

BEYOND REPENTANCE: R. MOSES BEN JOSEPH TRANI'S
NOVEL DEFINITION OF *TEŠUVAH**

R. Moses ben Joseph Trani [= *Mabit*] was one of the most influential Sephardic rabbinic authorities of the 16th century. Born in Salonika in 1500, *Mabit* became a colleague and rival of *Maran* Joseph Caro, in Safed, where he died in 1580.¹ These two legal authorities engaged in various well-known halakic disputes, such as the application of Biblical agricultural laws in contemporary Jewish Palestinian settlements.² *Mabit's* last name is a remnant of family origins in Trani, Italy. However, whether the family was originally from Spain and moved to Italy,³ or the reverse, is unclear. Meir Benayahu argues that *Mabit's* family was originally from Trani, Italy, and moved to Spain at an early date, residing there for a significant period of time. After the expulsion, the family migrated, first to Portugal and then to the Ottoman Empire.⁴ R. David Con-

forte and R. Haim Yosef David Azulai [= *Hida*] claim that *Mabit* was a descendant of R. Isaiah di Trani [= *Rid*], the famous early 13th century Italian Talmudist.⁵ However, though both *Mabit* and his son, R. Joseph Trani cite *Rid's* rulings several times in their respective responsa, they never mention any personal connection.⁶ Nonetheless, *Mabit's* family identified with the Spanish community and *Mabit* himself became the rabbi of the Spanish community of Safed upon the passing of R. Joseph Caro.⁷

Beit Elo-him, *Mabit's* comprehensive and systematic moral-philosophical work, was published in Venice in 1576, four years prior to his death.⁸ Its three gates (sections) were dedicated to topics considered cornerstones of Jewish religion: prayer, repentance, and principles of faith.⁹ The order of the sections was chosen

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¹ For a full-length discussion on the exact year of *Mabit's* birth and death, see "ויכוח", דימיטרובסקי, ח.ז. דימיטרובסקי, "ויכוח", ספונות ו', מכון בן צבי, ירושלים, תשכ"ב, עמ' קט"ו-ק"י"ז.

² See DIMITROVSKY, *ibid.* and "פולמוס", הרב יעקב נבון, "הב"י והמבי"ט בפירות נכרים בשביעית", המעיין, ניסן תשנ"ה.

³ See חיים מיכל, אור החיים, ירושלים תשכ"ה, ס' 290, ע' 137 and Trani, Moses ben Joseph, *Encyclopaedia Judaica*, Ed. Michael Berenbaum and Fred Skolnik, Vol. 20, 2nd ed., Detroit 2007, pp. 91-92.

⁴ See the discussion regarding the family's origin in ירושלים, מרו רבי יוסף קארו, ירושלים תשנ"א. Also see פסח זינגר, תולדות המבי"ט וספריו, ירושלים תשס"ז, ע' 43-44.

⁵ See, ר' חיים יוסף דוד אזולאי, שם הגדולים השלם 154, ע' ר' דוד and מערכת גדולים, ע' י' בן-יעקב, ירושלים תשנ"ד, ע'

ב. קונפירטי, קורא הדורות, דף ל"ה, ב.

⁶ See the discussion in SINGER, *ibid.*

⁷ See יוסף הקר, "יוצאי ספרד באימפריה האוטומנית במאה הט"ז – קהילה וחברה", מורשת ספרד, ע' ח. ביינארט, ח"ה בן ששון "דור גולי", ירושלים תשל"ו, pp. 460-478, and "דור גולי", ספרד על עצמו, ציון, כ"ו (תשכ"א), pp. 23-64, on the Spanish communities, their pride, unity and sense of superiority over other communities.

⁸ For this article, for the first two sections of the work, *Ša'ar ha-Tefillah* and *Ša'ar ha-Tešuvah*, we used the Kiryat Sefer 2005 edited by Avshalom Gershi, which is based on the Venice printing of the work, see מהדורת ר' משה בן יוסף מטראני, בית אלקים, מהדורת ר' משה בן יוסף מטראני, שער היסודות בתוך בית ר' משה בן יוסף מטראני, ירושלים תשמ"ה, ע' 154-567 (Henceforth: *Ša'ar ha-Tešuvah* and *Ša'ar ha-Tefillah*). Since that edition does not include the last section of the work, *Ša'ar ha-Yesodot*, we used for that section the Jerusalem 1985 edition, which is based on the Warsaw printing, see שער היסודות בתוך בית ר' משה בן יוסף מטראני, ירושלים תשמ"ה, ע' 154-567 (Henceforth: *Ša'ar ha-Yesodot*).

⁹ See, *Ša'ar ha-Tešuvah*, Introduction, p. 6: שלושה הם מפתחות שער שמים לבית אלקים. Interestingly enough, in R. Albo's *Sefer ha-Iqqarim*, the di-

according to the needs of the readers. All Jews have an obligation of prayer; most would be required to repent for their sins, and only few would be able to understand the principles of faith.¹⁰ Even so, the last section, *Ša'ar ha-Ye-sodot*, with its sixty-four chapters, is by far the most extensive one, as compared to the twenty and eighteen chapters of *Ša'ar ha-Tefillah* and *Ša'ar ha-Tešuvah*, respectively. Nevertheless, each of these three gates presents a complete methodological study of its subject matter. In this article we will discuss the key underlying feature of *Ša'ar ha-Tešuvah*, the author's abstract definition of the commandment of *tešuvah* provided at the opening of the treatise. Since "repentance" generally refers to internal regret or remorse, we will adopt the author's original Hebrew: *tešuvah*, as a legal term referring to a commandment with various behavioral norms and rules, including, but not limited to, repentance.

A. Conceptual Definition of *Tešuvah*

Tešuvah is a popular topic in both Talmudic and classic medieval literature; yet, a precise, conceptual definition of it does not appear in the vast majority of those sources. Apparently, it was deemed intuitive and superfluous. Therefore, beginning the treatise with a definition demonstrates the author's originality and creativity. Moreover, as shall be shown, his proposed definition does not merely modify the existent understanding of the commandment; rather, it redefines its very essence.

discussion of the *mišvah* of *tešuvah* also follows that of prayer; however, both only come after an extensive discussion of the principles of faith.

¹⁰ *Ša'ar ha-Tešuvah*, Introduction, p. 9.

¹¹ See *Ša'ar ha-Tešuvah*, 1, p. 145: חקרנו על גדר התשובה ומצאנוהו נכון ושלם והיא קריבה להשם מריחוק החטא.

¹² Though the spelling of להשם is rarely seen in the writings of *Rišonim*, (it would be spelled לשם), this spelling was common in Spain around this time, for example, it appears over a hundred times in Abarbanel's commentaries.

