"Halakhic and Psychological Understandings of Teshuvah *bein adam l'chaveiro*"

Linda Kersh Steigman

This thesis is divided into five sections, an Introduction and four chapters. The final chapter also serves as a conclusion. Chapter I covers the halakhic dimensions of *teshuvah*, from Torah through contemporary responsa; Chapter II covers the psychological dimensions of *teshuvah*. Chapter III considers the issue of times when forgiveness may not be possible, using domestic violence and incest as a case in point; and Chapter IV presents a case study of a couple involved in such a situation, and presents information from the previous three chapters to help the rabbi work with this couple. Interviews (in person and telephone), books, responsa, articles from periodicals and popular magazines, email correspondence, websites and a video were all used in gathering information for the thesis.

The goal of this thesis was to answer questions I had about forgiveness and repentance between one person and another. What are the psychological repercussions for both the injured party and the perpetrator when the injured party is not able to forgive, even when the proper halakhic procedure is followed? Is forgiveness mandated by our tradition in every instance? Are there certain circumstances when forgiveness is not obligatory?

I hope that this thesis will add an important component to the pastoral counseling coursework and limited pastoral experience of rabbinical students and newly ordained rabbis. One of the greatest challenges of being a rabbi is guiding congregants through perilous times in their lives. It is an awesome responsibility and I hope that the information in this thesis will help people fulfill that aspect of their rabbinate.

HALAKHIC AND PSYCHOLOGICAL UNDERSTANDINGS OF TESHUVAH

BEIN ADAM L'CHAVEIRO

LINDA KERSH STEIGMAN

Thesis Submitted in Partial Fulfillment of
Requirements for Ordination

Hebrew Union College-Jewish Institute of Religion
Graduate Rabbinic Program
New York, New York

January 20, 2004
Advisor: Dr. Alyssa Gray

For transgressions against God, the Day of Atonement atones; but for transgressions of one human against another, the Day of Atonement does not atone until they have made peace with one another.

Babylonian Talmud, Yoma 8:9

Table of Contents

Acknowledgements

There are times in one's life when the generosity of people is overwhelming. This is one of those times. Every person I contacted for interviews or information was generous of time and spirit. I would like especially to thank Rabbi Simkha Weintraub of the National Center for Jewish Healing, who was very generous with his time and with incredibly helpful information. Rabbi Cindy Enger of the FaithTrust Institute in Seattle was also very helpful suggesting materials that enriched this thesis immeasurably.

My thesis advisor, Dr. Alyssa Gray, was insightful and helpful, encouraging and amazingly calm as the thesis deadline quickly approached. I feel fortunate to have had the opportunity to share this experience with her. A scholar and a mensch – a winning combination.

Several individuals shared their stories of abuse, and how they dealt with the issues of forgiveness; I am grateful for their openness and willingness to share.

Special thanks to my friend Bonnie Charkey who spent several hours proof reading the manuscript. Her suggestions improved the clarity of the thesis, and her sharp eyes saved me from possible embarrassment.

I wouldn't be where I am today without several rabbis who have mentored me to this point. When I have had doubts, they have cheered me on; when I have had successes, they have rejoiced with me. I name especially Henry Cohen, Norman Cohen, Rosalind Gold, Joseph Forman, and Richard Address.

My friends and family have had faith in me even when my courage flagged. Vivian, Robin, Shelley, Sheila, and Annette have been constant sources of

encouragement, especially over the bumps in the road – and there have been many bumps in the road.

Special love and thanks go to my mother, Lillian, my sister, Barbara, and especially to my children, Ellen and John, Stephen and Tamara, who amaze me with their pride in what I am doing, and delight me with their commitment to Judaism. They have been exceedingly forgiving.

I am truly blessed.

Introduction

It was a hot summer evening two years ago. The thirty-week Derekh Torah[1] class for interfaith couples was nearly completed, and I was introducing my students to the Jewish concept of sin and repentance. The theology underlying Rosh Hashanah and Yom Kippur is the most difficult of all the holidays for students to grasp, so I usually teach this lesson towards the end of any introductory course. This time, however, the timing was perfect as the *Yamim Noraim* – the Days of Awe – were fast approaching.

Earlier in the course, we had discussed the essential differences between Judaism and Christianity and my students already had a grasp of the basic Jewish view of sin and repentance. One of my goals for this class was to present the two different types of sins – *bein adam l'makom* and *bein adam l'chaveiro;* sins between an individual and God, and between one individual and another. After explaining the mechanics of *teshuvah bein adam l'chaveiro,* I challenged the group – and myself – with the following dilemma: "You really feel badly about hurting your friend, and you've approached her sincerely three separate times. For some reason your friend is not able to accept your apology; perhaps she will at some point, but right now she's not ready to forgive you. According to *halakhah,* you can approach God on Yom Kippur and the Holy One will forgive you. So what's the problem? For you? For the person you've hurt?"

I'd taught this material for many years, yet this was the first time I'd posed this question. The discussion that followed was thought provoking for all of us. We had to acknowledge that

---

[1] Thirty-week Introduction to Judaism course offered by the 92nd Street Y in New York, for those wanting to learn more about Judaism, whether Jewish or not, and a basic course for conversion. This course spans the denominations, in contrast to the course offered by the Union for Reform Judaism, which is movement-sponsored and focused.

we still lived with the pain of hurting a friend and not being forgiven, and with the likelihood that our friends were still carrying pain from our words or actions, as well as anger towards us.

In the succeeding days and weeks and months I found my mind wandering back to this discussion. I knew – or thought I knew – what *halakhah* said: a person was off the hook if he had sincerely followed the prescribed steps. I wondered, however, how the contemporary psychological community would respond to this thorny dilemma. Drawing on my many years as a clinical social worker, and on my own life experience, I knew that the struggle to forgive – and be forgiven – did not end with the closing of the Heavenly Gates at the end of Yom Kippur. I knew that I had to have more satisfactory answers to this dilemma for myself in order to authentically help others with their issues around *teshuvah.* I wondered – could *teshuvah* be interpreted differently for the victim and the perpetrator? For the perpetrator, *teshuvah* means turning *towards* the right way, and includes the prescribed process. But perhaps *teshuvah* could also be interpreted – for the victim – as turning *away* from the hurt and pain?

As the deadline for rabbinical thesis proposals loomed, I realized that my topic was right in front of me – exploring the *halakhic* and psychological understandings of *teshuvah.* The first step was an examination of *halakhic* sources, beginning with our basic text, the Tanakh, then moving into rabbinic literature, followed by commentary, codes, and responsa. I was surprised and gratified to find that our rabbis and sages held that there were times when forgiveness was neither required nor expected. The *halakhic* material forms the basis of Chapter I. A review of materials from the psychological field follows. As is explained at the beginning of Chapter II, most of the material written from a psychological perspective has been from religious sources, usually Christian religious sources. Currently, however, several authors have attempted to write from a secular viewpoint. Some are more successful than others in their efforts. Chapter III

addresses the question, "Are there situations where forgiveness may not be possible?" While, as a community, we immediately think of the *Shoah*, we also need to realize that in our own communities today we have other glaring examples of inhumane and cruel situations – domestic violence, sexual and verbal abuse of children, and incest. This is the one area where psychologically-oriented rabbis have produced excellent material – material which responds directly to my query.

Now that I have all this information, how will it affect my rabbinate? Chapter IV, the conclusion, discusses what we as rabbis can do to prepare ourselves to respond to congregants facing situations where granting forgiveness may not be warranted or even appropriate. How can we encourage perpetrators to engage in the process of *teshuvah*? What materials from the *halakhic* and psychological dimensions of *teshuvah* can we draw upon at such times?

Each one of us faces times in our lives when we have caused hurt to another. Each one of us has experienced hurt from another. Researching and writing this thesis – struggling with the essence of *teshuvah* – has enriched me personally beyond expectation, and I know will impact greatly on the rabbi I hope to become.

Linda Kersh Steigman

January 2004

Chapter I: Halakhic Dimensions of *Teshuvah*

Our contemporary Jewish understanding of sin and repentance stems from early rabbinic teachings. We talk about sins *bein adam l'makom*, between a person and God, and sins *bein adam l'chaveiro*, between one person and another. This chapter will explore the concept of sins *bein adam l'chaveiro*, and will trace the development of the concept of *teshuvah* through rabbinic literature. Since the Written Torah was the starting point for the Oral Torah, we will begin with Biblical literature.

I. Biblical Antecedents

In **Torah**, when an individual or group sins, punishment is direct and swift. God is displeased with the people's actions and God acts. The *mabul*, or flood, destroys the entire world; only Noah, his immediate family, and two of each kind of animal are protected by the Ark. The Midrash tells us that "God gave the generation of the flood time to repent, but they did not; likewise with the Tower [of Babel]. In both cases God did not decree destruction until the people had 'displayed their utmost wickedness.'"[2] After this point, however, God limits punishment among His people to those who have sinned. God's punishment against an entire people is limited to others, such as the Egyptians, the Ammonites, Moabites, Canaanites, etc. – those who would cause harm to the Israelites directly or indirectly, especially in tempting the Israelites to practice *avodah zerah*, idolatry.

After the incident of the golden calf and the punishment of those who contributed to its construction, Moses asks God to *shuv*, to turn God's fierce wrath from the people when they sin; the people, however, play no role in this process. The transaction is solely between God and Moses. Throughout the wandering in the *midbar* the people feel God's wrath when they

[2] Mekhilta, Tractate Shirata, hey.

misbehave. Punishment would seem to be the deterrent in the narrative books (*Bereshit, Shemot, Bemidbar).* Even the leaders do not escape God's wrath when they err. Moses, Miriam, Aaron, and Aaron's sons are all punished. Only concerning Moses is the punishment not immediate. Rather, he is told he will not be able to enter the Promised Land, because he struck the rock for water rather than speaking to it.

The book of Vayikra, however, differs from the narrative books. Set down in the middle of the Torah and, according to Biblical scholars, written at a later date, it is filled with laws for governing individual and group behavior. Personal, legal, and mercantile relationships are detailed, and the punishment for breaking the rules ranges from monetary payment to death, depending upon the infraction. After recompensing the injured party, the guilty party is to bring a sin offering to the priest as the final step in the atonement process.

The Torah, however, does contain several instances of reconciliation between individuals. Notable among them are the meeting of Jacob and Esau many years after their disastrous parting, and Joseph and his brothers coming together in Egypt. In each of these instances, the text makes us privy to the feelings of at least one of the parties. Jacob struggles alone, both psychologically and physically, the night before he crosses the Jabbok River to meet his brother Esau. Joseph struggles with his own feelings when he recognizes (but does not yet reveal himself to) his brothers. In both examples, the reconciliation was limited in scope. Esau invites Jacob to live together with him, and Jacob equivocates by saying he'll follow him, but at a slower pace because of his household. They never meet again. Joseph has so little contact with his father and brothers after they move to Goshen, that the brothers have to send for him when Jacob is dying. After Jacob dies, the brothers are fearful that Joseph will take revenge on them for selling him to the Midianite traders. So they create a message and send it to him saying,

"Before his death your father left this instruction: So shall you say to Joseph, 'Forgive, I urge you, the offense and guilt of your brothers who treated you so harshly.' Therefore, please forgive the offense of the servants of the God of your father." This passage would not have been necessary if there had been true reconciliation between Joseph and his brothers. Missing from the reconciliation process was admission of responsibility on the part of the brothers, and expression by Joseph of the anger he harbored towards them, even after all these years – the anger that was played out in his manipulation of them and their emotions when they came to Egypt to beg for sustenance.

Right in the middle of the Joseph story we do find a most meaningful model of *teshuvah*. Through three separate vignettes, we observe how Judah moved from one extreme to the other on the scale of repentance.

In the first vignette (Genesis 37) Judah could have saved Joseph from being sold to Midianite traders but did not. When the brothers presented Jacob with Joseph's bloody cloak, letting Jacob believe that Joseph had been mauled to death by a wild beast, Judah did nothing in the face of his father's grief.

In Chapter 38, we find the story of Judah and his Canaanite daughter-in-law, Tamar, whom Judah has selected as a bride for his oldest son Er. Er has died – he was "displeasing to the Lord" – and Tamar is left childless. She is then given to the second son, Onan, for the purpose of producing a son to sustain her and carry on her husband's name. Knowing that any such issue would inherit equally with him and his remaining brother, Onan "spills his seed" and refuses to impregnate Tamar. "This was displeasing to the Lord, and He took his life also." The third and only remaining son, Shelah, is too young to be married, so Judah sends Tamar to her father's house to wait until Shelah matures. A long time passes and Tamar realizes that Judah is

not going to fulfill his obligation to her. Judah's wife dies and after the mourning period he comes up to the hill country of Timneh for the sheep shearing. Tamar hears of this, and decides to take matters into her own hands.

She takes off her widow's garb, veils herself, and places herself in a spot where anyone passing by might assume she was offering herself for a price. Lo and behold! Judah comes up the road and purchases her services. Tamar requests as a pledge his seal, cord and staff, and the transaction is completed. A short time later Judah sends a kid to redeem his pledge, but the woman is unknown to the people of the place. Judah, possibly sensing something unusual is going on, decides not to pursue the matter. Three months later, however, he hears that Tamar – supposedly living in celibate complacency in her father's house – is pregnant "by harlotry." He sends for her, planning to kill her by burning. She sends to him his seal, cord and staff, and he realizes the error of his ways, saying, "She is more in the right than I, inasmuch as I did not give her to my son Shelah." Tamar gives birth to twins; the second born, Perez, will be the ancestor of David, and thus also the ancestor of the Messiah. And, the text tells us, "Judah was never intimate with her again."

The third and final vignette occurs when Jacob sends his sons to Egypt for their second encounter with [the as yet unknown to them] Joseph (Genesis 44), where Judah offers himself in lieu of Benjamin so as not to cause his father any more grief. Here, Judah has put the needs of his father and youngest brother ahead of his own, and his *teshuvah* is complete.

With the advent of the **Prophets**, the process changes. The prophets exhort the people to change their ways, and detail the punishment that will befall them because of their sinful ways. While repentance removed the sin, it did not remove the punishment. The people sin, repent, are punished, and then reconcile with God. Even David, King of Israel, cannot escape this process.

David arranges the death of Uriah, husband of Batsheva. "But the Lord was displeased with what David had done and the Lord sent [the prophet] Nathan to David."[3] Nathan makes his point with a parable and conveys God's great anger; David admits his guilt and repents. He is saved from death but the child about to be born to Batsheva will die. Isaiah, Amos, Hosea, Jeremiah, and others warn, exhort, and cajole the people to repent of their evil ways. They speak of God's wrath and are very specific in the details of the punishment. Every effort is made to convince the people to turn towards God and away from their evil ways. The Book of Jonah emphasizes this process as God turns his wrath away from the Ninevites – a foreign people – when they repent.

The individual stories of *teshuvah bein adam l'chaveiro* provide a striking contrast to the biblical relationship *bein adam l'makom*. Perhaps the redactors wanted to show these two different models – the God whose justice is absolute, and the humans who can move from estrangement to reconciliation. After the destruction of the Second Temple, the rabbis look more at the individual model. Since sacrifices of atonement for guilt *bein adam l'chaveiro* can no longer be brought, the process between two individuals must be more fully developed. Our Yom Kippur service stresses individual atonement and emphasizes the compassionate aspect of God. Yet even on this day, when in the listing of God's attributes, the *dor l'dor* passage is omitted, the martyrology section of the afternoon reminds us of God's awesome power to punish.

I. Rabbinic Writings: Mishnah, Midrash and Talmud

With the destruction of the Second Temple and the end of the sacrificial cult, it was not possible to atone for one's sins by bringing a sacrifice. It fell to the rabbis to develop another model, and the proper way to repent became an important focus of rabbinical writings. According to the early rabbis, repentance called for not only the abandonment of the way of sin,

[3] 2 Samuel 12:1.

but also the inner resolve never to return to it. True repentance was not achieved by the outward acts such as fasting and prayer,[4] but by resolving to change one's ways. This concept builds on the prophetic words of Isaiah[5] that we read on Yom Kippur, but extends them with the critical caveat of refraining from repetition of the sin. To emphasize the importance of *teshuvah*, the third century Palestinian Amora Simeon ben Lakish included repentance in the list of things that were created before the creation of the world. Added to Torah, the Garden of Eden, Gehenna, the Throne of Glory, the Temple and the name of the Messiah, was repentance, for it is written, "Before the mountain came into being, before You brought forth the earth and the world, from eternity to eternity You are God. You return man to contrition; You decreed, Return you mortals (Psalm 90)."[6]

If any one phrase could describe the place that *teshuvah* holds in rabbinic literature, it would be "*gedolah teshuvah*, Great is Repentance." *Teshuvah* was a concept that pervaded every part of a person's life. In a Talmudic discussion of *teshuvah* the Gemara records a series of aggadic teachings, each one of which begins, "*gedolah teshuvah*."[7]

Gedolah teshuvah, Great is Repentance for

- It brings healing to the world. A distinction is made between repentance motivated by love and repentance motivated by fear. Regarding the former, repentance eradicates completely; regarding the latter, the taint of sin remains.
- It reaches unto the Throne of Glory.
- It overrides a negative commandment of the Torah.
- It brings redemption nearer.

