

הלכות תשובה • פרק חמישי

Learned like the daf, the literal words in bold, flowing with the elucidation

CHAPTER PREVIEW

In this chapter, the Rambam takes us to the very foundation of our avodah, establishing the absolute truth of bechirah chofshis (free will). The Rambam explains that Hashem has granted every single Yid the power to choose his own path, whether to be a tzaddik like Moshe Rabbeinu or, chas v'shalom, to go astray. There is no pre-decreed destiny forcing our hand, and we must reject the foolish notions of those who believe our spiritual standing is decided for us at birth.

We will learn how this precious gift of free choice is the very pillar upon which the entire Torah and all the mitzvos stand. The Rambam shows us how the system of reward and punishment, the calls of the Nevi'im to do teshuvah, and our personal accountability before Hashem all depend on our ability to choose good over evil. We will also explore how man's free will fits perfectly into the will of the Creator, Who desired that mankind operate with independent choice.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

הלכה א

Halacha 1 • Free Will is Granted to Every Human Being to Choose Good or Evil

רשות לכל אדם נתונה.

Free will is given to every person by Hashem.

אם רצה להטות עצמו לדרך טובה ולהיות צדיק הרשות בידו.

If he desires to turn himself to a good path and to be a righteous person, the choice is in his hand to do so.

ואם רצה להטות עצמו לדרך רעה ולהיות רשע הרשות בידו.

And if he desires to turn himself to an evil path and to be a wicked person, the choice is in his hand as well.

הוא שכתוב בתורה בראשית ג כב "הן האדם הנה כאחד ממנו לדעת טוב ורע".

This is what is written in the Torah in Sefer Bereishis: "Behold, the man has become like unique from us, to know good and evil."

כלומר הן מין זה של אדם הנה יחיד בעולם

Meaning to say, behold, this species of man has become singular in the world,

ואין מין שני דומה לו בזה הענין

and there is no second species resembling him in this matter,

שהיה הוא מעצמו בדעתו ובמחשבתו ידע הטוב והרע

that he should be, on his own, with his own knowledge and with his own thought, knowing the good and the evil,

ועושה כל מה שהוא חפץ

and doing all that he desires,

ואין מי שייעצב בידו מלעשות הטוב או הרע.

and there is no one who can prevent him from doing the good or the evil.

וכיון שכן הוא פן ישלח ידו:

And since it is so, the Torah warns: "lest he stretch out his hand" and take from the Tree of Life.

הלכה ב

Halacha 2 · The Absolute Free Will of Every Person to Choose Righteousness or Wickedness

אל יעבר במוחשבתך דבר זה

Do not let pass in your thought this matter

שאומרים טפשי אמות העולם ורב גלמי בני ישראל

which the fools of the nations of the world and the majority of the unformed of the children of Yisrael say,

שהקדוש ברוך הוא גזיר על האדם מתחלת ברייתו להיות צדיק או רשע.

that the Holy One, blessed be He, decrees upon a person from the beginning of his creation to be righteous or wicked.

אין הדבר כן

The matter is not so;

אלא כל אדם ראוי לו להיות צדיק כמשה רבנו או רשע כירבעם

rather, every person is fit to be righteous like Moshe our teacher, or wicked like Yеровam,

או חכם או סכל או רחמן או אכזרי או כילי או שוע

or wise or foolish, or merciful or cruel, or miserly or generous,

וכן שאר כל הדיעות.

and so too the rest of all the character traits.

ואין לו מי שיכפהו ולא גזיר עליו

And there is no one who forces him, and He does not decree upon him,

ולא מי שמושכו לאחד משני הדרכים

and there is no one who pulls him to one of the two paths;

אָלס וואס מעצמו ומדעתו נוטה לֵאמֹר זי דורך שׂירצה.

rather, he, from himself and from his own mind, inclines to whichever path that he wishes.

וואס שׂירמיהו אָמַר איכה ג לח "מִפִּי עֲלִיּוֹן לֹא תֵצֵא הָרָעוֹת וְהַטּוֹב".