¹³ See *ibid.*: והרצון במלת קריבה הוא, היות כונת השב בתשובה להתקרב אל בוראו שנתרחק ממנו בעברו על דבריו ולא להנצל מן העונש על מה שעבר. כי אם הכוונה לכך אינו

Mabit's precise formulation of *tešuvah* states: «We have researched the definition of repentance, finding it to be accurate and complete, i.e. *coming close to God after being distant from Him due to sin*».¹¹ The remainder of the first chapter continues elaborating upon the meaning and significance of each of the last four words: «*qriyva l'hašem mi-riyḥuq ha-ḥeṭ*».¹² *Qriyva*, coming close, refers to the penitent's pure intent to come close to God after being distanced from Him following the transgression of His will, as opposed to a mere desire to avoid retribution.¹³ *L'hašem*, to God, refers to God's attribute of mercy, without which repentance would not be accepted.¹⁴ *Mi-riyḥuq*, from being distanced, refers to the distance from God that the sinner experiences prior to the completion of the *tešuvah* process.¹⁵ *Ha-ḥeṭ*, the sin, refers to the necessity of a penitence process even for an inadvertent sin, since one is meant to be constantly mindful of one's performance of the commandments.¹⁶ Based on the above definition, *tešuvah* is chiefly defined not by a behavioral change, but rather by the state of penitent's relationship with God. Sin, defiance of God's will, is equated with distancing oneself from Him, whereas repentance is defined as coming close.

One might question Mabit's interpretation of the word *gader*, which we translated as "definition".¹⁷ Could it be that Mabit used this word as a reference to the ultimate purpose of the commandment rather than its definition? Conversely, might it be his style to provide philosophical definitions to all ideologically oriented precepts? Mabit's usage of the term can be

מתקרב לה'.

¹⁴ See *ibid.*, p. 146: ומלת להשם מורה על כי הא-ל, וברחמים הוא מקבל תשובת השבים בשמו הגדול שהוא מדת הרחמים. כי במדת הדין לא היה מקבל השבים.

¹⁵ See *ibid.*, p. 149: ומלת מריחוק מורה על היות החוטא מרוחק מהא-ל יתברך כל זמן שלא שב בתשובה.

¹⁶ See *ibid.*, p. 150: ומלת החטא הוא מורה על כי גם בחטא שהוא בשוגג צריך החוטא תשובה ומדת הרחמים לשיכתפר, כ"א היה זהיר בעבודת הא-ל והיה ירא מלעבור על דבריו לא היה נכשל בחטא.

¹⁷ This term is typically used in the classic sources to refer to either the exact delineations of a certain obligation or a fence around it. It is rarely used in the context of a conceptual description, thus

understood by taking a closer look at *Ša'ar ha-Tefillah*, the first treatise of *Beit Elo-him*. Mabit began *Ša'ar ha-Tefillah* with the definition, *gader*, of prayer, just as he began *Ša'ar ha-Tešuvah* with the definition, *gader*, of *tešuvah*. If the definition of prayer was a reference to the purpose of the commandment, one would expect it to refer to one's closeness and connection to God. After all, prayer, not repentance, is the commandment that is classically referred to as worship of the heart.¹⁸

Yet, no mention of the state of one's relationship with God is found in Mabit's definition of prayer. Though he introduced the definitions of prayer and repentance in an identical fashion, his definition of prayer states: «We found the following definition to be correct and complete: man's request from God for the fulfillment of his independently unattainable need».¹⁹ The definition provided here is concrete and has a clear behavioral aspect, i.e. a man must verbally ask for his needs. Evidently, this definition does not constitute the ultimate purpose of prayer, only its basic definition. Therefore, the term *gader*,

as used by the author, is a definition, not a goal one is meant to aspire to in his performance of the commandment. This comparison suggests that introducing the discussion of a precept with its definition is characteristic of the author's general style. The conceptual approach, however, is specific to his understanding of *tešuvah*.²⁰

The abstract nature of the above definition of *tešuvah* modified the requirements for fulfilling the commandment. If *tešuvah* is defined by its effect on one's relationship with God, then only *tešuvah* predicated on one's wish to come close to Him can be considered complete.²¹ Conversely, one motivated by external factors or even fear of heavenly retribution would not constitute proper *tešuvah*.²² Thus, *tešuvah* with perfect behavioral consistency but wrong motivations may be considered more deficient than one with insignificant behavioral changes, but motivated by a desire to come close to God. Through this definition, Mabit emphasized philosophical, rather than behavioral, aspects of the commandment from the very beginning of the treatise.²³ Consequently, this definition tran-

to understand the exact meaning of this phrase in context, one might want to clarify Mabit's usage of the word.

¹⁸ See BT *Ta'anit* 2a, Maimonides, *Mišneh Torah*, 1,1. הלכות תפילה וברכת כהנים. Furthermore, see ר' יצחק מקורביל, הסמ"ק מצורף עמודי גולה, מהדורת הר-שושנים – רוזנברג, חלק א', ירושלים, תשל"ג, הקדמה divides all the *mišvot* in seven categories. Prayer is placed in the category of מצוות התלויות בלב, whereas repentance is placed in the category of מצוות התלויות בגוף. Compare to Rabbi Joseph Soloveitchik, however, who states that both prayer and repentance fit in the same category, for confession is the verbal expression of repentance, just as the words of prayer represent an expression of the deeper connection, see סולוביצ'יק, ר' יוסף דוב, על התשובה: דברים שבעל פה, בעריכת פ' פלאי, ירושלים תשל"ד, ע' 37-44.

¹⁹ See *Ša'ar ha-Tefillah*, 1, p. 13: ומצאנו גדרה נכון: ושלם, והוא בקשת האדם מהאל-ל דבר צורך שאינו ברשותו. To clarify, Mabit states regarding prayer, כי עקרה, היא כוונת הלב, גם כי אינה נשלמת אלא בדבור, see *Ša'ar ha-Tefillah*, 3, p. 26. This statement could clarify the distinction between the obligations of prayer and repentance – prayer is fulfilled only through speech, whereas repentance can be fulfilled internally.

²⁰ Compare to מרדכי פכטר, ספרות הדרוש והמוסר של חכמי צפת: במאה הטי"ז ומערכת רעיונות העיקריים, עבודת

דוקטור, אוניברסיטת העברית תשל"ז (Henceforth: PACTHER, *Safed*), who suggests that each of the three sections of *Beit Elokim* corresponds to a different method of fulfillment: *Ša'ar ha-Tefillah* corresponds to speech, *Ša'ar ha-Tešuvah* corresponds to actions, and *Ša'ar ha-Yesodot* corresponds to thought. However, in light of the above, this suggestion appears difficult to accept.

²¹ See below, n. 55.

²² See *Ša'ar ha-Tešuvah*, 1, p. 146: ואם כן כוונת השב בתשובה צריכה שתהא להתקרב לה' ולרצותו על מה שעבר דברו, ולא על העונש המעותד לבא עליו... כי מצד העונש אין ראוי שתהיה ירא ושתהיה תשובתך לשתהיה נצול מהעונש. Though the question of invalidation of *tešuvah* by the penitent's improper motivations is never clarified in the treatise, in the two places where Mabit discusses *tešuvah* out of fear of punishment, it is not completely accepted. In his discussion of the gentiles' ability to do *tešuvah*, Mabit states that if they do not return to God wholeheartedly, but only out of fear of punishment, their repentance only assists them in this world, but not in the next, see *ibid.* 14, p. 209, also see *ibid.* 16, pp. 217-218 for the discussion of temporary *tešuvah* in order to avoid a specific punishment. Also see PACTHER, *Safed*, p. 336, for a discussion of this definition.

²³ See PACTHER, *ibid.*

sforms the approach to the commandment, as well as its technical details, requirements, and aspirations.

