hebrew.

The recitation of the Viduy, especially given the length and number of times it is repeated, establishes a mood of general contrition, and that mood pervades the liturgy of the day. But its recitation cannot be said to effect atonement for any individual’s specific sins. Nor can it be said to meet the requirements for repentance, at least as Maimonides and others have defined them. For that, the individual needs to acknowledge and atone for specific wrongdoing, have true contrition for those specific sins, and commit to avoid repeating them.

Which brings us to our subject. For an individual to even approach the question of required atonement, he needs to know two things. First, what is a sin? And second, to whom is atonement due for sins committed? That is, which behaviors are sins against God, and which are sins against other persons?

One approach to that question uses the Ten Commandments as a guide; suggesting that the first five commandments generally address man’s relationship with God, and the second five deal with man’s relationship with his fellow. That would break down as follows:

Commandments relating to God:

1. No other gods before God.
2. Do not make or worship idols.
3. Do not swear falsely by the name of God.
4. Remember and keep holy the Sabbath Day.
5. Honor your father and mother.

Commandments relating to other persons:

6. Do not commit murder.
7. Do not commit adultery.
8. Do not steal.
9. Do not bear false witness.
10. Do not covet that which is your neighbor’s.

This seems neat and tidy, but it is too broad to be practical and the inclusion of the commandment regarding parents with the duties towards God is forced. Are our duties to our parents really on the level of our obligations toward God? In Judaism, the criteria for identification of sin must be, or certainly must begin with, the 613 commandments, or mitzvot.

It was Rabbi Simlai who taught that there are 613 commandments: 248 positive and 365 negative. (B. T. Makkot 23b-24b) His teaching was based on earlier texts of halachic midrash. Rabbinic authorities teaching after the time of Rabbi Simlai have differed in their detailing of the mitzvot and in the scriptural sources for them, but the total of 613 and the division into 248 positive and 365 negative have continued to be accepted by all.

Early listings of the mitzvot by rabbis and poets of the geonic period were known as *azharot*. The *Azharot* of the Rabbis of Pumbedita are referenced in the siddur of Rav Amram Gaon. That siddur was the first complete prayerbook compiled for use in the synagogue, dating to the 9th century CE. The *Azharot* which it refers to would, of course, be even older. Rav Amram organizes the mitzvot under two traditional headings—positive and negative, or obligations and prohibitions.

Another early listing was compiled by Shimon Kahira in his *Halakot Gedolot*, which dates to the 8th century. Kahira chose a four part classification system for his listing: 1) sins that are punishable by death, 2) sins that are punishable by lashes, 3) private affirmative duties incumbent on the individual, and 4) public affirmative duties incumbent on the community. So, Kahira ordered the negative commandments in order of the severity of their required punishment, which anticipates the structure of the third part of the traditional Viduy. He ordered positive commandments sequentially as they appeared in the text of the Torah.

The best known listing of the mitzvot, the benchmark against which later efforts have been measured, was made in the 12th century by Moses Maimonides in his *Sefer HaMitzvot*. That work organizes the mitzvot under positive and negative headings. Under each of those headings he organizes his list by subject. He begins with commandments related to God. On the positive side, for example, his first commandment is that Jews believe in God. On the negative side, he begins with the prohibition against believing in any other god.

Maimonides introduces his list with a preface in which he details the process he used to arrive at both the method of organization and the identification of the mitzvot. He notes his disagreements with prior listings, and he explains the fourteen principles that he ultimately established to guide his work.

The first of Maimonides' principles was that laws of rabbinic origin were not to be included. So, for instance, the laws of Hanukkah would not be found in the *Sefer HaMitzvot* because Hanukkah is not of biblical origin. The second principle was that laws derived using the rules of biblical hermeneutics were not to be included. An example is found in the principle known as *kal v'chomer*, in which a conclusion is drawn from a minor premise to a major one, or from a more lenient one to one that is more strict. It is a biblical requirement to recite *birkat hamazon* after meals (Deut 8:10). The principle of *kal v'chomer* is brought to teach that if it is required to recite a blessing *after* being satisfied, how much more so should we bless when we are hungry, so the obligation to say a blessing before eating is inferred.