---

[4]Urbach, Ephraim. The Sages and Their Beliefs, p. 464.
[5] Isaiah 58
[6] Babylonian (b.) Talmud *Nedarim* 39b.
[7] b. *Yoma* 86a.

- [Because of it] willful transgressions are accounted for [the penitent] as inadvertent errors.
- [Because of it] willful transgressions are accounted for [the penitent] as merits. This is based on an interpretation which reads that a man lives on account of all his acts, even his wicked ones. The Gemara resolves the contradiction by concluding that this teaching refers to repentance motivated by love of God. The greater a man's sin, he who returns to God in love will exert all effort to become closer to God.
- It lengthens the years of a person.
- On account of an individual who repented, the entire world is forgiven. God will heal the many because God's anger is turned away from one individual. An alternative interpretation[8] is that when one person sins, all who could have kept him from sinning are held accountable; thus when the person repents, he saves others from the punishment as well.

In Tannaitic teaching, repentance by itself atones only for light transgressions; for more serious transgressions repentance needs to be augmented by additional methods of expiation. According to Mishnah *Yoma*, "Repentance effects atonement for lesser transgressions against both positive and negative commands in the Law; while for graver transgressions it suspends punishment until the Day of Atonement comes and effects atonement."(8:9) Finally, for some sins, only "death and the Day of Atonement effect atonement [even] if there is repentance."[9] (8:8)

The Talmud expands on this Mishnah. In a discussion of different types of sin offerings, the Gemara asks about a baraita which conflicts with the Mishnah, "Rabbi says, 'For all the sins in

[8] b. *Shavuot* 39a
[9] Mishnah *Yoma*, 8:8.

the Torah, whether the transgressor repented or did not repent, Yom Kippur atones except for three cases: one who throws off the yoke of God, one who acts insolently towards the Torah, and one who violates the covenant of the flesh'." Only if one has repented of these three, does Yom Kippur atone. If not, then Yom Kippur does not atone.[10] This differs from later material in the *Yoma* text, where without repentance, Yom Kippur does not atone for any sin, in all cases.

Two other important concepts are stated first in the Mishnah and then developed further in the Talmud. Among them are:[11]

- If a man said, "I will sin and repent, and sin again and repent," he will be given no chance to repent. [If he said] "I will sin and the Day of Atonement will effect atonement," then the Day of Atonement effects no atonement."
- For transgressions that are between man and God the Day of Atonement effects atonement, but for transgressions that are between a man and his fellow the Day of Atonement effects atonement only if he has appeased his fellow. Here the rabbis make a distinction between transgressions committed by man against God (*bein adam l'makom*) and by man against his fellow (*bein adam l'chaveiro).* Maimonides supports this by [12]saying "sins between man and man . . . will never be forgiven until he gives his colleague what he owes him and appeases him.

For what might a man have to appease his fellow? For poor treatment of one's fellow: "But if someone studies Scripture and Mishnah, attends on the disciples of the wise, but is dishonest in business, and discourteous in his relations with people, what do people say about him? 'Woe

[10] B. *Yoma* 85b
[11] Mishnah *Yoma* 8:9.
[12] Mishneh Torah, *Teshuvah* 2:9.

unto him who studied the Torah; woe unto his teacher who taught him Torah!' This man studied the Torah: Look, how corrupt are his deeds, how ugly his ways."[13]

In a discussion of compensation for an offense, Mishnah states "even though the offender pays him [compensation], the offense is not forgiven until he asks him for pardon.[14]" The Talmud enlarges on this, saying, "Our Rabbis taught: All these fixed sums stated above specify only the payment [civilly due] for degradation. For regarding the hurt done to the feelings of the plaintiff, even if the offender should bring all the 'rams of Nebaiot' in the world, the offence would not be forgiven until he asks him for pardon."[15]

The comparison of publicly embarrassing a person to killing him or her, which appears in *Bava Metzia* 58b, is aided by a play on words: the Hebrew expression for "embarrassing" a person (*malbin p'nei chaveiro b'rabim)* literally means to make the person's face white, and that occurs also when one dies. The legal remedy in personal injury cases for embarrassment is discussed in the Mishnah *Bava Kama* 8:1 and 8:6 and in the Talmud at *Bava Kama* 86a-b and 91a, where the discussion of the essence of shame also appears.[16]

We also learn that leadership brought with it special burdens and circumstances. "Whosoever causes a community to do good, no sin will come through him, [but] whosoever causes the community to sin, no opportunity will be granted him to become repentant."[17]

The sages consider the issue of whether a sinner should tell others of his transgression. The verses cited are contradictory. They compared the verse "One who conceals his sins will not succeed"[18] to the verse "Fortunate is one whose transgression is forgiven, whose sin is

---

[13] B. *Yoma* 86a.
[14] b. *Bava Kama* 8:7.
[15] b. *Bava Kama* 92a.
[16] Elliot Dorff, *Teshuvah* on Family Violence, Rabbinical Assembly, 1995.
[17] b. *Yoma* 86b, Mishnah *Avot* 5:18.
[18] Proverbs 28:13

concealed."[19] According to the first solution, if a sin is widely known already, one should not deny it; if it is not widely known, it should be concealed. The second solution reads the verse objecting to concealment as referring to transgressions *bein adam l'chaveiro,* while the verse that recommends concealment refers to transgressions *bein adam l'makom.*[20]

Confession of sin is an essential element of repentance; it is so important that the opinions of several rabbis are recorded: "R. Isaac said: Whosoever offends his neighbor, and he does it only through words, must pacify him. . . do this, now, my son, and deliver thyself, seeing thou art come into the hand of thy neighbor; go, humble thyself, and urge thy neighbor. If he has a claim of money upon you, open the palm of your hand to him, and if not, send many friends to him. R. Hisda said: He should endeavor to pacify him through three groups of three people each."[21] Even if your neighbor has died, the offender "should bring ten persons and make them stand by his grave and say: 'I have sinned against the Lord, the God of Israel, and against this one, whom I have hurt'."[22] But, there are limits. "R. Jose b. Hanina said: One who asks pardon of his neighbor need do so no more than three times."[23] Both R. Abba and R. Zera emphasize the importance of making oneself available for pardon. "When R. Zera had any complaint against any man, he would repeatedly pass by him, showing himself to him, so that he may come forth to [pacify] him."[24]

On the necessity of specifying the sin (when confessing), R. Yehudah ben Bava and R. Akiva disagree. R. Yehudah ben Bava says yes; R. Akiva says no. The sages are bothered by R.

---

[19] Psalms 32:1
[20] b. *Yoma* 86b
[21] b. *Yoma* 87a.
[22] Ibid
[23] b. *Yoma* 87a
[24] Ibid

Akiva's opinion, arguing that when God tell Moses that the people at the base of Sinai are out of control, He specifies what they were worshipping – a "molten calf."

Although the rabbis were concerned with the process of repentance, they were concerned with the nature of it as well. They cautioned that one should not wallow in one's sins, saying, "like a dog that returns to his own vomit is a fool who repeats his foolishness."[25] Thus if one confesses his sins one Yom Kippur and does not repeat them, he should not confess them the next Yom Kippur. However, if he does repeat them, he must confess again. If he doesn't repeat them – he should not confess again.

The sages are also concerned with the behavior of one who refuses to grant forgiveness. Rava said, "anyone who relinquishes his measure of retribution, [the Heavenly tribunal] relinquishes all his sins for him."[26]

What about the person caught in a cycle of sin and repentance, sin and repentance? A man can [commit the same] sin three times and each time he will be forgiven, but on the fourth time, he will not be forgiven. The proof text used is Amos 2:6, "For three transgressions of Israel; but for four I will not pardon them."[27]

How do we know that a penitent is sincere? Rav Yehudah gives the circumstances that define the true penitent, saying, "Where an opportunity for sin [committed in the past] comes his way a first time and a second time and he is saved from it on both occasions." But – the two opportunities must be "with that same woman – at that same time – and at that same place."[28] Another text deals with the sincerity of repentance. The grandson of [the late] Rabbi Tarfon was leading a profligate life. Rabbi Yehudah said to him, "If you repent, I will give you my

[25] b. *Yoma* 86b
[26] b. *Yoma* 87b
[27] b. *Yoma* 86b
[28] Ibid

daughter." The grandson repented. Now, some said that he married R. Yehudah's daughter and then divorced her, while others maintain that he did not marry her at all. Why? So it should not be said that he repented on account of the daughter.[29] One should repent to acknowledge and atone for one's sins, and not for promise of a reward.

Can prayer effect atonement? In a discussion of the destruction of Aaron's two sons, R. Joshua b. Levi said that prayer effects half-atonement. God was angry with Aaron because of the golden calf, and yet only two of his four sons were destroyed, because Moses prayed on Aaron's behalf.[30]

The rabbis are very specific about types of transgressions and the type of repentance required for atonement of each of them:[31]

- If one transgresses a positive commandment and repented, the sin is forgiven immediately.
- If one transgressed a negative commandment and repented, the repentance suspends punishment and Yom Kippur atones for the sin.
- If one commits sins that are punishable by *karet* or sins that are punishable by judicial execution, repentance and Yom Kippur suspend, and suffering purges the sin.
- But for one who bears the sin of desecration of the Name, repentance does not have the capacity to suspend punishment, nor Yom Kippur to atone, nor suffering to purge. Rather all of them together suspend, and death purges the sin.

Lest one think that desecration of the Name (*hilul hashem)* is a limited group of sins, the sages provide a series of everyday transactions that belong in this category. A practical illustration of desecrating God's name is given – one should read Scripture, learn Mishnah, and serve Torah scholars – *and* his dealings with people should be conducted in a pleasant manner. It is clear

[29] b. *Bava Metzia* 85a
[30] *Vayikra Rabbah, Tzav*. 10:5
[31] b. *Yoma* 86a

that even if a man would follow the first three criteria faithfully, not dealing with others pleasantly is a profanation of God's name.

The text also provides another ranking of mitzvot in terms of repentance. For mitzvot ranked [less severe than] "You shall not take the Name of the Lord in vain," repentance alone atones. For any mitzvah ranked above, repentance suspends the punishment and Yom Kippur atones. A conflict about which mitzvot rank "below" is resolved by saying that all the negative mitzvot that carry the penalty of lashes are not included in this category, because they require repentance and lashes. So "below" includes only those categories that are not punishable by lashes.

Does repentance tear up an evil decree? In a discussion of God's attributes of mercy, the Gemara describes the effectiveness of repentance. "Great is repentance for it tears up a person's evil decree." The discussion that follows attempts to distinguish between whether the repentance came before or after the decree was issued. If one repents between Rosh Hashanah and Yom Kippur, he is pardoned. If he did not repent before Yom Kippur, even if he brought all of the choicest rams in the world as sacrifices to accompany his repentance, he is not pardoned. Once a person's sentence has been sealed on Yom Kippur, his repentance will not overturn that sentence.[32]

In order to reconcile this statement with the one above concerning repentance tearing up an evil decree, the Sages tell us that the former statement refers to the repentance of a community, while the latter statement refers to the repentance of an individual. So, for example, if the people were wicked and did not repent before Yom Kippur, but then repented after Yom Kippur, the evil decree (the example given here is rain) could not be repealed, but God, in a merciful response to the people's repentance, would bring down the same amount of rain, but at

[32] b. *Rosh Hashanah* 17b

the most opportune time. Conversely, if the people were wholly righteous on Rosh Hashanah (and thus much rain would befall them), and then they retracted their righteous ways, the amount of rain could not be adjusted, but God would bring down the rain at the most inopportune time.

Thus, even though a decree could not be changed, God's mercy would adjust the decree in response to the behavior of the people. The Gemara questions why the decree is not torn up, rather than being adjusted. It answers by saying that with the example of rain adjustment God could make an adjustment that will benefit the people. In instances where that adjustment could not be made, the decree would be torn up. Clearly the rabbis wanted the people to know that repentance at any time would effect a positive response from God.[33]

There is an interesting story in *Brachot* that sheds light on the importance placed on informing the community of repentance between two public figures. R. Gamliel shames R. Joshua by questioning (in front of students and others) Joshua's decision to allow Judah, an Ammonite proselyte, to enter the beit hamidrash. After a lengthy argument between Gamliel and Joshua, the decision was made to allow Judah to enter. Later, Gamliel went to Judah's home and Judah rebuked Gamliel for not knowing the troubles of scholars and their struggles to support and sustain themselves. Gamliel apologized and asked forgiveness. Judah was silent. Gamliel said, "Do it out of respect for my father," and Judah became reconciled to him. They then made sure that the rabbinic authorities were notified of the reconciliation.[34]

When does the opportunity for repentance end? In *Kohelet Rabbah* we learn that even a man who is wicked his whole life and doesn't repent, God [still] looks to him to repent. Only when the man dies is the hope of repentance gone. A parable illustrates the point. A man in a

---

[33] b. *Rosh Hashanah* 17b
[34] b. *Brachot* 28a.

prison has a chance to escape but doesn't take it; the governor of the jail beats and remonstrates him. Likewise, God says to the wicked, "repentance was before you but you did not repent."[35]

Another text teaches that sin and repentance extend beyond life itself. Antoninus [says] to Rabbi: "The body and soul can both free themselves from judgment. Thus the body can plead, "The soul has sinned, [the proof being] that from the day it left me I lie like a dumb stone in the grave [powerless to do aught]." While the soul can say, "The body has sinned, [the proof being] that from the day I departed from it I fly about in the air like a bird [and commit no sin]." Rabbi replied with a parable.[36] A human king owned a beautiful orchard, which contained splendid figs, and appointed two watchmen, one blind, and the other lame. In collusion with each other, they managed to pick the figs. When confronted by the owner of the orchard, each proclaimed his innocence based on his infirmity. So the owner put the lame man upon the blind man and judged them together. So does the Holy One, Blessed be He, bring the soul, [re]place it in the body, and judge them together, as it is written, "He shall call to the heavens from above, and to the earth, that he may judge his people (Psalm 50:4)." "He shall call to the heavens above" – this refers to the soul; "and to the earth, that he may judge his people" – to the body.[37] Thus, even after death, one cannot extract oneself from responsibility for sin.

III. Post –Talmudic Commentaries, Codes and Responsa

Maimonides

Although Maimonides, in Mishneh Torah, Hilkhot *Teshuvah*, writes mainly about *teshuvah bein adam l'makom*, he does expand substantially on the rabbinic understanding of

---

[35] *Kohelet Rabbah* 15:1
[36] Abridged
[37] b. *Sanhedrin* 91a

teshuvah bein adam l'chaveiro. In *Teshuvah* 3:6 he details the individuals who do not have a portion in the world to come. "Rather their 'souls' are cut off and they are judged for their great wickedness and sins forever." Included are those who cause the many to sin, those who betray Jews to gentile authorities, those who cast fear upon the people for reasons other than the service of God, murderers and slanderers.

Teshuvah 3:10 enlarges upon the first of these, causing the many to sin, including not only those who cause [the people] to commit a severe sin like Jeroboam,[38] but also those who would cause them to commit a slight sin, even the nullification of a positive command. It includes both those who force others to sin like Menasha who would kill the Jews if they did not worship idols and those who entice others and lead them astray. The same idea is expressed in Pirke Avot 5:18, "He that leads the many to virtue, through him shall no sin befall: but he that leads the many to sin, to him shall be given no means for repentance. Moses was virtuous and he led the many to virtue; the virtue of the many depended on him, as it was written, 'He executed the justice of the Lord and his judgments with Israel (Deut. 33:21).' Jeroboam sinned and he led the many to sin; the sin of the many depended on him, as it is written, 'For the sins of Jeroboam which he sinned and wherewith he made Israel to sin (I Kings 15:30)'."

