

Second Shot

a film by Andrew Michael Ellis

Multi-Faith Sermon Guide

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Rabbi Lydia Medwin
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Reflections On Judaism and Forgiveness

If one were able to compile all of the Jewish sources written over the course of millennia and hit search on the word “forgiveness,” one would find literally thousands of hits. And with each of these hits, one could find a context that differs from the others, layering meaning upon meaning, nuance upon nuance. And yet, one does find an overarching theme: our God is a forgiving God. And we must do our best to emulate God.

What we see reflected in the documentary *Second Shot*, though, is the real struggle over forgiveness and the real wrestling with the purpose of prison. Instead of creating a path toward true forgiveness and restoration, our criminal legal system today sets up conditions in which prisons are used solely for punishment and retribution. To be clear, this does not account for the one who was harmed by the crime and their notion of retribution or punishment. As *Second Shot* explains, punishment rests solely in the hands of the state. As humans, we all make mistakes. Those who make big mistakes should face consequences and should understand the weight of their mistakes. But when people take the wrong path, should they be allowed an opportunity to learn from mistakes and have a chance to earn forgiveness?

To say that the Israelites make some mistakes in the stories of the Bible is an understatement. Many times, people anger God, feel distant from their Creator, and rupture that sacred connection. We read about many times, too, when people act terribly toward one another, inciting violence and further destruction. But after all of these exiles from the Divine and from one another, we always see a reconciliation, a road back to healing, and a model for forgiveness.

The most famous of these reconciliations follows

the most egregious sin in early Israelite history just after the Israelites redemption from slavery (Exodus 32). Newly autonomous and inexperienced with the ways of their new God, they built a golden idol to worship and reverted to familiar tropes. When Moses returns from forty days on Mount Sinai receiving the Ten Commandments, he and God both are furious. Moses smashes the tablets, and God threatens to destroy the entire people and start over with Moses himself. Moses manages to calm the situation, remind God of God’s highest self, and they begin the process of rebuilding and healing. In one of the most intimate and exquisite moments of Torah, Moses asks to see God’s very face, expressing a desire to know that he is fully forgiven and a sense that their healed relationship is closer than ever before. And while God cannot show God’s face, God does pass by, protecting Moses from the full might of God’s presence, and utters a name that we continue to repeat on our Day of Atonement, Yom Kippur each year: God, God, compassionate and gracious, slow to anger, abounding in kindness and faithfulness, extending kindness to the thousandth generation, forgiving iniquity, transgression, and sin. In short, God’s very name, uttered at this most vulnerable and tender moment, is literally forgiveness.

Jewish tradition and its understanding of sin differs

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significantly from the Christian notion of “original sin.” In Judaism, humans are not born sinful. Instead, each person is born with a pure soul and has the capacity for good and evil. These inclinations, the *yeter hatov* (good inclination) and the *yetzer harah* (the baser inclination) are constantly pulling us towards one way or another. Our work is to channel our efforts as often as possible toward the good. But there’s an understanding that that is not always possible. The word in Hebrew for sin (*het*) literally means something that goes astray, like an arrow that misses the mark. When an archer misses the target, it is not a permanent failure. Rather, an archer can keep trying to get arrows closer to the target and ultimately to its center. Like the Israelites alone in the desert, there is no guarantee of immediate success, nor does success ensure that the goal will be reached in all subsequent attempts. We mess up, we go astray, and we miss the mark.

When that happens, the process of asking and giving forgiveness, or repentance, becomes paramount. It is the process that enables healing, growth, learning, hope, repair, and a way to keep moving forward. Without forgiveness, our tradition understands that there can be no way forward. That said, our great teacher, the Rambam (Rabbi Moshe ben Maimon, circa 1100 CE, from Spain then Egypt) teaches that a part of moving forward is taking responsibility for the harm caused, feeling genuine remorse, and, when encountering a similar situation in the future, making a different choice that affirms life and goodness (Deuteronomy 30:19). This is the path toward true forgiveness and repair. Our character is shaped by the ways we respond to our failures rather than by our failures themselves.

