

# *T'shuvah* for Our Time: When Sexual Violations Have Taken Place

*Jack H Bloom*

In 1981, the Task Force on Jewish Sexual Values was mandated to examine “rabbinic tradition and contemporary social science concepts, to determine where they converge and how they differ on the contemporary sexual condition.”<sup>1</sup>

What follows started with a phone call from Rabbi Jonathan Stein. I had barely finished complimenting him on the excellent and daring work he and the Ad Hoc Committee on Human Sexuality had done in the Symposium on Human Sexuality,<sup>2</sup> resulting in “Toward a Taxonomy for Reform Jews to Evaluate Sexual Behavior,”<sup>3</sup> when he asked if I would do a follow up chapter on *t'shuvah*. As consultant to the Central Conference of American Rabbis Ethics Committee<sup>4</sup> I had some experience trying to help that committee establish ways of ascertaining if a violator of CCAR norms had done *t'shuvah*, and could be allowed back among the employable. Flattered at being asked, I agreed to undertake the challenge. I didn't realize what I was getting myself into. I thought I was presented with a simple question. If we accept a taxonomy of sexual behavior, similar to that put forth by Rabbi Stein, and we stand in a tradition of being *rachmanim b'nei rachmanim*,<sup>5</sup> whose mandate allows for *t'shuvah*, and violations of the taxonomy have taken place, how do we know when one has accomplished *t'shuvah*?

It was, and is, an important, tempting question. Nonetheless, it was, and remains, the wrong question. It is unanswerable. Answering unanswerable questions is a needless spinning of our wheels. There is no way one can know with surety that others and even we ourselves have done *t'shuvah* and that the *t'shuvah* we may have done will hold. The “True *T'shuvah* Detector” awaits its Thomas Edison, and will, when invented, require extensive field testing that

---

JACK H BLOOM (JTS59), author of *The Rabbi as Symbolic Exemplar: By the Power Invested in Me*, and editor of the forthcoming *Jewish Relational Care A-Z, We Are Our Others Keeper*, serves the Conference as Director of Professional Career Review.

will, without a doubt, yield questionable results. *T'shuvah* is not permanent, as life is not permanent. Were *t'shuvah* a permanent fix, the tenth of *Tishre*<sup>6</sup> could be more profitably used for feasting, dancing, and assorted merriments for those who had once done *t'shuvah*. All of us with the best intentions of doing, and sometimes convinced we have done, *t'shuvah* repeatedly fall off the horse. That is one of the meanings of being human. That difficulty has not stopped some of the greats of our tradition from daring to answer that question.

Two different, and more important, questions (at least two this author thought worth tackling) are:

1. In an era when personal autonomy, the sovereign self and the right (even more than the ability) to make choices are not only givens but also desiderata to be pursued with vigor, how can we understand *t'shuvah* in our day, especially in as fluid and in flux an arena as sexual behavior?
2. And what role can we, as heterodox liberal rabbis, play in helping *t'shuvah*, imperfect as it may be, to happen.

We are charged both to remain loyal to our tradition and to explore what modern models can teach us. As rabbis, committed to the ongoing search represented by rabbinic tradition, how do we use our best understanding today to assert what "they" would have interpreted had "they" known? How can we respond, both to those in our own ranks, and to those whom we serve, to help them do *t'shuvah* in the pursuit of being a holy people?<sup>7</sup> To help *t'shuvah* happen we need a grounding that is both authentically Jewish and currently meaningful.

It is an audacious challenge. Heirs to a tradition that has spent thousands of years dealing with and emphasizing *t'shuvah*, what new understanding will make a difference and what new means are usable beyond the well-worn, still indispensable tools of confession, contrition, and promises for the future? "We are not so rich that we can do without tradition. Let him that has new ears listen to it in a new way."<sup>8</sup>

*T'shuvah* must take back its original meaning as return and/or answer. But the question remains: return and/or answer to what? I will present very briefly, given its long and copious history, the traditional response to that question, and excerpts from some recent models by both orthodox and heterodox writers, suggesting where they are wanting in terms of the model I propose. The model

## SEXUAL VIOLATIONS

presented is a useful heterodox model of human “beingness” and *t’shuvah*, both consonant with, and building usefully on, our long heritage. It can be very useful in both conceptualizing *t’shuvah* in our time and helping *t’shuvah* happen in sexual and other contexts. This model suggests that our repeated use of *Tzelem Elohim* as a mantra is inadequate and may, indeed, be a well-intentioned distortion of our biblical underpinnings. In the light of this model I suggest some rewriting of the underlying presuppositions the CCAR Ad Hoc Committee on Human Sexuality has used. I will offer one model from an orthodox author that is eminently current and supports our model. I will suggest some ways of helping us assist in the process of *t’shuvah*

First, when we translate, we need to pay exquisite attention to the words we choose. The nuances of the words we use are vitally important. They change the meanings and overtones of our discussion. We do well not to use the words “*t’shuvah*” and “repentance” interchangeably, *not* to tell our people that the one is the other. They are not the same. “Repentance” is *not* the translation of “*t’shuvah*.” “Repentance” derives from Old French; the meanings of “repent” are as follows:

1. *reflexive*: To effect (oneself) with contrition or regret for something done, etc.
2. *impersonal*: To cause (one) to feel regret, etc.
3. *intransitive*: To feel contrition, compunction, sorrow or regret for something one has done or left undone; to change one’s mind with regard to past action or conduct through dissatisfaction with it or its results.
4. *transitive*: To view or think of (any action, etc.) with dissatisfaction and regret; to be sorry for.<sup>9</sup>

*T’shuvah* (תְּשׁוּבָה) derives from the Hebrew root שׁוּב. Its meanings are:

1. An answer to a question or claim.
2. Turning back to ones origins.
3. Cycle of time.
4. (Borrowed usage:) Return to the good way; regret, abandoning sin;<sup>10</sup> means a return to God and to the right path.<sup>11</sup>

The last, borrowed meaning has been the traditional understanding, *shuva* (שׁוּבָה;<sup>12</sup> return) is to an external persona, or even process, that has a claim on our behavior, and to whom/which we are account-

able. The lead metaphor about the relationship is reflected in our worship:

אָבִינוּ מֶלְכֵנוּ הִטָּאֵנוּ לְפָנֶיךָ

(*avinu malkeinu chatanu l'fanecha*)

Our Father, Our King, we have sinned against You.

אָבִינוּ מֶלְכֵנוּ הִחַזִּירֵנוּ בְּתַשׁוּבָה שְׁלֵמָה לְפָנֶיךָ

(*avinu malkeinu hachazireinu b't'shuvah sheleimah l'fanecha*)

Our Father, Our King, help us return to You fully repentant.<sup>13</sup>

One appears before a ruler, the ultimate father, God, royalty to whom we owe obeisance. He is a celestial monarch whose commands we have violated or, alternatively, we have sinned against one of His creatures. He is enthroned and passing judgment (especially on Yom Kippur) and is capable of both judgment and mercy, though we are reassured that He has a strong streak of forgiveness in His nature. We are obliged/advised to implore and engage this quality in Him. The rules of this crucial game involve recognition of one's transgressions, confession, imploring God's forgiveness, and receiving pardon in return for promises (sincerely meant) not to repeat the offense.

Or, in a traditional high point of the High Holyday liturgy, there exists a seemingly kinder, more evocative, more benign metaphor—though it leaves humankind in the position of sheep—of a (divine) shepherd counting and determining the destiny and fate, sometimes deserved but often quite capricious of each member of His flock. The metaphor of God accepting and dispensing *t'shuvah* does not resonate for most of us as it did with our ancestors. It has an antiquarian sound, which we might mine for meaning as we would Chaucer or Shakespeare, but it is not contemporary. Even that of the divine shepherd counting (a metaphor within a metaphor) and determining the fate of His flock rings somewhat hollow for us who are puzzled by a God whose cognition allows cancer in the world, should it be good to suffer, and the evil triumph. We are no longer capable of talking about reward and punishment in the traditional manner. Only the fundamentalists among us are sure that specific acts and innocent deaths are a result of violations of the 613 commandments. After Auschwitz especially, one cannot believe, even if one believed it before, that there is a simple correlation between living the religious/ethically good life and being rewarded in this world. Evil in the world may result from our doing terrible

## SEXUAL VIOLATIONS

things—it is not the result of God on His throne dispensing just desserts to the “goodies” and the “baddies.”

