

# Resources on T'shuva & Repair

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## Giving An Apology that Works

Jericho Vincent, Executive Director of [Shuva](#)

This resource is from the first session of the T'shuva Series which was held in September 2022 and is shared with the permission of Jericho Vincent of Shuva.

**How do we give an apology that works? The words I am sorry on their own are not enough.**

Many people feel that the apologies they have received are mixed or inadequate. We also have difficulty giving apologies. Giving an apology can be tricky no matter what the intention is.

As the High Holidays approach, some people take time to ask one another, "Do you forgive me?" But the work to apologize and make amends may be lacking. When we apologize, the stakes are high - so are the potential for growth and repair.

Apologizing properly, and recognizing the harm we have caused, requires something similar to what happens in [building muscles, which is the creation of microtears](#). In other words, the work we need to do in apologizing involves breaking ourselves down to bring ourselves up and make ourselves stronger. We become better people - not by never messing up, but by messing up and doing the work to repair the harm we caused.

**Jericho's source sheet on Delivering an Apology that Works:**

<https://www.sefaria.org/sheets/427464?lang=bi>

The Architecture of an Effective Apology - The section from Chulin in the source sheet shows how G-d attempted to recalibrate and come up with a solution to the harm caused to the moon in diminishing it. G-d doesn't get it right on the first attempt to repair, and G-d demonstrates resilience by trying again and again to come up with a resolution. It says: "G-d saw that the moon was comforted." This teaching demonstrates the importance of centering the person we harmed in our attempts at repair because only after G-d sees and centers the moon, does G-d come up with a resolution that works. The text also teaches the importance of the community or other beings in the work to repair harm.

In thinking about applying effective apologies in the workplace, Jericho said, "The ability to navigate apology and repair effectively emerges from where we are personally - if we can't do it in our personal lives, it is unlikely that we can do it in our workplace." When we think about the apologies we need to give, we may want to reflect on the things we would want to hear from someone apologizing to us and apply it.

## Restorative Justice: Jewish Roots

Restorative justice centers the idea of repair. It asks: What has been damaged? It seeks justice by attempting to repair the damage. It recognizes that healing has to be relational.

Three elements of restorative justice that we can infuse into our apologies:

1. **Centering the one who was hurt** - Make sure our apology is without excuse or explanation, but about emphatically affirming the hurt and the person we harmed. Make the apology about them. Paradoxically, this involves first taking the time to center ourselves and ask what damage, wound, or confusion in ourselves led us to hurt this person. And what do we need to do so that we never act that way again. Turning inward first will help us center the person we harmed.
2. **The important work of community in relationships** - Restorative justice brings together the one who caused harm and the one who was harmed, as well as their support people and other stakeholders. This was evident in the time of the *bet din*, Jewish court, where people were judged, asked to take accountability, and held in a microcosm of community. When we deliver an apology we need to consider who the other stakeholders are. Can we call upon them to help hold us accountable for whatever action we want to take to repair and to support us as we become better? And are there people that the one we harmed can bring to support them as we try to repair how we have harmed them?
3. **Believing in the inviolable goodness of every person** - This belief is essential and includes the goodness of the person who caused harm. It is why it is called *teshuva*, which means returning. If we are owed an apology there is something in believing the inviolable goodness of the person who caused harm. If we are the harm doer, we need to believe in ourselves that we can be better. We are returning to the goodness that is always present in us. Shame can get in the way of delivering a good apology, so anchoring on to this belief can help us overcome the same. This belief does not mean that we are absolved by our wrongdoing by merely existing - but that we have the ability to reckon with what we have done.

Know that there is a time and place for apologies. We need to first pay attention to the needs of the person who was harmed. This means doing the work around whether or not the person we harmed wants to hear from us.

## What Do We Mean When We Ask a Sexual Offender to “Do T’shuva?”

[Dr. Claire E. Sufrin](#), Senior Editor at the [Shalom Hartman Institute of North America](#)

This resource is from the second session of the T’shuva Series which was held in September 2022 and is shared with the permission of Dr. Sufrin and Shalom Hartman.

From 2021-2022, five scholars in the Created Equal Research Group at the [Kogod Research Center](#) asked:

### ***What do we mean when we ask a sexual offender do to t’shuva?***

They noticed a pattern when stories of sexual misconduct, harm, and abuse were raised in the media and in organizations and institutions and they turned to Jewish sources that can help us think about this question.