Jewish tradition teaches that while prayer can help atone for forgiveness from God, prayer alone does not work to repair brokenness between two people. For this,

the harmed one must also be ready to forgive. This may feel impossible depending on the type of harm done, as we saw with Chad Hall in *Second Shot*.

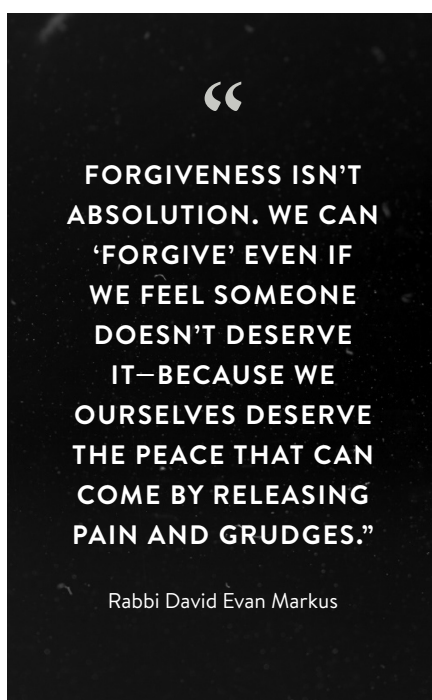
There is a story told by Rabbi Abraham Joshua Heschel about a rabbi traveling on a train. Wishing for a quiet ride, he dressed in peasant clothes. Appearing as a poor man, he was harassed by the other men on the train, kicked and punched, and cursed throughout the trip. When the rabbi disembarked from the train, throngs of people awaited his arrival, as he was very well-known and revered in the region. The men who tormented him

returned to him, apologizing profusely and begging forgiveness. The rabbi looked sadly at the men and said, “I wish I could, but I cannot. You are asking me to forgive you, but you are mistaken – you must ask that man on the train.”

Perhaps forgiveness is truly impossible. If the one who is harmed is dead or beyond healing, there may be no way to fully forgive. Still, as Rabbi David Evan Markus urges us, “forgiveness isn’t absolution. We can ‘forgive’ even if we feel someone doesn’t deserve it—because we ourselves deserve the peace that can come by releasing pain and grudges.”¹ That can be a form of forgiveness, as the brother of the one who

was harmed finally came to understand in the movie. It doesn’t excuse wrongdoing or deny the need for restitution, but from a religious perspective, it does allow us to live with a measure of healing even as full forgiveness may remain unavailable.

When forgiveness is possible, we typically speak of three different kinds: *mechilah* (forgiveness of indebtedness), *selichah* (achieving empathy or understanding), and *kaparah* (purification, only offered by the Divine). *Mechilah* is the most transactional form of forgiveness, occurring when the one who is harmed no longer feels owed something. It is the case where justice has been



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served, whether achieved through a simple apology or fine, through punishment, or through repentance and a genuine sense of remorse. The score is settled, so to speak. *Selichah* is an act of the heart. With this form of forgiveness, the one who has incurred harm sees the one who caused harm in the fullness of their humanity. Finally, *kaparah* is a full and complete cleansing of sin from the heavenly courts, outside of human control, but, we hope, influenced by our heartfelt prayers and petitions. These differing definitions of forgiveness give us a wider scope for understanding the nuances within forgiveness and perhaps access to one level of forgiveness even if other, higher levels are yet unavailable to us.

While forgiveness is not required to be offered by the one harmed, there are limits on how far the one who has done harm must go to ask for forgiveness. The Rambam again has advice here and says that a sinner must take responsibility, sincerely reflect, repent, and change their ways. Once he does these things, he must ask for forgiveness from the harmed individual up to three separate times, with integrity and an honest effort at reconnecting. If the one who has been harmed is still unwilling to offer forgiveness after that third time, the sinner is no longer liable to ask for forgiveness. They must continue to behave in ways that conform with their previous commitments, but they are no longer held accountable in the same way to that person. While centering justice and

ensuring the sinner no longer follows his wicked ways, Judaism is practical in its mercy, offering paths toward repair, even if it's not reciprocal. This is the storyline in *Second Shot* that rings so beautifully true. Both Lawrence Bartley, the person who perpetrated the crime, and Chad Hall, the victim's brother, were held in confinement in different ways, and both were set free when a path towards forgiveness and mercy were opened for them.