This is what Yirmeyahu said in Eichah 3:38, "From the mouth of the Most High will not go forth the evils and the good."

כְּלוּמַר אֵין הַבּוֹרֵא גּוֹזֵר עַל הָאָדָם לֵהיִיתׁ טוֹב וְלֹא לֵהיִיתׁ רָע.

Meaning to say, the Creator does not decree upon a person to be good, and not to be evil.

וּכְיֵינן שֶׁכֵּן הוּא נִמְצָא זֶה הַחוּטָא הוּא הַפְסִיד אֶת עַצְמוֹ.

And since it is so, it turns out that this sinner, he caused loss to himself.

וּלְפִיכָּה רָאוּי לוֹ לִבְכּוֹת וּלְקוֹנֵן עַל חַטָּאֵיו

And therefore, it is proper for him to weep and to lament over his sins,

וְעַל מַה שֶּׁעָשָׂה לְנַפְשׁוֹ וּגְמָלָהּ רָעָה.

and over what he did to his soul and how he dealt it evil.

הוּא שֶׁכָּתוּב אַחֲרָיו איכה ג לט "מַה יִּתְאַוֵּן אָדָם חַי" וְגו'.

This is what is written after it in Eichah 3:39, "What should a living man complain," etc.

וַחֲזָר וְאָמַר הוֹאִיל וְרִשׁוּתֵּנוּ בְּיָדֵינוּ

And he returned and said: Since our authority is in our hands,

וּמִדְּעֵתֵנוּ עָשִׂינוּ כָּל הָרָעוֹת

and from our own mind we did all the evils,

רָאוּי לָנוּ לְחֹזֵר בְּתַשׁוּבָה וְלַעֲזֹב רִשְׁעֵנוּ שֶׁהָרִשׁוּת עִתָּהּ בְּיָדֵינוּ.

it is proper for us to return in repentance and to abandon our wickedness, since the authority now is in our hands.

הוּא שֶׁכָּתוּב אַחֲרָיו איכה ג מ "נִחַפְּשָׁה דְרָכֵינוּ וְנִחְקְרָה וְנָשׁוּבָה" וְגו'.

This is what is written after it in Eichah 3:40, "Let us search our ways and let us examine, and let us return," etc.

הַלְכָּה ג

Halacha 3 · Free Will as a Fundamental Pillar of the Torah and Mitzvos

וְדָבָר זֶה עֶקֶר גָּדוֹל הוּא

And this matter is a great principle of our faith,

והוא עמוד התורה והמצוה

and it is the pillar of the Torah and the mitzvah,

שנאמר דברים ל טו "ראה נתתי לפניך היום את החיים".

as it is said in Devarim 30:15, "See, I have set before you today life" and good, and death and evil.

וכתיב דברים יא כו "ראה אנכי נתן לפניכם היום".

And it is written in Devarim 11:26, "See, I set before you today a blessing and a curse."

כלומר שהרשות בידיכם.

Meaning to say, that the permission is in your hands to choose whichever path you wish,

וכל שיחפץ האדם לעשות ממעשה בני האדם עושה

and anything that a person desires to do from the actions of human beings, he does through his own free will,

בין טובים בין רעים.

whether they are good deeds or whether they are evil deeds.

ומפני זה הענין נאמר דברים ה כו "מי יתן והיה לבכם זה להם".

And because of this matter, it is said by Hashem in Devarim 5:26, "Who will give and it would be that this heart of theirs remains to them" to fear Me and keep My mitzvos always.

כלומר שאין הבורא כופה בני האדם

Meaning to say, that the Creator does not force human beings to act in a certain way,

ולא גוזר עליהן לעשות טובה או רעה

and does not decree upon them to do good or evil,

אלא הכל מסור להם:

rather, everything is handed over to them to decide for themselves.