In *Hilchot Tshuvah* only commandments considered to have direct biblical origin are counted. Maimonides gives the biblical source of each mitzvah with an explanation of the rationale for the derivation. Where appropriate, he notes the penalty for failure to properly observe the commandment. He acknowledges that his listing includes many mitzvot that cannot be observed in the absence of the Temple and its sacrificial system. And many more cannot be observed outside the land of Israel.

Nachmanides, about two centuries later, objected in many details to Maimonides' listing. He offered thirty-three substitutions for Maimonides' listing of negative commandments and twenty-seven substitutions for positive ones. So, he differs from the Rambam on over 10% of the total listing, but his numbers do not vary from those of Maimonides. Rabbi Moses of Coucy, a 13th century French halakhist, rejected three of Maimonides' positive commandments and seventeen of his negative one. Isaac ben Joseph of Corbeil, also a French halakhist of the 13th century, found thirteen obligations and four prohibitions not found in the lists of Maimonides, Nachmanides, or Moses of Coucy. All maintained the same numbers, though, 613 in total composed of 248 positive and 348 negative commandments.

Rabbi Israel Meir Kagan, better known as the *Chofetz Chaim*, a widely acknowledged authority in both halachic and ethical matters, wrote the *Sefer HaMitzvot HaKatzar*, or the Concise Book of Mitzvot, which was published in 1931. For that work, Kagan reviewed all of the prior lists of commandments and the rationales proposed for their conclusions as well as the objections that had been raised by prior codifiers. After considering all of the prior listings and arguments for and against them, he created a new list. Like Maimonides, he provided an explanation for each item citing the sources he considered most relevant, often pointing out differences from earlier works.

Kagan's list, like that of Maimonides, excludes rabbinic laws and laws derived using hermeneutic systems. It is divided into positive and negative commandments. But he excludes those commandments that we are unable to keep in the absence of the Temple and the sacrificial system. And, because the vast majority of Jews in his day lived outside the land of Israel, he excluded laws that could only be complied with in the land.

The *Sefer HaMitzvot HaKatzar* contains only 77 positive commandments and 194 negative ones, a total of 271 versus the 613 of the complete traditional lists. It is considered authoritative for those outside the land of Israel in the present day.

Our objective here is not to present a classification of the entire list of 271 mitzvot. Rather, it is to analyze a sample of those mitzvot to illustrate a process and a rationale for classification that can be used for at least most of the 271. The aim is to distinguish between offenses that are against God, for which the Day of Atonement might atone, versus those that are against persons, which require some sort of restitution or redress of harm.

The issue of what specific atonement might be required is too large to be addressed here. The same is true of questions concerning what level of intention is required to constitute a transgression, the issue of attempted but incomplete actions, or the question of intended but impossible sins.

We will select examples roughly following the hierarchy used by Maimonides. In the listing of *Sefer HaMitzvot* he proceeded from higher to lower subjects; that is, from mitzvot relating to God, at the

highest level, to those having to do with property regulations, at the most mundane. He used that system for both positive and negative commandments. The *Chofetz Chaim* generally followed that plan as well and so will we.

We will vary from that order to highlight important categories of commandments. For example, there are 82 mitzvot, or 30% of the total, that are essentially ritual in nature. There are 31, or over 10% that deal with idolatry. An additional 10% or 28 that pertain to prohibited sexual relations or acts. About 4% relate to our treatment of the kohanim.

We'll then consider a category I'll call of Ethical Mitzvot. And we'll end with a question about the idea of sins against ourselves.

But we'll begin by looking at commandments related to God.

1. Mitzvot relating to God:

Positive #1: It is a positive commandment to believe that God exists. (Ex 20:2)

Negative #8: It is prohibited to entertain the idea that there is any other god but God. (Ex 20:3)

To hold a belief has, in itself, no direct effect on another person. If I fail to meet the test of either Positive Mitzvah #1 or Negative Mitzvah #8 it seems clear that my transgression is against God.