Although the presentation of the definition presupposes its clarity and universally-accepted nature, upon comparing it to the previous sources, one perceives the author's innovation. Below we offer a brief analysis of earlier definitions of this commandment and the emphasis on coming close to G-d through its performance in those sources.²⁴

B. Analysis of Prior Opinions

In the Biblical sources, we find many dispersed accounts of individual and national repentance, as well as calls for the people to repent.²⁵ In fact, the phrase: «return to the Lord, your God» appears twice in Deuteronomy.²⁶ Nahmanides, in his commentary to that verse, elaborated upon returning to God wholeheartedly in the process of *teshuvah*.²⁷ Nonetheless, it is difficult to form an accurate and complete picture of Biblical repentance.²⁸

Subsequently, Midrašic and Talmudic writings demonstrated a clear development in

establishing a certain set of behavioral norms, as well as setting an ideological foundation for the commandment.²⁹ Talmudic sources discuss the commandment's unique value,³⁰ its deep effect upon the penitent and the entire world, the penitent's spiritual status,³¹ and the closeness to God attained in the process of *teshuvah*.³² However, despite the breadth and depth of its discussions regarding *teshuvah*, they were not arranged in any logical sequence, as is characteristic of the Talmud.³³

A systematic list of the requirements for *teshuvah* can be first observed in works of the medieval scholars, firstly R. Saadiah Gaon (Babylon, 882-942). R. Saadiah identified four aspects of the *teshuvah* process: abandonment of the sin, regret, request for forgiveness, and resolve not to repeat it; all of which are derived from a verse in Hosea.³⁴ R. Saadiah maintained unequivocally that even if the penitent is unable to stay true to his genuine resolve, his *teshuvah* would still be considered valid, thus emphasizing its internal, rather than behavioral aspects.³⁵ Yet, as the commandment was presented as a specific legal response he did not provide an abstract definition.

Subsequently, Rabbi Baḥya Ibn Paquda

²⁴ See the unabridged survey in my thesis.

²⁵ For individual repentance, see Samuel II 12,13-18; 24,10-17, for national repentance, see Samuel I 7,2-6. Also, see "תשובה", ישראל תא-שמע, "תשובה", אנציקלופדיה העברית, ירושלים, תש"ם, כ' ל"ב, ע' 1102 (Henceforth: TA-SHMA, *Teshuvah*), for an in-depth discussion of all the biblical accounts of *Teshuvah*, הרב יששכר יעקבסון, חזון המקרא, תל אביב, תשי"ט, כ' 121-144 ע' ב', "התשובה בסיפורי המקרא", ע' 144-121.

²⁶ See Deuteronomy 4,30; 30,2.

²⁷ See ר' משה בן נחמן (רמב"ן), פירושי תורה לרבינו ר' משה בן נחמן, מהדורת שעוול, מוסד הרב קוק, ירושלים 479 ע' 479, תש"ך, כ' ב', דברים ל"ב, ע' 479. Since R. Arama's and Abarbanel's commentaries to this verse appear to extend far beyond the literal meaning of the text, they shall be discussed below.

²⁸ See יוסף דן, על הקדושה: דת, מוסר ומיסטיקה ביהדות ובדתות אחרות, אוניברסיטה העברית, ירושלים 1998, ע' 404-405.

²⁹ See דוב שוורץ, "תשובה, גאולה והגות במחקריו של פרופ' בנימין גרוס: היבטים אחדים", בתוך על התשובה ועל הגאולה: מנחת שי לבנימין גרוס, ע' ד' שוורץ וא' גרוס, רמת משה בר, "על מעשי כפרה של and גן תשס"ח, עמ' 22-13 בעלי תשובה בספרות חז"ל", ציון, תשמ"א (מ"ז חוברת ג'), עמ' 159-181.

³⁰ See BT, *Yoma*, 86 a-b.

³¹ See BT, *Berakot* 34b.

³² That newly attained closeness is implied in both of the above Talmudic sources. One of the praises listed in *Yoma* 86a is גדולה תשובה שמגעת עד כסא הכבוד, whereas the penitent in *Berakot* 34b, is described as לרחוק ברישא והדר לקרוב.

³³ See כתבי רבינו משה בן נחמן, מהדורת שעוול, ע' 343, ירושלים, תשכ"ד, כ' ב', איגרת ב', ע' 343, where Nahmanides confirms this idea, רק מפוזרים ומסורדים בין ההלכות וההגדות בלתי ברורים.

³⁴ See ר' סעדיה הגאון, ספר הנבחר באמונות ובדעות, V:5, מקור ותרגום, מהדורת "קאפח", ירושלים תשל"ב, p. 182, (Henceforth: *Emunot we-De'ot*), באמרו 'שובה ישראל מקובצים במקרא במקום התשובה, באמרו 'שובה ישראל עד יי' אלהיך כי כשלת בעונך קחו עמכם דברים ושובו אל ה' ואמרו אליו כל תשא עון וקח טוב ונשלמה פרים שפתינו אשור לא יושיענו על סוס לא נרכב ולא נאמ' עוד אלהינו למעשה ידינו' (הושע י"ד ב - ה). ואמרו שובה, שוב ממה שהיית בו, והוא שער עזיבת החטאים ואמרו כי כשלת, רוצה בו החרטה, רוצה לומ' כי החטאים ההם רעים ומכשילים. ואמרו קחו עמכם, רוצה בו בקשת הכפרה ואמרו אשור לא יושיענו, ועל סוס לא נרכב, ולא נאמר עוד אלהינו למעשה ידינו, שער עזיבת הישנות.

³⁵ See *Emunot we-De'ot*, *ibid.*: ואבאר עוד כי האדם

(Spain, 11th century) devoted one of the ten sections of his magnum opus, *Ḥovot ha-Levavot*, to repentance. The work was dedicated to the “duties of the heart”, thoughts and emotions which men are obligated to entertain on a constant basis.³⁶ The dedication of one of the work's sections to *tešuvah* underscored the author's philosophical conception of the commandment. Unlike R. Saadiah, R. Baḥya presented *tešuvah* not as a response to a concrete transgression, but rather as a continuous obligation upon man.³⁷ Additionally, R. Baḥya introduced this precept with a new conceptual definition: «repentance is when a man is reconciled to obeying God after he has failed and sinned, as he retrieves what he has lost by sinning».³⁸ Though this definition mentions the specifics of the sin and presumes a certain change in penitent's behavior, it is an abstract definition, which portrays *tešuvah* as a return to God's service after forsaking it, rather than a response to a specific sin. We suggest that just as R. Baḥya's definition served as an introduction to his original presentation of *tešuvah*,³⁹

so too did Mabit's definition.

Many later works of Jewish philosophy and law presented *halakic* structures of the commandment; however, those that offered a comprehensive approach to *tešuvah* did not provide its abstract definition. Approaches towards a definition are found in the biblical commentaries of Don Isaac Abarbanel (Portugal, Spain, Italy 1437-1508) and R. Isaac Arama (Spain 1420-1494). To explain the concept of *tešuvah*, Abarbanel cited a parable of a person walking the wrong way and getting further and further away from his goal. In order to reach his goal, he must turn around and walk in the correct direction. Abarbanel defined *tešuvah* as leaving the evil path and returning to God, i.e. the righteous path.⁴⁰ R. Isaac Arama (Spain 1420-1494) discussed the purpose of *tešuvah* in similar terms; though he used the term *sod*, essence, rather than *gader*, definition.⁴¹ Yet, unlike Mabit, neither of them provided a comprehensive approach to the commandment, distinctive in formulating a definition and consequently inte-

כאשר יסכים בעת תשובתו בלב שלם שלא ישנה, תהיה תשובתו מקובלת. ואם תשיאהו התאוה אחר כן לשנות, אין תשובתו נפסדת, אך ימחלו לו העונות שהיו קודם התשובה, ויכתב עליו מה שיהיה לאחריה.

