**MEDIATION ON THE SHOULDERS OF THE BIBLE AND TALMUD-MATERIALS**

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…….there are many sources that refer approvingly to making peace between parties. whether this is achieved by a dayyan (rabbinical court judge) in the rabbinical court who works out a "compromise" between the parties or by means of mediation that takes place outside the court.

An expression of the important role of "peace," alongside that of "law" as a means to dispute resolution, is seen in the Book of Zechariah, 8:16, "…execute the judgment of truth and peace in your gates." The Mishnah Avot elaborates, stating: "The world exists on three foundations: On truth, on judgment, and on peace." The teaching in the Mishnah continues: "What is the judgment that contains peace? Let it be said: it is compromise." The Maharsha – Rabbi Samuel Eidels, commented: "Compromise is arrived at with the agreement and willingness of both of the parties, which is not the case with judgment."

As opposed to modern legal systems that view the court as a central means for conflict resolution, the Torah commands each individual – and not just the legal institution – to try to bring about accord between opponents in a dispute. An expression of this is found in the Mishnah that is recited daily in the morning prayers: "These are things that have no measure [that the reward for them is immeasurably great] …and making peace between people and between a husband and his wife" (the last phrase, "between a husband and his wife," does not appear in all of the ancient manuscripts of the Mishnah, but is found in some of the versions of the prayer and is common in the Sephardi versions of the prayer).

In his classic commentary on the Mishnah, Rabbi Israel Lipschutz (Germany, 18th century), discusses the special expression "bringing peace" rather than "making peace," and he comments as follows: Bringing peace – even if the two parties do not desire it, one should go to the trouble of persuading them to come together and bring about peace between them. And this is the reason that the tanna did not say "to make peace" but rather "to bring peace," in other words, to bring counsel from afar in order to compel them by his soft words to bring peace between them.

Aaron the Priest, about whom it was said in the Mishnah that he "loved peace and pursued peace," serves as the archetype for the commandments of bringing about peace. The Talmud contrasts between Moses, the head of the judges and Aaron's brother, and Aaron, who serves as a symbol for mediators seeking to resolve disputes outside of court: "Moses used to say: The law must be carried out to its fullest, but Aaron loved peace and pursued peace, and made peace between people." Rashi commented "Because he would hear the disputes between them before they came before him for a judgment, he would pursue them and impose peace between them." In other words, as is the case with modern day mediation proceedings, the "mediator," Aaron the Priest, met with the parties before the legal hearing and outside of the "court," in order to spare them the pain and suffering that accompany the legal proceedings.

According to the description in Midrash found in Avot de-Rabbi Nathan, Aaron uses a technique similar to that used by contemporary mediators, of holding separate mediation meetings alongside the joint meetings, with the goal of aiding the parties to end the dispute. It is not unusual for a dispute between parties to be so serious that the two parties cannot communicate with each other. So he

uses "neutral" language, while emphasizing points that are likely to lead to a resolution of the dispute. Aaron emphasizes the sorrow of the other party to create an opening to decrease the tension between the parties and to encourage discussion between them. In these respects, the difference between the mediation process and a court proceeding is readily apparent.

**DIVORCE MEDIATION: GENTLE ALTERNATIVE TO A BITTER PROCESS**

By Adam Berner, Esq.

<https://www.jlaw.com/Articles/berner.html>

As Jews living in this century, we share unfortunate social problems with our American society. The prevalence of divorce in our community is one such problem. Divorce, which causes even the altar in the Holy Temple to shed tears (Gittin 90b), is an unfortunate and disruptive event not only for the individuals involved, but also for their friends, families and community. Rabbi John L. Rosov takes it a step further in his article on When Jews Divorce, saying that few events in life are as destabilizing, disappointing, painful, or sad as divorce. When a couple marries, neither expects the marriage to end in divorce. The Talmud reflects the tragedy of a failed marriage when it says, “Even God sheds tears when a couple divorces.” The late Rabbi Harry Wohlberg Z’L taught at Yeshiva University to generations of Rabbinical students. He asked his students on one occasion to explain why the Talmud states that the Mizbaeach (the alter) itself cries for the couple going through a divorce proceeding. Why was this metaphor of a “crying altar” used? Rabbi Wohlberg explained that the altar was the scene of bloody activity on a daily basis, it had become de-sensitized to blood and gore, but yet it could not tolerate the scene of a couple seeking to end their marital relationship.