We are reassured in somewhat equivocal terms:

וּתְשׁוּבָה וּתְפִלָּה וּצְדָקָה מְעַבְרִין אֶת רֹעַ הַגְּזֵרָה  
(*u't'shuvah, u't'fillah, u'tz'dakah ma'avirin et roa hagezerah*)

But penitence, prayer and good deeds  
can annul the severity of the decree.<sup>14</sup>

or alternately:

But Repentance, prayer and Charity  
temper judgment's severe decree.<sup>15</sup>

### The Traditional Understanding

*T'shuvah* is perhaps best described by the words of two scholars whose names I never heard in rabbinical school,<sup>16</sup> Kaufman Kohler and Max Scholoessinger, who wrote the article on “Repentance” in the original *Jewish Encyclopedia*:

The full meaning of repentance, according to Jewish doctrine is clearly indicated in the term “teshubah” [sic] (lit. “return”; from the verb). This implies: (1) All transgression and sin are the natural and inevitable consequence of man's straying from God and His laws ... (2) It is man's destiny, and therefore his duty, to be with God as God is with him. (3) It is within the power of every man to redeem himself from sin by resolutely breaking away from it and turning to God, whose loving-kindness is ever extended to the returning sinner ... the manifestation of repentance<sup>17</sup>—consists in: (1) Confession of one's sin before God (Lev.V;5; Num.5;7), the essential part of which, according to rabbinical interpretation (Yoma 87b; Maimonides,) is the solemn promise and firm resolve not to commit the same sin again.<sup>18</sup>

The modern Reform position remains essentially the same. Writing in *Reform Judaism*, the author Grant Perry describes his “hero” as doing *t'shuvah* (literally “returning”), which the author describes as “a process that includes confession, seeking forgiveness, change of behavior, and ultimately a change in character”<sup>19</sup>—an outcome devoutly to be wished for.

We are, most of us at least, no longer able to think of *t'shuvah* in terms of obedience to a sovereign, even when we mean it metaphorically. The traditional notion of *t'shuvah* is of limited usefulness to us.

Living in such a world, what is the place of *t'shuvah*? What does it mean? How is it useful to us as heterodox Jews?

The second *Avinu Malkeinu*, beseeching full and complete *t'shuvah*, gives us fits. Deeply problematical, the ability to identify, recognize, and acknowledge that full/consummated *t'shuvah* has taken place is an issue that preoccupied our forbears, who had little trouble with the monarchical *Avinu Malkeinu*. It is clearly not the promise and firm resolve alone, not even the sense, of being forgiven. Fearlessly Rambam, who always went where others feared to tread, offers "an example of fully consummated *t'shuvah*." Rambam asserts that *t'shuvah* is possible because humankind is endowed with free will:

Free Will is bestowed on all. If one desires to turn toward the good and be righteous, one is at liberty to do so. If one wishes to turn toward evil and be wicked, one is at liberty to do so. Thus it is written in the Torah, "Here the human has become like one of us, in knowing good and evil."<sup>20</sup>

Humankind by the exercise of its own intelligence and reason, [Maimonides' understanding of the *tzelem*]<sup>21</sup> knows good and evil, and none can prevent it from doing either good or evil.<sup>22</sup>

Rambam<sup>23</sup> continues:

Every human being may become righteous like Moses ... or wicked like Jeroboam,<sup>24</sup> wise or foolish, merciful or cruel, niggardly or generous, and so with all other qualities. There is none to coerce nor decree how one is to be, nor anything to draw one to either of the two ways. Each person, of one's own volition, turns to the way that they desire.<sup>25</sup>

We have always been the prisoners and the beneficiaries of our era's ways of seeing and experiencing the world. It cannot be otherwise. We moderns no longer think uncomplicatedly of having or not having free will. We recognize that we are both free and not free.<sup>26</sup>

What *t'shuvah* will mean to us, given the changes in our experience, will depend on our particular view of the world, on what we accept as religious "facts." We need to think of *t'shuvah* in a new way, yet, being covenanted inheritors of our tradition, it has to be in a way that has deep roots in our past. There are for us no deeper roots than the biblical story of human creation. The facts:

SEXUAL VIOLATIONS

וַיֹּאמֶר אֱלֹהִים נַעֲשֶׂה אָדָם בְּצַלְמֵנוּ כְּדְמוּתֵנוּ...  
וַיִּבְרָא אֱלֹהִים אֶת הָאָדָם בְּצַלְמוֹ בְּצֶלֶם אֱלֹהִים  
בָּרָא אֹתוֹ זָכָר וּנְקֵבָה בָּרָא אֹתָם: בְּרֵא' כו.כז

God said: "Let us model humankind after us, according to our likeness" ... God created humankind modeled after Himself, in the model of God He created it, male and female He created them.<sup>27</sup>

וַיִּצְרָה יְהוָה אֱלֹהִים אֶת הָאָדָם עָפָר מִן הָאֲדָמָה  
וַיִּנְפַח בְּאַפָּיו נְשָׁמַת חַיִּים וַיְהִי הָאָדָם לְנֶפֶשׁ חַיָּה: בְּרֵא' ב:ז

YHWH, God, molded the human of dust from the soil, He blew into his nostrils the breath of life; and the human became a living being.<sup>28</sup>

What the biblical author presents as the "facts" of our creation in the two creation stories, which daringly assert that humankind created [Tzelem ↔ Neshamah] is modeled after and molded by divinity and is filled with the divine breath, is the foundation of our religious belief. All Jewish tradition is an exposition, expansion, and a playing out of those "facts."

The *Tzelem* of Genesis 1:26–27, following Maimonides, can, perhaps, best be understood to be humankind's cognitive being, since the creating God was, and is, incorporeal, and any other understanding is, or borders on, idolatry.<sup>29</sup>

The biblical author must have recognized that the divine *Tzelem* was not an adequate description of the human condition. He no doubt noticed that people did unspeakable things that made no "sense" and that they "knew" were not in keeping with the *Tzelem*. She no doubt had heard tales told around the well of Cain and Abel, heard from caravan travellers of Sodom and Gemorrah, and countless other stories never recorded. Humans just got carried away and did all kinds of things. That this happened in the sexual arena was evident to anyone above the age of puberty and tragically to many under that age. Despite creation in the *Tzelem*, humanity seemed dragged around by that which was not *Tzelem*. The *Tzelem* could go along on "trips" it knew made no sense. The *Tzelem* all too often seemed to just plain disappear, abandoning the field. "You want to do THAT! You know it's wrong!!! How many times have I told you!! Go ahead, I'm out of here."

The biblical author, evidently unsatisfied with the partial truth of chapter 1, hastens to add the complementary truth of chapter 2 that, beyond our cognitive essence, each of us is a living being because the divine breath, the *Neshamah*,<sup>30</sup> was breathed into us by the Living God.

The *Neshamah* can best be understood as our somatic being, marked by pulsation and throbbing, feelings of all sorts, pleasant and painful, and a sense of corporeal aliveness. We are blessed by the Living God [YHWH],<sup>31</sup> who has infused in us the breath of life, saturating each with the precious gift of *Neshamah*.

The two are inextricably linked, forming the [*Tzelem* ⇔ *Neshamah*]. The brackets [ ] indicate the interrelated unity of these two elements. The double arrow ⇔ signifies reciprocal relationship. The *Tzelem* provides thought, form, and direction. The *Neshamah* gives life, energy, and vitality. The [*Tzelem* ⇔ *Neshamah*] is, at one and the same time, indivisible and yet with each vulnerable part having a life of its own. Thought, form, and direction alone would lead to a useless spinning of the wheels. Life, energy, and vitality alone would be directionless, and we would be dragged around aimlessly by our feelings, which often happens, especially in the area of sexual behavior. We are thus not either *Tzelem* or *Neshamah*, but both simultaneously, interacting reciprocally. When “things” are going well, both parts are in living interaction, and relationship with the other, and life goes on easily. When one is ignored, incapacitated, or traumatized, the other is grievously wounded. We are truly blessed when the *Neshamah* sustains the *Tzelem* and the *Tzelem* shapes the *Neshamah*.

This religious “fact,” that humankind’s inalienable core is the functioning, interacting, reciprocal [*Tzelem* ⇔ *Neshamah*], undergirds our entire Jewish religious structure. This “fact” accounts for who we are and how we are. We ignore it at our peril. All are created this way. If only one of us is not so created we are all in trouble.

The [*Tzelem* ⇔ *Neshamah*] is not negotiable. It is a given, ever present in us and in all others. The [*Tzelem* ⇔ *Neshamah*] is not contingent upon our thinking and feeling correctly, upon behaving one way or another, upon accomplishment or the lack thereof, upon perceived goodness or experienced badness. Each of us, do what we will or won’t, cannot be rid of it. It is our original essence.

Often obscured in the fog of compromised living, the [*Tzelem* ⇔ *Neshamah*] is always waiting to be seen and heard, attended to and returned to. When we and/or others turn away from the [*Tzelem* ⇔

## SEXUAL VIOLATIONS

*Neshamah*], neglecting it in ourselves, ignoring and disregarding it in others, harm is done, commitments are broken, intimacies are violated, sexual violations occur, children are hurt, trusts betrayed, and great evil perpetrated. Blame and contempt, anger and condemnation, violence of all sorts directed toward ourselves but even more dangerously at others, increase our sense of alienation and isolation, turning us ever more away from the [Tzelem↔Neshamah] with which we are blessed, and blocking any chance of experiencing it in others.