Positive #5: To sanctify God openly. (Lev 22:32)

Negative #155 To do nothing to desecrate the Divine name. (Lev 22:32)

These mitzvot are particularly important in times of persecution. A Jew must openly sanctify God's name especially under compulsion to desecrate it publicly. The sin of desecration of God's name (*Hillul HaShem*, which is not the same of 'taking God's name in vain') is considered so serious that "neither repentance nor Yom Kippur has the power to atone for it ... the matter is suspended ... and death atones for it."

Additional, related mitzvot are to love God (#3) and to fear God (#4).

2. Mitzvot relating to Torah:

Positive #14 To learn and teach Torah. (Deut 6:7, 4:9)

Positive #16 Be attached to Torah scholars.

Positive #17 Rise before an aged person and honor a Torah scholar.

Negative #159 To add nothing to the mitzvot of the Torah.

Negative #160 To take nothing away from the mitzvot of the Torah.

To teach Torah is to impart it in some form to another person. That is specifically commanded regarding children and grandchildren. To fail to do that deprives others of a tangible benefit. But how is atonement made? If the failure is a failure to teach one's child,

for example, or any other specific person or group, corrective action can be taken. But if it is a general failure, to whom is atonement to be made? To whom would it be due?

Can a failure to teach Torah be a failure to set a proper example? If so, can a change in behavior that results in setting a good example, effect atonement?

To fail to learn Torah is a different matter. It might have no effect on another person and so be a sin against God alone. But, in some circumstances, there might be an effect on others. If a person is part of a community in which it is customary to gather together for study, for example, a person's absence might send a message. That message might be to those who study without him. Or it might be a message to the person's family who see behavior that is contrary to community norms. Or a failure to study might cause the person to transgress other commandments through ignorance.

A failure to study might also be seen as a failure to properly love and care for oneself.

3. Mitzvot relating to idols/idolatry:

There are 31 mitzvot related to idols, idol worship, and making idols, including 10 relating to augury, divination, conjuring, soothsaying, etc., which are associated with idolatry.

Negative #9: To make no idol to worship. (Ex 20:4)

Negative #10 To make no idol even for a heathen. (Lev 19:4)

If I transgress Negative #9 by making an idol, that would certainly be a transgression against God. (Ex 20:4; graven image) If my making of the idol were completely in secret and no one else observed me or it, the sin might only be against God. However, if I was observed or if the idol came to influence another person, certainly if the other person was a Jew, then the transgression would be dual. Even making an idol for a heathen is prohibited, though. That is an extension based on a different biblical verse, Lev 19:4 (do not turn to idols or make molten gods).

Negative #23: To entice no Jew to worship an idol.

If I actually enticed a Jew to worship an idol it is clear that I have sinned against the other person as well as against God.

Negative #26: Not to rescue the enticer if he sees him in danger of death.

This suggests the level of seriousness associated with enticing someone to idol worship! The prohibition against saving the enticer's life is an indication of the extent to which he is considered a danger.

4. Ritual mitzvot relating to prayer and study:

Positive #7 To pray every day. (Deut 6:13, 11:13)

Positive #11 To recite the Shema twice a day.

These mitzvot can be fulfilled without any other person involved or affected. So, in itself, a failure to fulfill it would be a sin only against God.

Positive #15 To recite grace after meals

Positive #19 To verbally declare that Shabbat is holy [to make kiddush]

These might also be fulfilled in private but are more likely to affect others since meals are more often taken together and kiddush is more often done with others present.

If I willfully fail to recite grace in a public setting, especially if I openly refuse to join in with others, then my influence on those others is an offense. If I take the same attitude toward kiddush, the same could be true.

5. Positive Ritual Mitzvot

Of the 77 positive mitzvot, about half pertain to ritual or observance of some sort. Of the 271 total there are 82 mitzvot that pertain to various ritual matters.