Nonetheless, when a marriage can no longer be sustained, Jewish tradition accepts divorce without moral judgment. If divorce is the inescapable route that a couple must take, the Torah recognizes this reality and prescribes how to deal with it.

The conventional method for obtaining a civil divorce includes a general attitude of conflict and competition. This is not the Jewish approach. From a Torah perspective, an ex-spouse is not a categorical exception to the Biblical commandment of loving thy neighbor. Love and the pursuit of peace is mandated even for those in the midst of conflict. Our Sages teach us that Truth, Justice, and even God's Name are compromised for the purpose of establishing Shalom. Indeed, for a Jewish family, just because there is not one bayit (home), does not mean there should not be Shalom. As Rabbi Avrohom Pam in a address calling for a civilized approach to gittin (divorce is a get) asked, "Why cannot the task of dissolving the marriage be approached with respect and humanity, with menchlichkeit?"

Mediation is actually the preferred method of conflict resolution used by Jewish courts in a process called psharah (compromised settlement). The Torah mandates us "to do that which is right and good in the sight of the Lord." Rashi comments that this refers to psharah, looking beyond the letter of the law. In fact, the halachah establishes that it is a mitzvah to encourage disputing parties to pursue psharah over the adjudication and application of din (strict law). Capturing the essence of the benefits of mediation, the Talmud states that only psharah, not din, constitutes the ideal justice of mishpat shalom and mishpat tzedek -- judgment of peace and judgment of righteousness. No modern formulation has so elegantly expressed the uniqueness of mediation, in its ability to provide an integrated justice balancing the values of fairness, peacefulness and compassion.

From as early as Cain and Abel, we learn that conflict is part of human nature. Our sages have instructed us concerning how to best deal with this nature. We are warned that "An argument is like an overflowing stream; the more it flows, the wider it spreads." The Vilna Gaon explains that attempting to stop an argument by arguing is the same as trying to wash one's face in one's filth. The more one washes, the more he sullies himself. Jewish sources are clear that adversity only breeds adversity.

Shalom, as mentioned above, should be the prime objective in resolving disputes. The Torah is more concerned with restoring social harmony than with arbitrating legal issues. We are advised by Hillel to be of the students of Aaron, not only to love peace, but to pursue peace. Even if peace is not easy, even in the midst of disagreement, even if we may not love or like a person as we used to, peace should still be the goal to which to aspire and pursue.

In the darkness of conflict and family transition, guiding light comes from the tradition of family values and Jewish ethics.We must realize that Shalom, Mishpat and Tzedek, as goals in mediation and Jewish justice, demonstrate strength, not weakness. This strength produces stronger, wiser and more durable and meaningful resolutions of conflict.

**PEACE**

Jewish Concepts: Peace

Rabbi Avi Weinstein, Director, Hillel's Joseph Meyerhoff Center for Jewish Learning

<https://www.jewishvirtuallibrary.org/peace>

Proverbs 3:17. Her ways are pleasant ways, And all her paths, peaceful

And the Rebbe said, "Lying is always forbidden except where the purpose is to bring peace between two parties." Bar Kapara said, "How great is peace that even the Torah has stretched the truth in order to bring peace between Abraham and Sarah. As it is written, "And Sarah laughed to herself saying...my master is old..." (Genesis 18) And later it is written, [that she said] "And I am old."

From the Shalom Center:

In Psalm 43, verse 15 we find the famous verse: Bakesh Shalom v’Radfeihu, “Seek Peace and pursue it”. According to the Midrash: “Seek peace, and pursue it means that you should seek it in your own place, and pursue it even to another place as well.” (Leviticus Rabbah 9:9) Seeking peace is not enough; one has to be an activist in pursuing it all the time.

A Rabbinic Statement: “Seek peace & pursue it,” through active non-military intervention.