Teshuvah 3:12 enlarges upon the second, those who betray Jews to gentiles, and divides it into two categories: one who betrays a colleague to the gentiles so that they may kill or beat him; and the one who gives over a colleague's money to gentiles or to a person who commandeers property and is, therefore, considered like a gentile. Neither of these has a portion in the world to come.

---

[38] Jeroboam set up altars at Bethel and Dan, centered around the worship of golden calves. See I Kings 11-15; II Chronicles 10.13.

Teshuvah 3:13 enlarges upon the third item, those who cast fear upon the people for reasons other than the service of God, saying that this refers to one who rules the community with a strong hand and [causes] it to revere and fear him. This is a person whose intent is only for his own honor, not for the honor of God. The example given is gentile kings.

Teshuvah 3:4 reminds the reader that even though the above sinners may be Jewish, they will not receive a portion in the *olam habah*. It goes on to list other sins that are less severe than those already mentioned. Nevertheless, a person who frequently commits them will not receive a portion in the *olam habah* – the world to come; therefore these sins were to be avoided and care should be taken in regard to them. The list includes one who invents a disparaging nickname for a colleague, one who calls a colleague by a disparaging nickname, one who embarrasses a colleague in public, one who takes pride in his colleague's shame, and one who disgraces his teachers. However, if any of these individuals repent before he dies, even in the final moments of his life, he is not denied a place in the *olam habah*. [We may infer] that even if one is still faithless, as obvious from the fact that he repents in private and not in public, his *teshuvah* will be accepted.

Teshuvah 4:1 further develops upon the above, stating that twenty-four deeds hold back *teshuvah*. Four are considered to be severe sins:

- One who causes the masses to sin;
- One who leads his colleague astray from the path of good to that of bad, specifically one who proselytizes or serves as a missionary for idol worship;
- One who sees his minor son becoming associated with evil influences and refrains from rebuking him, it is as if he caused him to sin. [This] also includes those who have the potential to rebuke others, and refrain from doing so.

- One who says "I will sin and then repent."

Teshuvah 4:2 continues with five deeds which "cause the paths of *teshuvah* to be blocked before those who commit them," including one who demeans his teachers. The reason given is that his teachers will then reject him, and he will not find a teacher or guide to show him the path of truth.

Teshuvah 4:3 lists another five transgressions for which it is impossible for the person to repent of them completely. These are specified as sins between man and man, concerning which it is impossible to know the person whom one sinned against in order to return what is owed him or ask for his forgiveness. Four of them are relevant to our topic:

- One who curses the many without cursing a specific individual from whom he can ask forgiveness;
- One who takes a share of a thief's gain, for he does not know to whom the stolen article belongs;
- One who finds a lost object and does not announce it immediately in order to return it to its owners; and
- One who takes a bribe to pervert judgment.

Teshuvah 4:5 includes the negative attributes of gossip and slander among the five qualities which have the tendency to lead the transgressor to continue to commit them and which are very difficult to abandon. Yet, concerning this entire list of twenty-four, if any one of these people should repent, he is a "*baal-teshuvah*," and has a portion in the world to come.

In a discussion of proper behavior between a teacher and student, *Teshuvah* 5:9 discusses how a student should alert his teacher to the teacher's transgression of the words of Torah. "[A student who] saw his teacher transgress the words of the Torah should tell him: 'Master, you

have taught us such and such . . . '" From this example we can infer that a person must couch his apology in terms which the listener can hear. A similar paradigm is presented in a Talmudic discussion of honoring one's parents. For it was taught: If one's father is [unwittingly] transgressing a precept of the Torah, he must not say to him, 'Father, you have transgressed a Biblical precept', but, 'Father, it is thus written in the Torah'."[39]

What about the person who refuses to forgive his *chaver*? In *Teshuvah* 2:9, Maimonides says, "when a colleague does not desire to forgive him, he should bring a group of three of his friends and approach with them and request forgiveness. If the wronged party is not appeased he should repeat the process and second and third time. If he still does not want to forgive him, he may let him alone and need not pursue the matter further." This differs from the Talmudic passage in that here the sinner is to accompany the three friends, whereas in the Talmudic passage cited above he is to send three friends. The *Teshuvah* continues, "the person who refused to grant forgiveness is the one considered as the sinner."

Furthermore, in a discussion of the character of a person who has been wronged, Maimonides says, "it is forbidden for a person to be cruel and refuse to be appeased. Rather, he should be easily pacified, but hard to anger. When the person who wronged him asks for forgiveness, he should forgive him with a complete heart and a willing spirit. Even if he aggravated and wronged him severely, he should not seek revenge or bear a grudge (*Teshuvah* 2:10)."

Jonah Gerondi (13th Century)

Jonah Gerondi considers the details of daily life, and provides a comprehensive guide to proper ethical behavior. Underlying this guide is the understanding that if an earthly court isn't empowered to carry out a sentence, justice will be done because Heaven will see to it that the

[39] b. *Kiddushin* 32a

guilty person dies one way or another, or is excised, for his crime. Most of this work concerns sins *bein adam l'makom*. However, there is substantial material on sins *bein adam l'chaveiro*. First are sins concerning ruining another's reputation.

- Those who ruin a reputation. If the men who gave the land a bad reputation were sentenced to death (Numbers 14:37), one who gives a Jew (who observes Torah and mitzvot) a bad name should all the more so be [sentenced to death]. Also, one who ruins the reputation of an entire bloodline can never be atoned for, as it would not be enough for him to be forgiven by those alive now, since he maligned and shamed all who are to follow (from Yerushalmi, Bava Kama 8:7). (111)
- Those who exploit children . . . are also thus culpable for death. (112)
- One who challenges the authority of his teacher is culpable for death [at the hands of Heaven]. (115)
- One who decides *halakhah* in front of his teacher is culpable for death. This is based on b. *Eruvin* 63a: Nadav and Avihu were punished not because they offered unasked for fire, but because they "decided the *halakhah*" in front of Moses. (116)

Others who don't have a place in the *olam habah*.

- Informers and those who cause the multitude to sin. (160)
- Those who elicit undue fear, like community leaders who assert their control for other than Godly reasons. (161)
- Those who verbally abuse others. (163)
- Those who separate themselves from the community (by refusing to do mitzvot incumbent upon the entire community). By doing this they also give support to others who don't want to participate, and eventually the community is weakened.

This category deals with maligners

- Slanderers who insult others; this implies insolence and arrogance. (174)
- Those who mock others by trivializing them in their hearts because the others aren't of a certain stature or haven't achieved some temporal honor or power; or for being poor and needy. Whoever mocks the needy enrages his Maker. Such a person enrages God because everything comes from God. Maligning is rooted in arrogance, which is the very antithesis of humility. (175)
- A third category consists of those who always mock things, or actions taken, without meaning to denigrate the people behind them. They nonetheless reject things that shouldn't be rejected, and reject things from the outset that promise to do good. "This sort of maligner acquires that bad trait by considering himself a sage, which sometimes leads to his becoming a heretic, and to his mocking *mitzvot.*" (176)
- Another category "consists of those who verbally malign actions taken, and things, but not in a heartfelt way . . . sometimes [as] a result of accomplishments for no good reason other than ego gratification. (177)

Among group of liars are specified the following

- Those who falsely repudiate others' oaths, disclaim legitimate agreements, bear false witness, conduct business dishonestly, etc. (178)
- Those who gain the confidence of others in order to cause them harm later on. (179)
- Those who acquire things from others by lying or importuning. (180)
- Those who deliberately distort because they love to lie or inadvertently distort by not listening to others attentively. (181)
- Those who promise a favor and intend to never do it. (182)

- Those who promise a favor and don't do it, or offer to give a gift and don't give it. (183)
- Those who delude others into believing that they have either done something for them, or said something favorable about them, but have done neither. (184)
- Those who take credit for qualities or knowledge they don't have. (185)
- Those who don't boldly lie, but who distort details (which cause no one any harm) because they simply like to lie. (186)

Included in the category of flatterers are

- Those who know about another's sins but tell him he did nothing wrong. (187)
- Those who publicly praise sinners (189)
- Those who compliment wrongdoers to their face and thus encourage them in their [evil] deeds, or try to ingratiate themselves to powerful individuals. (192)
- Those who befriend wrongdoers. (193)
- Those who characterize someone as trustworthy who isn't. (194)
- Those who are in a position to protest wrongdoing but they don't. (195)
- Those who see others sinning but don't reproach them (however, people who are known not to take rebuke should not be confronted). (196)
- Those who hear about slander, profanity, or the derision of Torah, and don't respond. (197)
- Those who show respect for wrongdoers in order to maintain peace, even though they don't speak well of them or indicate to others that the wrongdoers are good. (199)

In terms of slanderers, R. Jonah reminds us that "our sages said that slander is more serious than idol-worship, illicit relations, and murder."

- First, because the slanderer repeats his sin again and again. (202)

- Because *teshuvah* is hard for a slanderer because his tongue is no longer under his control. (204)
- Because the slanderer takes his sin lightly, since he perceives it as being mere speech and harmless; so he doesn't repent – or barely so. (205)
- Even if he wanted to do *teshuvah*, the slanderer would have to ask everyone he's hurt for forgiveness. But since he'd hurt so many, he'd forget whom to ask. (207)
- Once words leave a slanderer's mouth, they can't be called back. This opens the possibilities of casting aspersions on a person's family or doing damage through the generations. (208)
- Slanderers even speak against God Himself. (209)

While this listing of sins is exceptionally detailed, R. Jonah does not specifically discuss the process of *teshuvah*.

Jacob ben Asher – the Tur (1270-1343)

The Tur, in his commentary on Mishneh *Bava Kama* 8:1, focuses on *boshet*, one of the five categories of financial payment. *Boshet* is payment for embarrassment. A man is not forgiven for the pain of embarrassment until he appeases the victim and the victim forgives him. If the injured party knows that the person is truly repentant and doesn't forgive, the injured party is at fault. Maimonides holds this last statement to be true as well, in *Teshuvah* 2:9.

In *Orach Hayyim* 606, the Tur writes that the forgiver should not be cruel. He does state an exception to the three times rule: if the injured party is your teacher, you must ask for forgiveness endless times until the teacher forgives you.

Shulchan Aruch – Joseph Caro (1488-1575)

Joseph Caro, in his major codification of Jewish Law, says that one who inflicts a wound on another, though he has paid him the assessed five categories, is not fully forgiven until he has sought pardon and received it. It is forbidden for the victim to be merciless and refuse to grant pardon, for this is not the way of Jews. But once the attacker has sought pardon from him, having begged once, and a second time, and it is clear that the attacker has repented of the sin and has regretted the evil deed, the victim shall pardon him. One who speedily pardons is praiseworthy and the spirit of the Sages is pleased with him.[40] Here Caro enlarges on the idea set forth by Maimonides in *Teshuvah* 2:9, "the person who refused to grant forgiveness is the one considered as the sinner."

Moses Isserles (1525-1572)

Isserles codifies the information set forth by Maimonides about slander, but goes further by saying that a person does not have to forgive another who slanders him. But some of the other commentators are uncomfortable with this; they prefer to take the stance that forgiveness is always desirable. This law is similar to Yerushalmi *Bava Kama* 8:10, 6c, "if someone ruins your reputation, you don't have to forgive him."

IV. Contemporary Responsa

There are two contemporary teshuvot, one from the Central Conference of American Rabbis (Reform) and the other from the Rabbinical Assembly (Conservative). The only commonality is that both deal with the issue of physical or emotional abuse. *Teshuvah*, as it relates to domestic violence, incest, and abuse of the elderly, is the focus of several current

[40] Choshen Mishpat 422:1

articles coming out of the traditional Jewish community, and will be focus of the chapter titled, "Are There Limits to Forgiveness?"

A Reform *Teshuvah*

The Reform *teshuvah*[41] concerns the "duty of young parents towards their dying father who was guilty of incest with his granddaughter. This tragic incident occurred four years ago. Both the family and the youngster have been helped psychologically in the interval. Are the parents required to recite kaddish and in any other way honor him or his memory?" The *teshuvah* sympathizes with the tragic family circumstances, and discusses the obligation of children towards an evil parent, saying, in part, "By medieval times there was a clear division of opinion between Maimonides and Alfasi on the one hand, and . . . Rashi and the Tosafists on the other. Maimonides and Alfasi felt that the obligation of children to honor their parents was biological and had nothing to do with the moral status of the parents.[42] Rashi and [the Tosafist] Rabenu Tam felt that honor depended on the moral status of the parent and a wicked parent need not be honored.[43]" In each of the cited cases, the medieval authorities dealt with parents who were considered absolutely wicked and not individuals who had sinned in a minor way.

The Shulchan Aruch continued this division of opinion; while Joseph Caro insisted that honor due to a parent was biological, Isserles felt that it was dependent upon the moral status of the parents.[44] In the final analysis tradition would require kaddish even for convicted criminals

[41] Responsa No. 123 in Jacob, Walter. Contemporary American Responsa. CCAR, New York, NY, 1987.
[42] *Yad Hil. Mamrin* 6:8 ff; *Alfas to Yeb.* 22b.
[43] Commentaries to *Yeb.* 22b; *San.* 85b; *Mak.* 12b).
[44] *Shulhan Arukh Yoreh Deah* 240.18, 241.4.

as death brought atonement and kaddish added to such atonement.[45] (Thus the respondent follows the Ashkenazic tradition.)

The *teshuvah* then asks "what additional purpose [does kaddish] serve in our age?" and answers by saying, "We normally recite kaddish in order to overcome our sorrow and to make us feel at peace again with God and the world around us. In this instance, upon the father's death it will not only be necessary to make peace with religious feelings about God, but also with the feelings towards the father and the memories of the past. The recital of the kaddish should help in this regard. Therefore, despite all personal bitterness and the division of opinion in our tradition on this matter, the recital of the kaddish upon the father's death would be appropriate and should be beneficial." Here Walter Jacob does not deal with the actual question of *teshuvah* or reconciliation, but only with the religious obligation, although he endeavors to provide a psychological reason for his ruling.

A Conservative *Teshuvah*

The *teshuvah* from the Rabbinical Assembly is a rather lengthy document titled "Family Violence."[46] Elliot Dorff first acknowledges the existence of domestic violence in the Jewish community, among all denominations, and states that "devotion to tradition has not, unfortunately, prevented violent behavior within the family." Then he explores the legal status of abuse, specifically of beating (one spouse by the other; children by parents; elderly parents by their adult children), of sexual abuse, and of verbal abuse in the Jewish community. The exploration of halakhic sources is very thorough, and Dorff is clear that we have permission to differ from the *halakhah*. "We look to the tradition for enlightenment and guidance, and we

[45] Sanhedrin 44a, 56a, 104a.
[46] Dorff, Elliot N. "Family Violence," Draft #2. May, 1995.

often find it in a simple, straightforward manner. Sometimes, however, traditional sources say things which we find obsolete or even offensive. When that occurs, we have not only the right, but the duty to exercise judgment. We must determine whether such a mode of thinking or acting recorded in the tradition is an historical remnant which must be altered because contemporary circumstances or moral sensitivities have changed, or whether the tradition as it stands is instead an indictment of our own way of doing things and a challenge for us to change. Thus, to accomplish our expectation to be taught by the tradition, we must be aware of the twin duties we have as its heirs: we must learn it and preserve it, and, at the same time, evaluate it and reinterpret it when necessary. Only then can it continue to speak to us with wisdom and power."[47]

Using this framework, Dorff uses the tradition to examine the issues detailed above; he writes about the different responses of the tradition and of the contemporary religious community. The responses range from acceptance to rejection. It is worth summarizing them here:

- Acceptance – rabbis who know that some Jewish husbands beat their wives and permit it, using as a reason the preservation of *shalom bayit*, i.e., the wife has failed to perform duties required of her by law or has violated prohibitions in the law, or if she has hit him. There are numerous halakhic sources which support this position, including Shmuel Hanagid, Maimonides, and Israel Isserlein.
- Denial – rabbis who deny that Jewish husbands beat their wives. He quotes Isserles' comment that wife beating "is a Gentile form of behavior."
- Apologetics – rabbis who seek to defend the honor of the Jewish community by whitewashing the facts or marginalizing the phenomenon.

[47] Dorff, p. 2.