Positive #8 To bind tefillin on the hand.

Positive #9 To bind tefillin on the head.

Positive #10 To make tzitzit on the corners of one's garments.

Positive #30 To hear the shofar on Rosh HaShanah.

In themselves, mitzvot such as these might seem to be only between a person and God. In some situations, though, there might be a negative effect on others. In a community in which it is the norm for men to lay tefillin, the example set by one who does not do so might negatively influence others. If that person openly challenges the validity of the mitzvah with the intent of influencing others to violate it, then his sins would certainly be against both God and other persons.

Positive #24: To tell about the exodus from Egypt on the first day of Passover.

A failure to tell the story of the exodus is clearly a transgression against other people. "Telling," of course, might be causing it to be told, participating in the telling, etc. What if one is alone and has no one to tell? What is the mitzvah then? To whom might atonement be due?

Positive #25: To count the Omer.

Here, the sin could be against God alone, or it could be against another person depending on the circumstances.

Positive #12 To affix a mezuzah on the doorpost of your house.

This is another case of a potential bad example. If a Jew comes to the house of another Jew and there is no mezuzah on the door, what message is being sent by the owner of that house?

6. Negative Ritual Mitzvot:

There are 4 negative mitzvot relating to the eating of or possession of hametz during Pesach.

To whom am I obligated if I eat prohibited hametz?

There are 15 negative mitzvot relating to kashrut.

To whom am I obligated if I eat prohibited foods?

7. Positive Requirements to Rest / Prohibitions of Work:

I present these as a separate category to demonstrate the extent to which many commandments have “mirror-image” companions. In this case we have 8 positive commandments that seem, for practical purposes, to mirror the primary 8 negative ones.

Positive #20: To rest on Shabbat

Positive #25: To rest on Pesach

Positive #27: To rest on the 7th day of Pesach

Positive #28: To rest on Shavuot

Positive #29: To rest on Rosh Hashanah

Positive #31: To rest on Yom Kippur

Positive #34: To rest on Sukkot

Positive #37: To rest on Shemini Atzeret

Negative #6: To do no work on Shabbat

Negative #147 To do no work on Pesach

Negative #148 To do no work on the 7th day of Pesach

Negative #149 To do no work on Shavuot

Negative #150 To do no work on Rosh Hashanah

Negative #151 To do no work on Yom Kippur

Negative #153 To do no work on Sukkot

Negative #154 To do no work on Shemini Atzeret

To whom am I obligated if I break the laws of rest on specified days?

Again, if no other person was aware of the transgression, it might be that the sin would be considered only against God. If one was observed eating hametz by a non-Jew, unaware of the prohibition, the same might be true. But if one was observed by a Jew aware of the

prohibition it might induce that person to transgress also, and the inducement to sin is a damage.

8. Negative Mitzvot relating to Prohibited Sexual Relationships or Acts:

There are 28 negative mitzvot relating to prohibited sexual relationships, acts, or behavior.

Negative #110 Not to be in intimate contact with blood relations.

This seems to be a rather general commandment that would include many potential relationships. But then we also find specific prohibitions including sexual acts with one's father, one's mother, one's daughter, one's granddaughter, both a woman and her daughter, one's uncle, one's aunt, etc. What is the purpose of the general statement if the specifics are then detailed?

Negative #116 No homosexual intimacy

But there are also specific prohibitions against homosexual intimacy with one's father, or one's uncle.

Note: Almost all of the sexual prohibitions apply to actions by men. Only one is exclusive to the actions of a woman.

Note: Negative #143 is a prohibition against emasculating any male being whatsoever! (Lev 22:24)

The issues raised by engaging in prohibited sexual acts are complex and the question of required or possible atonement vary widely. The question of who is injured will depend on circumstances.

Of most interest to the liberal Jewish communities are the mitzvot that might be called "ethical." That is, how we behave toward one another. Many of the ritual mitzvot are no longer commonly followed in liberal practice. Some of the mitzvot that fall under the idolatry heading – reading horoscopes, for example – are no longer considered active prohibitions. The same is true of most of the prohibitions against homosexual activity.