“What kind of person actually takes delight in life? Turn away from evil and take good action; seek peace and pursue it.

Rabbi Hizkia taught: Great is shalom, peace, because about all the other mitzvot (commands) in the Torah it is written, “If the opportunity to do the mitzvah comes upon you, then you must do it, and if not, you are not bound to do it. But in the case of peace, it is written, Seek peace, and pursue it—seek it in the place where you are, and pursue after it in another place. (Vayikra Rabbah 9:9)

Even if peace is running away from you, run after it.

Shalom: Peace in Hebrew

Along with truth and justice, peace is among the most hallowed Jewish values.

BY DR. AVIEZER RAVITZKY

<https://www.myjewishlearning.com/article/shalom/>

The Hebrew word for peace, shalom is derived from a root denoting wholeness or completeness, and its frame of reference throughout Jewish literature is bound up with the notion of shelemut, perfection. Its significance ranges over several spheres and can refer in different contexts to bounteous physical conditions, to a moral value, and, ultimately, to a cosmic principle and divine attribute. The majority of passages on the subject of peace are concerned with family or communal life, that is, with internal peace among the people, and only a minority are concerned with external relations between Israel and other peoples, between nations and states.

Nevertheless, the two realms are not always differentiated from one another, and at times they appear to be continuous; we read, for example: “He who establishes peace between man and his fellow, between husband and wife, between two cities, two nations, two families or two governments…no harm should come to him” (Mekhilta Bahodesh 12).

Peace was the ultimate purpose of the whole Torah : “All that is written in the Torah was written for the sake of peace” (Tanhuma Shofetim 18). It is the essence of the prophetic tiding‑‑”The prophets have planted in the mouth of all people naught so much as peace” (Bamidbar Rabah Naso 11:7)‑‑and of redemption, “God announceth to Jerusalem that they [Israel] will be redeemed only through peace” (Deuteronomy Rabah 5:15).

Finally, several sayings concerning the power of peace go beyond the social‑ethical realm to enter the domain of the cosmic: The Holy One makes peace between the supernal and the lower worlds, among the denizens of the supernal world, between the sun and the moon, and so on (Leviticus Rabah, loc. cit.; Deuteronomy Rabah 5:12; and see Job 25:2).

Most of these passages in fact acclaim yet more ardently the pursuit of peace among men, in an a fortiori formulation: “And if the heavenly beings, who are free from envy, hatred and rivalry, are in need of peace, how much more are the lower beings, who are subject to hatred, rivalry, and envy” (Deuteronomy Rabah, loc. cit.).

**TIKKUN OLAM**

Chabad on Tikkun Olam

<https://www.chabad.org/library/article_cdo/aid/3700275/jewish/What-Is-Tikkun-Olam.htm>

Tikkun Olam: In Jewish teachings, any activity that improves the world, bringing it closer to the harmonious state for which it was created. Tikkun olam implies that while the world is innately good, its Creator purposely left room for us to improve upon His work. All human activities are opportunities to fulfill this mission, and every human being can be involved in tikkun olam—child or adult, student or entrepreneur, industrialist or artist, caregiver or salesperson, political activist or environmentalist, or just another one of us struggling to keep afloat.

Tikkun is often translated as repair. But in the Hebrew Bible and in the early code of Jewish law called the Mishnah, it has a range of meanings: improve, fix, prepare, set up, or just “do something with…” Tikkun could be used to describe straightening a crooked rod, maintaining a roadway, cutting fingernails, setting a table, or devising a parable to explain a difficult idea. Olam in Biblical Hebrew connotes all of time. In later Hebrew, it came to mean the world.

So Tikkun Olam means to do something with the world that will not only fix any damage, but also improve upon it. literally means to do something with the world that will not only fix any damage, but also improve upon it, preparing it to enter the ultimate state for which it was created.

Each act of tikkun olam is a fine-tuning of our world’s voices. With each tikkun, we are creating meaning out of confusion, harmony from noise, revealing the unique part each creation plays in a universal symphony that sings of its Creator.