The [Tzelem↔Neshamah] is a basic underpinning of our religious beliefs. It is what is being explored and expanded in rabbinic learning and teaching. One could well assert that it is more important how we are created and function than even who created us. Without that underpinning as a religious “fact” we are all in deep danger. How Reform and other heterodox Judaisms look at these underpinnings and understand them in the real world is crucial to what an authentic Jewish position can be.

Accepting our having been created [Tzelem↔Neshamah] leads to a sea change in our thinking about the process and meaning of *t’shuvah*. What can we say of *t’shuvah* in our time that takes into account how these religious “facts” affect our understanding?

We dare assert that *t’shuvah* is responding to, and answering the call of, the [Tzelem↔Neshamah]. *T’shuvah* is taking the time and making the effort to turn back to our origins, reclaim and repair our [Tzelem↔Neshamah] relationship that the vagaries of life have often damaged and wounded, yet that always awaits our return. *T’shuvah* is turning to witness and experience our [Tzelem↔Neshamah] “selves” and what we have until now referred to as our Self in a new way. Having done that, we then inexorably experience others, the world and God in a new way.

This understanding requires a rewriting of #1 in the statement of Reform Jewish Sexual Values.<sup>32</sup> A rewriting that the author understands not all would agree with, but in the spirit of אֱלֹהֵינוּ רַב־רַבֵּי אֱלֹהִים (Eilu v’eilu divrei Elohim Hayim) (loosely translated: God’s words are spoken and heard in multiple ways), and in a world of multiple truths, is offered:

1. [Tzelem↔Neshamah]: This fundamental Jewish idea, articulated in Genesis 1:27 and Genesis 2:7, that humankind—male and female—is endowed by their creator with the interacting [Tzelem↔Neshamah] (for want of a better English term at this point,

the [Breath-taking $\Leftrightarrow$ Model of Divinity]), which is at the core of all Jewish values. [Tzelem $\Leftrightarrow$ Neshamah] underscores that we are first of all a relationship between “selves.” Each “self,” with its inherent dignity and its corollary that follows that all others who themselves are relationships between “selves” possess inherent dignity and the respect due to each one’s worth and sexual identity. Each of us is a “relationship,” not a self. Being created [Tzelem $\Leftrightarrow$ Neshamah] requires each of us to value all our “selves” without striving to rid ourselves of one or another. We start with our “selves” because that’s where we live and, even when focused outward, we do it from the position of our own self identity, which includes all our “selves.” Sustaining the [Tzelem $\Leftrightarrow$ Neshamah] relationship requires each of us to value all our “selves” and those of our sexual partner so as to be sensitive to their needs. When this happens, consensuality and mutuality can happen and the resultant sexual relationship brings *kedushah* to the world and glory to God.

What makes *t’shuvah* difficult is our having been raised and carefully taught to experience the world in an [Either/Or] manner. [Either/Or] thinking has dominated our internal and external maps for a long time. Monotheism can be taken to imply an essential oneness in the world and in us. Our thinking has been dominated by the pursuit of that unity and the ultimate meaning seemingly implicit in it. Monotheism, and the quest for ultimate meaning, for all its truth and benefits, has unfortunately produced a dangerous by-product: [Either/Or] thinking. [Either/Or] thinking pervades much of what we think and do. Things, ideas, and so forth are either one way or another. It is in the dichotomies of sacred/profane, good/evil, clean/unclean, rational/irrational, and seemingly endless other splits. [Either/Or] thinking is at its core a fundamentalist position. There is one way.

The quest for oneness has had a profound effect. The pursuit of what our singular identity is, and precisely who we are, has been a theme weaving its way through our tradition. It finds its expression even in the watchword of our faith. The presupposition that underlies this thinking is that we are one, and need to integrate the disparate aspects of ourselves in order to bring us to oneness.

From a very young age we are taught to think of our “being” as a singular *SELF*. This singular *SELF* is to be shaped and molded into a *SELF* acceptable to what family, society, and religious community consider to be socially appropriate and desirable, whether that be living by the citizen’s oath of allegiance (to one’s nation of choice) or

## SEXUAL VIOLATIONS

the Commandments of the Living God. We are taught that things, ideas, emotions, “*selves*” are either good or bad, are either one way or the other. The *SELF* of “To thine own *SELF* be true” means one’s good, worthwhile, acceptable “self,” the other “*selves*” having been educated out. When inevitably unacceptable “*selves*” show up, despite our best efforts to squash them and take over center stage, people, in keeping with [Either/Or] thinking, describe themselves and others in [me/not me] terms.

“It wasn’t like *ME* to do that.”

“Having an affair was just not *HER*.”

“If only you knew the *TRUE ME*.”

“What I did is just *NOT ME*.”

“The *REAL HIM* is always cheating.”

“I just wasn’t *MYSELF* when I hit her. I love her”<sup>33</sup>

A *New York Times* sports page report about an altercation the star pitcher David Wells was engaged in says it as well as anything:

### YANKS’ WELLS TESTIFIES THAT HE WAS ATTACKED

In recounting what he said to 911:

“I said a lot of things I probably shouldn’t have said on the tape,” he told the jurors. “I wasn’t myself at the time.”

Further:

He told the jury part of him would have really liked to go back into the diner and settle things himself.<sup>34</sup>

This is not just a manner of speaking. Language is an attempt by us all to capture our experience.

*T’shuvah* cannot afford [Either/Or] thinking, which makes a desideratum of conquering, transforming, or eliminating the other parts of us. We need to think differently. We have to learn to think in a way that affirms our multi-faceted “*selves*” and know that they can coexist and enrich our total being.<sup>35</sup> [Both/And] thinking makes *t’shuvah* a more viable possibility.

We have increasingly been realizing that there is overwhelming evidence “that people apprehend reality in at least two fundamentally different ways: one, variously labeled intuitive, automatic, natural, non-verbal, narrative and experiential,” (the *Neshamah* from the Hebrew root *n-sh-m*, breath, is our breathing somatic self)

“and the other analytical, deliberative, verbal, and rational”<sup>36</sup> (the *Tzelem*, our mindful, cognitive self).

The *New York Times* reported on the discovery of another brain, located in the gut, which produces a variety of experiences independent of the brain in the head.<sup>37</sup> All this implies a new way of thinking about our “selves” (and others), a way that involves [Both/And] thinking. We are not solely one or the other aspect of ourselves. We are at all times [Both/And]. No part, aspect or characteristic stands alone. Each can serve as context for the other. And our challenge, and the purpose of *t’shuvah*, is how to have our various “selves” be in a [Both/And] loving, respectful relationship with each other—a relationship in which both are blessed and neither needs to be “converted” or gotten rid of, in a futile quest for oneness. When our [*Tzelem*↔*Neshamah*] relationship is [Both/And], head and heart, rational and emotional, and so forth, and experienced as “just there,” we just go about our regular business with little or no awareness of life being a problem. This working covenant enables the covenant life to be lived. When life is a problem, when sexual violation or abuse happens, and others are treated with disrespect, that is *prima facie* evidence that the [*Tzelem*↔*Neshamah*] relationship has been disrupted. Whatever happens takes place in the context of relationship, and not because of any individual characteristic in our “selves” and in the others with whom we deal. In [Both/And] thinking, these at least two “selves” are in relationship. [Both/And] thinking allows for the existence of multiple, constantly changing truths. We need to learn how to be in touch with, accept, and love our other “selves.”

Unfortunately, virtually all our texts are read and understood through the lens of an apercpective mass that assumes that, though modeled after and molded by Divinity—a phrasing recognizing the [Both/And] nature of our creation—we are singular beings with a singular will, tractable desires, a oneness, a singular self who turns away from, sins against, and violates the decrees of a divine author, who is also, perceived as a singular self, despite much evidence to the contrary.<sup>38</sup> Such references are often simply ignored or treated as whimsical fantasies.

Ari Mark<sup>39</sup>Curtin points out that this odd mix of singular and plural comes to teach something very important [I am taking some liberties with the translation of the Hebrew; these liberties are italicized]:

## SEXUAL VIOLATIONS

By using these first-person plurals, God is revealing something special about God's nature and what it means for humanity to be *modeled after and molded by Divinity*. The ... divine plural self-references ... acknowledge[s] ... paradoxical "plural" images/likenesses of the God who is, nevertheless, overwhelmingly One. Just as humanity's "God-image" is somehow singular while plural, so is God. God and humankind are to be seen as fundamentally unified while also multiple. God and humankind's nature are each poised between these pluralities: simultaneously singular and plural. Human form *modeled after and molded by Divinity* is plural. Human knowledge *modeled after and molded by Divinity* is plural. Fittingly, the human ability to conceptualize and communicate is also plural,<sup>38</sup> *because humankind is modeled after and molded by Divinity*.