9. Ethical Mitzvot:

This is a loosely defined category of mitzvot that involves our treatment of others and, more generally, our behavior that might affect others. For many in liberal Jewish communities, these will be more relevant than ritual matters, for example.

a) General:

These are broad and general mitzvot under which many more specific ones might be grouped.

Positive #6 To walk in the ways of God. (Deut 28:9)
As God is gracious, you be gracious. As God is compassionate, you be compassionate. We are to model ourselves after the positive qualities of God

Positive #60 To bear affection for everyone in Jewry as for oneself. (Lev 19:18)

Positive #61 To bear affection for a stranger or convert.

If I treat someone badly, I might have sinned against that person and be required to atone. If my lack of affection is not expressed, to whom would atonement be due?

Negative #81 Not to harbor hatred in our hearts towards our fellow man.

Who does such hatred harm. Both the hated and the hater? Just the hater?

To Covet / to Crave:

Negative #40: To covet nothing belonging to one's fellow man. (Ex 20:14)

Negative #41: To crave something in one's heart that belongs to one's fellow man.

The *Chafetz Chaim* says that coveting has an active element of attempting to obtain the thing desired. Craving, on the other hand, is a matter in the heart alone. It is the desire alone. When the desire stimulates action, craving becomes coveting.

To whom is atonement due for coveting? If I covet my neighbor's wealth, for example, does that harm him? It is possible that he does not know and might never know. In that case, is atonement required? Maybe not, maybe only repentance is required.

b) Specific:

These might be thought of as commandments to treat others fairly and properly.

There might be a case here where the failure is a specific one, involving a specific person to whom atonement might be made. For example, if a specific individual asked for a genuinely needed act of charity and that was denied, that denial could be reversed. If one failed to give charity, in general, the rectification might be made by a general increase in giving.

Positive #38 Give charity to poor Jews.
Which we might understand more broadly as charitable giving to all.

Negative #62 Not to harden one's heart or shut one's hand toward a poor person.

Positive #39 To fulfill vows and oaths.

Which we might understand more generally as keeping our promises.

Positive #63 To give a pledged object back to its owner when needed.

Positive #66 To pay wages on the same day.
Better understood as paying when and as agreed.

Positive #69 To return something lost to a member of Jewry.

Positive #72 To upbraid a sinner.

Negative #48 Not to oppress one's fellow man with words.

Negative #51 Not to inflict suffering on any widow or orphan.

Negative #77 Not to tell anyone things that another said against him.

Negative #79 Not to shame one's fellow man.

Negative #81 Not to refrain from rescuing one's fellow man from danger.

Negative #156 Do not go straying after the thought of the heart or the sight of the eyes.

The general question might be: Is there a specific person or group of persons to whom some specific act of atonement can be made? If I have failed to keep a promise to someone; if I have shamed someone; if I have failed to pay someone when payment was due; if I have lied, stolen, cheated, caused inappropriate pain or damage in any way; I can make direct amends to that person.

In the AA program, for example, the first "amends" step is, "Made direct amends to such people except when to do so would injure them or others."

The sense of that approach is that I am not allowed to assuage my own guilt at the expense of another's pain. That compounds the initial harm caused.

10. Unusual and/or Conflicting Mitzvot:

Positive #76 Remember the actions of Amalek. (Deut 25:17)

Positive #77 Wipe out the memory of Amalek. (Deut 25:19)

Negative #194 Never to forget the actions of Amalek. (Deut 25:17-19)

If we consider this literally, meaning that it pertains to the biblical Amalek and the actions of that Amalek, a transgression of any of these might be thought to require atonement only to God. However, it might also fall under the commandment to teach Torah. And in that case, it might affect another person. If we consider it more allegorically, and Amalek is just the

convenient reference to the great persecutors of the Jewish people, then this might be more about heeding the lessons of the past.