On the Jewish New Year of Rosh HaShanah, tradition has it that God writes our names into one of two books; the *rasha gamur*, entirely evil person, goes into one for judgment, and the *tzadik gamur*, entirely righteous one, goes into the other for blessing. But, as Rabbi Fred Dobb reminds us, most of us are somewhere in the middle—"maybe perched right on the fulcrum, where our next altruistic or selfish act could tip the entire personal and cosmic scale."² Until the books are sealed on Yom Kippur ten days later, we have the opportunity to repent, ask forgiveness, give forgiveness, and get written into the Book of Life. In doing so, we practice during that time what we hope to continue into the rest of the year. When we are judging others, when we harden our hearts against forgiveness or the possibility of repair, it can be helpful to remember both the humanity of the offender and our own very human shortcomings and mistakes. Perhaps the next decision we make will tip the scales one way or another for the entire world.

ABOUT THE AUTHOR

Rabbi Lydia Medwin joined the clergy team at The Temple in 2014 and currently serves as Associate Rabbi. A native of Memphis, Tennessee, Lydia attended the University of Texas in Austin (hook 'em) and Hebrew University for undergraduate studies, earning degrees in Middle Eastern Studies and Honors Humanities. She was ordained on the Los Angeles campus of Hebrew Union College in May of 2010. Rabbi Medwin is a certified Jewish Meditation Teacher. She is a co-author with Dr. Ron Wolfson and Rabbi Nicole Auerbach of *The Relational Judaism Handbook: How to Create a Relational Engagement Campaign to Build and Deepen Relationships in Your Community* (Kripke Institute). Lydia also proudly serves as a co-founder and co-chair of the board for the Multifaith Initiative to End Mass Incarceration.

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² Dobb, Fred Scherlinder. "Reconstructionist." Ask the Rabbis: Are There Things That Can't Be Forgiven? September/October 2019, <https://momentmag.com/ask-the-rabbis-are-there-things-that-cant-be-forgiven/>. Accessed December 2, 2022

DISCUSSION QUESTIONS

- 01 In your faith tradition, are there actions for which there can be no forgiveness?
- 02 How do we know when justice has been served and when it is time for forgiveness? What does your faith say about justice and about forgiveness?
- 03 What does forgiveness offer the one who is harmed? The person who perpetrated the harm? The community at large? What does your faith tradition teach about healing the harm people do to one another?

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Rabbi Avi Killip
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What Jonah Teaches Us About Repentance³

Jonah wants strict justice. The instinct is understandable, perhaps even universal. He sees people who have sinned and wants them to pay for their crimes. God, however, has a radically different idea of how to address those who transgress: *teshuvah*, the insistence that everyone can change, even the worst sinners.

This debate between God and Jonah continues to play out today in our American prison system. The punitive system touts a Jonah-like demand for a type of justice in which crimes are punished and sinners suffer. In the past 20 years, the U.S. prison system has sought ever-stricter punishments through increases in mandatory minimum sentencing.⁴ These increases have led to a system of greater incarceration in overcrowded prisons. Overcrowding has led to fewer resources per prisoner and more violence within prisons – including the increased use of solitary confinement as punishment. In many states, those who have been imprisoned for a felony, for any amount of time, lose (even once they’ve been released from prison) the right to government subsidies, including access to public housing, food stamps, and student aid, as well as the right to vote.⁵

We often feel that prisoners earned their fates. We can tell ourselves that many of the people in prison are dangerous criminals who have committed horrendous crimes. Jonah believes that people should get what they deserve,

and sometimes we do, too.

God, however, teaches Jonah about *teshuvah* (repentance) and the opportunity to begin the process of change from any starting point. In the words of the Rambam, “Nothing can stand in the way of *teshuvah*.” (*Mishneh Torah, Hilchot Teshuvah 3:14*) God is open to *teshuvah* from any person, at any time, for any sin. No matter how hard it might be for us to trust that a person can change, the book of Jonah reminds us of God’s patience, forgiveness, and healing. Each year, we devote an entire season to reminding ourselves that *teshuvah* is real, possible, and necessary for ourselves. Are we willing to protect this right for others?