- Rejection – rabbis who declare that wife-beating is unconditionally unacceptable. Dorff calls these the "good guys" and names three medieval rabbis who were articulate on this issue: R. Simha b. Samuel of Speyer (12th-13th century Germany), the Maharam, (Rabbi Meir b. Barukh of Rothenberg, c. 1215-1293, Germany), and R. Perez b. Elijah of Corbeil (died c. 1295, France). Rabbi Simhah condemns wife beating in the strongest of terms because the husband is breaking the obligation, stated in his ketubbah, to honor his wife. He says that "great repentance is necessary" when this occurs.
- Evasiveness – evasion of responsibility by the rabbis of the time, or the "wringing hands syndrome." These rabbis recognize that wife beating is wrong, but they maintain that they are powerless to do anything about it.

In summary, the sources are not unified in their stance against wife-beating. In general, rabbis living in Muslim countries were the most permissive of wife-beating, those in France less so, and those in Germany not at all. In addition, the Ashkenazic Hasidim made any insult or shame caused to a person, including wife-beating, not only a crime, but a sin, where repentance was inflicted measure for measure.

Underlying all of this is the assumption in Jewish law that the husband owns his wife. A man "acquires" *(koneh)* his wife. This is where Dorff sees setting aside the opinions of Maimonides and Isserles on this issue as no longer applicable, and embracing the opinions of R. Simha, the Maharam, and R. Perez b. Elijah, as well as "our own judgement," stating, "we declare that wife beating is prohibited by Jewish law. Moreover, in cases where it occurs, we will do all in our power to dissolve the Jewish marriage, by a formal Jewish writ of divorce, if

possible, or by annulment, if necessary. A commitment to the life and health of the woman demands no less."[48]

Dorff follows a similar pattern for the other issues. He examines all of the pertinent halakhic material, decides which of the poskim support contemporary mores and needs, and builds upon them in reaching his decision. Two additional issues bear examining here. The first is treatment by adult children of elderly or infirm parents who have been abusive or nasty. Dorff writes that the rabbis understood "respect" to require that children not harm parents and "honor" to insist that they actively provide for them. Even on this, the rabbis disagreed, with the Ashkenazic sources asserting that the Torah's commands to honor and respect them no longer apply, whereas Sephardic sources general assert that the commands to honor and respect parents continue even in the face of abuse of other illegality. Thus, he continues, when the relationship between parents and children makes a child's personal care of a parent emotionally impossible, children may use the services of others to fulfill their filial obligations. Even absent abuse, one may arrange for care for one's parents at the hands of others, assuming that personal caring is either physically or emotionally impossible. The second additional issue is that of child abuse, including incest. In any form of sexual abuse, "the Jewish tradition understands the Torah to ban. . . any form of inappropriate behavior for the purpose of gratifying sexual desire."[49] Dorff continues, "Indeed, in light of the extensive damage it causes to the future ability of the child to cope with life, without too much exaggeration I would say that, in the case of children, sexual abuse is akin to murder."

Dorff does discuss providing services for victims of abuse as well as how to deal, in the congregational setting, with the abuser. What is not part of this comprehensive *teshuvah* is the

[48] Dorff, p. 8.
[49] b. *Shabbat* 13a; M.T. Laws of Forbidden Intercourse 21:1; Maimonides, *Sefer Ha-Mitzvot*, Prohibition #351, and others.

relationship between the abuser and the abused. The question left unanswered is, "Is the victim – the abused person – required to accept the apology of her abuser?"

Chapter II: Psychological Dimensions of *Teshuvah*

References to forgiveness are ubiquitous in our culture. How often do we hear the relative of a murder victim forgive the murderer? Or a perpetrator ask a victim or a family for forgiveness? Can we really believe that one person can forgive on behalf of another? Or that professing regret can mediate the responsibility for a horrific crime? While this quick-to-forgive model does fulfill the contemporary need for a quick fix, it does a disfavor both to the victim (or her survivors) and to the perpetrator. It deprives the victim of the process of anger and mourning, while it excuses the perpetrator from the obligation of examining his crime, atoning for it, and changing his ways. This model also deprives our society of an understanding of the potential of forgiveness to transform both the victim and the perpetrator. In this chapter I will explore the views of the psychological community on the general topic of forgiveness, while the following chapter will consider specific situations when forgiveness may not be possible.

Criticism of the above model of forgiveness may make sense to one who is Jewish. However, research into the psychological understanding of forgiveness reveals views that rarely stands separate from religious tradition, usually a Christian religious tradition. Of the increasing number of resources dealing with this topic, religion plays either an acknowledged or an unacknowledged role. The reader who understands theologies of forgiveness, of both Christianity and Judaism, can easily sense the bias of any specific writer. On one extreme of a continuum, forgiveness is viewed as incumbent upon the injured party, as a sign of that person's goodness, compassion, Godliness, and faith. Solomon Schimmel, Professor of Jewish Education and Psychology at Hebrew College (Newton, Massachusetts), refers to this position as "radical

Christian forgiveness."[50] On the other end of the continuum, forgiveness is seen as a response to repentance and apology on the part of the perpetrator, and is also faith based. For the first individual, his/her internal religious process is primary; true forgiveness does not depend on repentance on the part of the perpetrator. For the second individual, while the processes of both the injured party and the perpetrator are important, it is through the transactional process between the two of them that the way to true forgiveness becomes a possibility. This transaction process is described in great detail in rabbinic Jewish sources. Schimmel describes the two extremes of this continuum saying, "In defining forgiveness, it is necessary to make a critical distinction between two types. One is internal, referring to a victim's feeling and attitudes toward the perpetrator, and does not necessarily require that the victim in any way interact with the perpetrator or inform him that he is forgiven. The second type of forgiveness is interpersonal in nature. It refers to something the victim does or says to the perpetrator, directly or indirectly."[51]

The internal type of forgiveness aligns itself with Christian theology and the interpersonal type of forgiveness stems from Judaism. Thus it is very difficult, if not impossible, to discuss a psychological understanding of *teshuvah* in a non-religious vacuum. Even the very successful Twelve Step program, which espouses forgiveness as important, includes in several of its steps a belief in God or a "Higher Power."

Yet, there may be no other psychological process that touches a human being so deeply as the process of forgiving, on the part of the injured party, and the process of repenting and

---

[50]Schimmel, Solomon. *Wounds Not Healed by Time: The Power of Repentance and Forgiveness*, (New York: Oxford University Press, 2002), 65.

[51] Schimmel, 43.

being forgiven on the part of the perpetrator. Why has the psychological community not addressed this issue?

According to the psychologist Robert Karen, "Until recently, forgiveness has not tended to be a big topic in psychology, except among Christian psychologists. . . In psychoanalysis, and clinical psychology in general, where you would expect an in-depth examination of the dynamics of forgiveness and how they relate to individual psychology, the subject has been barely addressed."[52] One of the problems for clinicians is that forgiveness "comes festooned with images of virtue and moral rectitude, and psychoanalysis, officially at least, abhors preaching."[53] It is only through a person's openness to himself, through the psychoanalytic process, that he will find his own motivation to do the right thing. "So, on the one hand, psychoanalysis is by its nature forgiving – in the sense of being tolerant – because it is built on the theme that people need to be free to be who they are. On the other hand, it would be naturally reluctant to embrace forgiveness as a goal, because it is put off by the moral rigidity that would force people into almost any position that did not . . . emerge from their own evolution."[54]

Karen also discusses the role of choice and responsibility, which has often taken a back seat to the power of conditioning. "There has probably been a tendency in psychoanalytic writing to favor unfolding and exploration over pointing to the choices made, as well as those that could have or should have been made." The premise that lies at the core of Karen's book is

[52] Karen, Robert, Ph.D. *The Forgiving Self: The Road from Resentment to Connection.* (New York: Doubleday, 2001), 15.
[53] Ibid, 16.
[54] Karen, 16.

the idea "that forgiveness is not just a by-product of growth but rather that the struggle to forgive can promote growth has been overlooked."[55]

The focus of Karen's book is on a therapeutic process which "frees forgiveness from its moralistic moorings, takes into account the subtleties of what is psychologically and emotionally possible, and respects our capacities for both goodness and murderousness, as well as the surprising creativity, which is also ours and can pop out from unexpected places."[56] By delving into the character of his patients, Karen reveals their internal struggles as they cope with the wish to repair relationships on the one side and the tendency to see themselves as victims needing revenge on the other. While supportive of the expression of negative emotions, especially anger, this therapist maintains that forgiving others is inextricably tied in with forgiving ourselves, and is thus an internal process, although in his work with couples, Karen does deals with interpersonal transactions of forgiveness. By working through the emotions that threaten relationships, such as envy, narcissism, and paranoia, Karen believes his patients can forgive, through love and compassion, let go of their pain, and move beyond it.

Because Robert Karen has identified the issue of faith-based forgiveness, and has changed the focus from faith to knowledge of one's internal dynamics, he sees his work as secular. Since it is based, however, more on internal than on interpersonal dynamics, this theory of forgiveness falls more on the Christian side of the continuum than on the Jewish side.

In *Wounds Not Healed by Time: The Power of Repentance and Forgiveness,* Solomon Schimmel explores in great detail the different theological approaches to forgiveness. Following his division of forgiveness into internal (which he calls private forgiveness) and interpersonal, he

[55] Karen. 18.
[56] Ibid. 18.

gives four possible combinations of the two, using the example of a friend and business partner embezzling money for medical expenses for his ill wife.

1. It is possible to forgive in the private sense while not forgiving in the interpersonal sense. An example would be understanding why the person embezzled the money but choosing nonetheless to press charges against him to reclaim the money and "teach him a lesson."
2. It is possible to forgive in the interpersonal sense while not forgiving in the private sense. Here one might forgo the need to see the person punished because of harm it might cause his family, but would clarify one's anger on the personal level.
3. It is possible to forgive in both the private and the interpersonal sense. One could both overcome one's anger and resentment as well as deciding not to press charges. If one's compassion is deep or if one feels a religious obligation to forgive, one might also be willing to give the person a second chance and renew a friendship and business relationship with him.
4. It is possible to not forgive in either the private or the interpersonal sense. One would continue to harbor anger and resentment, insist on pressing criminal charges, and completely terminate the relationship, both personal and business.

Schimmel, like Karen, is aware of the lack of research by contemporary secular sources: "Although forgiveness has been of interest and concern to theologians and philosophers for millennia, it is only recently that the fields of clinical, personality, and social psychology have 'discovered' forgiveness as a human experience worthy of serious and sustained empirical research. Some of the impetus for this interest has come from several psychologists with committed Christian backgrounds who, aware of the centrality of forgiveness in Christian thought and the Christian ethos, have sought to introduce the study and appreciation of

forgiveness into the discourse of secular psychology. They have done this in a scientifically sophisticated manner, aware that in order for their work to make a contribution to society in general they cannot make explicit Christian theological assumptions the basis for their research and writing."[57] However the definitions given and the therapeutic programs based upon them see forgiveness as a "gift" of "love" given by the offended victim to a perpetrator who has behaved in an unambiguously unjust way toward his victim and has not expressed remorse or repented for it.[58] Defined by its proponents as emotionally healthy and therapeutic, this definition reflects an underlying Christian understanding of the phenomenon of forgiveness. Some Christian theologians might even go as far as saying that one is obliged to forgive one who so offends.

Different views see forgiveness as either a "gift" to a remorseful perpetrator, or – as in the Jewish perspective – an obligation to a repentant offender. Here, Schimmel tells us, forgiveness is a process that usually takes time. It involves vacillation between feelings that are conducive to forgiving and those that are not. Where Karen would see an individual's capacity to forgive based on that individual's character, Schimmel feels it "is simplistic to think of someone as either forgiving or not forgiving,"[59] as there are a number of variables and circumstances affecting the process.

There are several ways in which people may become less unforgiving. First, once the offender has made amends through restitution, the victim may be able to let go of some of his anger. Also, sometimes people get bored with holding grudges, so they ignore them. Secondly, there are people who deny that they were indeed hurt; they may rationalize what the offender

---

[57] Schimmel, 45.
[58] See Enright, Robert D., and The Human Development Study Group. "Counseling within the Forgiveness Triad, On Forgiving, Receiving Forgiveness, and Self-forgiveness." *Counseling and Values*, January 1996, 40, 107-26.
[59] Schimmel, 46.

did, perhaps because of the pain of acknowledging the full meaning of the offense. In this category would be abused children who need to see their parents as loving, and internally assume they deserve whatever abuse was meted out. Depression – anger turned inwards against the self – may result from this dynamic. Finally, there are people who prefer to absorb pain and hurt rather than to fight it, either emotionally or behaviorally.

Schimmel then considers nine different terms that are related to but distinct from forgiveness.

1. Forgetting the offense: to forget is not to forgive and to forgive is not to forget.
2. Condoning the offense or letting someone get away with something because the consequences of confronting the person could be detrimental: Schimmel points out that condoning can be especially dangerous if this dynamic ends in people being passive in resisting evil.
3. Excusing the perpetrator because while what they did may not have been morally appropriate, we can understand the mitigating circumstances that influenced their behavior.
4. Justifying a behavior by finding reasons to believe that the behavior was not morally wrong. Conflicts between individuals and between groups often center around the antagonists' different perceptions of whether a hurtful action has been just or unjust.
5. Exonerating someone by saying that the harmful act that initially appears to have been performed out of malicious intent or gross negligence was not really done in that manner.
6. Pardoning an offender, a legal term meaning that he will not receive the punishment that the court decided he deserved. Pardons are sometimes granted because the law was not

followed properly, or in order to expunge a criminal record or, most likely, for political ends. An official pardon does not imply forgiveness on the part of the abused.

7. Atonement of a sin is similar to the legal concept of pardon. When God grants atonement, He declares that He will not punish the sinner for his sin. Usually the sinner must first participate in a prescribed ritual. "Atonement is the divine response to a sinner's repentance."[60] According to Schimmel, divine atonement does not imply forgiveness on the part of the injured.
8. By being merciful towards someone we either lessen or forgo his punishment or debt. Unlike forgiveness, mercy implies that the abused person not only feels a certain way about the perpetrator, but also undertakes action with regard to him as well. Additionally, mercy is an emotion we feel and act upon toward someone over whom we have some authority, especially the authority to punish, whereas forgiveness is not dependent upon a power relationship.
9. Finally, reconciliation between the offender and his victim, while often a product of it, does not imply forgiveness. One may forgive a person but refrain from establishing or reestablishing a close relationship with him. Reconciliation implies the establishment of this relationship. "Christian understandings of forgiveness and, to a significant extent, Judaic ones as well, see reconciliation as an ultimate goal of forgiveness [while] a secular notion of forgiveness does not consider reconciliation to be the ultimate objective of forgiveness."[61]

After further exploration of the Christian theology of forgiveness, Schimmel compares two concepts of human nature, one as portrayed by Rabbinic Judaism and the other as portrayed by

[60] Schimmel, 52.
[61] Schimmel, 52.

Christianity. He includes a discussion of the coexistence of the *yetzer hatov* and the *yetzer harah* – the impulse to do good and the impulse to do evil – in contrast to the Christian view, which holds that compassion cannot coexist with anger. In addition, Schimmel says it is morally wrong to demand that a victim forgive an unrepentant sinner.

Under what circumstances, then, is forgiveness warranted? Under certain circumstances, such as a severely mentally ill offender, we may find that compassion replaces some of our anger or need for revenge. Another reason to forgive is when the offender has truly repented, and is thus a different person from the one who committed the offense; for most offenses but not all, Judaism would obligate forgiveness after repentance. Two other reasons to forgive a repentant sinner are that it will contribute to harmony and reconciliation in society and will also encourage the ex-sinner not to sin again.[62]

Schimmel discusses the importance of telling the sinner of the hurt you have suffered. "We should chastise our loved ones even as we forgive them."[63] Should the sinner not repent, and one's anger and resentment are debilitating, it is in your own self-interest to remove them. Holding on to an all-consuming anger allows the individual who hurt you to continue to injure you. However, this therapeutic letting go of anger and hurt is not to be confused with forgiving the offender in the moral sense.

