

O. H. 606.1.2020
Rabbi Pamela Barmash and Rabbi Amy Levin

Teshuvah Outside of Communal Prayer

Approved on September 1, 2020 by a vote of 13-0-0. Voting in favor: Rabbis Jaymee Alpert, Pamela Barmash, David Booth, Suzanne Brody, Nate Crane, Elliot Dorff, David Hoffman, Jeremy Kalmanofsky, Jan Kaufman, Amy Levin, Micah Peltz, Avram Reisner, Robert Scheinberg, and Deborah Silver. Voting against: none. Abstaining: none.¹

She'eilah (Question)

Our communal davenning on Yom Kippur includes liturgy designed to inspire teshuvah (repentance and a return to spiritual wholeness) and aid us in retrospection, contrition, and self-improvement, but this year 5781/2020 our communal davenning will be curtailed as the 2020 pandemic continues. How do we do teshuvah when our usual ways of doing so in community are less available or unavailable?

Teshuvah (Response)

What are our motivations for teshuvah? There are many motivations for engaging in teshuvah, one or several of which each of us as individuals may find compelling:

- We are internally motivated for self-improvement.
- Teshuvah expresses our love for God and how we wish to incorporate God in the daily routines of life.
- As part of the covenanted community, we are reminded daily that self-examination is one of God's expectations of us.
- We want to love other human beings and be loved in return, and this motivates us to improve our relationships and our behavior.
- Our missteps bother us. Perhaps they even impede our relationships and our personal and professional success, and we want to overcome them.
- The Days of Awe are a time to be reflective and look inward.

The classic exposition of teshuvah is by Maimonides (Hilkhos Teshuvah 1:1):

The Committee on Jewish Law and Standards of the Rabbinical Assembly provides guidance in matters of halakhah for the Conservative movement. The individual rabbi, however, is the authority for the interpretation and application of all matters of halakhah.

¹This teshuvah was approved by the CJLS in a fast-track process intended to provide answers expeditiously.

כָּל מִצְוֹת שֶׁבְּתוֹרָה בֵּין עֲשֵׂה בֵּין לֹא תַעֲשֶׂה אִם עֵבֶר אָדָם עַל אַחַת מֵהֶן בֵּין בְּזֻדּוֹן בֵּין בְּשִׁגְגָה כְּשִׁיעֲשֶׂה תְּשׁוּבָה וְיָשׁוּב מִחֻטְאֵהוּ חַיֵּב לְהִתְנַדֵּוֹת לְפָנָי הָאֵל בְּרוּךְ הוּא שְׁנֹאֲמַר (במדבר ה ו) "אִישׁ אֹ אִשָּׁה פִי יַעֲשׂוּ" וְגו' (במדבר ה ז) "וְהִתְנַדְּוּ אֶת סִטְאָתָם אֲשֶׁר עֲשׂוּ" זֶה וְדוּי דְבָרִים. וְדוּי זֶה מִצְוֹת עֲשֵׂה. כִּיצַד מִתְנַדְּוִין. אֹמֵר אֲנִי הַשֵּׁם חֻטְאֵי עוֹיִתִי פִשְׁעֵי לְפָנָי וְעֲשִׂיתִי כִּי וְכִי וְהָרִי נִסְמָתִי וּבִלְשׁוֹנִי בְּמַעֲשֵׂי וּלְעוֹלָם אֵינִי חוֹזֵר לְדַבֵּר זֶה. וְזֶהוּ עֲקָרוֹ שֶׁל וְדוּי. וְכָל הַמְרָבָה לְהִתְנַדְּוֹת וּמֵאֲרִיךְ בְּעִנְיָן זֶה הָרִי זֶה מְשַׁבַּח... וְכֵן הַחֻבֵּל בְּחֻבְרוֹ וְהַמְזִיק מְמוֹנֵו אֶף עַל פִּי שְׁשֵׁלֵם לוֹ מֵה שֶׁהוּא חַיֵּב לוֹ אֵינֵו מֵתְכַפֵּר עַד שִׁיתְנַדְּוֶה וְיָשׁוּב מִלְעֲשׂוֹת כְּזֶה לְעוֹלָם שְׁנֹאֲמַר (במדבר ה ו) "מִכָּל חֻטְאֵת הָאָדָם"