#### **1. There are calls for t’shuva.**

There is often a call for t’shuva or repentance and [Danielle Berrin](#), writing about the sexual assault she experienced by Ari Shavit and that she is not ready to forgive him, describes t’shuva as such:

*This is why the Hebrew word for “repentance” is “teshuva,” or return — as in a return to your higher self, a return to your essential goodness, a return to recognizing your own dignity and the dignity of others. The repentance process begins with an “accounting of the soul” (heshbon ha’nefesh), an examination of how one has failed or fallen short. God can forgive sins against God, but notably, sins between people can be forgiven only by the aggrieved. Judaism requires that transgressors seek out those they’ve hurt and ask forgiveness of each and every person. If rebuffed, the tradition demands the transgressor ask no fewer than three times before moral responsibility is lifted.*

#### **2. There are limits to t’shuva.**

The research group could not think of an example where someone who has been harmed, abused, or harassed publicly stated that the person who harmed them has done enough t’shuva and can be welcomed back to their community.

They understood the limits of t’shuva to include:

- How to measure someone’s t’shuva? How much t’shuva is enough?
- Who judges whether enough t’shuva was done?
- What is the ultimate goal of t’shuva? Can an offender return to the community?

### 3. Jewish texts can help us understand t'shuva.

Rabbinic texts do not discuss sexual harassment and abuse and how power structures play into sexual abuse, though there are Torah laws and commandments against incest and other sexual crimes. However, the rabbis were interested in serious sins and crimes that can help us think about what we need as a community in recovering from sexual abuse. In their writing, they sometimes use the word 't'shuva' and they also use other words. Three texts are instructive when thinking about t'shuva.

- a. Confession before the death penalty: Looking at Mishnah Sanhedrin 6:2, which discusses the opportunity to confess that a person who is about to be put to death is given, is helpful in understanding what it means to repent:

*When the condemned man is at a distance of about ten cubits from the place of stoning, they say to him: Confess your transgressions, as the way of all who are being executed is to confess. As whoever confesses and regrets his transgressions has a portion in the World-to-Come.... And if the condemned man does not know how to confess, either from ignorance or out of confusion, they say to him: Say simply: Let my death be an atonement for all my sins.*

The confession accomplishes the person getting right with G-d, knowing that they can die and go be with G-d in the World to Come like any other person who has confessed and atoned for their sins. But, the person is still put to death. In other words, their confession does not cancel out the death penalty. **T'shuva, therefore, is not a wiping clean of the slate. There is a difference between atoning for our sins and getting okay with G-d versus getting okay with our fellow human beings who we have harmed.**

- b. (In)complete t'shuva: In rabbinic society, people made a game making bets on dice, nutshells, and pomegranate rinds. In this text, the rabbis discuss the problems of betting, people who lend money and charge interest, and setting up animal fights and having people make bets on these fights:

*For one who plays with dice and one who plays with nutshells and pomegranate rinds: they can never repent [literally "return"] from this until they break the dice and [thus] do complete repentance [chazarah gemurah]. One who lends with interest cannot repent from this until he tears up his documentation and [thus] does complete repentance... The same is true for one who exhibits pigeons and one who exhibits any kind of domestic or wild animal or bird: they can never repent from this until they break the scenery they use for their exhibitions and [thus] do complete repentance. (Tosefata Sanhedrin)*

Here, the rabbis use two different words for repentance interchangeably - *t'shuva* and *chazarah*. This is a gift from the rabbis teaching us that *t'shuva* is not the be all and end all about repenting or stopping sin. We can use *chazarah* and other words to discuss this. This text also introduces the idea that there can be complete and incomplete repentance, which invites us to ask how much repentance is enough as well as what complete repentance entails. **Complete repentance takes a lot - this text shows that it means taking extraordinary efforts so that you won't be able to do the sin again. And the text suggests that it is on the individual perpetrator to make that effort.**

What do we demand of sexual predators to make it nearly impossible for them to offend in the way that they did without great, extraordinary effort? **The rabbis teach us that it is not enough to recommit not to reoffend or to not sin. Saying the right words is also not enough. Instead, there are observable actions that people must do for us to see that they are engaged in complete repentance or *chazarah gemurah*.**

- c. Chillul Hashem (Desecration of G-d's name): The leaders of a community write to Maimonides and ask what to do about a ritual slaughterer who has been cheating people in some way (by overcharging or selling non kosher meat as if it is kosher). The ritual slaughterer is failing in the performance of the duties of his role and the community wants to know what to do with him. Being a slaughterer is how he makes his living but people feel uncomfortable having him continue in his role knowing what he did.