Many of us are unaware of the current state of the American prison system. Like Jonah, we refuse to “go to Nineveh.” Like Jonah, we must hear God’s call, rise to the task, and take responsibility to ensure that all people, including those who have lived in prisons, have the opportunity to change.

SOURCES

³ This article was first published in *T’ruah’s Handbook for Jewish Communities Fighting Mass Incarceration*, [available here](#). Reprinted with permission from Rabbi Avi Killip, author, and Rabbi Lev Meirowitz Nelson, Director of Leadership and Learning, T’ruah.

⁴ See “Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Post War American History,” by Heather Ann Thompson, *The Journal of American History* 97 (Dec 2010).

⁵ See *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* by Michelle Alexander for details about these hardships.

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When we acknowledge that the current system of incarceration does not offer healing to any of the involved parties nor make us any safer, we must ask ourselves the question: What might work better as an alternative to excessive punishment which serves only to stifle healing? How could our traditions inform the ways we imagine the transformation of our system into one that promotes healing, growth, and thriving?

In the Jewish tradition, our Sage, Rabbi Moshe ben Maimon, known as the Rambam, writes extensively about forgiveness and the processes by which humans can bring to one another healing and closure. When we look deeply into his ideas, we see the outline of what we know today as restorative justice, the process by which individuals involved in a justice-related event come together to talk through the event and find an agreement that will serve as justice. He states: “When one person wrongs another, the latter should not remain silent and despise him as states concerning the wicked: “And Avshalom did not speak to Amnon neither good, nor bad for Avshalom hated Amnon.” [II Samuel 13:22] Rather, he is commanded to make the matter known and ask him: “Why did you do this to me?”, “Why did you wrong me regarding that matter?” as Leviticus states: “You shall surely admonish your colleague.” [Leviticus 19:17] If, afterwards, [the person who committed the wrong] asks [his colleague] to forgive him, he must do so.