Tikkun olam is often used exclusively to describe acts of social justice and environmental awareness. These are certainly important, as we are all responsible to right injustice. “Silence,” goes the Talmudic edict, “is consent.” And it is certainly vital that we ensure the sustainability of life upon this magnificent stage of creation. But it is crucial to note that Tikkun olam is not for political activists and environmentalists alone. There are really numerous ways for us to do tikkun olam in our daily lives.

The Mishnah teaches that each person is an entire world. Any tikkun made in that world reverberates through all the rest of the world. Each tikkun has the potential to change everything. Whatever comes your way, big or small, is an opportunity dropped in your lap by G‑d Himself to repair and perfect His world. Any small act could be the tipping point that will turn the entire world around.

Indeed, Maimonides wrote in the 12th century, “Every person should see himself and the entire world as in a delicate balance, whereby any one deed can tip himself and the entire world towards the good…”

How can one deed tip the entire world? Because the world is designed with such precision that its every detail is essential to its perfection. Any one small piece of the puzzle may be the crucial piece that brings wholeness to every other piece and to the whole.

My Jewish Learning on Tikkun Olam,

Tikkun Olam is a Jewish concept defined by acts of kindness performed to perfect or repair the world. The phrase is found in the Mishnah, teachings compiled in the 3rd Century. In this instance, the phrase is used when discussing issues of social policy, insuring a safeguard to those who may be at a disadvantage

Tikkun olam also refers to repairs performed on an individual level, as found in Jewish mysticism. This view of tikkun olam is more abstract and cosmological. Rabbi Isaac Luria, a teacher and kabbalist, in 16th Century Palestine, explained that the world is made up of good and evil. In order for the balance between good and evil intended by God to be restored, humans must be involved in the world's reparation. Humans are responsible for separating the holy world from the material world. This separation can be achieved by contemplative actions, including "liturgical prayer, performance of all other mitzvot [commandments], and the practice of certain special exercises.

Tikkun olam forces people to take ownership of their world. It is them, not Go d, who will bring the world back to its original state of holiness.

More simply, it is important to participate in repairing the world by participating in tzedakah (justice and righteousness) and g'milut hasadim (acts of loving kindness). Without their stake in the improvement of their environment, injustice and evil will continue to exist. G’milut Hasadim refers to performing acts of loving kindness; and Jewish communal actions to help the needy, not only monetarily but with time and effort. Shimon HaTzaddik, ( Simon the Righteous), stated that the world's continued existence is due to three things: Torah Study, Hashem worship, and the performance of acts of kindness.

**AIDING THOSE LESS FORTUNATE.**

These acts of loving kindness are not limited to your own family, your own community, or even your own people. Our texts and our scholars are insistent that we treat with dignity, respect and support, the widows, orphans strangers and poor. If this is so, how much more true is it that we must treat our soon to be former spouses, people we once said we loved and cherished with equal or greater consideration.

You will not undermine the justice due to a stranger or an orphan and you will not seize the widow’s garment as collateral.” Deuteronomy, 24:17

“Fathers and mothers have been humiliated among you, strangers have been cheated in your midst, orphans and widows have been wronged among you.” Ezekiel 22:7

“There is no greater or more glorious joy than bringing joy to the heart of the poor, the orphans, the widows and the strangers.” Maimonides, Hilchot Magila v’Hanukah, 2:17

“Learn to do good. Devote yourselves to justice; Aid the wronged. Uphold the rights of the orphan; Defend the cause of the widow.” Isaiah 1:17

Theologians speak of the particular care that is owed to those that Biblical scholars call the “Deuteronomic triad”—the widow, the orphan, and the stranger/foreigner living in the midst of the people of Israel (Deut. 10:19; 27:19, etc.). The prophets of Israel spoke passionately about how a truly God-fearing society ought to show concern and love for its most vulnerable. Can we treat members and former members of our family with any less concern?

**SHALOM BAYIT**

Wikipedia: Shalom Bayit

Shalom bayit, peace of the home is the Jewish religious concept of domestic harmony and good relations between husband and wife. In a Jewish court of law, shalom bayit is the Hebrew term for marital reconciliation. The term sh’lom beto (peace of his home) is found in the Talmud regarding domestic peace in general. Nowadays, it is mostly used regarding matrimonial peace.