*It is already well known among the Gentiles that we would only appoint the most appropriate among us to perform slaughter, and also as our judges and prayer leaders...And [in regard to] a person like this: it is prohibited for one who believes in the Torah of our master Moses, and who cares about the honor of their Maker, to allow this person to perform ritual slaughter for the masses, even if he did full repentance, due to the desecration of God's Name. It is, however, permissible for him to perform ritual slaughter for individuals who wish him to in his own home. (Maimonides, Responsum 173)*

Maimonides replies that it would be a desecration of G-d's name to have the ritual slaughter continue in his communal role. However, he may perform ritual slaughtering for individuals who want him to, in their homes. Maimonides refers to three types of communal leaders in his response; judges, prayer leaders, and ritual slaughterers. **These are all people who, through their role, help the community fulfill their obligations to G-d.** You would not want a corrupt person in these positions. **When people like this fail to do their jobs properly, no matter how much repentance they do, they can never be restored to their jobs.** The ritual slaughterer can have full repentance before G-d and the forgiveness of everyone in the community, but he cannot be the community's slaughterer ever again **because he used his position to sin and to lead other people into sin.**

For Maimonides, there's a category of sin that, no matter how much t'shuva one does or how right they are with G-d, the community cannot put them back in the position that they used or abused to commit the sin. This is the category of hillul hashem - it is more than a mistake at other human beings. It's a sin that makes G-d look bad and the very idea of G-d seem unholy. These sins are too great.

This is a powerful text that is not about sexual abuse. It's a text about communities and their leaders that understands the amount of trust a community puts into its religious leaders to make their religious life possible. The research group wondered: **What if a community today decides that there are other behaviors that are a hillul Hashem? What if we decided that a leader who abuses congregants, or students, or mentees, or people who are counting on that leader to nurture their spiritual lives - who abuses that kind of trust - cannot be a leader again?**

There *can* be atonement through actions the slaughterer can take, however, such as refunding the meat he sold or donating food to the needy. He can also continue to live in the religious community and even make a living as a slaughterer for individuals in their homes. But he can never again be appointed as the central ritual slaughterer for the community. Because his sins - like sexual sins and crimes - are desecrations of G-d and of what it means to live in a moral and ethical community.

4. Communal t'shuva: An example of communal confession that can set red lines and communicate what communities won't tolerate and what they consider to be hillul Hashem:

*For the sin we committed through inappropriate use of power.*

*For the sin we committed by inappropriate sexual advances.*

*For the sin we committed by putting people in power without oversight.*

*For the sin we committed by not taking seriously the complaints of a colleague.*

*For the sin we committed by not believing victims when they spoke up.*

*For the sin we committed by not being aware of our own power or privilege when making an advance. (Excerpt from "[An Al Chet for the #MeToo Era](#)" by Danya Ruttenberg, Shira Berkovits, S. Bear Bergman, and Guila Benchimol)*

**We do need t'shuva - it *is* the appropriate answer - on the communal level.** It's a way for the entire community to say, "Bad things happened in our midst, we are all responsible for allowing them to happen - at a minimum, and we are all going to say out loud that it was unacceptable that we allowed it to happen." But at the level of the individual, t'shuva isn't a word that can do enough or carry the weight we want to give it.

**These sources and others will appear in an article in the forthcoming issue of [Sources](#).**

## Restorative Justice and T'Shuva Repairing Harm to Individuals and Communities

Alissa Ackerman, PhD and Kevin Lynch, [Ampersands Restorative Justice](#)

This resource is from the third session of the T'shuva Series which was held in September 2022 and is shared with the permission of Alissa Ackerman, PhD, Kevin Lynch and Ampersands Restorative Justice.

**Ampersands Restorative Justice Vision:** A world restored from sexual harm.

**Ampersands Restorative Justice Mission:** To heal and prevent sexual harm by making restorative justice accessible to and inclusive of all the people and communities affected by it.

**Restorative justice** is a survivor-centered and trauma-informed approach to repairing harm that can take many forms; from one-on-one facilitated conversations to circle processes and more.

### Session Summary

This session covered the basics of restorative justice and how it can be used as a tool to repair sexual harm in the Jewish world. It discussed how t'shuva can support the prevention and repair of harm between individuals, and also support communities at large after harm has taken place. This session included an individual who has caused sexual harm and engaged in a process of taking accountability through [vicarious restorative justice](#).

**Dr. Alissa Ackerman** spoke about her personal experience as a survivor of sexual violence and her academic career in criminal justice. She recognized that if she wanted to end sexual harm, she couldn't only work with survivors but needed to also work with those who cause harm. She began working with offenders and treatment programs as a professional and was then asked to meet with men who caused sexual harm as a rape survivor. Sharing her personal experiences with them as well as the consequences of being raped and having them ask her questions - and asking the men questions about the harm they caused - allowed for a profound kind of healing. She realized that what she was doing was a version of restorative justice.