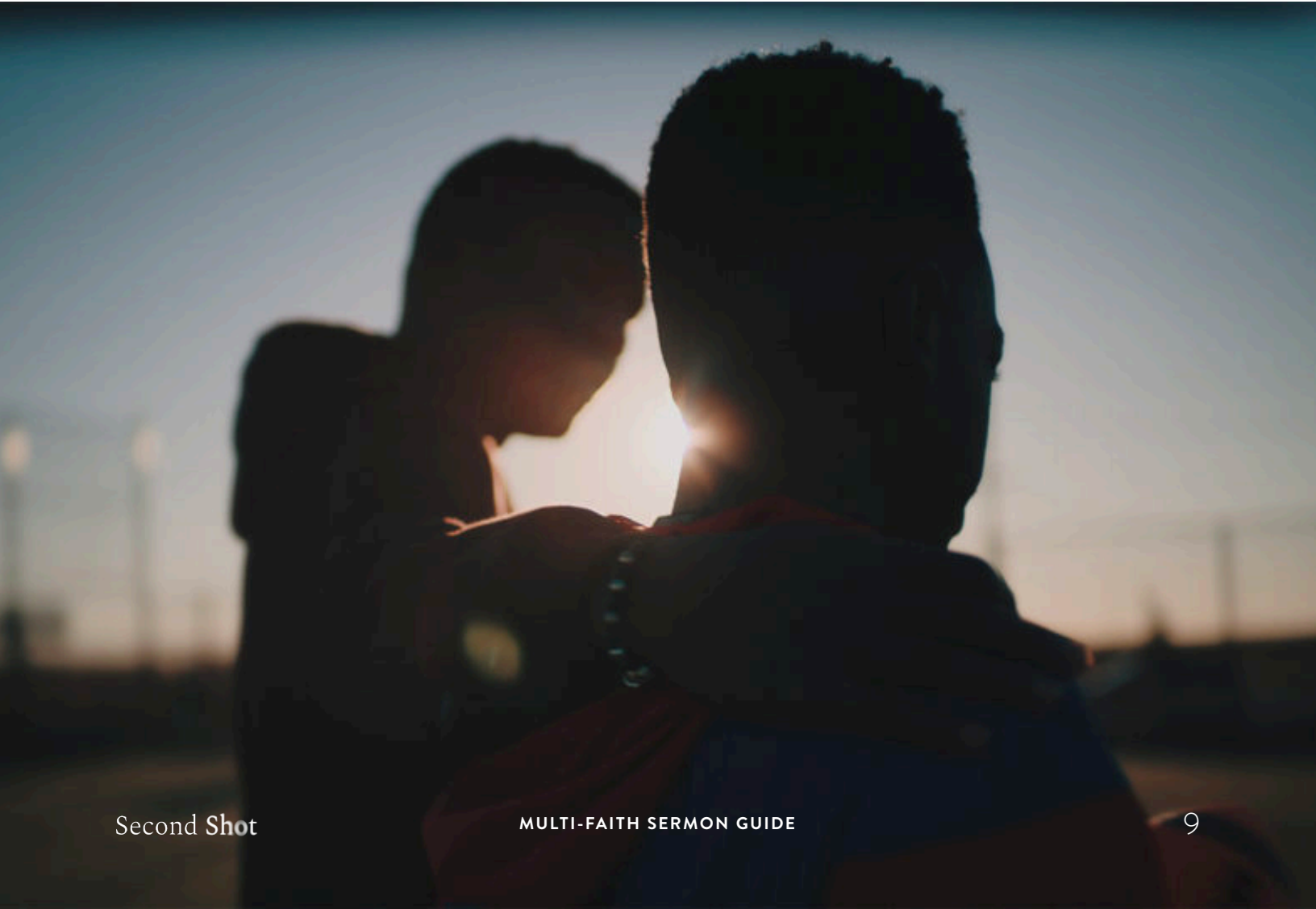
Rambam is sharing something quite profound here. The process of forgiveness is complex and nuanced, and it is different for each person and each case. However, no matter the case, Rambam is teaching us that it must include an opportunity for this conversation to occur, for it provides healing for all involved. First and foremost, for the one who was harmed, they get the chance to ask questions like: “Why did you do this to me?” This allows the one who was harmed to hold the wrongdoer accountable to their actions, which Jewish tradition understands as paramount to the process. As Leviticus teaches, we are bound to offer rebuke to our fellow human beings when we see it. But even more, it also allows the one who was harmed to express their hurt and their humanity and offers them a chance to understand what was going on in the mind of the person who wronged them. This can be extremely powerful for the one who was harmed, helping them to reenter the world feeling safer and more in control of their future. Science shows that it can help them suffer less distress and trauma and create an opportunity for humanizing their wrongdoer as well. In the way our current system works, the states takes all of this power away from the one who was harmed, and in the name of the one who was harmed. Doing this may serve a deterring role, but it does not actually serve to heal the one who has suffered wrongdoing. In watching the documentary *Second Shot*, I was left to wonder what might have happened if Chad Hall could have spoken to Lawrence Bartley years ago...and how that might have led to more healing in his own life and the life of his family.

From the perspective of the wrongdoer, this process of forgiveness offers them a chance to reflect on their actions and understand more deeply the pain they have caused. They are forced to admit to their wrongdoing,

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examine the motivations behind their actions, explain themselves to the person who suffered, and receive the opportunity to feel truly repentant. In our system as it currently stands, there is the chance that this process could happen, but it does not necessarily go hand in hand with the punishment incurred. Most importantly, the wrongdoer gets the chance to ask for forgiveness. This opens up the space and possibility for the two parties to come to an agreement on what justice should look like in this specific case, and helps everyone move on from the event in ways that could offer true growth and healing. Finally, while I take issue with Rambam's insistence on forgiveness, I do appreciate his urging the wronged party toward this final conclusion, both for the sake of the wrongdoer and for the sake of the person who has been wronged.

