

IS DOING TESHUVAH A MITZVAH?

NASSO

RE'EH

ELUL

YOM KIPPUR

TESHUVAH / VIDUY / TEFILLAH / KAVANA IN TEFILLAH
GENERAL MITZVOS / MITZVOS OF THE HEART

לע"נ זאב ארי' ע"ה בן יבלחסי"א שניאור זלמן גליק

The Rambam writes in Sefer Hamitzvos,¹ “that He commanded us to confess our sins and wrongdoings that we transgressed before G-d and to say them with teshuvah.”

There is a common question that is asked, why does the Rambam only bring the mitzvah of viduy (confession) and not the mitzvah of teshuva?

The Minchas Chinuch² explains that according to the Rambam there is no mitzvah to do teshuvah, rather if someone decides that he wants to do teshuvah, the Torah tells us that he has to say viduy.

There is a seemingly obvious question, that it says clearly in the Torah, “ושבת עד ה' אלוֹקֶיךָ”—You will return to Hashem!”³

This isn't really a question, because in the explanation for this passuk there is a machlokes:

The Ramban⁴ holds that this passuk is teaching us a mitzvah, to do teshuvah. The Sefer Mitzvos Katan agrees and therefore counts this passuk for one of the 613 mitzvos.

The Rambam⁵ holds it is a promise that the Yidden will return to Hashem, as it says, “אִין יִשְׂרָאֵל נִגְאָלִין אֵלָא בַתְּשׁוּבָה”, that the B'nei Yisrael will be redeemed through teshuvah.⁶

We therefore see that this passuk isn't a proof against the Rambam, because he holds that it isn't talking about the mitzvah of teshuvah.



1. *Mitzvah 73.*

2. *On Mitzvah 364.*

3. *Devarim, 30:2*

4. *Ibid., passuk 11.*

5. *Hilchos Teshuvah 5:5.*

6. *w Yoma 88b.*

However we can ask on the Minchas Chinuch, in the title of Hilchos Teshuvah the Rambam writes that the mitzvah is “for the sinner to return to Hashem from his sins and confess before Him,” so there clearly is a mitzvah to do teshuva!

Others disagree with the Minchas Chinuch and hold that according to the Rambam there is a mitzvah of teshuvah. The question then returns, why is it not counted in Sefer Hamitzvos?

2 In the beginning of Sefer Hamitzvos the Rambam writes the fourteen “rules” on which mitzvos are counted in the 613. The fourth rule is “We don’t count general mitzvos that include the whole Torah.” This means that any mitzvah that doesn’t have a specific new action, which we wouldn’t already be mechuyav to do due to any of the other mitzvos, is merely there to strengthen the other mitzvos, and is not counted as a new separate mitzvah.

Based on this we can say, that obviously the Rambam holds that there is a mitzvah to do teshuvah. However, since the entire mitzvah is, as the Rambam writes “That the sinner should regret and leave his sinful ways, and make a firm decision to never do them again.”⁷ We see that the mitzvah of teshuvah is merely to strengthen other mitzvos, and has no action specific to itself.

On the other hand, viduy does have its own specific action, and it is therefore counted in the number of mitzvos. The problem with this is that regret itself is a separate action



7. Hilchos Teshuvah 2:2.

which we wouldn't have learned from the other mitzvos, and therefore teshuvah should be counted as one of the 613 mitzvos.

3 To understand this we first have to explain something about the mitzvah of tefilla: By all other mitzvos the din is that without kavana, intent, one is not yotze, he hasn't fulfilled his obligation. However, we don't say that he didn't do the mitzvah. By tefilla, the Rambam writes any tefilla that doesn't have intent is not a tefilla."⁸

The explanation is that the idea of tefillah is to ask Hashem for one's needs. As the Rambam writes, "the chiyuv of this mitzvah is that a person should ask and pray every day," and this means that we need to ask for what we need, and if we don't feel like we're asking Hashem for something, we haven't asked! However, the Rambam in the beginning of Yad Hachazaka where he lists the mitzvos, writes to daven, means to say the words, without, mentioning the word להתחנן, to beg!

The explanation is that if a mitzvah has two parts, an action part and an intent part, only the action part is counted in the list of mitzvos. (We find something similar by the mitzvah of Limud Torah, that even though the main part is to understand it, the halachah is that if someone doesn't articulate the words, he can't make birchos hatorah.⁹)



8. Hilchos Tefillah 1:15.

9. The Alter Rebbe's Hilchos Talmud Torah 2:12.

4 Based on this the Mabit writes in his sefer Kiryas Melech on the Rambam¹⁰ that the reason that even though there are two parts of the mitzvah of teshuvah, regret and viduy, since regret is the intellectual part, it is not mentioned on the list, but viduy is an action and is therefore listed as one of the 613 mitzvos.

5 The Alter Rebbe explains in Likkutei Torah the wording Chazal use, תשובה ומעשים טובים—teshuvah and good deeds. The entire purpose of teshuvah is that the future Torah and mitzvos are in a much higher way, maasim tovim that are lit up and light up.



10. On the beginning of Hilchos Teshuvah.

STUDY AID

1. Why doesn't the Rambam count teshuvah as one of the mitzvos? (A possible answer and why it doesn't work.)
2. Another possible explanation and its refutation.
3. Explaining the mitzvah of tefilla, the intent and the action.
4. How we can use this to answer our question.
5. An explanation of the phrase
"תשובה ומעשים טובים."

Source:

על פי ליקוטי שיחות חלק ל"ח פרשת נשא שיחה א'