³⁶ Regarding the constant nature of those *mišvot*, see ר' בחיה בן פקודה, ספר תורת חובות הלבבות: מקור ותרגום, מהדורת י' קאפח, ירושלים תשל"ג, שער התשובה (Henceforth: *Ḥovot ha-Levavot*), Introduction, p. 21: אמרתי, ושמא סוג זה מן המצוות אינו חובה עלינו בכל זמן ובכל מקום כמו השמטה והיובל ותורת הקרבנות שאינן חובה עלינו בכל זמן ובכל מקום. וכאשר עיינתי בהם, ראיתי שהם חובה עלינו תמיד כל ימי חיינו, אין הפסק בהם, ואין שמעון שוקק, התשובה: לנו אתמלא להפטר מהן בספרות המוסר העברית, בפילוסופיה היהודית ובקבלה, ניו ברק תשנ"ה, (Henceforth: ŠOKEK, *Tešuvah*), pp. 31-32, regarding the exceptional nature of the work in its view of the commandment.

³⁷ See *ibid.*, pp. 37-38: וכן כאשר התחקתי על מה, שיראע לבני אדם מן השכחה והחסור במה שהם חייבים מעבודת ה' יתרום ויתהדר, והרי אופן תקנת טעותם וחסורם הוא התשובה ובקשתם הסליחה, לפיכך קבעתי את התשובה אליעזר שביד, יסוד שביעי לכמה מחובות הלבבות דרך התשובה של היחיד המיטהר; פרקי מחקר בתורת המוסר של -'חובות הלבבות', דעת: כתב-עת לפילוסופיה יהודית, (Henceforth: ŠOKEK, *Tešuvah*, pp. 34-35, and יוסף דן, "לתולדות תורת התשובה של חסידי אשכנז", and בתוך יובל אורות, ע' ב' איש שלום, ש' רוזנברג, ירושלים, 221-228, תשמ"ח, regarding the fundamental difference between R. Baḥya's and R. Saadiah's approach

ches to *tešuvah* and the possibility of the perfection of man.

³⁸ See R. Baḥya ben Joseph ibn Paquda, *The Book of Direction to the Duties of the Heart*, Translated by Menahem Mansoor, London 1973, p. 330 (Henceforth: *Duties of the Heart*). See *Ḥovot ha-Levavot*, *ibid.*: 'שענין התשובה היא תקון האדם למשמעת ה' אחר שיצא ממנו וטעה בו ומילוי מה שחסר לו ממנו". This definition might explain the author's insistence on the totality of one's penitence. For further discussion on R. Baḥya's approach to *Tešuvah*, as following from this definition, see M.S. STERN, *Al-Ghazzālī, Maimonides, and Ibn Paquda on Repentance: A Comparative Model*, in «Journal of the American Academy of Religion», Vol. 47, No. 4 (Dec., 1979), pp. 596-600.

³⁹ R. Baḥya's presentation of *tešuvah* as a return to God's service was not limited to the first chapter. A portrayal of the slave, who is choosing to return to his master is used throughout the work, for example see *Ḥovot ha-Levavot*, *Ša'ar ha-Tešuvah*, chapter 6, pp. 315-317.

⁴⁰ See מהדורת יצחק אברבנאל, מהדורת אבישי שוטלנד, כ' ה, ירושלים תשנ"ט, דברים ל:א ככה (Henceforth: ABARBANEL, *Deuteronomy*), p. 477: העוזבים ארחות יושר ללכת בדרכי חשך. התרופ' האמת' שישבו מדרכם הרעה. ויעזבו רשע דרכו וישבו אל ה' שהוא הדרך הישר והנאות. וזה הוא ענין התשובה וגדרה.

⁴¹ See יצחק עראמה, עקידת יצחק, דברים, ירושלים

grating it into an extended study. Nonetheless, as Mabit continued in the footsteps of the Spanish fifteenth century Jewish philosophers, one should not underestimate the potential influence that the above two classics exerted upon him.⁴²

As to the centrality of achieving closeness to G-d in the process of *teshuvah*, there was a generally increasing emphasis on attaining it in classic medieval works. R. Moses Maimonides (Spain, Egypt, 1135-1204) in *Hilkot Teshuvah* and R. Jonah Gerondi (Spain, 1200-1263) in *Ša'arei Teshuvah* presented coming close to God as the culmination and possibly the goal of *teshuvah*.⁴³ Rabbi Meir Aldabi (Spain, 14th century) in *Ševilei Emunah*⁴⁴ went further so as to present coming close to God as an inevitable result of basic *teshuvah*, one consisting purely of con-

fession and refraining from sin.⁴⁵ In *Or ha-Šem*, Rabbi Ḥasdai Crescas (Spain, 1340-1410) stated that the sole reason a penitent can experience true anguish over his transgressions is due to his love for God.⁴⁶ Thus, love for God, appears to be *teshuvah*'s underlying current, which enables the penitent to complete the process. Nonetheless, as the above two sources did not present a comprehensive discussion of *teshuvah*, the conclusions one may draw from them are limited.

R. Ḥasdai's student, R. Joseph Albo (Spain, 1380-1444), however, presented a comprehensive, philosophical study of *teshuvah*,⁴⁷ in which he attached a greater role to love for God in this process than his predecessors. In fact, the unique importance that he attributed to this commandment is due to its ability to bring one to

1984, (Henceforth: *Aqedat Yišḥaq*), p. 111: הוא באמת סוד התשובה שאינה רק השבת החוטאים בדרך ההוא אשר הלכו בה הפך המגמה

⁴² See PACHTER, *Safed*, p. 341.

⁴³ See הלכות תשובה 7,6-7, גדולה תשובה שמקרבת את האדם לשכינה--שנאמר 'שובה, ישראל, עדה ה' אלוהיך' (הושע ידב), ונאמר 'ולא שבתם עדי נאום ה' (עמוס דו); שם; ח; שם; ט; שם; י; שם; יא), ונאמר 'אם תשוב ישראל נאום ה' אלי תשוב' (ירמיהו דא): כלומר אם תחזור בתשובה, בי תדבק. התשובה מקרבת את הרחוקים: אמש היה זה שנוי לפני המקום, משוקץ ומרוחק ותועבה; והיום הוא אהוב ונחמד קרוב וידיד... כמה מעולה מעלת התשובה: אמש היה זה מובדל מה' אלוהי ישראל, שנאמר 'עוונותיכם, היו מבדילים, ביניכם לבין אלוהיכם' (ישעיהו נטב). צועק ואינו נענה, שנאמר 'גם כי תרבו תפילה, איני שומע' (ישעיהו אטו). ועושה מצוות וטורפין אותן בפניו, שנאמר 'מי ביקש זאת מידכם, רמוס חצירי' (ישעיהו א,יב), 'מי גם בכם ויסגור דלתים' (מלאכי א,י), 'עולותיכם ספו על זבחיכם, ואכלו בשר' (ירמיהו זבא). והיום הוא מודבק בשכינה, שנאמר 'ואתם, הדבקים, בה', אלוהיכם' (דברים דד). צועק ונענה מיד, שנאמר 'והיה טרם יקראו, ואני אענה' (ישעיהו סה,כד) Maimonides's dedication of the last chapter of the treatise to the discussion of love for God seems to present it as the culmination of *teshuvah*. Similarly, R. Jonah states, "והנה מדרגות רבות לתשובה, ולפי המדרגות יתקרב האדם אל הקדוש ברוך הוא. ואמנם לכל תשובה תמצא סליחה, אך לא תטהר הנפש טוהר שלם להיות העונות כלא היו, זולתי כאשר יטהר האדם ר' יונה גירונדי, see, את לבו ויכין את רוחו כאשר יתבאר." שער תשובה, בני ברק תש"ן, ע' 6.