Rabbi Mark Dratch provides a fuller understanding of the terms used in Jewish literature to signify forgiveness.[64] These words are *mehilah, selihah,* and *kapparah,* and their specific meanings reveal a great deal about the nature and process of forgiveness. While we understand

[62] Ibid. 72.
[63] Ibid. 73.
[64] Dratch, Mark. "Forgiving the Unforgivable? Jewish Insights into Repentance and Forgiveness." *Journal of Religion and Abuse,* Vol. 4, No. 4, 2002.

kapparah as atonement, "*mehilah* is a technical, legal term that applies when the lender of money forgoes or waives all or part of the debt another person owes him. When applied to the consequence of sin, *mehilah* is the remission or cancellation of the punishment and any of the legal consequences of the sinful act.[65] But in the repentance process, *mehilah* alone is insufficient because, in addition to a sinner's liability for compensating for the losses he caused his victim to endure or for the prescribed punishment that he must bear, sin has other consequences. It also damages and contaminates a sinner's soul. . . A sinner requires purification and the healing qualities of *selihah* (forgiveness) as well."[66] Thus, while *mehilah* takes away the punishment, *selihah* forgives the sinner.

In *How Good Do We Have to Be? A New Understanding of Guilt and Forgiveness,* Rabbi Harold Kushner focuses on putting the very human feelings of guilt and inadequacy into perspective, and reveals how acceptance and forgiveness can change our relationships with important people in our lives. In terms of forgiving our parents, he says that "with some effort and some practice, we can learn to accept the innocent mistakes our parents made. We can come to see them as emotionally limited, and as limited in their psychological insights, and we can understand why they did the things they did." But then there are parents whose mistakes are less innocent and less forgivable. What about them? A congregant whose long-estranged father was dying approached Rabbi Kushner after Shabbat services. The father had been a womanizer and when the congregant was nine years old, he had abandoned her and her mother for another woman. The daughter asked Rabbi Kushner, "Rabbi, can you give me any reason why I should mourn for a man like that, why I should go to the funeral or say *kaddish* for him?" Kushner

[65] Peli, Pinhas, *On Repentance: The Thought and Oral Discourses of Rabbi Joseph Dov Soloveitchik* (Northvale, NJ: Jason Aronson Inc., 1996), 270.
[66] Dratch, 3-4.

responded that she could choose to go to the funeral and regret being there, whereas if she didn't go to the funeral, she might eventually feel guilty about not attending. More importantly, he advised her, this would be an opportunity for her to mourn for the father she never had. "Once he is dead, let yourself feel sadness for the person when you were growing up, for the empty space at your wedding and all those other family occasions. When you recite the *kaddish*. . . you won't be expressing sadness that he died. You'll be expressing and coming to terms with your sadness that he couldn't be a father to you even when he was alive, and now that he's gone, there is no longer even the possibility of his making it up to you."[67] The Reform Responsum mentioned in Chapter I, while responding to a different question, makes a similar point about the healing process of saying *kaddish*, even if you are not actually mourning the person for whom you are rising.

In a discussion of the marriage relationship, Kushner states that "the essence of marital love is not romance but forgiveness. . . . Forgiveness as the truest form of love means accepting without bitterness the flaws and imperfections of our partner, and praying that our partner accepts our flaws as well. . . Mature marital love sees faults clearly and forgives them."[68]

Why might people be reluctant to forgive? Kushner suggests that we nurture grievances in order to feel morally superior. "Withholding forgiveness gives us a sense of power, often over someone who otherwise leaves us feeling powerless. The only power we have over them is to remain angry at them."[69] While maintaining the stance of victim may provide a certain emotional satisfaction, Kushner does not recommend it, for doing so estranges you from people you could be close to, and also accustoms you to seeing yourself as helpless and passive, i.e.,

---

[67] Kushner, Harold. *How Good Do We Have to Be? A New Understanding of Guilt and Forgiveness. (New York: Little Brown, 1996) 84-86.*
[68] Kushner, 103.
[69] Ibid, 105.

keeps you in the role of victim. He recommends that a person let go of the anger and bitterness in order to decrease the power of the perpetrator. Here Kushner is in agreement with Schimmel; however, Schimmel makes a clear distinction between forgiveness in the service of the self and forgiveness in the moral sense.

Several experts say that forgiveness is important for not only emotional, but also physical wellbeing. The Stanford University Forgiveness Project, one of several university studies, has documented reductions of twenty-seven percent in physical symptoms of stress, including backache, headache, and stomach pain; and also twenty-seven percent in physical symptoms related to sleeplessness, listlessness, and dizziness. Here, too, the meaning of forgiveness is not in the moral sense referred to by Schimmel and other Jewish sources. Dr. Frederic Luskin, the project's co-founder and director, defines forgiveness as "learning to make peace when something in your life doesn't turn out the way you wanted it to. It's an inner quality not dependent on anyone else, an assertive and necessary life skill rather than a specific response to a particular life situation."[70]

Dorothy Foltz-Gray, in an article in *Arthritis Today*, relates her own reaction to a quarrel with a close friend who said that "I smothered her." In addition to feeling sad and depressed, Foltz-Gray experienced chronic sleeplessness and headaches. Whenever she replayed the quarrel her blood pressure rose, quickening her heartbeat. "For anyone, such physical and mental stress places health at risk. For those with arthritis – for whom depression, muscle tension and stress may already be exacerbating factors – the resolution of such resentments may spell the difference between bad days and better ones."[71] According to therapist Terry D. Hargrave, PhD, where "an

[70] Musleah, Rahel. "The Dance of Forgiveness." (*Jewish Woman*, Fall 2002), 36.
[71] Foltz-Gray, Dorothy. "The Journey to Forgiveness." (*Arthritis Today*, September-October 2002), 43.

otherwise healthy person may get a headache from stress, a person with arthritis may be thrown into a spin that incapacitates him for a week or two."[72]

Several studies are cited. A twenty-five year study at the University of Tennessee (Nashville) showed a link between anger and hostility and a rise in blood pressure and heart rate. A similar study at Hope College (Holland, Michigan) showed an increase in blood pressure and heart rate, and persistently higher sweat levels and greater muscle tension.

According to Foltz-Gray, "Most people believe that forgiveness implies reconciliation with the wrongdoer or acceptance of the cruel or thoughtless behavior that hurt you. . . Instead forgiveness is the peace you feel as you cease to be a victim of hurt."[73] Four steps are given to start the journey towards forgiveness:

- Recognize and accept that someone or something has hurt you. Acknowledge the need to grieve for what has been lost.
- Commit to forgiving. You have to make a conscious choice to recognize that anger isn't working, and that you are choosing to take back the power this person or incident has robbed from your life.
- See the hurtful person anew. By recognizing the limitations of your victimizer, you may be able to reduce him from "monster" to someone who was "acting out because of his own issues." You separate the person from what he did.
- Wish the other person well. You will then remember more about the person than the hurt he caused, and it becomes easier to show mercy and not wish him harm.[74]

How do you know when you've put the hurt and anger behind you? Signs of progress include

[72] Ibid, 44.
[73] Foltz-Gray, 44.
[74] Ibid, 45.

- Softening up on yourself. Seeing that you, too, have flaws as well as good points softens ideas of how others should behave.
- Using less colorful adjectives to describe your wrongdoer. Forgiveness involves remembering graciously.
- Facing the hurt, and changing the way you relate to those close to you.[75]

Thus "forgiveness begins with the understanding that in forgiving others or even yourself, you give yourself the right to heal. The work isn't easy or painless, but it's worth it for your mind, body and heart."[76]

Her own journey from estrangement to reconciliation with her mother provided the impetus for Laura Davis' book, *I Thought We'd Never Speak Again: The Road from Estrangement to Reconciliation."* Through first person stories of people who have mended important relationships in a wide variety of circumstances, Davis maps the reconciliation process, weaving in her own process with her mother. She presents the wide array of variables that enter into the reconciliation process, and makes a crucial distinction between reconciliation and forgiveness by explaining how people can make peace in relationships without necessarily forgiving past hurts. By making this distinction Davis is able to remain true to the Jewish concept of *teshuvah* while at the same time guiding people to a better place in their relationships with those who have hurt them deeply.

Davis believes that maturity is a part of everyone's reconciliation story. "Life shapes us and surprises us; it can humble us and wear our sharp edges away. Sometimes it is a growing sense of fulfillment that enables us to feel receptive . . . Maturity allows us to soften our stance,

[75] Foltz-Gray, 92.
[76] Ibid.

to relinquish absolute requirements, to accept another person's failings, while at the same time acknowledging our own. Mature people learn to embrace relationships that are imperfect. . . Other times, tragedy opens our hearts. . . [When] life as we know it is temporarily suspended, a door opens in our lives. We are given the opportunity to rethink our priorities, deepen our compassion, and open our arms to the people who love us."[77]

Death and life-threatening crises, according to Davis, are often catalysts for reconciliation, as we realize that we may never get another change to make peace with the people who have mattered in our lives. Sometimes we may not achieve reconciliation with the person experiencing the crisis, but his death will open the door to healing with another; for example, where the death of an abusing parent leads to reconciliation with the non-abusing parent or with a sibling.

Building a healthy sense of self is also an important ingredient; without this autonomy, one can enter only into unhealthy dependent relationships, not into healthier interdependent ones. A sense of self also enables a person to set the appropriate boundaries that are necessary when dealing with any type of conflict. "Until we can say 'no' in a relationship, our 'yeses' are meaningless. . . Even if we never discuss our new ground rules with the other person, the fact that we have created them shifts the paradigm of the whole relationship."[78]

With the exception of extreme situations (such as abuse), it is likely that both parties have contributed to the dynamics that end a relationship. Thus it is essential for each party to look at his or her role in the estrangement. Sometimes it is our own stubbornness or lack of awareness that has contributed to the loss of a relationship. Acknowledging this is humbling, but this honesty about oneself is necessary for beginning the conciliatory process.

---

[77] Davis, Laura. *I Thought We'd Never Speak Again: The Road from Estrangement to Reconciliation* (New York: Quill, An Imprint of Harper Collins, 2003) 18-19, 28.
[78] Ibid, 30-32.

Just as honesty about oneself is essential, so is a realistic assessment of the capabilities – and limitations – of the other person. Accepting the limitations of the other clarifies what we can and cannot change. Yet one of the paradoxes of reconciliation is that as realistic as we may be about the other, we must stay open to the possibility of change. In the intervening time since the betrayal, the other may have matured and changed. If we are not open to this potential, we do the other a disservice. However, usually there are no surprises, and when the desire for reconciliation is very strong, a person may decide that she will have to be the one to change.

One of the few things over which we have power, according to Davis, is how we respond to the other person. "It is up to us to establish our own standards of conduct, rather than accepting our family's definitions, our friends' definitions, or society's definitions of the kind of person we ought to be. In estranged relationships, particularly those in which there has been a serious betrayal, old norms and rules of behavior no longer apply. . . we don't have to obey our family's rules . . . instead, we get to look at each relationship and decide what makes sense given our unique circumstances."[79]

Sometimes a person will try to validate anger by getting others to agree with her. At some point one has to decide if this validation of anger is worth the hatred and animosity one feels inside. By releasing the need for validation of one's anger, one may be able to move from a bitter, hardened place towards an openness to reconciliation. "Finally, I asked myself, 'Is this how I want to live? Is this where I want my energy to go?' And the answer was definitely 'no.' I made a decision that no matter how justified I felt in my anger, staying in that bitter, hardened place was not something I wanted to do. If there was any way to resolve things, I was going to do everything I possibly could to achieve it."[80]

---

[79] Davis, 65.
[80] Davis, 146.

Davis introduces us to a "talking stick." Of Native American derivation, the talking stick is passed around from one person to another to ensure that each person can complete his/her thoughts before passing the stick on to the next one ready to speak. Frequently such a physical object helps people maintain control over a situation that could otherwise easily get out of control.

When one decides on a particular course of action, it is important to ensure that the solution will honor everybody involved, and that it is workable. Laying the groundwork is important, as is a sense of when both parties are ready to act.

Knowing when to bring up the past and when not to requires discernment – an inner awareness that lets us know when and how to speak, and what to say; it is the capacity to read another person's cues so we can decide the wisdom of proceeding or not in a certain direction. If a person is not ready to hear something, he will not hear it, but figuring out how to couch a comment or a criticism can go a long way towards getting your point across. And sometimes, no matter how careful you are, a conversation you want to have will never successfully occur. When this is the case, it's better to acknowledge and accept it than to fight it.

While honesty is the ideal, complete honesty can sometimes be destructive, especially at the beginning of reconciliation. Often people agree to disagree. "There are things we don't talk about, but we don't need to anymore. Around the elephant in the room, we have stretched out our hands, and our fingers are lightly touching."[81] Yet there are other circumstances in which reconciliation is only possible when there is complete honesty from the start. This is especially important when individuals hold completely different conceptions of what had occurred.

Whether completely honest or not, true listening is at the heart of reconciliation. "Listening is the willingness to take in what another person is saying, even when it is painful to

[81] Davis, 178.

hear. It is the acknowledgement of truth as it is, rather than as we wish it to be. Listening entails slowing down enough to discern the deep rhythms that resonate under the surface of what another human being is saying. It means stopping our mind long enough to take in another person's truth, without judgment, defense, or rebuttal."[82]

Reconciliation requires both honesty and kindness. It is the marriage of honesty with compassion that makes healing possible. When two people approach each other in this way, the interaction transforms each of them. Alliances can be built even across the most intractable lines. This is the thinking behind the program Building Peace, which brings together Palestinian Arab and Israeli Jewish high school girls for a three-week camping experience in Denver. While the beginning of the three-week session is often rocky, implementing the dynamics discussed above, as well as providing individual support for each participant, brings these young women to a new place in their view of each other and each other's peoples. Davis also introduces us to a workshop for children of Holocaust survivors and perpetrators. Called Acts of Reconciliation, this workshop lasts for several days, and has been offered since 1989. According to Armand Volkas, a child of survivors and the originator of the workshop, "At the end of the workshop, what struck me most were the deep bonds that had been formed. Something profound and transformative had taken place. There was a feeling of redemption."[83]

It is essential to take responsibility for your own role in reconciling. There is little sense, Davis believes, to staking out a position of pride and righteousness, and refusing to take the first step. "Being right is the loneliest place in the world." Reconciliation has less to do with being right and more to do with staying focused on the larger goal of mutual healing and reconnection. Especially when people are in a conflict that is strong enough to end a relationship, they may be

[82] Ibid, 184.
[83] Davis, 230.

too busy blaming the other person to see their own behavior objectively. Questioning how one might have done something differently or contributed to the impasse are ways to ascertain where our own responsibility lies. Continual stocktaking of oneself must be an important part of reconciliation, as well as an important part of living your life.

Learning to apologize is also crucial. A sincere apology can be healing for both the person making the apology and the one hearing it. Yet this is not an easy thing to do, especially when we expect quid pro quo. "A genuine apology does not require anything in return. It stands alone, on its own merit, with no strings attached . . . unencumbered by rationalizations or self-defense."[84]

Only at this point, towards the end of her book, does Laura Davis directly tackle the issue of forgiveness. She agrees with Schimmel and Karen about the confusion in our contemporary culture over the concept of forgiveness, and sees it expanding beyond its traditional place in religious circles to penetrate every aspect of popular culture. "Religious advocates of forgiveness believe it is our moral duty to forgive; they say forgiveness is necessary for salvation. Secular supporters of forgiveness claim it reduces blood pressure, lowers the risk of heart attack, and boosts self-esteem. Forgiveness has been hailed as a panacea for healing troubled psyches, reuniting estranged families, rebuilding divided communities, and strengthening our national character. Yet despite these claims of grandeur, exactly what is meant by 'forgiveness' remains unclear." Davis comments on the many words that are used interchangeably with forgiveness, but says they are not at all synonymous; she then sets out to describe more fully what she means by the term. First of all, forgiveness is something you work at; it doesn't happen without a great deal of effort, and it involves every mental, moral and spiritual resource you can muster. Some people reach forgiveness through meditation and

[84] Ibid. 250.

prayer, for some it happens incrementally over a period of time, for some it is a spiritual gift, rising spontaneously from within, and for some it is a by-product of doing the hard work of healing.

It is essential to make a distinction between forgiveness and acceptance. For some people, forgiveness arises in a moment of contrition by the perpetrator. There are those who believe that forgiveness must be earned, and those who believe it can be granted unilaterally. In terms discussed at the beginning of this chapter, the first would belong to the interpersonal school of forgiveness, the second to the internal. Davis believes that there is no forgiveness until a wrong has been acknowledged, and there has been remorse and restitution on the part of the wrongdoer. "In other words, forgiveness without accountability has no teeth."[85] It is the offender's acknowledgment, apology and restitution that make forgiveness possible.