As a Jewish value: Throughout the history of the Jewish people, Jews have held an ideal standard for Jewish family life that is manifested in the term shalom bayit. Shalom bayit signifies completeness, wholeness, and fulfillment. Hence, the traditional Jewish marriage is characterized by peace, nurturing, respect, and chesed (roughly meaning kindness, more accurately loving-kindness), through which a married couple becomes complete. It is believed that God’s presence dwells in a pure and loving home.

In Jewish culture, a marriage is described as a “match made in heaven,” and is treated as a holy

enterprise. For example, the Jewish betrothal ceremony is referred to in classical rabbinic literature as Kiddushin (meaning hallowing / sanctification / consecration). By declaring the marriage union sacred, a couple stands sanctified before God. It is in a relationship where both husband and wife recognize each other as creations in God’s image and treat each other accordingly that true sanctity emanates forth. Moreover, this sanctity of the marital union reminds the Jewish husband and wife to express their holiness through marriage and to build a home based on mutual love, respect, and chesed.

The greatest praise the Talmudic rabbis offered to any woman was that given to a wife that fulfills the wishes of her husband. The husband too was expected to love his wife as much as he loves himself, and honor her more than he honors himself; indeed, one who honors his wife was said, by the classical rabbis, to be rewarded with wealth. Similarly, a husband was expected to discuss with his wife any worldly matters that might arise in his life.

Tough love was frowned upon; the Talmud forbids a husband from being overbearing to his household and domestic abuse by him was also condemned. It was said of a wife that God counts her tears.

In Jewish thought and law, domestic harmony is an important goal; to this end, an early midrash argues that a wife should not leave the home too frequently.

The goal may even warrant engaging in a “white lie”. According to the Talmud, when God tells Sarah she will give birth to a son, she expresses disbelief, saying: “After I am waxed old shall I have pleasure, my husband being old also?” But when God speaks to Abraham, he says: “Why did Sarah laugh and say, ‘Will I really have a child, now that I am old?” (Genesis: 18:12-13). The rabbis comment that God omitted Sarah’s mention of Abraham’s age out of concern for their shalom bayit.

Rava (scholar often quoted in Talmud) said: It is obvious to me that there is a fixed list of priorities. When a person is poor and must choose between purchasing oil to light a Shabbat lamp for his home or purchasing oil to light a Hanukkah lamp, the Shabbat lamp for his home takes precedence. That is due to peace in his home; without the light of that lamp, his family would be sitting and eating their meal in the dark. Similarly, if there is a conflict between acquiring oil to light a lamp for his home and wine for the sanctification [kiddush] of Shabbat day, the lamp for his home takes precedence due to peace in his home.

Rabbi Akiva taught: If a man [ish] and woman [isha] merit reward through a faithful marriage, the Divine Presence rests between them. The words ish and isha are almost identical; the difference between them is the middle letter yod in ish, and the final letter heh in isha. These two letters can be joined to form the name of God spelled yod, heh. But if due to licentiousness they do not merit reward, the Divine Presence departs, leaving in each word only the letters alef and shin, which spell esh, fire. Therefore, fire consumes them.

He said to her: Go and bring me two butzinei, intending small gourds, as butzinei are small gourds in the Aramaic dialect spoken in Babylonia. She went and brought him two lamps [sheraggei], called butzinei in the Aramaic dialect spoken in Eretz Yisrael. In anger, he said to her: Go and break them on the head of the bava, intending the gate, as bava means a gate in the Aramaic dialect spoken in Babylonia. She did not recognize this word. At that time, the Sage Bava ben Buta was sitting as a judge at the gate. She went and broke them on his head, as his name was Bava. He said to her: What is this you have done? She said to him: This is what my husband commanded me to do. He said: You fulfilled your husband’s desire, may the Omnipresent bring forth from you two sons, corresponding to the two candles, like Bava ben Buta.