That God is both singular and paradoxically plural is referred to many times in Jewish tradition, e.g., God said to Moses:

You want to know my name? I am known by what I do. I am called many things. When I judge humanity, I am *Elohim*. When I war on evildoers, I am *Tzevaot*. When I suspend judgment, I am *El Shaddai*. When I am merciful to My world I am Yahweh. (My name is) EHYEH ASHER EHYEH. I will be there howsoever I will be there. I am known by what I do.<sup>39</sup>

Or noting God's prayer:

May it be My will that my compassion overcome my anger and may my mercy prevail over my attributes [of justice and judgment]. May I deal with my children in accordance with My attribute of compassion. May I act towards them beyond the letter of the law.<sup>40</sup>

That God is a [Both/And] personality is amply present in rabbinic tradition. The twelve-hour divine day is said to include a variety of activities: God spends three hours studying Torah, three hours dispensing justice, three hours providing for the needs of the world's creatures, and three hours playing with Leviathan [Babylonian Talmud, Avodah Zarah 3b]. It would have been hard for Rambam to assert that one could be [Both/And] for he was limited by an [Either/Or] position. One either turns to the good or to the bad.

Reform Jews have remnants of that thinking today. In Reform Jewish Sexual Values we read:

Jewish religious values are predicated upon the unity of God and the integrity<sup>41</sup> of the world and its inhabitants as divine creations. These values identify "shleimut" as a fundamental goal of human experience. The Hebrew root sh-l-m expresses the ideal of wholeness, completeness, unity and peace.<sup>42</sup>

We can no longer assume that *shleimut* is the fundamental goal of human experience. It may be as immeasurable as knowing if *t'shuvah* is fully consummated. Relationship, a [Both/And] position, has a much greater claim than *shleimut* to being a basic Jewish religious value and is worth going after. Humankind, though enveloped in one skin, and until recently thought of as possessed of a single brain,<sup>43</sup> are multiple, from the atom on up. We have many inner "selves" that we instinctively understand operate independently of one another. We are not a self; we are a relationship between "selves." Relationship is the basic psychological and religious unit. Self is a context not a position.<sup>44</sup> The first question, therefore, is not only about the relationship between man and woman, man and man, woman and woman, or each of those with God. The first question is the relationship between our multiple inner "selves."

To elucidate that thinking this way makes a difference, we take a look at some other recent models of *t'shuvah*. Excerpts from those models will be presented in italics. Their limitations in terms of the model presented here will be noted immediately following each excerpt.

Adin Steinsaltz, one of the greats of our time, writes:

In fact, two essentials are found in every kind of *t'shuvah*; the renunciation of a regretted past and the adoption of a better path to be followed henceforth. Put concretely *t'shuvah* is simply a turning, be it a complete, abrupt change of direction or a series of smaller turns...What is needed is the very opposite of renunciation. *T'shuvah* is not a turning away from a regretted past. *T'shuvah* requires a respectful relationship with that past even as we move to a "new" identity.

Steinsaltz continues:

The desire to do *t'shuvah* always springs from some sense of unease or disquiet.<sup>45</sup>

## SEXUAL VIOLATIONS

True! Steinsaltz is on target. If life is not experienced as a problem, *t'shuvah* is unlikely. The unease or disquiet stems from a disruption in the ongoing relationship within the [*Tzelem* ↔ *Neshamah*]. The unease or disquiet is experienced on a somatic level first. The *Tzelem* (mindfulness) then labels what is happening as being a problem. One often tries to ignore, rationalize, or otherwise subdue it, but ultimately to resolve the problem one must return to an I-You<sup>46</sup> relationship with it.

The great obstacle in the way of *t'shuvah*, an obstacle confronting all of us, wicked and righteous alike, is self-satisfaction, the smug conviction that "I'm okay, you're okay," that whatever flaws one may have are the inevitable lot of human beings. Such spiritual and moral complacency has no necessary relation to one's objective condition.<sup>47</sup>

"I'm okay, you're okay" may be a non-useful simplistic, inelegant way of expressing a great truth. But what else can we ultimately say if we accept as religious "fact" that all humankind is created, modeled after, and molded by Divinity, with the breath of God infused into us. It is saying, to paraphrase the words of Martin S. Cohen, "that no quality assigned to God is by definition beyond (our) grasp."<sup>48</sup> We may turn away from our [*Tzelem* ↔ *Neshamah*], or life's inevitable wounds may do that to us, yet we are ultimately okay. Created [*Tzelem* ↔ *Neshamah*] behooves us to honor all parts of us including those that are different, obstreperous, and difficult. Entering into a respectful, even loving relationship with them is, I would suggest, the very opposite of "spiritual and moral complacency." Turning away from them, not recognizing both their/our woundedness and specialness, has within it the seeds of the spiritual and moral arrogance that Steinsaltz rightly fears.

Steinsaltz describes *t'shuvah* as a self-creation, a rebirth experience:

Another common aspect of *t'shuvah* concerns one of its most essential, and paradoxical, components. On the one hand, *t'shuvah* entails a break with the past, fixing a cut-off point that divides one's life into a "before" and an "after." Indeed, the ability to atone for and rectify one's mistakes rests on the assumption that such a break is possible, that *t'shuvah* results in the creation of a completely new being. The past is severed from the present; one's former self becomes a stranger or ceases to exist. Or, as the Sages

put it, the sinner one dies and passes from this world; the penitent self is a new creature. *t'shuvah* is thus a kind of spiritual death and rebirth.<sup>49</sup>

Joseph Soloveitchik, one of the true greats of modern Orthodoxy, in his classic, *Halachic Man*, weighs in with self-creation:

Repentance,<sup>50</sup> according to the halachic view,<sup>51</sup> is an act of creation-self-creation. The severing of one's psychic identity with one's previous "I" and the creation of a new "I" possessor of a new consciousness, a new heart and spirit, different desires, longings, goals-this is the meaning of that repentance compounded of regret over the past and resolve for the future.<sup>52</sup>

Though we would wish it so, we are never, nor can we ever be, completely new beings. Our DNA, in addition to the lives led by those who bore us, denies us that. Humankind has always pursued the chimera of a new birth, believing that it is a new start from a totally new beginning. We talk hopefully about the death or obliteration of an old part and creation of a totally new being. This is a remnant of [Either/Or], fundamentalist thinking that violates the ongoing constant relationship of our [*Tzelem*↔*Neshamah*]. Whatever is created is a continuum, not a "that was then, this is now" break.

The challenge of *t'shuvah* is in how we move forward including both past and present, good and bad, in a new relationship. When we talk of a new creation or a new birth, at best we are talking about a new identity, which is very different from a new being. When we talk about a new identity, we are talking about a new relationship of our multiple "selves." Anyone who has observed a marriage knows that  $1 + 1 = 3$ . When each partner makes room for the other in the fullness of their own being and the other's, when the relationship is working, with neither dominant, a new identity, a "we," is created. Likewise, within our own Being, a new "I" identity, an inclusive one, follows a reorienting of the [*Tzelem*↔*Neshamah*] in us when we create a loving I-You relationship between our "selves."

*T'shuvah* is not about obedience or obeisance or even rebirth. *T'shuvah* is not about being rid of our past. Our past is in and of us. *T'shuvah* is the answer we give to the claim our being created [*Tzelem*↔*Neshamah*] makes on us, and our return to the bedrock of our faith and tradition. Nothing else, not the relationship to other

## SEXUAL VIOLATIONS

members of the species nor to God, can take place without first turning back and attending to our “selves” and our “selves” relationship to one another within the larger context of our “being.” *T’shuva* is reorienting to the interactive [Tzelem↔Neshamah] that is our essence. Everything thereafter is an attempt to sustain that balance. When that relationship is working we can have a relationship with others and ultimately with the divine “Being” beyond us. Our internal compass needs to be in working order. We start with our “selves.” We need to turn inward before turning outward. Even turns outward are done from the inside.

A modern heterodox colleague, Rabbi Elliot Dorff, in his monumental work, *This Is My Beloved, This Is My Friend: Sex and the Family*, has produced a work that bears reading by every Jew. Dorff begins by affirming that Jewish tradition sees

the human being as an integrated whole created by God ... For the Jewish tradition, God created each one of us as an integrated whole, with no part of us capable of living apart from any other part of us. ... This integrated view of the human being has an immediate implication for our sexual activities—namely, that on a level as conscious and deliberate as possible, our sexual acts ought to reflect our own values as individuals and as Jews.<sup>53</sup>

It will be clear to the reader who has come this far where I differ from my student and my teacher, but most of all from my beloved friend. Mine is not a trivial quibble. It is intrinsic to the way we as rabbis are able to work to assist *t’shuva*. In contradistinction to what Dorff writes, we are not integrated wholes. It is not achievable, nor may it be worth aspiring to. Life would be incredibly simpler if we were that way, but life itself, in all its vagaries, has intervened. We are the sum of “independent” parts/“selves,” many wounded, all in relationship. That is certainly the human experience, and it is in our experience that we live. Each human being is a relationship between “selves.” That experience, especially when it is a problem, is quite different from wholeness or integration.