All mitzvot of the Torah, whether they be positive or negative, if a person violates any one of them, either presumptuously or erroneously, when s/he will repent and turn away from sinful ways, s/he is obliged to confess before God just as it is said: "When a man or woman shall commit any sin.... Then they shall confess their sin which they have done (Num. 5:6–7), which is a confession of words. Such confession is a mandatory commandment. How is the verbal confession made? The sinner says thus: "O God, I have sinned; I have transgressed; I have rebelled against you, particularly in doing thus and such. Now, I am indeed repentant and I am ashamed of my actions; I will not relapse into these acts again." This is the elementary form of confession; but whoever elaborates in confessing and extends this subject is, indeed, praise-worthy. ...Even s/he, who injures a friend or causes a friend damages in money matters, although s/he makes restitution of the owed amount, finds no atonement, unless s/he makes verbal confession and repents by obligating themselves never to repeat this again, even as is said: "Any sin that a person commits" (Num. 5:6)

Maimonides emphasizes how much teshuvah is a personal process in which we examine and verbally acknowledge our missteps. An essential part of the process is viddu'i or confession of sins, and the rabbis of the Talmud, mindful of the need for spontaneity in prayer, at first did not formulate a fixed confession.² By the time of the amora'im, there appear to have been several model formulas (see Yoma 87b), and since the early Geonic prayer books from Babylonia in the 9th and 10th centuries CE, there have been two primary confessional formulas in use. The longer one, "Al het she-hatanu..." is used on Yom Kippur and private fasts. These confessions are included in the private/individual Amidah, in contrast to the elaborate piyyutim that are reserved only for the congregation as a whole. This reflects the high importance and necessity of individual self-reflection as part of the process of repentance.

Teshuvah during the Days of Awe is part of a larger three part process of:

Teshuvah: a perpetual seeking to return to our root commitments

Tefillah: daily engagement with the core values of our tradition as reflected in our liturgy

²Rabbi Ismar Elbogen, *Jewish Liturgy: A Comprehensive History* (trans. Raymond P. Scheindlin; Philadelphia: The Jewish Publication Society, 1993 [1913, 1972]), 12-126; Rabbi Reuven Hammer, *Entering the High Holy Days* (Philadelphia: Jewish Publication Society, 1998), 137; and Rabbi Hayyim Herman Kieval, *The High Holy Days* (Jerusalem: The Schechter Institute of Jewish Studies, 2004; New York: Burning Bush Press, 1959), 246.

Tzedakah: the pursuit and execution of actions that will better the lives of those around us

None of these, even teshuvah, are solitary pursuits. We stand before God on Yom Kippur and recite the confessional prayer (vidui) in the plural, not the singular. We strive to gather as a community in tefillah...for without a minyan our prayer is diminished. The mitzvah of tzedakah, by its very nature, compels us to engage with those around us, to learn and help them address the challenges of their lives. But today doing them in community is curtailed. Every Jewish community in the world is challenged by the realities of the Covid-19 pandemic. As urgently as our tradition pushes us to engage in community, this virus just as urgently pushes many of us into solitude, and we must pursue teshuvah on our own.³

Let us first acknowledge the dynamics of the process of repentance / teshuvah implied by the Hebrew root of the word which generates a vocabulary of “return” and “response.” Teshuvah is an evaluation of our *response* to the ethical and moral expectations of the mitzvot bein adam lehavero (the commandments setting standards for the relationships among human beings) and the spiritual and ritual expectations of the mitzvot bein adam lamakom (the commandments setting standards for the relationship between each of us and our Creator). And, most crucially, teshuvah is the process through which we determine how we resolve to *return* to those root expectations through our actions.

Suggestions of How to Fulfill the Mitzvah of Teshuvah:

Even if many of us cannot gather together in community on these upcoming Days of Awe, each of us can pursue the challenge of teshuvah, of return to spiritual and psychological wholeness, in a number of ways. The following suggestions have been crafted to address the needs of those who are observing these Days of Awe without the presence of a minyan but may appropriately engage anyone.

Engaging in the Liturgy of Teshuvah:

The liturgical passages that guide us through teshuvah may be recited with or without a minyan. All are encouraged to acquire a copy of *Mahzor Lev Shalem*, or any other Mahzor for Rosh Hashanah and Yom Kippur that feels accessible and appropriate and use it in our homes this year.

Avinu Malkeinu (Mahzor Lev Shalem, pages 92-94)

As individuals, you may recite “Avinu Malkeinu” and continue in the singular through the recitation (perhaps easiest in English), concentrating in particular on the verses that are most evocative for you. As a family unit, you may recite “Avinu Malkeinu” as written, in the plural, and then share with each other the verses that you each felt struck a meaningful chord.

³Much of what is written here applies every year, not just to this year (5781/2020). But since our normal routines of teshuvah with the prompting of communal prayer as we have experienced in the past are disrupted, it is all the more incumbent upon us to emphasize the personal, individual work of teshuvah this year.