 One who loves his wife as he loves himself, and who esteems her by giving her clothing and jewelry more than he esteems himself, and one who instructs his sons and daughters to follow an upright path, ……..ensures that his home will be devoid of quarrel and sin. Concerning him the verse states: “And you shall know that your tent is in peace; and you shall visit your habitation and shall miss nothing” (Job 5:24).

 Rav Ḥisda says: A person should never impose excessive fear upon the members of his household, as the husband of the concubine of Gibeah imposed excessive fear upon her and this ultimately caused the downfall of many tens of thousands of Jews in the resulting war (see Judges 19–20).

Rav Yehuda says that Rav says: Anyone who imposes excessive fear upon the members of his household will ultimately come to commit three sins: Engaging in forbidden sexual intercourse, as the wife will be so fearful of her husband that she will sometimes tell him that she has immersed in a ritual bath after her menstruation has ended when she has not done so; and he will also end up committing bloodshed, as she is likely to run away from him and expose herself to dangers; and desecration of Shabbat, as she will cook for him on Shabbat because she is scared that he will be angry with her for neglecting to do so beforehand.

The Shalom Bayit Divorce

by Denise Tamir on mediate.com

For those familiar with Jewish concept of Shalom Bayit, the title of this article seems like an oxymoron -like a Peacekeeper Missile. Shalom Bayit, literally “peace in the home,” is the Jewish imperative to maintain a respectful and harmonious household. Shalom Bayit is considered so important, that some religious rules may be circumvented if it will help to maintain a peaceful relationship between husband and wife. If Jewish tradition allows such leeway to prevent divorce, then the concepts of Shalom Bayit and divorce would seem to be mutually exclusive. That is not necessarily the case, however, as the values of Shalom Bayit may be applied to the manner in which a husband and wife, who for whatever reason have decided their marriage can not be saved, make their way through the divorce process.

When looking at the core principles of Shalom Bayit, the consistent theme is to maintain respect between the husband and wife so that they can create a harmonious family unit. In today’s society, when about half of all marriages end in divorce, the family unit looks very different than it did when these doctrines developed. Perhaps it is time to revisit this paradigm, and see what elements can be used in the divorce process in order to maintain a harmonious family unit that no longer has both parents living under the same roof. When looking at the many ways a couple can go through the divorce process today, one method, mediation, most closely embodies the Shalom Bayit principles of mutual respect and dignity that can be carried through the divorce process.

In addition to the obvious benefits like privacy and saving time and money, there is a less tangible but very important benefit for couples that mediate their divorces early. The parties learn how to deal with each other in a dignified and respectful manner, no matter what grievances they amassed during the marriage. A good mediator will effectively become a trainer, as well as a negotiator, by showing the parties more respectful ways to deal with each other. This is particularly critical when minor children are involved and the parties will have to continue to deal with each other for many years after the divorce is over. Effectively, they learn Shalom Bayit principles that carry over into their post divorce relationship thus allowing for a more harmonious family even though they now live in separate homes.

Couples that mediate their divorces return to court less often for post divorce issues like enforcement and modifications. There are two main reasons for this. First, they “own” their original divorce agreement as they crafted it themselves and are more likely to abide by it. Second, the mediation process itself, with the mediator as a negotiation coach, has taught them how to resolve their own differences in a respectful and dignified manner minimizing the need to run to the court to referee disputes. Both explanations embody Shalom Bayit principles.

Mediation applies the same philosophy of mutual respect and dignity to provide a peaceful divorce process that the Shalom Bayit doctrine provides to maintain a peaceful home. Though rooted in Jewish tradition, Shalom Bayit principles are universal and, when applied through mediation, can help any divorcing couple live more harmoniously after their divorce.

**Compromise**

<https://www.jewishvirtuallibrary.org/compromise>

COMPROMISE (Hebrew: pesharah; apparently derived from the term pesher, "solution," Eccles. 8:1), deciding a civil law dispute (dinei mamonot) by the court or an arbitral body, through the exercise of their discretion and not according to the laws governing the dispute. In Jewish law, compromise is allied to arbitration both with regard to the way it evolved and in some of its rules and trends.