Martin Buber’s I-You relationship has something to offer on the subject, as well. Even Buber’s “I” is a relationship, an ongoing dialogue between our own “It” and our own “I.” In seeking to repair our own [Tzelem↔Neshamah] relationship, it is crucial to maintain an I-You, not an I-It relationship. We too easily turn our relationship to our wounded parts, into an I-It relationship, as when we give it

a negative name: anxiety, greed, lust, lasciviousness, low self-esteem, depression, anger, boredom, fear, and so on. We turn it into an IT and make it something to be rid of, rather than a partner in, an I- You relationship:

Even as a melody is not composed of tones, nor a verse of words, nor a statue of lines—one must pull and tear to turn a unity into a multiplicity—so it is with the human being to whom I say You. I can abstract from him the color of his hair or the color of his speech or the color of his graciousness; I have to do this again and again; but immediately he is no longer You.<sup>54</sup>

Relation is reciprocity. My You acts on me as I act on it. Our students teach us, our works form us. The “wicked” become a revelation when they are touched by the sacred basic word ... we live in the currents of universal reciprocity.<sup>55</sup>

When we are in loving relationship with our own “selves,” those difficult “selves,” which we have been trained to turn into “Its,” something wonderful can happen. I-You relationships with others become possible.

In each person there is a priceless treasure that is in no other. Therefore, one shall honor each person for the hidden value that only this person and no one else has.<sup>56</sup>

The work of Abraham Isaac Kook<sup>57</sup> is most useful for this heterodox model of *t'shuvah*. Kook presents a religious framework that allows for multiple “selves” and explicitly affirms having a loving relationship toward them.

Jacob B. Agus' preface to Ben Zion Bokser's book on Rav Kook notes Rav Kook's determination to search out the *nitzotzot k'dushah*, the “holy sparks,” in every ideology since “all ‘lights of holiness’ derive from God and lead back to Him.”<sup>58</sup>

As rabbis, our task is to redeem the “sparks of holiness” that are scattered throughout the world and, to coin a neologism, relationshipize them, enter into relationship with them.

Ben Zion Bokser, in his introduction, offers that in Rabbi Kook's world of thought the love of God carried with it a love for all God's creatures, an openness to all ideas and a continued passion to perfect life through reconciliation, harmony, and peace. In Rabbi Kook's words:

## SEXUAL VIOLATIONS

Whoever contemplates divine ideas in their purity cannot hate or be disdainful of any creature or any talent in the world, for through each does the Creator reveal Himself.<sup>59</sup>

But man's response to his fellowman must be more than the negative response of tolerance; it must reach the higher category of love ... The higher holiness abounds with love, kindness and tolerance ... Hatred, sternness and severity are the result of forgetting God and the suppression of the light of holiness. The more the quest for God grows in a person's heart, the more does the love for all people grow in him, and he loves even wicked men and heretics.<sup>60</sup>

Rav Kook might well have also added, even those difficult recalcitrant parts in oneself. Bokser continues:

Another attribute of life that aids man's quest for enlightenment is the phenomenon of *t'shuvah* that, for Rabbi Kook, has much deeper significance than the conventional notion of remorse and atonement for specific wrongdoings, in response to traditional admonitions.

In truth, *t'shuvah* is a universal and an essentially positive phenomenon, acting on some levels as a natural process, and expressing a revolt against deficiency and the quest for perfection. We are not directed by the automatic workings of our nature to embrace divine ideals, but an affinity, a predisposition for those ideals, is part of us.<sup>61</sup>

*T'shuvah* derives from the yearning of all existence to be better, purer, firmer, nobler than it is.<sup>62</sup>

Thus we are able to turn away from the [*Tzelem* ↔ *Neshamah*] in which we are created and bring much evil to the world. And note, Rav Kook affirms that *t'shuvah* is not about regret and rejection and turning away; it is about acceptance and love. In his own words:

I love everybody. It is impossible for me not to love all people ... I desire to see them grow toward beauty, toward perfection ... my inner desire reaches out with a mighty love toward all.<sup>63</sup>

And, in his classic essay "Concerning the Conflict of Opinions and Beliefs," Rav Kook asserts much that we have proposed here:

The concept of higher comprehensiveness, however, through its breadth and certainty, offers us an ideal system in stressing the

principle of singularity ... Because it is universal because everything is included in it, it cannot by nature exclude anything from its domain, it finds a place for everything. In doing this it only increases our perception of the light in all life-styles and in all expressions of the spirit. The basic thrust of its kind of tolerance is to find a place for every form of illumination, of life and of spiritual expression ... This concept of tolerance is aware that there is a spark of divine light in all things ... even in the crudest husks that cover and blunt man's higher self is hidden that spark of the good, the light of God, the supreme light that we cannot define.

There remains within, in full force, the inner impulse that is pushing the good sparks to become manifest, and the good sparks, which are flashes of the light of the good emanating from the light of the God of truth, begin to be seen through the openings in the zone of darkness ... Therefore, instead of rejecting every pattern of ideas from which the tiny elements of good have begun to sparkle and which in themselves have trapped souls to lead them to the depths of the abyss—the place where reigns the darkness that deadens the soul in its prime of vigor ... it is for us to enhance the original light ... It is for us to clarify how every spark of the good that is manifest in the world stems from its source and is linked with it in a natural bond.<sup>64</sup>

And about rebirth Rav Kook says:

The principle of "renewal," *b'yisod hachidush*,<sup>65</sup> in the order of creation ... refers to the core element of the principle ... to the very fact that the phenomenon of "renewal" exists as it does in its operative character. We know intuitively that true "renewal" derives from the substantive content of everything preceding it, that it emerges from its energizing essence. The fruit derives from the whole nature of the tree, from the depths of its trunk and roots, from the source whence it absorbs its juices, to its outer bark and the spread of its branches and foliage.<sup>66</sup>

Rav Kook offers an exemplary expression of [Both/And] thinking:

T'shuvah ... bestows a great benefit in purifying souls, in refining the spirit and purging behavior from its ugliness. But together with this it necessarily bears within itself a certain weakness that even the most heroic spirits cannot escape. When one shrinks the will, when one restrains the life force through inner withdrawal and the inclination to avoid any kind of sin, there is also a shrinking of the

## SEXUAL VIOLATIONS

will for the good. The vitality of the virtuous life is also weakened ... the person suffers from the cleansing of his moral state the kind of weakness experienced by the patient who was cured from his illness through a strong current of electric shock. It may have eliminated the virus of his illness, but it also weakened his healthy vitality. The penitential season is therefore followed by days of holy joy and gladness<sup>67</sup> for the self to restore the will for the good and the innocent vitality of life. Then will t'shuvah be complete.<sup>68</sup>

### Sex

Not too much needs to be said, and not too much can be said, about sex and its elemental driving power. Sex is a most powerful somatic urge. Sex all too often drags the cognitive around and takes unacceptable risks, leaving havoc in its wake. Sex drives us, effects our thinking, gets the cognitive focused, even against its best interests, intrudes in our visualizing, our breathing, the very flow of blood in our body, shows up in our sleep, and violates oaths the cognitive, in good faith, has taken. It is engendered in the breathing, pulsating somatic part of us in a dynamic, exceptionally vulnerable tension and relationship with the *Tzelem*, whose task is to affirm, rein in, channel, and bless that drive so that it may find its proper covenantal place.

Our tradition first recognizes the sacred blessedness in humankind, not externally but in our ability to be fertile, implying sexual.<sup>69</sup> Sex as sex only enters the scene in Genesis 4,<sup>70</sup> after the creation of humankind from the dust with the breath of God breathed into them. Sex thus appears after self-consciousness and shame have arrived on the scene. Shame's abortive attempt with a fig leaf loincloth, covering our somatic nakedness (sexual organs), is perhaps the cognitive's first attempt to do something, almost anything, to ride herd on this driving urge. After the expulsion from Eden, only for the human is sex a problem. A stray dog might wonder, "what's the fuss all about?"