Ashamnu Bagadnu (Mahzor Lev Shalem, page 235)

This is the quintessential confessional prayer of our people, elegantly composed as a Hebrew acrostic. In community, we rise and recite the “Ashamnu” as written in the plural ... probably in acknowledgement that although no one individual in the community has committed every one of these sinful actions, as a collective community and as a whole people, to our regret, we have and it is incumbent upon us to accept ownership of those transgressions. A powerful “return and response” exercise, for individuals and/or family units, would be, before Yom Kippur, to attempt to compose an acrostic in your own native language that constitutes the beginnings of a response to personal, familial and communal shortcomings, one that you could then use on Yom Kippur.

Making Things Right With Those Whom We Have Hurt or Offended:

This year, as every year, one of the most essential steps in each individual's path of teshuvah, return and response, is not dependent on a communal setting at all.

Shulhan Arukh, O. H., 606:1

That One Will Reconcile with One's Friend on the Eve of Yom Kippur

שולחן ערוך, אורח חיים תרו, א
שיפייס אדם חברו בערב יום כפור
עבירות שבין אדם לחברו אין יום הכפורים מכפר עד שיפייסנו ואפילו לא הקניטו אלא בדברים צריך לפייסו ואם אינו
מתפייס בראשונה יחזור וילך פעם שניה ושלישית ובכל פעם יקח עמו שלשה אנשים ואם אינו מתפייס בשלשה פעמים
אינו זקוק לו.

[Regarding] transgressions between one person and another, Yom Kippur does not atone until one appeases the other. Even if one aggrieved another with words alone, this appeasement is necessary. If the offended one does not accept the approach, the offender must return a second and a third time, taking along three people each time. If the offended party will not be appeased after three visits, one may desist (from trying).

The essence of the category of mitzvot bein adam l'havero (commandments establishing standards for the behavior between people) is the dynamic between the people themselves. Seeing that every human being is a creation of God's, there is an element of offense against God when one offends or hurts a person, or causes damage to the property of another human being. But one may not turn to God in teshuvah, in return and response, until one makes three honest, persistent efforts to apologize and make peace. [The three people to whom the Shulhan Arukh refers are to serve as witnesses in case the earnest attempts at apology need to be documented should the offense lead to, for example, legal consequences].⁴

⁴It should be noted that this text's guidance may be inappropriate in certain contexts: (a) the presumption that someone who asks for forgiveness should be forgiven is challenging, and perhaps impossible, when the offense is a heinous crime, for which experts do not believe rehabilitation is possible; (b) the injured party should not feel pressured to say words of forgiveness before s/he are ready to do so, and bringing together three people to the injured party should not add additional unwarranted pressure. For further exploration of challenges in interpersonal forgiveness, see Simon Wiesenthal, *The Sunflower: On the Possibilities and Limits of Forgiveness* (with a symposium edited by Harry James Cargas and Bonny V. Fetterman; rev. and expanded ed; New York: Schocken Books, 1997).

In order to fulfill this expectation, each one of us needs to review our relations with family, friends, co-workers and others and consider if we have caused pain or offense. Has someone in your usual circle started avoiding you? Stopped making eye contact with you? No longer responds to emails or phone calls? These may be signals that you have, indeed, caused hurt or offense or even damage. Therefore, you are obligated to reach out and apologize via the communication tools available to you.

Spiritual Check-up With Rabbi/Teacher

One means of teshuvah is a discussion with a rabbi. You may discuss your relationship with God, which mitzvot you are fulfilling and how to take on other mitzvot, a program and schedule for Torah study, whether on your own and/or with communal classes, and how to improve your personal prayer life. You may also seek counseling from your rabbi as to how to repair relationships that have been broken.

Suggestions for Good Books and Tools for Self-study and Self-examination

Books designed for prompting teshuvah are:

Noah BenShea, *Jacob's Ladder: Wisdom for the Heart's Ascent*

Rabbi Dov Peretz Elkins, *Forty Days of Transformation: Daily Reflections of Teshuvah (Repentance) for Spiritual Growth From Rosh Hodesh Elul to Yom Kippur*

Rabbi Alan Lew, *This Is Real and You Are Completely Unprepared: The Days of Awe as a Journey of Transformation*

Rabbi Kerry Olitzky and Rabbi Rachel Sabath, *Preparing Your Heart for the High Holy Days: A Guided Journal*

Pesak Din (Ruling)

The exigencies of the 2020 COVID-19 pandemic in no way relieve us of our obligation to pursue teshuvah, a path of return and response to our own shortcomings as people bound by the covenant between God and Israel. As many of us around the world anticipate engaging in the coming Days of Awe without our normative setting of communal prayer, we must each fulfill this mitzvah with integrity and creativity and make the process, as it ultimately is, our own.