הלכה ד

Halacha 4 - Free Will and Divine Justice in Reward and Punishment

אלו האל היה גוזר על האדם להיות צדיק או רשע

If God were decreeing upon man to be righteous or wicked,

או אלו היה שם דבר שמושך את האדם בעקרו תולדתו לדרך מן הדרך

or if there were there something that draws man by the essence of his nature to a path from the paths,

או למדע מן המדעות או לדעה מן הדעות או למעשה מן המעשים

or to a mindset from the mindsets, or to a character trait from the character traits, or to an action from the actions,

כמו שבודים מלבם הטפשים הכרי שמים

as invent from their hearts the fools, the astrologers of the heavens,

היאה הנה מצוה לנו על ידי הנביאים עשה כה ואל תעשה כה

how would He command us by the hands of the prophets, "do so and do not do so,

היטיבו דרכיכם ואל תלכו אחרי רשעכם

improve your ways and do not go after your wickedness",

והוא מתחילת ברייתו כבר נגזר עליו

and he, from the beginning of his creation, already was decreed upon him,

או תולדתו תמשך אותו לדבר שאי אפשר לזוז ממנו.

or his nature draws him to a thing that is impossible to move from it?

ומה מקום הנה לכל התורה כלה

And what place would there be for all of the Torah entirely?

ובאי זה דין ואיזה משפט נפרע מן הרשע או משלם שכר לצדיק.

And by what law and what justice is exacted punishment from the wicked, or He pays reward to the righteous?

השפט כל הארץ לא יעשה משפט.

"Shall the Judge of all the earth not do justice?"

ואל תתמה ותאמר היאה יהיה האדם עושה כל מה שיחפץ ויהיו מעשיו מסורים לו

And do not wonder and say, "how will be man doing all that he desires, and will be his deeds handed over to him?"

וכי יעשה פעולם דבר שלא ברשות קונו ולא חפצו

And is it done in the world anything without the permission of his Creator and not His desire?

והכתוב אומר "כל אשר חפץ ה' עשה בשמים ובארץ".

And the verse says, 'all which desired Hashem He did in the heavens and in the earth'."

דע שכל כחפצו יעשה ואף על פי שמעשינו מסורין לנו.

Know that everything according to His desire is done, and even though that our deeds are handed over to us.

פיצד.

How so?

כַּשֵּׁם שֶׁהַיּוֹצֵר חָפֵץ לִהְיוֹת הָאֵשׁ וְהָרוּחַ עוֹלִים לְמַעַלָּה

Just as the Creator desired to be the fire and the wind rising upward,

וְהַמַּיִם וְהָאָרֶץ יוֹרְדִים לְמַטָּה וְהַגִּלְגָּל סוֹבֵב בְּעִגּוּל

and the water and the earth descending downward, and the sphere revolving in a circle,

וְכֵן שָׂאָר בְּרִיּוֹת הָעוֹלָם לִהְיוֹת כְּמִנְהַגֵּן שֶׁחָפֵץ בּוֹ.

and so the rest of the creations of the world to be according to their custom that He desired for it,

כִּכָּה חָפֵץ לִהְיוֹת הָאָדָם רְשׁוּתוֹ בְּיָדוֹ וְכָל מַעֲשָׂיו מְסוּרִין לוֹ

so He desired to be man, his authority in his hand, and all his deeds handed over to him,

וְלֹא יִהְיֶה לוֹ לֹא כּוּפָה וְלֹא מוֹשֵׁךְ

and not will there be for him not forcing and not drawing,

אֲלָא הוּא מַעֲצָמוֹ וּבִדְעָתוֹ שֶׁנָּתַן לוֹ הָאֵל עוֹשֶׂה כָּל שֶׁהָאָדָם יָכוֹל לַעֲשׂוֹת.

rather he on his own, and with his intellect that gave to him God, does all that man is able to do.

לְפִיכָּה דִּנְיָן אוֹתוֹ לְפִי מַעֲשָׂיו.