David Biale recounts in great detail the energy and the monumental efforts of our very cognitive tradition to limit sex, negate its power, channel it, contain it formally, and shackle its excesses by establishing strictures and structures and injunctions of all kinds. Biale recounts long arguments about men's duties, the struggle with desire and procreation, women's rights in sex, and solutions ranging from celibacy to thinking appropriate thoughts during the act, to allowing it at only certain times of the month. He recounts chang-

ing mores: certain behaviors biblically and talmudically were considered violations of sexual norms, while others were permitted.<sup>71</sup>

In sexual mores as well, we are prisoners of our age, dragged along with the times. We are in a new sexual world. Some may wish to go back, but that does not seem to be where we are headed. Fifty or seventy-five years ago, a person could present oneself for psychiatric treatment if they preferred oral sex. Such a preference was treated as an aberration to be cured by massive doses of psychotherapy. Today if one says "Yuch, I can't stand doing that," psychotherapy will be employed in the opposite direction. After all, those up to date say: "there are so many ways to enjoy one's body. And if it's consensual, why not..." In the nineteenth century, young men were warned that masturbation could blind them. Now women, whom few thought needed such warnings, are provided with books that teach them how to do "it" elegantly.<sup>72</sup>

When I entered the rabbinate, *betulta*<sup>73</sup> in a *ketubah*<sup>74</sup> had a specific meaning. Very few officiants today seriously assume that the thirty-something bride is blushing under the *chuppah*<sup>75</sup> because she is about to lose her virginity. Were she so, she would be considered problematic. Many of our Orthodox young men know what the evening is going to include when they are lovingly reminded to bring their *tefillin*.<sup>76</sup>

Notwithstanding all this, sex with others as mere sex objects is an abandonment of our covenant commitment to be a holy people. It is surrender to the somatic part of us and abandonment of the [Tzelem ⇌ Neshamah] relationship. We see all too often how people are dragged around by their feelings, leading to promiscuity and other violations of the "sexual taxonomy."<sup>77</sup> It happens when the somatic is abandoned by the cognitive.

Sex, at its truest, can be the very exemplar of relationship, the very treasure house of I-You relations. "Human sexuality, as a powerful force in our lives, has the potential for physical closeness and pleasure, emotional intimacy and communication."<sup>78</sup> Sex, when covenantal, is a prime example of [Both/And] thinking. Sex relies on the presence, real or imagined, of an "other," even if it is a fantasized other, as in masturbation. As any sex therapist knows, sex requires a self, whose "selves" are in relationship, before sex can take place with another self whose "selves" are likewise. And, as in most relationships, sex is vulnerable and touches wounded places easily with many resultant difficulties. Sex on a holy level is in the rela-

## SEXUAL VIOLATIONS

tionship and is vulnerable to the [*Tzelem*↔*Neshamah*] being out of balance. Sex is holy when it is about a Buberian I-You relationship. I-It sex is little different from animal fornication.

Marital sexual infidelity is an example that sex is first and foremost about our [*Tzelem*↔*Neshamah*] relationship, and how this impacts a new way of thinking about *t'shuvah*. As Rabbi Daniel Schiff observes, "classic" adultery is:

the form of adultery most widely embarked upon and also the one usually thought of when the term "adultery" is mentioned. In most instances of classic adultery, the adulterous relationship is conducted in secret from the partner. If the secret were to be known by the spouse (and it is often discovered as the affair progresses), it would be perceived as a hurtful violation of the marriage covenant, both because of the infidelity itself and because of the lies and deceit that usually accompany it.<sup>79</sup>

If marriage calls for conjugal loyalty and personal intimacy (i.e. informing the partner at all times of any information that is crucial to the relationship), the intimacy has already been breached by the preparatory thoughts that preceded the act of adultery being untold to the partner. The breach in intimacy is an obvious violation of the pledge of intimacy, but it is first and foremost a break in the relationship/love intimacy of our own [*Tzelem*↔*Neshamah*]. Whatever the wounded place that interferes with the [*Tzelem*↔*Neshamah*], that relationship must be repaired first. To do that requires an act of personal *t'shuvah*. When that is done, *t'shuvah* in the marriage has a chance.

### Why us?

Much of the work of *t'shuvah* has been subcontracted in our society to "therapists." They are in a sense our "hit men" with whom we contract with to rub out parts of us that cause trouble. As rabbis, our seminaries have often taught us about morality/immorality, *chet/kaparah*,<sup>80</sup> good/bad and suggested that when there are violations, and the violators have given hints of wanting to change, these are better dealt with by the new priesthood, the legions of the psychotherapeutic community. And we have been instructed that our job is to make good referrals. I posit that the opposite is true, that where *t'shuvah* is required rabbis, and other Jewish clergy, because of symbolic exemplarhood, because they believe that all are created

[*Tzelem*↔*Neshamah*], because of their leadership in shaping the covenantal community, have, if trained, much greater efficacy. In helping *t'shuvah* happen, rabbis have a unique place as the guardians in the covenantal community of multiple relationship systems. Those being *beyn adam l'atzmo*, *beyn adam l'chaveiro*, *uveyn adam lama-kom*, between humans and their "selves," humans and their fellows, humans and the Divine. The rabbi is also the *eid ne'eman* (trustworthy witness) to the [*Tzelem*↔*Neshamah*], is *shomayr hab'rit* (guardian of the covenant), and, we hope, is *doveir emet bil'vavo* (recognizes and is in loving relationship with his/her own impulses). All these increase the rabbi's potential influence and power in helping *t'shuvah* happen.

Because *t'shuvah* is ultimately turning back to our [*Tzelem*↔*Neshamah*], which is so easy to stray from, our charge as rabbis is to always be aware of the holy sparks and be imbued with a love for them. Those hidden sparks may open the door to *t'shuvah*. We are the opposite of "hit men." Our task is not to get rid of unwanted parts, but to help create loving, respectful, I-You relationships with them. We are uniquely suited to that task. That's why us.

#### What do we do? And how do we do it?

We have some of the old tools that have stood the test of time. We have our pulpits and our teaching. We need to continue and improve using these to teach norms, to help establish a caring community that can support these norms and can welcome back those who are struggling with *t'shuvah*. We are uniquely in a position to teach about the *nitzotzot* and to teach this model in a non-"Pollyana-ish" fashion, for it is a tough world out there. Confession is a tried and true ally. Telling what had been an embarrassing secret is often the first step toward bringing it into human "being." We have a calendar that sets aside time for all to focus on *t'shuvah*, with emphasis on those ten days of *t'shuvah* at the turn of our year. We are, or need to be, masters of ritual, which will provide context and symbols for welcoming the one doing *t'shuvah* back into the covenant community. And we are symbolic exemplars of those who are struggling with their own [*Tzelem*↔*Neshamah*] relationship. We need to feel safe, being transparent about this. And, we hope, a new liberal sexual taxonomy, either that of the CCAR or another, will support the work we do in cases of sexual violations, by providing

## SEXUAL VIOLATIONS

a normative framework appropriate for new realities, yet covenantal in nature.

We are not judges, acting on behalf of the Divine. We are involved guides, working to make multiple contacts. So some tools are no longer available to us. *Karet*,<sup>81</sup> cutting an individual off from the covenant community, the biblical solution to problems of sexual deviation, doesn't cut much mustard nowadays. Sexual deviations may lead to a cut off, but that is an outcome of our actions, not a divine punishment. We are no longer a corporate, isolated community where each is fully dependent on the other, so *cherem*<sup>82</sup> is not an option.<sup>83</sup>

Community is vital. Personal autonomy is not enough. Violations are often facilitated by the absence of a supportive loving community, which undercuts proper behavior and denies our responsibility to others for our behavior. *T'shuvah* cannot be separated from the covenant community and its norms of respect for oneself and for others. The covenant community makes a claim on us and *t'shuvah* makes a claim on the covenant community. Many life experiences, *t'shuvah* among them, may be impossible without community. It is not accidental that birth, marriage, and mourning require community. It is tragic that in our day divorce has little community structure to help that transition. *T'shuvah* requires community.

Though community is indispensable, still we start with our "selves." There is no other way. We are all Jonahs, about whom we read in the quintessential Yom Kippur afternoon *t'shuvah* portion. Jonah learns caring for others by starting with caring only for himself,<sup>84</sup> then caring for the plant, then being lectured about caring for Nineveh, and implicitly making room for *t'shuvah* for all God's creatures. We, too, start with our "selves." We can start nowhere else. As heterodox Jews we have nowhere else to start but with our self—not only our self, but our multiple "selves," our own [*Tzelem*↔*Neshamah*], our own internal community, as it were.

Assisting *t'shuvah* in others requires multiple skills. It requires that we be centered and in touch with our own [*Tzelem*↔*Neshamah*]. Being centered is not just California psychobabble. Centering is a skill that is learnable. Saralee Kane writes:

Centering allows one to shift primary or "first" attention away from other people, away from one's racing thoughts, away from past images, and let it settle in the present moment on the breath-

ing, focused/relaxed somatic (Neshamah) self. ... Mindfulness (Tzelem) is a related practice of just observing and being aware of what is happening in each moment, without any need to try to change it. It is a process of deep awareness and acceptance ... both internal and external.<sup>85</sup>

Muriel Singer describes her experience of being centered:

There is enough space within and without for all my selves to be included and welcomed. One part of me does not cancel out another part nor does the co-existence of several divergent parts mean that one or the other is inauthentic. They all have a home ... even if it does not last.<sup>86</sup>

Being centered is experienced as a calm alertness of body and mind. It is simultaneously being in touch with your own experience and that of the other human being you are with. It is the state in which you have the ability to be both with your *Tzelem* and your *Neshamah*, as you attend and listen to the [*Tzelem* ⇌ *Neshamah*] experience of the other—by the way, this is a great asset in a marriage. Being centered means paying attention to what your cognitive being is producing inside yourself and how that is connected to the relationship you are having with the other.