Davis quotes Richard Hoffman, author of *Half the House*, on the wide-ranging benefits of forgiveness with accountability. "Real forgiveness restores the moral fabric of a community and a family. It says 'We are all accountable to each other. We owe each other a certain kind of treatment, and when someone violates those standards, the damage needs to be repaired.'"[86]

[85] Davis, 269.
[86] Davis, 269.

Chapter III: Are There Limits to Forgiveness?

A man is a prisoner in a Nazi concentration camp, living in subhuman conditions, under constant threat of death, and witness to countless atrocities. At one point he is sent on a daily work detail to a hospital outside of the camp. Shortly after his arrival he is taken to the room of a dying Nazi, who has asked that a Jew – any Jew – be brought to him. The dying Nazi wants to confess to a Jew; he is looking for absolution for a barbaric act committed two years earlier, when he participated in the forcing of over two hundred Jews into a house, which was then sealed and burned. These memories haunt the young soldier as he lies dying, and he wants the Jewish prisoner to grant him forgiveness. What should the prisoner have done?

For many years Stacey is beaten repeatedly by her husband. Finally she musters the strength to leave, and flees with her young children to a women's shelter. Her husband sends word to her that this time he will finally change – he'll stop beating her. He begs her to come home and give him another chance. "Please forgive me," he pleads. Should she?

Debbie has been raped by her father since puberty, and he has told her that if she doesn't cooperate with her, he'll rape her younger sister as well. Once she is old enough to leave home, Debbie refuses to return. Eventually she confronts her parents, and her father denies everything. She has no contact with her father until her mother calls to say he's very sick. She wants Debbie to come home, for the sake of *shalom bayit*, peace in the family. After all, "he's an old man; he can't hurt you anymore. Can't you find it in your heart to forgive him?" Should Debbie forgive her unrepentant father?

In the previous chapter we explored a variety of understandings of forgiveness, and different ways to move from resentment to connection, from estrangement to reconciliation.

Are there, perhaps, times when reconciliation is not possible? Does Jewish tradition mandate forgiveness under every circumstance, even if the perpetrator has gone though his own process of *teshuvah*? Do murderers, abusers, or rapists have to be forgiven? This chapter will present the halakhic as well as psychological views of such circumstances. We will begin with the past horror of the Shoah, and then move forward to the ongoing horror of domestic violence and incest. Does our tradition mandate forgiveness under these circumstances? Can a victim turn from the violence and pain and find healing without going through the interpersonal process of forgiving her perpetrator? What is the impact on the generations yet to come? And – what is the Jewish community doing to help victims – and perpetrators – *shuv*, to turn themselves away from pain and guilt and shame and towards life? We have answers to some of these questions, but the problem of cruelty between and among human beings is ongoing, and until and unless we are able to stop these types of heinous acts, we need to keep on asking the questions searching for the answers, and working for change.

Simon Wiesenthal, the concentration camp inmate in the first vignette, shares his experience in a small but powerful book, *The Sunflower: On the Possibilities and Limits of Forgiveness.*[87] Wiesenthal returns to the young Nazi's bedside day after day; he listens but remains silent. Ultimately he walks out of the room, silent, unable to forgive the dying man. Haunted for years by this encounter, Wiesenthal eventually put his experience into words and sent it out to an international array of prominent thinkers: Christian, Jewish, and Buddhist theologians, professors, statesmen, philosophers, journalists, Holocaust survivors, victims of other totalitarian regimes, and even a Nazi war criminal. He asked each of them to imagine

[87] Wiesenthal. Simon. *The Sunflower: On the Possibilities and Limits of Forgiveness.* (New York: Schocken Books, 2nd Edition, 1997).

being in that room with the dying Nazi, and invited them to answer the question "What would you have done?"

Fifty-three responses, in the format of brief essays, are collected in *The Sunflower*. Many of those who responded qualified what they were about to say– and revealed their own discomfort with the question he posed – by stating that they couldn't imagine being in Wiesenthal's shoes, and that no matter what theological or moral argument they were about to put forth, judging his choice, considering the nightmare he was living in at the time, was wholly inappropriate. Most then went on to answer according to their conscience and beliefs.

The majority of Christians who responded maintained that since God forgives all those who repent, Wiesenthal should have forgiven the young Nazi, who was asking for absolution in his final hours. Former Notre Dame president Theodore M. Hesburgh epitomized this point of view: "My whole instinct is to forgive. Perhaps that is because I am a Catholic priest. In a sense, I am in the forgiving business. . . Of course, the sin here is monumental. [But] it is still finite and God's mercy is infinite."[88] British author and former member of Parliament Christopher Hollis shared Hesburgh's perspective: "The law of God is the law of love. We are created in order to love one another . . . We are under obligation to forgive our neighbor even though he has offended against us seventy times seven."[89]

The Buddhist tradition, in which it is believed that each soul continues to evolve through many lifetimes, would maintain that even the most horrible criminal can better himself – if not in this lifetime, in lifetimes to come. Monk Matthieu Ricard expressed the Buddhist idea that forgiveness is always possible and that one should always forgive. "In Buddhism, forgiveness does not mean absolution, but an opportunity for the inner transformation of both victim and

[88] Wiesenthal, 169.
[89] Ibid, 177.

perpetrator. The perpetrator of evil will suffer over many lifetimes to a degree determined by his actions, until he is ready for inner transformation. For the victim, forgiveness is a way of transforming his own grief, resentment, or hatred into good. To grant forgiveness to someone who has truly changed is not a way of condoning or forgetting his or her past crimes, but of acknowledging whom he or she has become."[90]

Most of the Jewish respondents, however, strongly disagreed with the Christian point of view, and with the philosophy expressed in the Buddhist view. Jewish respondents stated emphatically that, according to Jewish law, Wiesenthal not only shouldn't have forgiven, but couldn't have. Forgiveness by proxy is forbidden in Judaism. Therefore, only the murdered Jews could have forgiven the dying man, and of course that was impossible.

Rabbi Harold Kushner approached the question differently, exploring how forgiveness might actually benefit the Jew who granted it. "Forgiving is not something we do for another person, as the Nazi asked Wiesenthal to do for him. Forgiving happens inside us. It represents a letting go of the sense of grievance, and perhaps most importantly a letting go of the role of victim. For a Jew to forgive the Nazis would not mean, God forbid, saying to them, 'What you did was understandable, I can understand what led you to do it, and I don't hate you for it.' It would mean saying, 'What you did was thoroughly despicable and puts you outside the category of decent human beings. But I refuse to let your blind hatred define the shape and content of my Jewishness. I don't hate you; I reject you.' And then the Nazi would remain chained to his past and to his conscience, but the Jew would be free."[91]

Several respondents raised the question, "Had the Nazi really changed?" Rabbi Joseph Telushkin clarified this perspective. "We can only know the full truth of a person's repentance if

---

[90] Wiesenthal, 325.
[91] Wiesenthal, 186.

the penitent encounters the same situation in which he first sinned, and then refrains from sinning. But, of course, no such opportunity could be granted this young man. We know that he voiced regret over his murderous deeds; unfortunately, that is all we know."[92]

Others held that if the young Nazi had been truly penitent, rather than asking an anonymous Jewish prisoner to assuage his guilt, he should have asked to speak to his superiors in the SS – urging them to stop the genocide. And yet other respondents maintained that the question of the Nazi's repentance was irrelevant, that the monstrosity of the crime put it beyond the pale of forgivable offenses. Andre Stein, a Jewish psychotherapist who works with Holocaust survivors, asks "Can we, indeed, advocate forgiveness toward those who have committed crimes against humanity? Should we not warn those who contemplate evil acts that there will be no mercy even on their deathbeds should they give in to the seduction of killing? The consequences of participating in genocidal acts must include dying with a guilty conscience."[93]

While the Shoah stands alone in its monstrosity to our people, there have been – and continue to be – genocides perpetrated upon different peoples. Perhaps the most terrible legacy of the twentieth century was the rise in collective violence and genocide.[94] The focus of this thesis, however, is not collective violence or genocide, but *teshuvah bein adam l'chaveiro*, relationships between one person and another. And in our community, as in every community, instances of one person's cruelty to another are rampant. The numbers of reported cases of domestic violence and abuse, of incest and child abuse, are on the rise. More and better

---

[92] Ibid. 263.
[93] Ibid. 253.
[94] Martha Minow, a Harvard law professor, has written a landmark book on attempts to heal after such large-scale tragedy. In *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, she writes about the truth commissions in Argentina, East Germany, and South Africa; war-crime prosecutions in Nuremberg and Bosnia; and reparations in America. Minow looks at the strategies and results of these riveting national experiments in justice and healing.

resources for victims, greater awareness of the problems, and better reporting processes may account for part of this increase, but not for all of it.

Not too many years ago Jews were very smug about domestic violence and incest. Conventional wisdom was that it happened in other communities, not in ours. But as we became aware of the large numbers of these victims in our own community, we were forced to acknowledge that domestic violence, just like alcoholism and drug use, is as pervasive in the Jewish community as in any other segment of the population.

Rabbi Julie Spitzer, z'l, was one of the first to bring this issue to the attention of the Jewish community. With the support of Women of Reform Judaism, she developed her rabbinical thesis into one of the first domestic violence resources for the Jewish community, *When Love is Not Enough: Spousal Abuse in Rabbinic and Contemporary Judaism*[95]. As the Jewish community acknowledged the problem, it responded with resources – resources for victims, and resources for training rabbis, social workers, and other professionals in the community.

Not until quite recently, however, has there been a Jewish scholarly response to the question of forgiveness under these circumstances. In Chapter I of this thesis, I wrote about two responsa, one from the Central Conference of American Rabbis (CCAR) and the other from the Rabbinical Assembly (RA). The CCAR responsum attended only peripherally to the issue; the RA responsum covered in great detail the halakhic view, as interpreted by the Conservative Movement, of domestic abuse and incest. As thorough as this responsum is, it does not, as I noted earlier, address the issue of *teshuvah bein adam l'chaveiro*. Fortunately, since that

[95] Spitzer Julie. *When Love is Not Enough: Spousal Abuse in Rabbinic and Contemporary Judaism.* New York: Women of Reform Judaism, 1995.

responsum was written (1995), other scholars in our community have addressed this issue, and they will be discussed below.

Mark Dratch, an Orthodox rabbi in Stamford (CT) has written a most comprehensive and insightful article: "*Forgiving the Unforgivable? Jewish Insights into Repentance and Forgiveness.*"

"Victims of domestic violence travel a long and arduous road toward achieving justice and realizing healing for the physical, psychological, emotional and spiritual wounds foisted upon them by their attackers. For many, the destination is arrived at successfully. For many others, it is never reached. For yet others, the path itself is fraught with pitfalls, dangers, and further abuse by the systems and people that are there to help them. Religions and religious systems, ostensibly havens of comfort and protection, have at times failed their flocks because of personal and professional limitations of their clergy, the deficiencies in the attitudes and opinions of their communities, and even, sometimes, through the well intentioned demands of their faiths."

"The issue of forgiveness is a case in point. What is a beautiful, decent and honorable theological concept has, at times, been a stumbling block to healing and justice for victims, and has colluded, albeit unintentionally, in perpetuating the scars of violence and creating a few of its own."

"What is a Jewish view of forgiveness? What role does forgiveness play in the healing process of a victim? And what is its relationship to repentance, the obligation of offenders to make restitution, to transform their characters, to heal the wounds they created and to mend their relationship with their victims and with their God?" [96]

---

[96] Dratch, 1.

Dratch provides a brief overview of the Written and Oral Law, presenting several selections from the latter, explaining the different words in Jewish literature that signify forgiveness,[97] as well as the process of achieving forgiveness. In posing the crucial question, "Must One Forgive?" he quotes Pirke Avot 5:11.[98] In this passage; Dratch states that this passage, where conciliation and appeasement are deemed pious traits, represents the traditional argument that one *must* forgive. He tells us that the Talmud[99] teaches that one who is forgiving of the sins of others is forgiven for all of his sins, following the classical view of *middah ke-neged middah*, that we receive our just desserts and are dealt with in this world on a "measure for measure" basis, just as we deal with others.[100] Additional quotes from Mishnah *Baba Kama* 92a tell us that the withholding of forgiveness is considered a mark of cruelty, and that even if one is hesitant to forgive one who has transgressed against him, he must do so after being asked three times.

Does tradition provide no "Permission to Withhold Forgiveness"? Not necessarily. Dratch tells us "the granting of forgiveness is neither inevitable nor automatic, even if the sinner entreats his victim three times. Forgiveness must be deserved, and it is earned only after a victim has received restitution and has been appeased. The righting of wrongs and the exacting of justice are prerequisites for achieving forgiveness. Despite the sources that call upon victims to forgive readily, liberally and eagerly, most Jewish authorities are of the opinion that there is no absolute obligation to forgive in all circumstances."[101]

To back up this statement, Dratch makes a distinction between an attitude and a legal obligation, using as a proof text a Talmudic commentary (Bava Kama 92a) based on the story of

---

[97] See Chapter II.
[98] Mishnah. Avot.
[99] *Rosh Hashanah* 17a.
[100] Dratch, 7.
[101] Ibid, 9.

Abraham and Avimelech. Dratch cites another Talmudic source (*Yoma* 87b), which calls a nightly grant of general absolution *midat hasidut*, an act of piety, and not an obligatory act. If it were obligatory, according to Dratch, the person saying the prayer would not be praised for it, nor would it be cited as an unusual act by which he merited longevity. Furthermore, if one vows never to forgive another, that vow is binding. Now, had it been legally forbidden to withhold forgiveness, the vow itself would have been null and void as is any vow that attempt to nullify a biblically prescribed obligation. Thus granting forgiveness is not a legal obligation.

Rabbi Moses Isserles (*Orah Hayyim* 606:1) rules explicitly that an injured party may withhold forgiveness if he does so with the intention of benefiting the offender. Other commentators add that one may even withhold forgiveness for one's own personal benefit as well. Despite God's desire for repentance, even God may withhold forgiveness at times, when a penitent has not truly repented or if he uses the future possibility of penitence as an excuse to justify his behavior."

Dratch sees this source very relevant where victims of domestic violence are concerned. "An abuser is one who perpetuates a cycle of violence. . . and can be compared to the one who says, 'I shall sin and repent, sin and repent.' In such cases, there is no true repentance and thus there is no obligation upon the victim to forgive."[102] Also, "Forgiveness may be withheld if a sin is so heinous or irreparable that it is simply unforgivable. . . Rambam lists twenty-four conditions that either preclude repentance altogether or make it practically impossible to achieve."[103] Isserles (*Orah Hayyim* 606:1) rules that one who has maliciously slandered another need not ever

[102] Dratch, 13.
[103] *Hilkhot Teshuvah*, ch. 4; also see Chapter 1 of this thesis.

be forgiven as he can never rectify the damage he caused to his victim and to his victim's family."[104]

It is important to note, writes Dratch, that the act of ongoing abuse violates the physical, emotional and psychological well being of a victim and, often, her family as well. Demands that a victim forgive her abuser may, in fact, not only be unhelpful, but may further victimize the victim, denying justice and preventing the process of recovery and healing.

If a person feels compelled by family or friends, or because of perceived religious principles, to forgive when she is not ready or eager to do so, such a perfunctory pardon granted under duress is of no value whatsoever. The victim was never appeased, as is required by Jewish law. Assuming no transformation of the character or behavior of the aggressor was secured, and that his repentance is incomplete, forgiveness is impossible.

It is difficult to know if a person's repentance is sincere. Even if a person seems to be sincerely repentant, our first priority is to protect the victims. Furthermore, when the sinner himself initiates the process of repentance only after having been "caught" or because of external pressures and demands, the bar is raised and his new behavior must meet an even higher standard.

Dratch then deals with the issue of revenge, grudges, and hate on the part of the victim, and concludes that these prohibitions do not pertain when one has been victimized personally. "The consensus among the religious decisors is that the prohibitions against grudge-bearing and revenge apply only in monetary matters and do not apply when *tza'ara de'gufa* (personal affliction) is involved."[105] While some authorities do not make this distinction, all authorities permit withholding forgiveness and even exacting revenge in a case as heinous and as irreparable

---

[104] Dratch, 13.
[105] *Semag*, prohibition 12; *Sha'arei Teshuvah* 38; *Hafetz Hayyim, Petiha, Be'er Mayyim Hayyim*, 8-9 based on *Yoma* 23a.

as that of slander. Even Rambam "would agree that one is under no obligation to entertain petitions for forgiveness and would not violate the prohibitions against taking revenge, bearing grudges and hating until true repentance, reparations and personal transformation have been achieved."[106]

Dratch now shifts the focus away from the victim and solely to the perpetrator, saying that the classical Jewish approach emphasizes repentance, not forgiveness, and thus the burden is on the perpetrator to right the wrongs for which he is responsible. He must focus first not on his own welfare or desire for forgiveness, but rather on the physical, emotional, psychological and spiritual well being of his victim. This may entail therapy or other treatment, and may include legal punishment, in order to prevent further violations of individuals and society as a whole. And he can't blame external factors such as society, his nature, work, or other problems. Then, and only then, is forgiveness possible.