⁴⁴ Despite the fact that there are only a few disjointed mentions of *teshuvah* throughout the work, one cannot eliminate the possibility of its influence on the Mabit, due to its popularity at the time. For an explanation of the work's scope and significance,

דב שוורץ, "לחקר מקורותיו של ספר 'שבילי אמונה' לר' מאיר אלדבי", סיני קיד (ניסן-אייר תשנ"ד), ע' ע"ב-ע"ז

ר' מאיר אלדבי, שבילי אמונה, ירושלים תשנ"א, 17-18 ע' א, נתב, for the discussion of the results of prayer, שיהיו התפילות והתחנונים פתח לנשמה שתתודה על מה שחטאה ותפרוד מכל חטאתה ובכך היא עולה מטומאה לטהרה ונמצאת קרבה לבורא יתברך. R. Albo appears to follow this approach in his discussion of acceptability of prayer and repentance and its deep effect on those performing them, see R. Joseph Albo, *Sefer ha-Iqqarim*, Husik ed., Philadelphia, 1930, Vol. IV, Part I, IV:18, pp. 164-165.

⁴⁶ See, ר' חסדאי קרשקש, אור השם, מהדורת פישר, ירושלים, תש"ן, מאמר ג', חלק ב', פרק ב' כי למה שהעונות הקודמים יוסיפו לו בטוב, כבר ראוי שישמח בהם. אבל להיות התכלית הנכסף - האהבה והעבודה, הנה האהוב האמתי, כבר יקשה בעיניו היותו זמן מהעבר שנאוי לו זאב הרוי, ר' חסדאי קרשקש, ירושלים: מרכז תש"ע, also see ר' יונה גירונדי, *Yoma*, 86b. R. Ḥasdai maintains that had the penitent been motivated by his own interest, his transgressions would have been of benefit to him, as they would have enabled him to receive greater reward following the completion of his *teshuvah* process, since נעשות לו כזכויות זדונות. Interestingly enough, R. Ḥasdai does not note here that had the penitent been motivated by fear, his past transgression would have been of no assistance to him, for כשגגות לו כשגגות. Apparently, option of such repentance is not entertained.

⁴⁷ See רדור ארליך, פילוסופיה ואמנות הכתיבה בספר העקרים לר' יוסף אלבו, דיסרטציה, אוניברסיטת בר אילן, תשס"ד, ע' 75. Ehrlich notes that R. Albo's discussion of *teshuvah* is one of the most extensive and detailed

love God.⁴⁸ Moreover, R. Albo asserted that repentance done out of fear is incomplete.⁴⁹ Subsequently, R. Albo maintained that a person who repents sincerely out of fear will grow to repent out of love with the granted assistance from God Himself.⁵⁰ Therefore, love for God is not only the purpose of repentance; it is a required motivation for any complete *tešuvah* and a seemingly unavoidable result of an incomplete one.

As a result of the above brief analysis, we may see that Mabit's definition of *tešuvah* as an act of coming close to the Almighty presents both the continuation and change from the previous tradition. On the one hand, Mabit was not only going back to the simple reading of the biblical text, but also continuing in the footsteps of his predecessors, while building on their understanding of this commandment. Nevertheless, Mabit's presentation of coming close to God as the very essence, rather than culmination of *tešuvah* was essentially innovative.⁵¹ We will now analyze Mabit's argument, as well as the sources that he uses to build and substantiate his case.

C. Mabit's Position

Understanding Mabit's argument is challenging, for at first glance, he offered no argu-

ment at all. At no point did Mabit explicitly defend his definition of *tešuvah*, nor did he show how it differed from the previously accepted positions. In fact, in his explanation of the definition, Mabit did not even cite the classic medieval approaches; his only sources were biblical and Talmudic.⁵² Thus, he presented the topic anew, as if his perspective was universally accepted.

First and foremost, Mabit explained that *tešuvah* should be motivated by the penitent's desire to come close to God, rather than by fear of punishment. The purpose of *tešuvah* is to fully rectify the penitent's transgressions. By not heeding God's will, a sinner caused two evils: he brought a punishment upon himself and a far greater evil of displeasing God.⁵³ Each of these two evils requires rectification in order to complete the mitzvah of *tešuvah*. Therefore, if a penitent merely managed to avoid retribution, he did not rectify the greater of the two evils. In order to do so, one must reconcile with God by regretting past misdeeds and committing himself to God's commandments. This is compared to an earthly king who might not punish his son or loved one for transgressing his words but yet still be angry with him.⁵⁴ Since the purpose of the commandment is to restore one's previous relationship with the Almighty, Mabit states that only repentance which is motivated by a desire

in Jewish medieval philosophy. Also see TA-SHMA, *Tešuvah*, p. 1104, who notes that R. Albo was the first to explain why repentance can retroactively change the past reality.

⁴⁸ See *Sefer ha-Iqqarim*, IV:25, pp. 220-221.

⁴⁹ See *Sefer ha-Iqqarim*, IV:25, p. 225: אבל כשהתשובה היא מיראה אף על פי שיקובל עליה שבר, מכל מקום אינה תשובה גמורה שיקובל עליה השבר הגדול הזה. In fact, R. Arama, possibly, goes further so as to refer to *tešuvah* that is motivated by self-interest as תשובה מזויפת, since true *tešuvah* is meant to be guided by the penitent's desire to appease God, see *Aqedat Yišḥaq*, Exodus, 36, p. 34: ולזה הי' דבר הנביא: 'אם תשוב ישראל נאם ה' אלי תשוב' ירצה אם תרצה לשוב בתשובה שלמה אלי תשוב, כלומר לשמי ולכבודי בהכרתך שפשעת בי ועליך לשוב לפייסני לבי, לא לבקשת תועלותיך כי זאת היא התשובה המזויפת שאמרנו.

⁵⁰ See *ibid.*, p. 236: ומכל מקום אפילו שלא תהיה התשובה בתחלה מאהבה כמו שראוי אלא מיראת העונש הבטיח הש"י שהוא יעזור אל השב מיראה בתחלה שישוב אחר כך בתשובה שלמה לפניו שהיא התשובה מאהבה.

⁵¹ Mabit's innovation is further evidenced by the discussion of the *mišvah* of *tešuvah* in his earlier halakic work, *Kiryat Sefer*. In *Kiryat Sefer*, Mabit does not mention the definition of *tešuvah* or the desired intentions of the penitent, see משה בן יוסף ר' מטרנאני, קרית ספר, ווארשה תרס"ב, הלכות תשובה, ע' 14-16 (Henceforth: *Kiryat Sefer*).