Negative #192 Not to dwell in the land of Egypt.

It is interesting that this would be included in either the *Sefer HaMitzvot* of Rambam or in the *Sefer HaMitzvot HaKatzar* of Kagan. After all, Maimonides lived in Egypt for most of his life!

11. Kindness to animals:

Positive #74 Sending the mother bird away from the nest.

Negative #189 Not to take a mother bird with her young.

Negative #180 Not to plow with an ox and a donkey together.

12. Sins against oneself?

This is a category of wrongdoing that is not explicitly a part of our tradition. But it is among our mitzvot implicitly. The love of ourselves is the measure we are told to use in our actions toward others. (This is not love in the narcissistic sense. It is a positive self-regard and desire for self-preservation, growth, and flourishing.)

Positive #60 To (love) bear affection for everyone in Jewry as for oneself. (Lev 19:18)

Positive #61 To (love) bear affection for the stranger as yourself. (Lev 19:34)

Negative #79 Not to shame one's fellow.

It is a positive commandment that I "bear affection" for others, for strangers, and for converts, as I do for myself.

This assumes we have affection for, or love, ourselves. It implies a requirement that we treat ourselves as well as we do treat or would treat others?

The love that I am commanded to have for my neighbor and the stranger is like the love I have for myself. *This is an implicit command to love oneself, in my opinion.*

Positive #75 To make a parapet around one's roof.

Negative #76 Not to cause one's fellow to stumble over anything.

Negative #190 Not to leave a stumbling block in one's house.

Negative #78 Not to hate in one's heart any decent person in Jewry.

Negative #81 To harbor no hatred in your heart for your fellow (bear a grudge)

These are descriptions of ways I am to protect others from harm. Do I not owe the same protections to myself?

If I am willing to damage myself, would I not also be willing to damage others.

The issue is not reciprocity, it is respect.

Certainly, I should not do something to myself that would be sinful if I did it to another person.

Put differently, it is just as sinful for me to willfully damage myself as it is for someone else to willfully damage me.

The *Al Chet* of modern machzors includes a confession of the sin of “gluttony,” which in the Hebrew is expressed as wrongdoing in matters of “food and drink.” We can think of that more broadly in terms of all sorts of substances.

For example: it is now clear that smoking cigarettes harms the smoker. The negative effects on health are clear and well known. If someone else did something to me that had similar harmful effects, I would rightly hold that person responsible for the damage. Should I not hold myself to the same standard?

If my eating and drinking habits cause me to be at risk of serious physical illness, am I not sinning against myself? In fact, am I not sinning against those for whom I am responsible or with whom I am in a close relationship?

If I gamble to the extent that my wellbeing and that of my family is threatened, am I not sinning against myself? Is that any different from someone else threatening my wellbeing?

We certainly have the legal right under secular law to treat ourselves in all sorts of unhealthful ways, but do we have the ethical right to damage ourselves? Do we have the right under Jewish law to engage in the self-destructive behavior that civil law would allow. I think the answer is no.

It is assumed in the Torah that we love ourselves and that we would not willingly hurt ourselves. Commentaries on the “love your neighbor” and “love the stranger” commandments all proceed from the assumption that the way I treat myself represents a very high standard to use in judging my behavior towards others.

There is no commandment that says I should love myself and treat myself as well as I would treat others. *But I think that such a commandment is implied.* It is implied not only in the language of the commandments regarding my behavior towards others. It is implied in the descriptions of humans as being created in the image of God.

It's quite clear, though, that many of us treat ourselves quite badly, at least in some respects. As we approach the season of repentance should we not include sins against ourselves when

we examine our actions and behaviors? Atonement for sins against ourselves would often also be of benefit to others, especially to our loved ones. Changing self-destructive or self-limiting behavior and adopting behaviors that are self-supportive might actually act in part as atonement for sins against others. It might, in fact, act as atonement for some sins against God.

Repentance for and true atonement for sins against ourselves is as necessary and as powerful a force for good as is atonement for any other sins.

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