Dratch concludes: "Repentance and forgiveness are essential to the human condition; without them, we are lost. Without them, people remain at odds with each other and sinners remain alienated and distanced from God. But forgiveness is not easily acquired. True repentance is a necessary and indispensable prerequisite for forgiveness, a state that must be earned and deserved. Repentance must rectify the abuses and damages of the past and heal the traumas to the emotional and spiritual well being of victims."[107]

Rabbi Simkha Y. Weintraub, CSW, Rabbinic Director of The National Center for Jewish Healing, New York (NY), has worked for many years with both victims of abuse and their perpetrators.[108] Several times people who are perpetrators of abuse have consulted with him, and at least one of them began his story by saying that his professional association had been so

[106] Dratch, 19.
[107] Dratch, 21.
[108] Interview, November 23, 2003.

understanding, and that caused him some discomfort – even he realized it wasn't what he needed. Weintraub warns that while we do not want someone to wear a scarlet letter "A," there is a real risk in being too understanding and too forgiving. The individual needs to be aware of the challenges to his ongoing *teshuvah*. Weintraub reminds us that even at the end of Yom Kippur, when our slate is wiped clean, we still say *s'lachlanu;* we are aware of the power of the *yetzer harah* even before we have a chance to complete our prayers.

On the question of counseling a perpetrator that his wife may not be able to forgiven him, Weintraub responds, "It needs to be not just talking the talk but walking the walk. Because in retrospect, years from now, the words become incidental, because walking the walk has been what's really accomplished it." The goal is to want him to explore how it will feel, standing in his wife's shoes, to hear "I'm sorry," when she now has this huge trunkful of hurt and damage – that any human being in such a position would be able to hear the words "I'm sorry" and believe that anyone is really going to change. The words of apology, said Weintraub, are important – as we know from our tradition – but [ineffective] unless there's the effort of rebuilding.

In the process of *teshuvah* a perpetrator needs to acknowledge what he's done as part of his apology. And there needs to be a lot of flexibility in terms of how, when, and what to say. Sometimes simply saying his wife's name in a different way is the first step, because the words "I'm sorry" could elicit from her the rejecting, "He's said that before."

Sometimes the needs of the community and the needs of the victim conflict. An example would be a couple in a closed ultra-Orthodox community, where the husband has gone through treatment and is now ready to return to the community. The wife may not be sure that she's ready to have him back in the family home, but the rabbi and the community feel the man has done *teshuvah*, and see no reason why he should not return to his home. The wife, however, may

not be ready to trust the changes her husband says he has made, and is still somewhat apprehensive. In a situation like this, not uncommon in such a community, the rabbi may be an advocate for the system, but not for the woman. A solution might provide housing elsewhere in the community for the husband, with regular visits to the family home, until the level of trust and safety becomes comfortable for the wife. Because the process of *teshuvah* is just that – a process – there is no way to apply the term "fixed" to any situation of abuse. Thus the community has to provide a transitional place for the husband to stay as the process continues to unfold.

In *I Thought We'd Never Speak Again,* Laura Davis relates the stories of several survivors of childhood incest or domestic abuse. While setting boundaries may be effective when miscommunication, insensitivity, or conflicting needs damage relationships, the requirements of healing are far more complex when deeper wounds cause estrangements. "When someone violates our trust, betrays our deepest values, attacks our individuality, or in the worst case – uses physical, sexual, or psychological violence to control us – a terrible imbalance occurs in the relationship, leaving us reeling, full of self-doubt, and sometimes unable to function. The shock alone can be devastating."[109] When the other in an intimate relationship, whether partner or parent, commits an "unforgivable injury," such as rape, incest, or another form of abuse, one's sense of equilibrium is destroyed, and the entire relationship is thrown off balance. "Balancing the scales is a process by which the damaged person reclaims the power, choice, and resources he or she lost in the wake of the betrayal."[110] Because grief and anger are as essential to the reconciliation process as are compassion and love, Davis warns against attempting to reconcile before doing the work of healing. While focusing on the past is a necessary component of moving into the future, caution must be taken lest the label that defined

[109] Davis, 33.
[110] Ibid, 34.

necessary component of moving into the future, caution must be taken lest the label that defined the offense ends up defining the person. When people are able to balance the scales, however, they rebuild their sense of self and reclaim a moral integrity that was taken away from them by the offender.

Mediation between survivors of abuse and their families can be very effective. When the perpetrator takes responsibility for what he or she has done, there is potential for deep healing; with a disputed family history, however, the goal is to establish "terms of engagement . . . rules by which two parties agree to abide so that they can interact peacefully in limited circumstances."[111]

Davis introduces us to a relatively new and promising trend in corrections called restorative justice,[112] a program that has much in common with the Jewish process of *teshuvah*. In this program, perpetrators of crimes are brought face-to-face with their victims, with the assistance of a trained mediator. "Perpetrators are confronted with the human consequences of their crimes, and victims have the opportunity to speak their minds and express their feelings to the person who hurt them – a process that contributes to the healing of the victim. Offenders take responsibility for their actions by creating a restitution agreement with the victim that attempts to right the wrong as much as possible. This agreement does not preclude or replace a court sentence, and the restitution can be monetary or symbolic. Anything that creates a sense of justice between the victim and the offender can be included in the restitution agreement."[113]

Sometimes a victim or family of a victim does not provide an opportunity for a person to repent. Elizabeth, whose sister had been killed by a drunk driver, had gone through the mediation process described above. The driver, Susanna, decided to plead guilty, and Elizabeth

---

[111] Davis, 46.
[112] Victim-Offender Reconciliation Program Information and Resource Center of Camas, WA.
[113] Davis, 81.

and her family members were asked to write victim-impact statements prior to the sentencing. Elizabeth had a flashback of a religious school blackboard with the five R's of "*teshuvah*" written on it: recognition, remorse, repentance, restitution, and reform. While at first Elizabeth held onto this in anger, not wanting to forgive Susanna, eventually she realized that she hadn't given Susanna the opportunity to repent. This realization enabled Elizabeth to move to a new place and feel more in control.

It takes courage to decide to attempt reconciliation, and in doing so one enters into unknown territory. Davis quotes Anais Nin, "Life shrinks or expands according to one's courage." Courage is necessary to demand that the perpetrator listen to how his actions affected and will continue to affect you. This is a necessary step not only in the mediation process but also in the healing of both the victim and the perpetrator. As risky as it may feel, one must also be receptive to the perpetrator; "opening the door to see if they've changed, assessing whether our growth might affect them, determining whether a new dynamic might be created. It entails setting aside fixed ideas, rigid expectations, and a legion of defenses; it means approaching the other person with an open heart and a spirit of curiosity."[114] It is important to be able to hear what the other person has experienced in his relationship with you, and to enter into a two-way dialogue.

When, however, one person has committed a terrible wrong against another, the dynamics are different. From the victim's point of view, according to Davis, the victim of interpersonal violence such as incest, abandonment, or battering does not owe the perpetrator anything and does not need to meet the perpetrator halfway. "People on the receiving end of gross mistreatment are not required to cultivate humility in order to mend relationships with the people who have hurt them. Rather, they need to build the courage, strength, and determination

[114] Davis, 103.

necessary to heal and reclaim their lives. Once that arduous task has been achieved, it can be beneficial to nurture the kind of receptivity that would allow a sincere apology from the person who wronged them. But even then, they are not required to welcome that person back into their lives."

Davis also deals with the accountability of the offender. "When perpetrators take responsibility for what they have done, it doesn't guarantee reconciliation, but their accountability gives them back something else they desperately need – a sense of self-respect. Without that, offenders cannot transform their histories of violence and manipulation. Until they face their own grief and pain, acknowledge their wrongs, and take steps to redeem themselves, they stay mired in shame, guilt, and isolation that lead to repeat violations. While perpetrators cannot control the receptivity of the people they have hurt, it is possible for them to reconcile within themselves, to be accountable for what they have done, and to slowly work their way back into the human community."[115]

Our feel-good culture, according to Davis, "encourages us to search for easy answers, speedy solutions, and immediate cessation of pain. Because of this, in-depth healing from deep emotional wounds has fallen into disrepute. . . As a result, what passes as forgiveness in our culture today is often a kind of pseudo-forgiveness in which people gloss over their grief, anger, and pain in an attempt to generate a false sense of magnanimity. When forgiveness is seen as a litmus test for how healthy or spiritually evolved we are, a lot of pain is stuffed under its socially acceptable mantle."[116]

We can avoid pseudo-forgiveness by accepting that resolution is possible without forgiveness. Sometimes the best we can do is relinquish our right to hate in the service of

[115] Davis, 264.
[116] Ibid, 276.

gaining a sense of peace. Miriam Gladys, often quoted in Davis' book, works with abuse and alcoholism in Jewish families; she wanted to find an alternative term to be used under these circumstances, a word that said, "Yes, I understand that this happened. Now I am prepared to move on with my life." For Miriam Gladys, that word is *shlemut* – wholeness.

"Ruth," [117] a woman survivor of childhood incest, relates that the Twelve Step program for survivors of incest defines incest as "any physically intrusive act or sexual innuendo between a child and any adult in his or her life; another element of the abuse is that it occurs between a powerful person – the abuser – and a less powerful person – the child." Certainly the material presented by Rabbi Dratch would apply to such a situation as childhood incest, especially when the perpetrator is a parent – one who has the power to destroy or irreparably damage a child's body and soul. Recovery from such damage often continues well into the person's adult life.

I asked Ruth, "What role does forgiveness play in your recovery?" She was emphatic that there is no forgiveness; there is no letting the injured party "off the hook." For Ruth, *teshuvah* is turning away from hurt, and turning towards health and resilience. "God is the spark of resilience that keeps you going when you want to die. God cried with me. God is the strength that helps me heal, and my job is to nurture myself, with that strength, towards wholeness."

Both Miriam Gladys and Ruth accept that resolution is possible without forgiveness, and each of them understands that "pseudo-forgiveness" is not forgiveness at all. Each of them looks for *shlemut* – wholeness. I hope that Simon Wiesenthal, with the reassurance he has received from the Jewish – and non-Jewish – world, is no longer struggling with whether he did the right thing, and that he also has found some sense of wholeness. Hopefully each of them – and many others who have been violated – understands that when a crime of massive order is committed, whether against six million or against one helpless child, no human can grant forgiveness.

---

[117] Telephone interview, December 20, 2003. Ruth is a pseudonym.

Because God is the Giver of life, only God has the power to grant forgiveness when life is destroyed by human evil.

Chapter IV: Conclusion – Implications for the Rabbinate

You arrive at your office Monday morning and receive an urgent message. "Call Stacey Goodman at this number. Don't call her house." You call the number and find out it's the women's shelter. You know that Stacey and Matt's marriage has not been good for a while; now you know why. Stacey picks up the phone and tells you that she and her two toddlers came to the shelter on Sunday evening. Matt got angry with her again – this time she overcooked the chicken – and he pushed her against the stove and hit her. Stacey was left with a broken nose and two hysterical children. Matt stormed out of the house, saying "I need some *decent* food," and Stacey called her sister who took her and the children to the shelter. When Stacey's sister returned to the house to get some additional items, she found a very contrite Matt. He begged her to tell him where Stacey was; he promised he'd never hit her again. He loves her and needs her; can't she understand that? Stacey feels her resolve crumbling, and she is calling you for support. "Rabbi, should I forgive him? He said he's sorry and he won't hit me again. Rabbi, what should I do?"

On your way to visit Stacey at the shelter you wonder about her understanding of the Jewish view of forgiveness and of *teshuvah*. Right now you want her to know that our tradition says that she doesn't have to forgive Matt. You also want to be sure she understands what Matt must do before she can even think of reconciling with him. You realize that she, like most of your congregants, probably has a very different view of forgiveness – one based more on the popular media than on Jewish tradition. You may react with dismay when fundamentalists call the United States a "Christian country," but you know that the culture of forgiveness found in news reports, talk shows, and popular magazines stems from Christian, not Jewish, belief.

Stacey has probably heard the news report of the mother of a murder victim expressing forgiveness to her son's murderer. She's most likely watched a talk show where a couple has "reconciled" after a woman accepts her husband's promise to never betray her again. Up during the night with a sick toddler, Stacey may have watched a fundamentalist preacher quoting from "The Bible," and talking about the Judeao-Christian belief in forgiveness.

You arrive at the shelter. A tearful Stacey greets you and you find a quiet place to talk. You let her know how glad you are that she is taking care of herself and her children. You ask her, "Do you believe Matt when he promises not to abuse you again?" When she says "no" you tell her that Jewish tradition supports her response. You explain that repentance in Jewish tradition involves more than a promise. It involves the "Five R's" – recognition, remorse, repentance, restitution, and reform. You tell Stacey that until Matt has gone through these five stages, she doesn't even have to make a decision about whether or not she will forgive him. You tell her that Jewish tradition says that under certain circumstances the person who has been hurt does not have to grant forgiveness. Not only is she not obligated to forgive, but she shouldn't forgive if doing so will interfere with her healing from the abuse.

You sense that Stacey is beginning to relax; she is accepting that she has made the right decision in leaving Matt. "Rabbi, do you think we can ever get back together?" You tell her that anything is possible, but that even after Matt has truly repented, she needs to take things slowly. She may want to give him another chance, but she is not obliged to do so. Even for the sake of her children.

"But Rabbi, he's the father of my children. I can't deprive them of their father. I'll always have to deal with him when it comes to the kids." You explain to Stacey that she can reach a peaceful relationship with Matt without forgiving him for what he has done to her.

In the weeks and months ahead you will continue to meet periodically with Stacey, and to offer her support. Right now she is in crisis, but as her process of healing evolves, you hope to buttress it with material from Jewish tradition. Eventually she will be ready to think about reconciliation if not forgiveness, and you may suggest that she read one of the Laura Davis books on healing and forgiveness. You will encourage her to join a support group; eventually she may be ready to speak to other women and encourage them to protect themselves. To Stacey, you represent Judaism, and the fact that Judaism supports what she is doing is sufficient for now.

What does Judaism believe about forgiveness, and the relationship between forgiveness and *teshuvah?* What are the limits to *teshuvah?* Do we have to forgive under all circumstances? In the preceding chapters of this thesis we've looked at what our texts have to say about *teshuvah,* what the psychological community says about forgiveness, and what Jewish scholars see as the limits to forgiveness. What advice might our rabbis and sages, ancient and modern, give to the couple in our scenario?

Stacey and Matt have a long road ahead of them, actually two separate roads, neither of them easy. This may be the first time that either one of them has been faced with such a crisis. If Stacey continues to have the strength to stay apart from Matt, strike out on her own, and use the resources available to her for the healing process, she will turn out to be a far different person than she is today. Similarly, if Matt, who as a child was probably either abused or a witness to abuse, sincerely goes through the process to reach complete *teshuvah,* he too will be transformed. Our sympathies, of course, are with Stacey; she has been physically and emotionally abused, and our hearts go out to her. Yet Matt is a victim as well. If we abandon him, and focus solely on Stacey, Matt is likely to continue to be an abuser – it may be the only

way he has learned to act in intimate relationships. If we invest in Matt as well, we provide for him the potential to grow into a better person. Even if he and Stacey never reconcile – a real possibility – what happens to Matt impacts directly on their children.

Stacey, assuming she keeps up her resolve, will be far easier to help, as our community has developed many resources for abused women. As people learn about her plight, they will turn towards her in support, and probably avoid or even shun Matt. Matt may need as much or even more help from you than will Stacey. How are you going to help each of them?

What can we learn from rabbinic literature? The rabbis were very concerned with repentance. From the Talmud (*Nedarim* 39b) we learn "*Gedolah teshuvah* – great is repentance for it brings healing to the world. A distinction is made between repentance motivated by love and repentance motivated by fear." If motivated by fear, the taint of sin remains. Unless Matt engages with a whole heart in the process of *teshuvah*, his repentance will be incomplete.