In situations where the [*Tzelem* ⇌ *Neshamah*] resources are honored and used appropriately, relational differences can operate in a [Both/And] setting with a tone of conversational connectedness, the sort of "I-You" relationship described by Martin Buber. In this kind of intimacy, there is an experience of a "me," a "you," and the relational self of "us" that is felt when both the "I" and "You" are respected and treasured. That "us" means that the *t'shuvah* candidate and the rabbi are part of one relational system, modeled after and molded by Divinity, and hopefully ready to return to, and simultaneously move forward from, that point of creation.

You will inevitably be knocked off center. Your mind may wander, you may feel bored, get a headache, start thinking about whether the plumber has shown up at your house to fix the leaky faucet, or whatever. We get knocked off center easily. Know that in order to have a problem you have to have let go of your center.<sup>87</sup> When knocked off center, it is crucial to have ways of getting centered again. The first place to turn is to your own breathing. It will always have been affected. Centering is a learned skill. Learning how to do it expertly is beyond the province of this paper.

## SEXUAL VIOLATIONS

Still there is much that each of us already knows about being centered, and ways we can get there. We know that these, what might be called [*Tzelem* ⇌ *Neshamah*] states, are often marked by an absence of internal dialogue, accompanied by a comfortable breathing pattern; they are those special times when we are so absorbed that time and boundaries are not issues. A rabbi may access these quintessentially [*Tzelem* ⇌ *Neshamah*] resources in study, in prayer, in doing a *mitzvah*,<sup>88</sup> in walking in the woods, painting, writing, talking with a friend, playing or listening to music, or a myriad of other experiences. Bringing the experiential state a rabbi has while doing these into ongoing relationship with oneself, with others, and with the tradition itself, is a crucial undertaking. Shuttling back and forth between what is going on and those resources is a skill to be carefully honed.

Assisting *t'shuvah* requires expertise in searching for the *nitzotzot* implicit in, and lurking behind, "bad" behavior. The *nitzotzot* struggling to have human existence are often experienced as the "not me." The "not me," which is in some way responsible for the violation of the sexual taxonomy, is often where the *nitzotzot k'dushah*, the Holy Sparks, are in hiding or veiled.

A useful question in the search for the *nitzotzot* that need uncovering, and then naming and blessing in the process of *t'shuvah*, is:

"If only I didn't do or experience (or could get rid of) X, then this really wouldn't be a problem." [X marks the spot where the *nitzotzot* may be found.]<sup>89</sup>

For example:

"If only I didn't feel so *lonely*, I wouldn't have had the affair."

"If only I didn't feel so *sexual*, I would have controlled myself."

"If only I wasn't so *aroused*, I wouldn't have done it."

"If only I felt *appreciated*, I wouldn't have strayed."

"If only my husband was *kinder*, I wouldn't have been vulnerable."

"If only my wife was more *sexy*, I would be loyal."

"If only she wasn't so *seductive*, I could have resisted."

"If only I didn't feel *inadequate*, I wouldn't have done it."

"If only I wasn't afraid of *commitment*, I would have married."

Realizing what it is in others, which is often unexpressed, witnessing the struggle and essence that begs inarticulately for naming and blessing, and blessing both struggle and essence with

words of one's own—words not received and not encoded in the text—are rabbinic skills of the first magnitude. To bless those wounded, hidden parts is a great art and skill to be carefully learned.

Witnessing the Holy Sparks in every act, good and bad, is of supreme import. Awareness and uncovering of the *nitzotzot* involves shifting our focus away from what is being presented by the other. It requires looking for who else is in the room. By opening one's view and searching behind and seeing beyond, one is always looking for the *nitzotzot* while making room for, and not denigrating, what is being presented.

Our colleague and teacher Lawrence Kushner, in his inimitable style, no doubt influenced by Rav Kook, gives examples of how to look for *nitzotzot k'dushah*:

We go down into ourselves with a flashlight, looking for the evil we have intended or done—not to excise it as in some alien growth, but rather to discover the holy spark within it. We begin not by rejecting the evil, but by acknowledging it as something we meant to do. This is the only way we can truly raise and redeem it.

We lose our temper because we want things to be better right away. We gaze with lustful eyes because we have forgotten how to love the ones we want to love. We hoard material possessions because we imagine they will help us live more fully. We turn a deaf ear, for we fear the pain of listening would kill us. We waste time, because we are not sure how to enter a living relationship. We even tolerate a society that murders, because we are convinced it is the best way to save more life. At the bottom of such behavior is something that was once holy. And during times of holiness, communion and light our personal and collective perversions creep out of the cellar, begin to be healed, freed, and redeemed.

This does not mean we are now proud of who we were or what we did, but it does mean that we have taken what we did back into ourselves, acknowledged it as part of ourselves. We have found its original motive, realized how it became disfigured, perhaps beyond recognition, made real apologies, done our best to repair the injury, but we no longer try to reject who we have been and therefore who we are.

We do not simply repudiate the evil we have done and sincerely mean never to do it again; that is easy (we do it all the time). We receive whatever evils we have intended and done back into ourselves as our own deliberate creations. We cherish them as long-banished children finally taken home again, and thereby transform them and ourselves.<sup>90</sup>

## SEXUAL VIOLATIONS

Our mandate was, and is: “Be a blessing”<sup>91</sup>—that having been blessed, we are obliged to bless others. We can honor that covenantal obligation by helping ourselves and others do *t’shuvah* in keeping with both our tradition and our generation’s understanding of human “being-ness.”

### Notes

1. CCAR *Yearbook*, vol. 92, 1982.
2. CCAR *Journal* (Fall 2001), p. 3. Quoting Selig Salkowitz from 1981.
3. In 1981, the Task Force on Jewish Sexual Values was mandated to examine “rabbinic tradition and contemporary social science concepts, to determine where they converge and how they differ on the contemporary sexual condition” (CCAR *Yearbook*, vol. 92, 1982).
4. The Association of Reform Rabbis, under the chairmanship of Rabbi Sandy Ragins.
5. Merciful children of merciful parents. As explained by Avraham Ibn Shoshan, *A New Dictionary* (Jerusalem, Israel: Kiryath Sepher Ltd., 1952). A popular nickname for Jews, who, by their very nature, excel in feeling others suffering. Translated from the Hebrew by the author.
6. Yom Kippur falls on the tenth day of the month *Tishre*.
7. Exodus 19:6 and a multitude of other places in our long and copious tradition.
8. From Walter Kaufmann, “I and You: A Prologue,” in Martin Buber, *I and Thou: A New Translation* (New York: Simon & Schuster, 1970).
9. J. A. Simpson and E. S. C. Weiner, *The Oxford English Dictionary, Second Edition* (Oxford: Clarendon Press, 1989), vol. 13, p. 637.
10. Ibn Shoshan, op. cit., p. 1652. Translated by the author.
11. Werblowsky and Wigoder, eds., *The Encyclopedia of the Jewish Religion* (New York: Holt, Rinehart and Winston Inc., 1965).
12. From this point on, the transliterated Hebrew (*t’shuvah*) will be used instead of “repentance.”
13. Jules Harlow, ed., *A Prayer Book for the Days of Awe* (New York: The Rabbinical Assembly, 1972); Chaim Stern, ed., *Gates of Repentance* (New York: Central Conference of American Rabbis, 1996).
14. Harlow, *ibid*.
15. Stern, *ibid*. Stern’s translation of *ma’avirin* is inaccurate; see Ibn Shoshan, op. cit.
16. I attended Jewish Theological Seminary in New York. Kaufman Kohler was rabbi emeritus of Temple Beth El in New York and President of Hebrew Union College in Cincinnati. Max Scholoeffinger was librarian and lecturer on biblical exegesis at HUC in Cincinnati.
17. They immediately missed the nuance of what they have just written.