Therefore, they judge him according to his deeds;

אִם עָשָׂה טוֹבָה מִיְטִיבִין לוֹ וְאִם עָשָׂה רָעָה מְרַעִין לוֹ.

if he did good, they do good to him, and if he did evil, they do evil to him.

הוּא שֶׁהַנָּבִיא אוֹמֵר מִיְדְּכֶם הִיָּתָה זֹאת לָכֶם.

It is what the prophet says, "from your hand was this to you",

גַּם הֵמָּה בָּחָרוּ בְּדַרְכֵיהֶם.

and "also they chose their own ways".

וּבְעֵינֵינוּ זֶה אָמַר שְׁלֹמֹה "שִׂמַּח בְּחֹר בְּיָלְדוּתְיָךְ"

And regarding this matter said Shlomo, "rejoice, young man, in your youth",

וְדַע כִּי עַל כָּל אֵלֶּה יָבִיֵאֵךְ הָאֱלֹהִים בְּמִשְׁפָּט.

"and know that for all these will bring you God to judgment".

כְּלוּמַר דַּע שֶׁיֵּשׁ בְּיָדְךָ כֹּחַ לַעֲשׂוֹת וְעַתִּיד אֲתָה לִתֵּן אֶת הַדִּין:

Meaning to say, know that there is in your hand power to do, and in the future you are to give the judgment.

שְׁמָא תֹאמַר

Perhaps you will say in your heart:

וְהֵלֹא הַקָּדוֹשׁ בְּרוּךְ הוּא יוֹדֵעַ כָּל מַה שְׂיִהְיֶה

and is it not the case that The Holy One, blessed He, knows all what that will be in the future?

וּקִדָּם שְׂיִהְיֶה יָדַע שֶׁזֶה יִהְיֶה צַדִּיק אוֹ רָשָׁע אוֹ לֹא יָדַע.

And before that it is, He knows that this one will be righteous or wicked, or does He not know?

אִם יָדַע שֶׁהוּא יִהְיֶה צַדִּיק אִי אֶפְשָׁר שֶׁלֹּא יִהְיֶה צַדִּיק

If He knows that he will be righteous, then it is impossible that he will not be righteous, for otherwise Hashem's knowledge would be incorrect;

וְאִם תֹּאמַר שֶׁיָּדַע שְׂיִהְיֶה צַדִּיק וְאֶפְשָׁר שְׂיִהְיֶה רָשָׁע

and if you say that He knows that he will be righteous, and yet it remains possible that he will be wicked,

הֲרִי לֹא יָדַע הַדְּבָר עַל בְּרִיּוֹ.

behold, He did not know the matter on its clarity!

יָדַע שֶׁתְּשׁוּבַת שְׁאֵלָה זוֹ אֶרְכָּה מֵאֶרֶץ מִדְּה וּרְחֹבָה מִנֵּי יָם

Know that the answer of this question is longer than the earth in measure, and broader than the sea,

וְכַמָּה עֲקָרִים גְּדוֹלִים וְהִרְרִים רַמִּים תְּלוּיִים בָּהּ

and how many principles great and mountains lofty are dependent on it.

אָבֵל צִרְיָה אֶתָּה לֵידַע וּלְהַבִּין בְּדָבָר זֶה שְׁאֵנִי אוֹמֵר.

But you need to know and to understand in this matter that I say:

כָּבֵר בְּאֲרָנוּ בְּפֶרֶק שְׁנֵי מֵהַלְכוֹת יְסוּדֵי הַתּוֹרָה

Already we explained in chapter second from the Laws of Foundations of the Torah

שֶׁהַקָּדוֹשׁ בְּרוּךְ הוּא אֵינוֹ יוֹדֵעַ מִדַּעָה שֶׁהִיא חוּץ מִמֶּנּוּ

that The Holy One, blessed He, does not know from a knowledge that is outside from Him,

כְּבָנֵי אָדָם שֶׁהֵם וְדַעְתָּם שְׁנֵיִם.

like human beings, who they and their knowledge are two separate entities.