⁵² This appears to be his general strategy in *Ša'ar ha-Tešuvah*. Unlike *Ša'ar ha-Yesodot*, where he cites, evidently draws upon and analyzes a variety of earlier sources, in *Ša'ar ha-Tešuvah*, as well as in *Ša'ar ha-Tefillah*, though he appears informed by the earlier sources, it is rare to find citations from sources other than biblical or Talmudic. Likewise, he does not openly disagree and rarely questions the earlier sources.

⁵³ See *Ša'ar ha-Tešuvah*, 1, p. 145, "כי החוטא שתיים רעות עשה, רעה לעצמו שיענישהו האל-יתברך, ורעה גדולה מזו שהכעיס את בוראו במה שעבר על צויו".

⁵⁴ Mabit brings down this parable twice: in his introduction to *Beit Elokim*, see p. 7 and the first

to come close to God and appease Him can be termed *tešuvah*.⁵⁵

Moreover, the etymological root of the word *tešuvah* is *švw*, the Hebrew word for “return”. Mabit clarified that this return must involve a complete spiritual rehabilitation of the penitent. Prior to sin, the penitent was not only undeserving of punishment, he was also desired by God. Therefore, a true return implies not only an absolution from penalty, but a complete reconciliation with the Almighty.⁵⁶ Mabit presumed that full restoration of the relationship with God is not fulfilled by mere technical performance of the commandment or regret. In order to achieve closeness to God, one must not only act correctly, but be pure of selfish motives, such as fear of punishment.⁵⁷

The two biblical precepts allowing the sinner to atone for his sins are *tešuvah* and sacrifice. Mabit suggested that one should compare repen-

tance to sacrifice. The Hebrew term for sacrifice, *qorban*, whose root is *qrb*, “near”, indicates its true purpose. Sacrifice is meant to not only atone for one’s sins, but also to bring a penitent close, *meqarev*, to God. Likewise, *tešuvah*, is meant to accomplish the same dual goal.⁵⁸

Mabit subsequently insisted that true *tešuvah* must be based on the realization that even if there was no retribution for one’s actions, the penitent would never transgress the will of his Creator.⁵⁹ As seen above, this invalidation of repentance driven by fear differed greatly from the classic conceptions of *tešuvah* and, therefore, required proof from sources. Mabit quoted a well-known verse, «Take with you words and return to God», emphasizing the last three words.⁶⁰ These refer to the intentions of the penitent to reconcile with God, rather than attain any other benefits.⁶¹ This concept of returning to God had been reiterated throughout the Scrip-

chapter of *Ša’ar ha-Tešuvah*, see p. 145. This repetition might show the significance of this parable to the author’s conception of the *mišvah*.

⁵⁵ See *ibid.*: וא”כ השב בתשובה צריך לתקן את אשר עוות בשתי רעות, ויותר מהמה במה שהכעיס את בורא, שירצה אותו ויתקרב אליו בתשובה, וכל עוד שלא הייתה כוונתו לרצותו על מה שעבר, אינה נקראת תשובה, כיון שלא שב למה שהיה קודם החטא, שלא היה כועס עליו הא-ל ית’ For comparison, see *Ša’ar ha-Tefillah*, 16, pp. 103-111, where he discusses the need for *tešuvah* in order to remove the punishment. Also see משה בן יוסף בן משה, ר’ יוסף בן משה, צפנת פענח, מודיעין עילית תשס”ט, כ’ ה’, נצבים, ע’ 195-196, where Maharit, Mabit’s son, discusses that only subsequent to the covenant in *Paršat Nišavim*, where they accepted God wholeheartedly, would the *tešuvah* done out of fear of punishment be accepted. Therefore, we see that Maharit sees a need for further justification for accepting repentance out of fear; yet, possibly, unlike his father, he maintains its validity nonetheless.

⁵⁶ See *ibid.* 16, p. 217. Interestingly enough, in the second chapter Mabit provides a different explanation of this root as relating to the essence of *tešuvah*, stating that the return relates to turning back from one’s previous behavior and thought pattern, see *ibid.* 2, p. 152.

⁵⁷ See above, n. 8, also see Pächter, *Safed*, p. 336. As seen above, the discussion of closeness to God, achieved as a result of repentance was a significant part of the previous discussion. However, according to R. Jonah’s *Ša’arei Tešuvah*, this pro-

cess presumably happens on its own as a result of one’s *Tešuvah*, i.e. as one grows in one’s repentance, one automatically comes closer to the Almighty. Conversely, Rambam’s *Hilkot Tešuvah*, similarly to Mabit, suggests that closeness to God is achieved only through intense concentration. Rambam’s approach, however, is still very different from Mabit’s, for Rambam believes that true closeness to God is destined to be a lot of the few. Thus, in a sense, Mabit might present a synthesis of the two divergent approaches.

⁵⁸ See *Ša’ar ha-Tešuvah*, 1, p. 145: כי כמו שהקרבת מכפר על העבירות הידועות לו ובו מתקרב אליו, כמו כן התשובה שהיא מכפרת על העונות צריך שתהיה תשובה שלימה שיתקרב אליו כמו בקרבן.

⁵⁹ See *ibid.*: וענין ההקרבה הוא שישים אל לבו כי גם שלא היה מענישו הא-ל יתברך על חטאו, לא היה רוצה לחטוא שלא לעבור על מצות בורא עולם.

⁶⁰ See *Hosea* 14:3, קחו עמכם דברים ושובו אל ה’, *ibid.* Mabit’s usage of this verse as referring to the penitent’s intentions is surprising, for traditionally this verse has been seen as the basis for the requirement of *viduy*, verbal confession. For example, אבל הקב”ה אדם עובר עבירה בסתר: BT, *Yoma* 73b: מתפייס ממנו בדברים שנאמר קחו עמכם דברים ושובו אל ה’ ר’ בחיי בן אשר, כד See *Ša’arei Tešuvah*, I:41, p. 35. See בתוך: כתבי רבינו בחיי, מהדורת ח”ד שעוול, ירושלים 161 (Henceforth: *Kad ha-Kemah*). Moreover, Mabit himself had used it earlier in that context, see *Kiryat Sefer*, p. 16.

⁶¹ See *Ša’ar ha-Tešuvah*, 1, p. 145: כלומר

tures and served as the general context of the biblical discussion of *tešuvah*. Thus, seemingly, according to Mabit, each of these sources could refer to the necessity of the penitent's selfless intentions in the *tešuvah* process.⁶²

This principle was further supported by the verse: «Peace, peace to the far and the near», says God, «and I will heal him».⁶³ Mabit initially explained that *rahoq*, the distant, refers to the sinner, whereas, *qarov*, the near, refers to the sinner following his repentance, demonstrating the true effect of *tešuvah*.⁶⁴ The author also provided another explanation of these two adjectives, suggesting that they refer to the penitent at the beginning and end of his penitence process. Following contemplation of *tešuvah*, while he is still distant, God inspires the penitent to complete the commandment and truly come close. In the meantime, God protects him from any consequences of his actions. After comple-

ting *tešuvah*, all sins are atoned for and no evil will come upon him.⁶⁵ Thus, once a person feels true remorse for his actions, God will assist him in the completion of *tešuvah*.⁶⁶ This demonstrates that Mabit did not negate the necessity of fulfilling *tešuvah* in word and deed for obtaining complete atonement; rather, he maintained that this fulfillment would naturally follow the desire to repent.