What Rambam suggests, and what we know about restorative justice practices, is that they work. As *Second Shot* highlights for us, this process is not baked into the current system - there is no official process by which the one who was harmed or the person who perpetrated the crime can heal and move back into wholeness and life. But what if there was? Forgiveness is not a flip to be switched or an act to enforce or legislate. It is a human process, and it takes time, attention, and intention. It needs to be structured, and within that structure, there should be room for conversation and negotiation. It must be facilitated and there must be room for things to get messy. It may, sometimes, not work. But the process that the Rambam suggests above is our best chance to help both parties to a wrongdoing come out the other side stronger and wiser and more compassionate.



Call to Action for the Faith Community

The Purpose of Incarceration and Its Intended Results

As we begin to emerge from the fog of incarceration, we must inculcate new habits of activity, which necessitate first new habits of heart, mind, and spirit. As people of faith, we must ask ourselves, our communities, and our elected officials: What is the purpose of incarceration? Is it about punishment and how effective has it been as a deterrent? Is it about crime prevention, and what does data say about the best ways to prevent crime? Is it about preventing recidivism? What does the data say about the best ways to prevent recidivism? And what do our faith traditions say about forgiveness and restoration? Are we in proper balance between justice and mercy? If we are incarcerating such a huge percentage of our population, and for so long, and at such a price, is it a failure of the individual, or it is a failure of the entire society? We must shake ourselves free of imagining that incarceration as punishment or deterrent alone will make us safer.



What is the purpose of incarceration from your perspective? What does your faith tradition say about punishment and imprisonment?

Investment Instead of Incarceration

If any of these questions lead us to doubt the current practices of incarceration, let us allow that doubt to plow up some new possibilities for how we help both the one who is harmed and the inflictor of harm move on from the incident. Let us invest in communities in ways we already know will lessen the likelihood of crime and violence. Let us invest in our children, in quality education, in quality housing and services. Let us acknowledge the root causes of systemic racism and oppression of the poor. Let us use the ample technology and money poured into the current system and repurpose them for rebuilding people and communities. Let us have mercy on our children and address them as such – young people who need many chances to learn and grow into people of whom we will be proud. Let us invest in restorative practices that many of our ancestors depended on to keep their communities safe over generations.



What do young people in your community need to succeed in our world? What does your faith tradition say about how many mistakes someone can make before we give up on them?

We Have a Voice

We must preach to our congregations. We must vote for representatives that will carry this cause. We must write sermons and teach classes on this topic, though we may risk angering or confusing or alienating some among us, for even they will benefit from a gentler, more humane world. We all benefit from forgiveness.

From the depths of our traditions, and the depths of our humanity, we cannot abide this inhumane and ineffective system any longer. Let us not settle for tinkering our way towards tomorrow. Instead, let us stand up, bold and resolute, with one unified voice as a faith community, to insist on dignity for all of God's children, for none of us is without blame and not one of us lives without a spark of the Divine within.

Multi-Faith Prayer

Below is a brief interfaith prayer that can accompany a sermon. It is based on sacred texts and incorporates the themes of *Second Shot*:

O God, who is the mother and father of us all, help us to clarify our understanding of how to resolve conflict and pain between our brothers and sisters here in this country. Lift us out of the fog of incarceration as the solution to many of our problems. Help us see that incarceration does not give us much; instead, it steals from us so very much: our children, our freedom, our chance at another chance, our opportunity to forgive and reconcile and move towards healing and wholeness.

God, give us the strength to imagine a new day, a time when our children, your children, have enough to eat, a good place to sleep, a solid education that allows them to rise to their potential, and abundant love and patience from those who care for them. Give us the power to elect policy makers who can see the truth, that hurt people hurt people, but healed people can heal others too. Give them the will to make the changes that will bring about pipelines to possibilities and investments in people that lead to dividends for communities who need it the most.

Let us tap into the mercy that you showed us, God, as we wandered through the wilderness long ago, and that we wander in still. Guide us towards healing and hope, as we come into our own voices as people of faith, ready to stand for all those who hurt, victim and incarcerated, and all those who are touched by the tentacles of this system that robs people of their humanity and their opportunities at a second shot. Do all of this in our lifetimes, God, and use us to do your will. In the many names by which you are known, Amen

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