אֵלָּא הוּא יִתְעַלֶּה שְׁמוֹ וְדַעְתּוֹ אֶחָד

Rather, He, may He be exalted His name, and His knowledge are one.

ואין דעתו של אדם יכולה להשיג דבר זה על בריו.

And there is no knowledge of man able to comprehend this matter on its clarity.

וכשם שאין כח באדם להשיג ולמצא אמתת הבורא

And just as there is no strength in man to comprehend and to find the truth of the Creator,

שנאמר "כי לא יראני האדם וחי"

as it is said, 'for not can see Me the man and live,'

כה אין כח באדם להשיג ולמצא דעתו של הבורא.

so there is no strength in man to comprehend and to find the knowledge of the Creator.

הוא שהנביא אמר "כי לא מחשבותי מחשבותיכם ולא דרכיכם דרכי".

He is what the prophet said, 'For not My thoughts are your thoughts, and not your ways are My ways.'

וכיון שכן הוא אין בנו כח לידע

And since that so it is, there is no in us strength to know

היאך ידע הקדוש ברוך הוא כל הברואים והמעשים

how knows The Holy One, blessed He, all the creations and the deeds.

אבל נדע בלא ספק

But we know without doubt

שמעשה האדם ביד האדם

that the action of the man is in the hand of the man,

ואין הקדוש ברוך הוא מושכו ולא גוזר עליו לעשות כה.

and there is no The Holy One, blessed He, pulling him, and not decreeing upon him to do so.

ולא מפני קבלת הדת בלבד נודע דבר זה

And not because of the tradition of the religion alone is known this matter,

אלא בראיות ברורות מדברי החכמה.

rather with proofs clear from the words of wisdom.

ומפני זה נאמר בנבואה שדנין את האדם על מעשיו

And because of this, it is said in prophecy that they judge — the man for his deeds,

according to his deeds, if good and if bad.

וְזֶה הוּא הָעֶקֶר שֶׁכָּל דְּבָרֵי הַנְּבוּאָה תְּלוּיִין בּוֹ:

And this is the principle that all the words of the prophecy are dependent on it.

CHAPTER SUMMARY

The Rambam begins by establishing that free will is granted to every human being, allowing us to choose our path on our own initiative. He strongly refutes the mistaken belief that Hashem decrees whether a person will be a tzaddik or a rasha at birth, emphasizing that every person has the potential to be as righteous as Moshe Rabbeinu. Because choice is in our hands, the sinner is responsible for his own loss, making it proper to mourn for one's sins and return to Hashem through teshuvah. The Rambam explains that free will is a fundamental pillar of the Torah and mitzvos; without it, commands, warnings, rewards, and punishments would have no justice or meaning. He resolves the apparent contradiction of human independence within Hashem's world by explaining that just as Hashem willed nature to follow physical laws, He willed that man should possess free choice and be judged accordingly. Finally, the Rambam introduces the profound tension between Hashem's foreknowledge and man's free will, noting that the depth of this question is as vast as the sea.

לְמַעֲשֶׂה WHAT TO TAKE HOME

It is so easy to fall into the trap of blaming our spiritual struggles on our nature, our upbringing, or the way Hashem made us. We tell ourselves, "I am just a naturally angry person," or "I don't have the head for learning." But the Rambam teaches us a fundamental pillar of the entire Torah: your spiritual destiny is never locked in. You are not forced by any decree or natural trait to be who you were yesterday. At this very moment, you have the exact same capacity to choose greatness as the greatest tzaddikim.

This means that the key to your avodah is entirely in your hands. When we realize that Hashem does not force our choices, we stop looking for excuses and start looking for ways to grow. If we made a mistake, we don't have to stay down; the same free will that allowed us to slip is the very tool we use to choose to stand back up and return to Him.

Today, catch yourself when you start to say "that's just who I am" about a negative habit or a missed mitzvah. Pause, remind yourself that Hashem gave you the power to choose otherwise, and make one small, conscious decision to act differently than your habit dictates.