18. *The Jewish Encyclopedia* (New York: Funk and Wagnalls Co., 1905), vol. 10, pp. 376ff.
19. Grant Perry, "The 'Good Jew' who Went to Jail," *Reform Judaism* (Winter 2002), vol. 32/2, p. 31.
20. Gen 3:22. Torah translations by Everett Fox, *The Five Books of Moses*, (New York: Schocken Books, 1995).
21. *Maimonides Guide of the Perplexed*, M. Friedlander, trans. (New York: Hebrew Publishing Co., 1881), chapter 1. "In man the 'form' (okm) is that constituent which gives him human perception: and on account of this intellectual perception the term okm is employed."
22. Moshe ben Maimon, *Mishneh Torah Hilchot Teshuvah*, 5:1. The translation is the author's.
23. Maimonides, in Hebrew RaMbaM (Rabbi Moshe ben Maimon), 1135–1204. Arguably the greatest Jewish commentator and philosopher, he was also physician to the court of Sultan Saladin of Egypt.
24. In the view of the rabbis, *the* paradigmatic evil king.
25. Moshe ben Maimon, *Mishneh Torah Hilchot Teshuvah*, 5:2.
26. The insanity defense is probably the outstanding example, but so is the nature/nurture argument.
27. Gen 1:26,27, author's translation. This translation deals with the difficulties that the King James translator created for us by using the word "image" for the Hebrew *tzelem*. Used in the King James Bible of 1611, "image" according to *Merriam Webster's 11<sup>th</sup> Collegiate Dictionary* (2003) is a Middle English word that means: "a reproduction or imitation of the form of a person or thing, especially: an imitation in solid form." Or alternatively: "an exact likeness; semblance as in God created man in His image." Certainly in modern usage "image" has much more of a visual sense to it. It does not mean what *tzelem* meant, then or now. An Italian saying has it correctly: "*Traduttore Traditore*" "The translator is a traitor"; the only question is of degree.
28. Gen 2:7.
29. See note 21 for further explanation.
30. Gen 2:7. From the Hebrew root, *n-sh-m*, "to breathe." Note the Yiddish *neshama*, which has an entirely different overtone.
31. This name of God probably derives from the Hebrew root "to be." The best interpretation is: "Was! Is! Will be!"—thus, The Eternal. Sarna points out that YHWH "is the ... immanent, personal God ... who shows concern for the needs of human beings."
32. "Reform Jewish Sexual Values," *CCAR Journal* (Fall 2001), p. 9. The original #1 reads: *B'tzelem Elohim* ("in the image of God"). This fundamental Jewish idea, articulated in Gen 1:27, "And God created humankind in the Divine image-male and female," is at the core of all Jewish values. *B'tzelem Elohim* underscores the inherent dignity of every person, woman and man, with the equal honor and respect due to each

SEXUAL VIOLATIONS

individual's integrity and sexual identity. *B'tzelem Elohim* requires each of us to value one's self and one's sexual partner and to be sensitive to his/her needs. Thus do we affirm that consensuality and mutuality are among the values necessary to validate a sexual relationship as spiritual and ethical and, therefore, "in the image of God."

33. Jack H Bloom, *The Rabbi as Symbolic Exemplar: By the Power Vested in Me* (Binghamton: Haworth Press, 2002), p. 159.
34. *New York Times*, Sports, Wednesday, November 20, 2002, D1.
35. Jack H Bloom, loc. cit., pp. 179ff.
36. Seymour Epstein, "Integration of the Cognitive and the Psychodynamic Unconscious," *American Psychologist* (August 1994), pp. 709–24.
37. Sandra Blakeslee, "Complex and Hidden Brain in the Gut Makes Cramps, Butterflies and Valium." *New York Times*, January 23, 1996, C1.
38. Exodus Rab. 3:6.
39. Ari Mark Curtin, "When God's References Are Plural: A Look at Gen. 1:26, 3:22, 11:7 in an Overarching Context," *CCAR Journal: A Reform Jewish Quarterly* (Fall 1996). In a personal communication the author indicated that the full title was supposed to have been: "When God's Self-References Are Plural," but the "Self" was lost on the way to the printer.
40. Babylonian Talmud, Berachot 7a.
41. The state of being unimpaired; the quality or condition of being whole or undivided; completeness. *The Standard American Heritage Dictionary* (1993).
42. "Reform Jewish Sexual Values," *CCAR Journal* (Fall 2001), p. 9.
43. Blakeslee, op. cit.
44. Jack H Bloom, op. cit., p. 162.
45. Adin Steinsaltz, *Teshuvah: A Guide for the Newly Observant Jew* (New York: The Free Press, 1987), pp. 4–5.
46. After Walter Kaufmann, who in "I and You: A Prologue" to Martin Buber's, *I And Thou: A New Translation* (New York: Simon & Schuster, 1970), spends sixty pages demonstrating conclusively that I-You is better English usage than I-Thou, and in consultation with my wife Ingrid, a native speaker and teacher of German, who affirms that "you" is a better expression of what Buber meant by the German intimate "Du." The publisher concerned about market share no doubt retained the more familiar "I and Thou" title as better for sales.
47. Steinsaltz, loc. cit., p. 5.
48. Martin Samuel Cohen, "Forgiveness and Subtlety," *Conservative Judaism* 56/4 (Summer 2004), p. 49.
49. *Ibid.*, p. 13.
50. "Repentance" is the translator's word. In the original Hebrew, *Soleveichik*, of course, used *t'shuvah*.

51. *Halachah*, for traditional Jews, is the proper path of religious observance.
52. Joseph B. Soloveitchik, *Halakhic Man*, Lawrence Kaplan, trans. (Philadelphia: The Jewish Publication Society, 5743/1983), p. 110.
53. Elliot Dorff, *This Is My Beloved, This Is My Friend: Sex and the Family* (New York: Rabbinical Assembly, 1996).
54. Kaufmann, op. cit., p. 59.
55. Ibid., p. 67.
56. Martin Buber, *Hassidism and Modern Man*, Maurice Friedman, trans. (New York: Harper & Row, 1958), p. 115.
57. Abraham Isaac Kook, *The Lights of Penitence, Lights of Holiness, The Moral Principles: Essays, Letters and Poems*, translated and with an introduction by Ben Zion Bokser, in the series "The Classics of Western Spirituality" (Mahwah, N.J.: Paulist Press, 1978).
58. Ibid., p. xiii.
59. Ibid., from Ben Zion Bokser's introduction, quoting *Orot Hakodesh*, vol. 1, p. 327.
60. Ibid., p. 8, quoting *Orot Hakodesh*, p. 317.
61. Ikve Hatzon, "Avodat Elohim" in *Eder Hayakar*, p. 145.
62. *Orot Hat'shuvah, Yeshivat B'nei Akiba "Or Etzion,"* (Jerusalem: Merkaz Shapiro, 1966), 6:1.
63. From Ben Zion Bokser's introduction, p. 29, quoting *Aple Tohar*, p. 22.
64. Ibid., pp. 273ff.
65. "Novelty" was the word used by Bokser. "Novelty" would be **חדש**, **חדש** suggests "renewal."
66. Abraham Isaac Kook, op. cit., Letter to *David Ha-Kohen*, p. 361.
67. *Sukkoth* (the Feast of Tabernacles; the fall harvest festival) and *Simchat Torah* (the annual festival rejoicing in the completion of the reading of the Torah) come just five days after the end of the ten days of *T'shuvah*.
68. Ibid., p. 73.
69. Gen 1:28.
70. Gen 4:1. "The Human knew Havva his wife, she became pregnant..."
71. David Biale, *Eros and the Jews: From Biblical Israel to Contemporary America* (New York: Basic Books, 1992), p. 50.
72. Lonnie Garfield Barbach, *For Yourself: The Fulfillment of Female Sexuality* (New York: Doubleday and Co., 1975).
73. Virgin.
74. Marriage document outlining a couple's rights and obligations to each other.
75. Marriage canopy, symbolic of the Jewish home to be established by the couple.

SEXUAL VIOLATIONS

76. Phylacteries worn by many Jewish men for morning worship.
77. "Reform Sexual Values," *CCAR Journal* (Fall 2001).
78. *Ibid.*, p. 12.
79. *Ibid.*, p. 17.
80. Sin/forgiveness.
81. Biale, pp. 28–29.
82. Excommunication by community officialdom, allowing no contact with the offender.
83. As pointed out by Ismar Schorsch, in a speech at Fairfield University Feb. 12, 2003. Yet, *The Jerusalem Report*, December 2, 2002, reports in an article entitled: "Tribal Tribulations: High-Profile Peruvian Jews are Caught Up in a Slew of High-profile Cases" that "They have betrayed the trust that members of the community had put in them ... the *psak din* ... effectively excommunicating the Jewish directors ... they cannot be called up to the Torah ... be counted in a minyan or participate in parental activities at the Jewish School. One director ... recalls attending a ... funeral at which the grave-digger was chided for allowing him to throw earth on the coffin."
84. Jonah 4:5–11.
85. Saralee Kane, *Walking in Two Worlds: The Relational Self in Theory, Practice and Community*, Gilligan and Simon, eds. (Phoenix: Tucker and Theisen, 2004), p. 103.
86. Muriel Singer, *Walking in Two Worlds: The Relational Self in Theory, Practice and Community*, Gilligan and Simon, eds. (Phoenix: Tucker and Theisen, 2004), pp. 27–28.
87. Stephen Gilligan, from personal correspondence with the author.
88. In Hebrew, fulfilling God's command; in Yiddish, a good deed.
89. Adapted from S. Gilligan, *The Courage to Love* (New York: W.W. Norton & Company, 1997).
90. Lawrence Kushner, *God Was in This Place and I, I Did Not Know* (Woodstock, Vt.: Jewish Lights Publishing, 1991), pp. 78ff.
91. Gen 12:2.