**Kevin Lynch** spoke about his upbringing and shared that in his early 20s he committed a date rape. He knew deep down that he had done something wrong but did not want to think about it. He spent the next several decades pushing down what he had done but it had consequences on his life. In 2016, after the release of the Access Hollywood tapes during the U.S. presidential campaign he published a piece titled [Just Like Trump](#) in which he disclosed sexual harms he had caused and urged men to take responsibility and accountability for their actions.. He then participated in a [vicarious restorative justice circle process](#) led by Alissa. Later, they co-founded Ampersands Restorative Justice recognizing that both those who have been harmed and those who have caused harm need to be at the table.



Focusing on the humanity of every individual, **restorative justice** approaches people in the image of G-d in which they were created. It is based on Indigenous wisdom, recognizes the unique needs of every survivor, and ensures that processes are designed with these needs in mind.

The values that guide a restorative justice response include:

- Human centered
- Compassionate
- Trauma informed
- Empathy
- Inclusivity
- Connection
- Honesty
- Authenticity
- Vulnerability
- Accountability
- Truth telling
- Respect

**Accountability** is key in restorative justice and, though it is not equated with punishment, it does not mean that there are no consequences for the one who has caused harm. However, it is helpful to approach those who have caused harm with humanity and compassion if they are to take responsibility. And it is important to not cause further harm in the process.

The criminal legal view and the restorative justice view of harm is very different. In the criminal view, violations create guilt and justice means that the state imposes punishment. But in the restorative justice view, violation creates obligations because it recognizes that crime and harm is a violation of people and relationships. In restorative justice, the focus is on the needs of the person who was harmed AND the person who caused the harm, who must take responsibility and repair the harm.

The questions that restorative justice addresses keep survivors at the center and are:

1. Who has been harmed?
2. What are their needs?
3. Whose obligations are these to meet those needs? (Zehr 2015)

**Survivors' Needs:** Survivors, or those who have been harmed, may have various needs and they will be different for different survivors. They can include being believed and acknowledged, accountability of the harm doer, getting information, restitution, prevention, and more. The person who can meet those needs is often the one who caused them harm.

**Harm Doers' Needs:** The person who has caused harm also has justice needs including accountability, encouragement to experience personal transformation, and encouragement and support for (re)integration into the community.

**Ampersands's 5 Part Amend Process:** It is survivor centered even though it comes from the person who caused harm. It helps the person get really clear on the harm they caused.

1. I am making an amend for \_\_\_\_\_.
2. What I did was wrong or harmful because \_\_\_\_\_.
3. I have learned/in the future I will \_\_\_\_\_.
4. Is there anything you wish to say to me?
5. What can I do to repair the harm I caused you?

Actions people can take to repair the harm could include paying for therapy, donating to a survivor organization, paying for a restorative justice process, staying sober, calling others to account, and more.

**Restorative Justice and T'shuva:** The amends process is active and similar to the [steps of teshuva](#). Restorative justice includes acknowledgement, addressing root causes of harm, includes an amends process, and involves active accountability. Teshuva includes regretting, renouncing, confessing, reconciling, and making amends. Both need to first consider if the survivor is interested.

The harm one causes can have ripple effects on their community and the community of the person who was harmed.

Therefore, restorative justice considers the **justice needs of the community** which includes:

- Attention to their concerns as individuals impacted by harm,
- Opportunities to build a sense of community and mutual accountability,
- Opportunities and encouragement to take on the obligations for the welfare of community members.

Communities have obligations to support both those who were harmed and those who caused harm and to hold the latter accountable. Restorative justice takes [institutional courage](#) and offers the opportunity to do better.

**Additional resources on restorative justice:**

- [Ampersands Restorative Justice](#)
- [Rabbi Paul Kipnes's 6 Steps of Teshuva \(Repentance\)](#)
- Dr. Jennifer Freyd led a session at SRE Network's Convening this year on *The Call to Courage: Lessons and Practices on Institutional Courage & Accountability*. You can watch that session at: <https://youtu.be/aXm-L8YzfzQ>
- [SRE Network's Steps Toward Accountability](#)
- [Hidden Water](#): A restorative justice approach that interrupts the cycle of childhood sexual abuse and the resulting harm to families, communities and society as a whole:
- [TED Talk](#) (Trigger warning; Content warning: rape): Tom and Thordis were dating on the night Tom raped Thordis after a school dance. Years later, Thordis wrote Tom a letter

that began years of correspondence and an eventual meet up to work through the rape. Tom took full responsibility for his behavior and named it in this TED Talk.