The primary and primal motivation for repentance is the dread of looming retribution. Thus, following the invalidation of such motivation, the author had to address that fear. Mabit stated that sincere *tešuvah* leads directly to the removal of punishment.⁶⁷ Thus, one need not concern oneself with fear, but rather, allay it and concentrate on the desire to return and come close to God. Mabit quoted the verse: «Come, let us return to God, He tore us to pieces and will heal us, wounded and will dress

תשובתכם תהיה מכונת לרצות את ה'; לא על שלא יענישכם על חטאתכם, אלא להתקרב אליו כנוכר.

⁶² For other examples of verses discussing return to God, see *Joel* 2,13; *Zechariah* 1,3; *Malachi* 3,7. It should be noted that such an explanation goes against the simple meaning of the phrase in context. For example, in all the verses listed above, as well as the verse that Mabit quotes, these calls to repentance are placed in the context of attempts to escape an earthly punishment or motivation of obtaining a tangible reward.

⁶³ See *Isaiah* 57,19: שלום שלום לרחוק ולקרוב אמר ה' ורפאתיו.

⁶⁴ See *Ša'ar ha-Tešuvah*, 1, p. 145: כי החוטא נקרא רחוק ובשובו נעשה קרוב.

⁶⁵ See *ibid.*, p. 146: וזה שאמר 'שלום, שלום לרחוק ולקרוב' מעיקרא לרחוק והדר לקרוב, בתחלת תשובתו ואחריה כנוכר, כי מתחילת תשובת האדם בהרהור לבו, האל ית' פורש עליו סוכת שלום, והוא ההתעוררות על התשובה, והגנתו עליו מן היסורין או המקרים הרעים המעותדים לבא עליו מצד חטאותיו, ואחר שהתודה בפיו ובשפתיו, והטיב צעדיו ודרכיו ושלמות טהרתו וכפרתו, ולא יאונה לו כל און.

⁶⁶ The argument made here presents an interesting contrast to that of *Sefer ha-Iqqarim* and *Hovot ha-Levavot*, who likewise discuss God's necessary assistance in the process of *tešuvah*. *Hovot ha-Levavot*, *Ša'ar ha-Tešuvah*, 9-10, pp. 323-327, discusses the impossibility of performing complete repentance over an interpersonal transgression, since for various practical reasons, the penitent might never receive the opportunity to placate and

recompense the one he wronged. In such a case, R. Bahya states that God Himself will grant the penitent the opportunity to do so, as he already did all that was in his power. Thus, God's involvement with *tešuvah* begins only after the person did all that he was physically capable of. *Sefer ha-Iqqarim*, IV:25, p. 235, states that if a person performs *tešuvah* out of fear, God will help him to upgrade it to that done out of love, implying, similarly to R. Baḥya, that the main factor depending on man is his behavior. Mabit, on the other hand, would seem to suggest that the main factor man is responsible for is his aspirations, whereas behavioral consistency might be beyond him.

⁶⁷ See *Ša'ar ha-Tešuvah*, 1, p. 146: ואם כן כונת השב בתשובה צריכה שתהא להתקרב לה' ולרצותו על מה שעבר דברו, ולא על העונש המעותד לבוא עליו, כי בשובו בלב נשבר ונדכה לפניו סוף העונש להסתלק, ולא יענש אחרי שובו. This statement appears to contradict the Talmudic discussion on כפרה in BT, *Yoma* 86a. Moreover, Mabit himself subsequently states that even complete *tešuvah* might not absolve a penitent from some punishment in this world, see *Ša'ar ha-Tešuvah* 2, p. 158. Therefore, this statement would appear to refer to the punishment in the next world. However, in the fifth chapter, Mabit asserts that even repentance immediately prior to death, which a penitent clearly cannot act upon, completely absolves the penitent from the punishment in the next world, see pp. 116-117. Therefore, in the broader context, this statement is somewhat unclear.

our wounds».⁶⁸ If one returns to God with the intention of coming towards Him, then God will proceed to heal all his wounds, thus, presenting elimination of punishment as a byproduct of proper repentance.⁶⁹ Mabit also derived from this verse that punishment is predicated upon man's distancing himself from God, which precedes any sin. The only time the third person pronoun, "he", was used in the verse was in reference to the first punishment, in the phrase «He tore to pieces», denoting detachment from God at the time.⁷⁰ Healing necessarily follows renewed awareness and attachment, which should be the penitent's main focus.

Providing man with an opportunity to repent had been traditionally viewed as a manifestation of God's kindness.⁷¹ To show the true mercy demonstrated by *teshuvah*, Mabit quoted the Talmudic statement: «I am (God) before a man sins and I am the same after the man sins and repents»⁷² and provided two explanations.

According to the first explanation, God had to agree to accept *teshuvah* even before the creation of the world, for otherwise the creation

of the world would serve no purpose. In support, Mabit cited a midrashic dictum which states that repentance was created before the world.⁷³ Were all men to be punished justly for their actions, the world would cease to exist.⁷⁴ Thus, it could be argued that this aspect of *teshuvah* reflects God's intention in the very creation of the world, not just a particular exhibition of mercy to men.⁷⁵

Mabit's second interpretation of the Talmudic statement was in the context of the penitent's relationship with God. God's mercy is demonstrated by the fact that following *teshuvah*, man can regain his previous closeness to God. Unlike removal of punishment, without which creation of the world would have been in vain, the ability to regain God's favor need not have been granted.⁷⁶ Therefore, granting penitents an opportunity to restore this relationship is a greater demonstration of His kindness than merely shielding them from punishment.

Aside from Mabit's assertions that *teshuvah* need not be motivated by fear of punishment and that *teshuvah* motivated by such fear is insuf-

⁶⁸ See *Hosea* 6:1: לכו ונשובה אל ה' כי הוא טרף; however, the usage of this verse in this context is possibly ironic. This quote is a statement by the Israelites, expressing their sincere hope for full forgiveness. It is followed by God's reply denying their wishes in no uncertain terms, blaming them for insincerity, inconsistency of behavior, and lack of knowledge of God. Thus, the verse is clearly not describing a deep quest for God.

⁶⁹ See *Ša'ar ha-Tešuvah*, I, p. 146: ירצה שיהיה תחלת ההתעוררות בתשובה מכוונת לאל ית' לרצונו על מה שעבר על דברו, וזהו הנרמז באמרו, לכו ונשובה אל ה', כי מצד העונש אין ראוי שתהיה ירא, ושתהיה תשובתך לשתהיה נצול מהעונש, כי כיון שאתה תשוב מצד מה שהכעסת אותו במה שעברת על דברו ונתקרבת אליו בדברים כנזכר, הוא ירפא ויחבוש מכותיך.

⁷⁰ See *ibid.*: מה שמסתתר -- הוא טרף -- מה שמסתתר הש"י מהאדם החוטא בעודו חוטא ... גם שטרף והכה אותך בהיותך נסתר ממנו כשהיית חוטא, עתה ששבת אליו והנך לפניו, ירפא ויחבוש מכותיך.