Matt needs to live his life differently: "If someone studies Scripture and Mishnah, attends on the disciples of the wise, but is dishonest in business, and discourteous in his relations with people . . . how ugly are his ways (*Yoma* 86a)." *Teshuvah* is supposed to change the essence of person, with behavioral change resulting from the personality change.

Publicly embarrassing a person is compared to killing him or her (*Bava Metzia* 58b). Stacey should be reassured that she is halakhically entitled to her feelings of anger at the shame that Matt has caused her.

Matt has to know that he can't sin and repent over and over again. "A man can [commit the same] sin three times and each time he will be forgiven, but on the fourth time, he will not be forgiven (*Yoma* 86b)." And Matt has to know that he should repent for the sake of

acknowledging and atoning for his sins, not for any promise or expectation that he will reunite with Stacey. (*Bava Metzia* 85a)

Post-rabbinic literature – commentaries, codes, and responsa – continues the focus on repentance. Maimonides (Rambam) would tell Matt that one who invents a disparaging nickname for a colleague and calls him by that name, one who embarrasses a colleague in public and takes pride in his colleague's shame does not merit a place in the *olam habah*. While a wife, at the time Rambam was writing, was not considered an equal, she is considered one today. Thus Stacey would be entitled to at least the status of a colleague, if not higher.

Rambam would also tell Stacey that she has to forgive Matt if he truly repents; however, we can reassure Stacey that other commentators disagree with Rambam; many of them say that one may withhold forgiveness for one's own personal benefit. And Rabbi Moses Isserles would tell Stacey that someone who has maliciously slandered another need not ever be forgiven as he can never rectify the damage he caused to his victim and to his victim's family. (*Orah Hayyim* 606:1)

Rabbi Jonah Gerondi would remind both Stacey and Matt that among those who do not have a place in the *olam habah* include those who verbally abuse others, who insult others, who mock others, those who gain the confidence of others in order to cause them harm later on, those who promise and don't carry through, and those who know about another's sins, but tell him he did nothing wrong.

Meeting Rabbi Elliot Dorff would really strengthen Stacey's resolve, especially since Rabbi Dorff is writing today and not hundreds of years ago. His responsum focuses on the very situation in which Stacey finds herself. He would tell Stacey that several rabbis, even in the

twelfth and thirteenth centuries[118] strongly condemn wife-beating because the husband is breaking his obligation, stated in his ketubbah, to honor his wife. He would also tell her that the Ashkenazic Hasidim ruled that any insult or shame caused to a person, including wife-beating, is not only a crime but a sin, where repentance was inflicted measure for measure. Rabbi Dorff, writing for the Conservative Movement, would assure Stacey that modern *halakhah* states that "wife-beating is prohibited by Jewish law and a commitment to the life and health of the woman is paramount."

Stacey listens to this information and then says, "OK, Rabbi, that's what Judaism says, but this isn't the old days. What do the psychologists say?" And Matt really challenges you, saying "Sure, the old guys say that repentance is good for me, but what difference will it make in my life in the twenty-first century? When I watch television or read the paper, people forgive each other all the time. Why are you telling me I have to go through this whole process?"

It's easier to answer Stacey because she truly wants to know, whereas Matt's hostility will make it more difficult to deal with him. It's important to learn, from each of them, impressions of contemporary repentance. Stacey admits that she is confused. She learned in Hebrew School that you had to really be sorry and apologize, yet on television she sees people forgiving murderers. And what does that preacher mean by the "Judeao-Christian concept of forgiveness"? You give Stacey and brief lesson in sin and repentance in Judaism, and sin and repentance in Christianity. You assure her that Judaism and Christianity differ in many ways, and that this is one key area of difference. Judaism says that Stacey does not have to forgive the heinous crime of abuse even if Christianity emphasizes that she should. You tell her that Judaism emphasizes the interpersonal nature of repentance whereas Christianity sees repentance

---

[118] R. Simha b. Samuel of Speyer; R. Meir b. Barukh of Rothenberg (the Maharam); and r. Perez b. Elijah of Corbeil.

as an internal process. She asks you for a referral to a therapist, "Rabbi, will every Jewish therapist understand this?" You tell her, "probably not," but that you will make some calls and provide her with some names of therapists who do understand the Jewish concepts.

You have to deal differently with Matt. While Stacey sees you as a source of support, Matt is embarrassed and ashamed, and is sure you are judging him. While you can't condone Matt's behavior, you don't want him to feel that Judaism is rejecting him, and you want him to know that our tradition places a very high value on true repentance. But guiding Matt through *teshuvah* is going to take a delicate combination of *din* and *rakhamim*, judgment and compassion. Robert Karen's book may help with some insights into Matt, as will Laura Davis' book. But Solomon Schimmel is going to be the best resource for you at the beginning. Matt has to understand that his process of *teshuvah* and Stacey's process of healing are both going to take a long time, and because there are a number of variables for each of them, there is no way to predict what that time frame will be. You will want to share with Matt the concept of the *yetzer hatov* and the *yetzer harah* coexisting within every person, and that it's an ongoing struggle for each of us to balance one with the other, with the goal for the *yetzer hatov* to prevail. You don't want him to think that his task of *teshuvah* is so overwhelming that it's near impossible to accomplish. You do want him to know that Stacey is going to be angry with him, and that the lessening of her anger does not mean that she has forgiven him. He has to want to do *teshuvah* for his own good, not so Stacey will forgive him.

Rabbi Harold Kushner has some good advice for Stacey. He would tell her that sometimes we use anger because that's the only power we have over someone. People also tend to maintain the stance of "victim," and while this may initially provide a certain emotional satisfaction, Kushner would recommend that Stacey try not to do this because it will keep her in

a helpless and passive role. If she can let go of the anger and bitterness she can decrease the power that Matt has over her.

Stacey will need to keep herself healthy; she has a difficult role ahead of her, and still has to take care of her two young children. She will probably be interested in the mind-body relationship between emotional stress and illness. The sooner she can get involved in moving away from anger and towards healing, the better it will be for her health.

Laura Davis will make sure that Stacey knows that reconciliation and forgiveness are not identical. Although Stacey may go through many of the same stages, she can find healing for herself and also have a workable relationship with Matt, perhaps only as the father of her children, without forgiving him for his abuse. Davis would urge Stacey to really use this opportunity to learn about herself and become comfortably autonomous. Then if she does decide to renew her relationship with Matt, it will be from strength, not out of neediness. This will also help her refrain from entering into other potentially abusive relationships.

Davis agrees with Rabbi Kushner that hanging on to your anger keeps you in a bitter and hardened place. While Stacey does have to mourn for what has happened, she wants to be careful to not become fixed in bitterness. And this is a situation where she will have to be completely honest with Matt about her feelings. This is not one of those situations where you would want to hold back on how you feel. Should Stacey and Matt, somewhere down the road, decide to try to reconcile, each needs to learn to listen to the other. Reconciliation, Davis would remind Stacey, requires honesty and kindness on the part of both parties.

Davis would tell Matt that he has to be brutally honest about his role in the situation, and that he will have to continually take stock of himself and his feelings. This agrees with what you've told Matt – that the Talmud says that complete *teshuvah* affects your personality and how

you live every aspect of your life. Davis' final words for Matt are words that Stacey needs to hear as well: There is no forgiveness until a wrong has been acknowledged, and there has been remorse and restitution on the part of the wrongdoer. Forgiveness without accountability has no teeth. It is the offender's acknowledgment, apology and restitution that make the potential of forgiveness possible.

Rabbi Mark Dratch is another really good source of advice for Stacey and Matt. Rabbi Dratch is concerned that the meaning of forgiveness has been misinterpreted by Jewish religious leaders, who should know better. He would assure Stacey that the granting of forgiveness is neither inevitable nor automatic, even if Matt sincerely apologizes to her the mandated three times. He would make sure she knows that there is no Jewish legal obligation to forgive in all circumstances. Not only may Stacey withhold forgiveness until she is sure Matt is truly repentant, she may even withhold forgiveness if it will benefit her personally. Dratch would remind Stacey that even God has been known to withhold forgiveness.

Dratch would tell Matt that a person who perpetuates a cycle of violence can be compared to the person who says, "I shall sin and repent, sin and repent." In such cases, there is no true repentance, and Stacey is under no obligation to forgive him. His continual abuse of her violated her physical, emotional and psychological well being, and affected the children as well. If Matt does not really change his character and his behavior, he can't expect Stacey to consider forgiving him. Dratch would remind Matt that it is Stacey's well being that is most important, and that his true repentance is a necessary and indispensable prerequisite for forgiveness, something that must be earned and deserved. He would also remind Matt that he can't blame anything or anybody else for his sins.

Rabbi Simkha Weintraub will be a good source of help for both Stacey and Matt. Rabbi Weintraub will tell Matt not to be taken in by friends who are too understanding of his situation; they do him no favor. Not only does Matt need to be straight with himself, but he also has to realize that it's not words that are necessarily most important here. Matt has to not only "talk the talk but also walk the walk." Because, in retrospect, if he and Stacey do reconcile, the words become incidental; "walking the walk" is what has accomplished the transformation. Weintraub would ask Matt to try to put himself in Stacey's shoes; would he believe "I'm sorry" if he heard it? She would be justified in replying, "You've said that before." He would also suggest, should Stacey decide to try reconciliation – after Matt has gone through treatment, of course – that Matt should not move right back into the house, but should live elsewhere in the community until trust has been established. This transition is very important for Stacey's sense of safety.

As Stacey moves through her own healing process. Laura Davis would have some additional advice. She would tell Stacey that when you are in an intimate relationship with someone, and that person commits an "unforgivable injury" such as abuse, your sense of equilibrium is destroyed and the entire relationship is thrown off balance. In order to regain balance, Stacey must go through a process in which she reclaims the power, choice, and resources she lost as a result of the abuse. Grief and anger are essential parts of this process and should not be denied or rushed through. Davis would also recommend, at an appropriate time, mediation. A skilled mediator can help both parties establish terms of engagement – rules by which they agree to abide so that they can interact peacefully in limited circumstances.

Davis would also tell Stacey that she'll need courage to attempt reconciliation, and that this may feel risky. She'll introduce Stacey to Anais Nin's wonderful quote, "Life shrinks or expands according to one's courage." Stacey may want to put this up on her refrigerator as a

reminder for days when she feels her courage faltering. Davis will also remind her that she doesn't really owe Matt anything; she has to put herself and her own well being first and foremost.

Davis would repeat her admonition to Matt that it is only his accountability that will give him a sense of self-respect, and that without that, he will not be able to transform his history of violence and manipulation. Matt needs to face his own grief and pain, acknowledge his wrongs, and then take steps to redeem himself. If he doesn't, he will stay mired in shame, guilt, and isolation, and that will lead to repeat violations – if not with Stacey, in other relationships. What Matt does at this point will determine the course of the rest of his life.

And you, the rabbi – well, you hope that Stacey and Matt will get the help each of them needs, and that Stacey, and hopefully Matt as well, reach a state of *shlemut* – wholeness. Thinking back over the day, you realize that we do congregants a disservice by limiting the conversation about forgiveness and *teshuvah* to the High Holy Days. These concepts have the power to teach about the fragility of relationships, how they can be strengthened, and what threatens them. People who are in abusive relationships need to know that our tradition neither expects nor obligates them to forgive the one who has hurt them, and that there is great compassion and support during the healing process. People need to be clear about the steps of *teshuvah*, so abusers know that although our tradition sets high standards for repentance, there is encouragement and compassion for them as well. By speaking openly about forgiveness and *teshuvah*, we open our doors to others who are living in abusive relationships. Today has been a real eye-opener for you.

A final issue – and a very important one – is preparing rabbis to deal with people like our fictional Stacey and Matt. In a discussion about dealing with couples in crisis, where the dynamics and chemistry with each couple can be so different, Rabbi Simkha Weintraub expressed his concern about rabbis being trained appropriately. Weintraub would want every rabbi to have social work training. Barring this, he feels the rabbi needs access to regular supervision or consultation. "Spiritual counseling could clash with the appropriate clinical direction if you don't know what you're doing. Sometimes the best way of saying things is by getting underneath the words and getting into the dynamics. Rabbis have a really critical role to play."[119] Weintraub continues, "Naming the problem is the first step. We need to learn how to handle relationships that are changing. What is the responsibility of the rabbi to the various parties (and their new partners)? What is the responsibility to a victim? Is there a role in the congregation for an abuser who has not gone through a treatment program, who has not truly done *teshuvah*? Even when somebody has repented, how does a rabbi deal with the abuser? You don't want to err on the side of forgiveness on the one hand or judgment on the other. Openness needs to be balanced with some sense of judgment. It's a challenge to deal with the lack of trust we might feel when an offender (of any kind) comes back into the community. Yet, if we isolate the person and label him, we will likely face the problem of him repeating his abuse in some way."

How do we gain this wisdom? Granted, some of it comes with practice and with maturity. And a great deal of it comes from knowing yourself. Each of us has trigger points – buttons that can be pushed under certain circumstances. We need to understand our own needs for revenge, for justice, and where *our* needs might interfere with helping others. As a rabbi, it is essential that we be able to separate out our own issues – our own baggage –from that of those

[119] Interview, November 21, 2003.

who need us. And we need to experience the humility that comes with being a penitent – by going through our own process of *teshuvah.* Engaging in individual counseling can be very helpful for personal growth in this area, as can counseling courses and pastoral training for professional growth.

I believe that the most challenging part of being a rabbi – and perhaps the most meaningful – is offering yourself as a vehicle to guide congregants through perilous times in their lives. These are also the times when there is little margin for error. People tend to endow a rabbi with tremendous power, and this power is intensified when the individual seeking help is emotionally fragile. It is an awesome responsibility, a time we are truly in partnership with God in repairing the world. I pray that I will be up to the task.

Bibliography

Davis, Laura. *I Thought We'd Never Speak Again: The Road from Estrangement to Reconciliation.* New York: HarperCollins, 2002.

Dorff, Elliot N. *Responsa on Family Violence.* New York: Rabbinical Assembly, 1995.

Dratch, Mark. "Forgiving the Unforgivable? Jewish Insights into Repentance and Forgiveness." *Journal of Religion and Abuse* 4, no. 4 (2002).

Enger, Cindy G. FaithTrust Institute, Seattle. Telephone interview: December 2003.

Feldman, Daniel Z. "To Forgive is Divine, and Human: The Bilateral Obligation of Forgiveness" in *The Right and the Good.* New Jersey: Jason Aronson Inc., 1999.

Foltz-Gray, Dorothy. "The Journey to Forgiveness" in *Arthritis Today* 16, no.5 (2002): 42-45, 92.

Jacob, Walter. *Contemporary American Responsa.* New York: Central Conference of American Rabbis, 1987.

Karen, Robert, Ph.D. *The Forgiving Self: The Road from Resentment to Connection.* New York: Doubleday, 2001.

Kushner, Harold S. *How Good Do We Have to Be? A New Understanding of Guilt and Forgiveness.* New York: Little, Brown and Company, 1996.

Musleah, Rahel. "The Dance of Forgiveness" in *Jewish Women.* Fall, 2002.

Minow, Martha. *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence.* Boston: Beacon Press, 1998.

National Center for Jewish Healing, New York. Reprints.

"Ruth." Telephone interview with survivor of childhood abuse. December 20, 2003.

Schimmel, Solomon. *Wounds Not Healed by Time: The Power of Repentance and Forgiveness.* New York: Oxford University Press, 2002.

Spiegel, Marcia Cohn. E-mail correspondence August and September 2003.

Spitzer, Julie. *When Love is Not Enough: Spousal Abuse in Rabbinic and Contemporary Judaism.* New York: Women of Reform Judaism.

"To Save a Life: Ending Domestic Violence in Jewish Families." Videotape produced by the FaithTrust Institute (formerly the Center for the Prevention of Sexual and Domestic Violence), Seattle. 1997.

United Synagogue of Conservative Judaism. Resolution Implementation Packet: Judaism and Domestic Violence. New York, February 1995.

Weintraub, Simkha Y., Rabbinic Director, National Center for Jewish Healing, New York. Interview, November 21, 2003.

Wiesenthal, Simon. *The Sunflower: On the Possibilities and Limits of Forgiveness.* New York: Schocken Books, 1997.

Websites:
http://www.TheAwarenessCenter.org
Website with information on abuse and incest

http://www.Siawso.org
Website for survivors of incest