- [Q & A with Thordis Elva and Tom Stranger](#), the speakers in the TED talk noted above:
- [A segment of HBO Vice News](#), where Dr. Alissa Ackerman facilitated a process 10 years after "James" raped one of his best friends, Alexis, after a party in their college apartment. The segment begins at the 15 minute mark. (Trigger warning; Content warning: rape)
- [A Better Man](#) (Trigger warning, Content warning: domestic violence): What does it look like to take responsibility for abusing the people closest to us? A Better Man can inspire courageous conversations about intimate partner violence, justice and healing. This film offers a fresh and nuanced look at the healing and revelation that can happen for everyone involved when men take responsibility for their abuse.

## The Atonement Prayers We Should All Say in the #MeToo Era

### *An Al Chet for the #MeToo Era*

*By Rabbi Danya Ruttenberg, Dr. Shira Berkovits, S. Bear Bergman, and Dr. Guila Benchimol*

For the sin we committed through inappropriate use of power.

For the sin we committed by inappropriate sexual advances.

For the sin we committed by putting people in power without oversight.

For the sin we committed by not taking seriously the complaints of a colleague.

For the sin we committed by not believing victims when they spoke up.

For the sin we committed by not being aware of our own power or privilege when making an advance.

For the sin we committed by pushing forward when we should have waited and listened.

For the sin we committed by believing that sexual victimization does not happen in the Jewish world.

**For all of these sins, God, help us rectify the evil we have brought about, help us to restore justice through the hard work of repentance. Only then, God of forgiveness, forgive us, pardon us, grant us atonement.**

For the sin we committed in choosing to think a person who is appropriate with us is appropriate with everyone.

For the sin we committed by choosing our own comfort over the safety of others.

For the sin we committed by focusing on our intent rather than our impact.

For the sin we committed by prioritizing reputations and money over safety.

For the sin we committed by ignoring sexual victimization as a problem until #MeToo.

For the sin we committed by performative wokeness.

For the sin we committed by failing to acknowledge our ignorance about sexual victimization.

For the sin we committed by waiting to stand against a perpetrator until we saw others doing so.

For the sin we committed by making light of victims' suffering.

For the sin we committed by contributing to rape culture.

**For all of these sins, God, help us rectify the evil we have brought about, help us to restore justice through the hard work of repentance. Only then, God of forgiveness, forgive us, pardon us, grant us atonement.**

For the sin we committed by causing survivors to doubt their truth.

For the sin we committed by misusing Jewish texts to promote silence.

For the sin we committed by not supporting survivors.

For the sin we committed by gaslighting victims and victim advocates.

For the sin we committed by cutting corners in best practice protocols.

For the sin we committed by talking more than listening.

For the sin we committed by prioritizing nuance over moral clarity.

For the sin we committed by urging those who have been victimized to forgive, especially before their perpetrator did the hard work of repentance.

For the sin we committed by prioritizing some victims' voices over others.

For the sin we committed by requiring vulnerable people to depend on me, rather than investing in the development of healthy, decentralized systems that empower the entire community, and hold us accountable.

**For all of these sins, God, help us rectify the evil we have brought about, help us to restore justice through the hard work of repentance. Only then, God of forgiveness, forgive us, pardon us, grant us atonement.**

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### **An Ashamnu for #MeToo**

*By Rabbi Danya Ruttenberg, S. Bear Bergman, Leah Greenblum, Emily Becker, Abby Citrin*

We **Abused** our power, we didn't **Believe** survivors, we were **Complicit**, we **Demeaned**. We **Echoed** the majority, we **Focused** on our own self-interest over safety, we **Gave** abusers opportunities to further harm, we **Humiliated** survivors, we **Ignored** our impact, we **Justified** inappropriate behavior. We **Kept** abusers in power, we **Laughed** at jokes that supported rape culture, we **Marginalized** narratives that weren't easy to digest, we **Normalized** problematic behavior, we **Ostracized** victims, we **Participated** in the erasure of survivors' voices. We **Questioned** survivors' motivations, we **Reinforced** harmful myths, we **Silenced** voices trying to come forward, We **Trivialized**. We didn't **Use** safe protocols, we **Violated** boundaries, we **Waited** too long to take action, we **eXonerated** perpetrators who didn't repent, we **Yielded** to our basest impulses, we **Zealously** defended perpetrators of harm.