⁷¹ For example, see *Ša'arei Tešuvah*, I, p. 1, R. Jonah's very first sentence discusses the divine kindness inherent in the process, also see *Sefer ha-Iqqarim*, IV:25, pp. 222-223, as well as דרור ארליך, "חטא, תשובה, וכפירה בספר העקרים לר' יוסף אלבו", בתוך על התשובה ועל הגאולה, בעריכת א' גרוס וד' שוורץ, where Ehr-

lich identifies this as Rabbi Albo's main claim. Also see *Ša'ar ha-Yesodot*, 17, p. 220: ולפי שהתשובה וסליחת עון הם רחמים גמורים מאת האל-ל ית' כאב את בן ירצה למחול לבנו ולהעביר פשעיו בתשובתו, סדרו בברכת השיבנו אבינו וכו', ובברכת סלח לנו אבינו וכו', מה שלא תמצא אבינו בכל התפלה כ"א בשתי ברכות אלו.

⁷² See BT, *Roš ha-Šanah* 17b: אני הוא קודם שיחטא האדם ויאחר שיחטא האדם ויעשה תשובה.

⁷³ See *Be-re'šit Rabbah* I:4, p. 6: מדרש ראשית: רבה, מהדורת תיאודור, אלבק, ירושלים תשכ"ה.

⁷⁴ See *Ša'ar ha-Tešuvah*, I, p. 148: שאם לא היה מסכים מקודם לקבל תשובת החוטאים, היה בריאת העולם לבטלה, כי לא ימלט אחד מן הברואים לחטוא. ולזה אמרו 'אני כי קודם: Also see *ibid.*, 15, p. 212: הוא קודם שיחטא שנברא העולם הסכים לקבל תשובת השב מחטאו, שאם לא כן לא היה בורא העולם שלא היה יכול לעמוד כנזכר.

⁷⁵ This idea of a certain measure of necessity of repentance from God's perspective is not original; R. Albo has discussed it at length in *Sefer ha-Iqqarim*, IV:28, pp. 264-272. Mabit, however, appears unique in his assertion that *teshuvah* displays God's mercy in a different fashion, as well.

⁷⁶ See *Ša'ar ha-Tešuvah*, I, pp. 148-149: עוד אפשר לפרש 'אני הוא קודם שיחטא האדם ואני הוא לאחר שיחטא וישוב, כי מי ששב בתשובה על חטאותיו הש"י מעביר עליהם והיו כלא היו, ומתרצה אליו כאלו לא חטא מעולם, כי היה מספיק כשיעבור על חטאותיו ולא יענישהו עליהם במדת

ficient, the only discussion of *yir'ah*, fear or awe, in this chapter, is in his assertion that even unintentional sins require *tešuvah* and God's mercy for attaining complete atonement. Explaining the requirement of *tešuvah* even for unintentional sins, Mabit argued that man is meant to be constantly vigilant and wary of transgressing God's precepts. Since man only sins once he distracts himself from this awareness, he should regret his negligence, for which he deserves to be punished. This worry is defined as *yir'at ha-het'*, the fear of the sin itself, not its repercussions. Mabit further explains that this fear is referred to in the account of the students of R. Johanan ben Zakkai, to whom he said: «May it be (God's) will that the fear of Heaven shall be upon you like the fear of flesh and blood».⁷⁷ As the only discussion of *yir'av* in this chapter, it is possible that the only fear the author meant the readers to focus on when contemplating *tešuvah* is that of sinning, not of punishment.⁷⁸

In this article, we showed the significance and meaning of Mabit's definition of *tešuvah* as the process of coming close to God following estrangement from Him due to sin. The mere presence of this definition in *Ša'ar ha-Tešuvah*,

as compared to the majority of studies on the subject, appears to demonstrate Mabit's determination to start the discussion of the subject from a clean slate. The content of this definition underscored the importance of the penitent's intentions and motivations, rather than the actions involved. Though in medieval discussions, the importance of one's relationship with God was seen as increasingly significant to the process, at no point was it portrayed as the basic requirement of the commandment. *Ša'ar ha-Tešuvah*, however, appears to say that only through the desire to come close to God can a penitent complete his process of return. As this approach to *tešuvah* is noticeably different from the previous ones, it is followed by a detailed explanation and justification. It would appear that Mabit's choice of the conceptual definition and his placement of it at the beginning of the treatise reflects his unique approach to the topic, which will be the key to understanding the rest of *Ša'ar ha-Tešuvah*. The many ramifications of this definition, however, would be the subject of another article.

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רחמים שלו, אבל לא יהיה מהעומדים לפניו ומרוצים אצלו כבתחלה... כי לא לבד הסתלקות העונש הוא שנהנים בתשובה אלא גם שיהיו מרוצים לפניו כבתחילה. It is important to note that Mabit goes on to say that whereas the ability to escape the punishment is granted following any sin, for the world was created on that condition, ability to reestablish his connection to God is a special privilege, which can be revoked after certain sins, see *ibid.*: חטא אינו מרוצה, לפניו החוטא.

⁷⁷ See BT, *Berakot* 28b: יהי רצון שתהא מורא שמים; עליכם כמורא בשר ודם כ"א הוא ירא חטא שירא מלעשות; 1, p. 150: חטא אחד, אינו מעלה לא' מאותם התלמידים של רבן יוחנן בן זכאי שיהיה ירא מלעשות החטא, אלא הכוונה היא כי הוא ירא מן החטא ולכך בדבר שיש בו חשש שמא יהא בו חטא אינו נוגע בו עד שיתברר שהוא היתר גמור. Compare the explanation of this interchange here to the one offered

in *Ša'ar ha-Yesodot*, 5, p. 171, where he explains this Talmudic source as referring to the fear of punishment. Also, compare it to the explanation offered in *Kad ha-Kemah*, *ibid.*, p. 373.

⁷⁸ There might be a certain difference in the approach of the author towards the place of the fear of punishment between *Ša'ar ha-Tešuvah* and the other two sections of the work. In *Ša'ar ha-Tešuvah*, *tešuvah me-yir'ah* is consistently downplayed. However, in *Ša'ar ha-Tefillah*, the desire to escape the punishment is seen as a valid need, see chapter 16, pp. 103-112. In *Ša'ar ha-Yesodot*, 15, pp. 217-219, serving God out of the fear of punishment is presented as superior to serving Him out of gratitude for the good that He bestows. Moreover, it is depicted as a proper stage in man's development, which he is meant to only eventually outgrow.

SUMMARY

This article discusses R. Moses ben Joseph Trani [= *Mabit*]'s study of repentance as presented in *Ša'ar ha-Tešuvah* section of his comprehensive and systematic moral-philosophical work, *Beit Elo-him*. The focus of the article is on the formal and conceptual definition of *tešuvah* that Mabit formulates at the very beginning of the section. Mabit defines *tešuvah* as “*coming close to God after being distant from Him due to sin*”. Following a general survey of the previous studies on *tešuvah* pertaining to the definition of the misvah and the emphasis on coming close to G-d through its fulfillment, it shall be shown that the author's proposed definition presents both a continuation and change from the previous tradition. An in-depth analysis of Mabit's argument, as well as the sources that he uses to build and substantiate his case, is offered at the end of the article, demonstrating the originality and significance of his approach.

KEYWORDS: Mabit, repentance, teshuvah definition.