In Deuteronomy 6:17–18, we read: "You shall diligently keep the commandments of the Lord and his testimonies which he has commanded you. And you shall do that which is right and good in the sight of the Lord, that it may be well with you…..." Commenting on this verse in his Torah Commentary, Naḥmanides writes: "This is a matter of great consequence. Given that it is impossible for the Torah to explicitly enumerate all the ways in which people relate to their neighbors and fellow men and to cover all the numerous types of business and transactions and all the things necessary for the proper ordering of society and government, it first mentioned a great many such things … and then stated generally that in all matters one should do that which is right and good. This is the basis for compromise, for going beyond the letter of the law, regarding that which was set forth in connection with giving a preemptive right to owners of adjoining land.

**T’SHUVAH, THE SPIRITUAL PRACTICE OF RETURN, BY RABBI MARCI PRAGER**

T’shuvah literally means "return." Spiritually "return" is a process of re-alignment with the Divine Presence within us and around us, and with family and community. The process of t'shuvah is an ongoing one. Jewish tradition teaches that we should make for ourselves a daily "fixed time" for t’shuvah – a regularized practice of engaging in the spiritual work of re-alignment. T'shuvah becomes a regular feature of our daily spiritual work-outs, a Jewish "Soul Yoga." As any yoga practitioner knows, a once-in-a-while workout does not produce a Yogi. So too, without regular spiritual practice, we can't expect very high results. We live in a culture that places so many demands on us in the material world that it can become difficult to regularize any spiritual practices at all. From a Jewish point of view this is tragic and dangerous for individuals and society. While from the outside, Jewish tradition may sometimes seem like an array of "rules," from the inside we know ourselves to be gifted with inspiring guidance for a life rich in soul-stretching spiritual practices.

These interact synergistically to elasticize and tone our capacities to be vessels of Godliness.

The great Christian mystic Meister Eckart taught: "Know that the eye through which you see God is the same eye through which God sees you." T'shuvah asks of us that we take our own eye, which is the eye of God, and search our souls. We are urged to make a regular practice of carving out a special time for hitbodedut (seclusion, alone-ness with self) and t'shuvah (soul searching and re-alignment) during which time we are immersed in holiness with no distractions.

This is a time for soul-review and return. Be aware, however, that t'shuvah must not be a descent into self-degradation, self-scorn, or destructive self-criticism. As a disciple of the great Seer of Lublin taught: "When you pray about t’shuvah, express your hopes! Come into a state of t'shuvah in joy and expansiveness of spirit! Not from sadness, stress and feelings of impoverishment. "

 Jewish tradition teaches us that our neshamah, the soul that was created within us, is pure and good like a holy spark. No matter what layers of tarnish life's hurts and errors may have layered on, t'shuvah can bring us back to our fundamental goodness and godliness.

**THE T’SHUVAH OF DIVORCE**

What is the true purpose of divorce mediation? Is it a process designed to bypass the courts and allow for a less combative dissolution of marriage? Is it a process designed to save the parties time and money? Is it a process that protects the children, and the assets of the parties from the ravages of war? Of course yes to all of these things.

But it must, in my humble opinion be so much more. Reflecting on the themes of these materials, we must hold that mediation is designed to be so much more.

It is designed to continue, sometimes restore, and sometimes create newly, Shalom Bayit. Peace in the home. Or homes. Or even the entire environment. Peace, one of the major emphasis of the Biblical writings and rabbinical dissertations. Why did God cry at the tearing apart of a marriage? Because it disturbed the peace. That is why I think God invented mediation. So people could be divorced in a peaceful manner.

When it is said that human beings are designed in tzelem Elohim (in Latin: Imago Dei), in the image and likeness of God, does that mean we look like God? I think not, and certainly no one can assert proof for that as we cannot see God and live. But we can assert Godly qualities, and do our best to emulate them. The word God is usually used as a noun. A few years back Rabbi David Cooper wrote his famous book God is a Verb. For this discussion, I think we as human beings are best served using God as an adjective. There was a time when it would be common to say someone was a Godly person. It described not only their practices, but their being. Their willingness to care for the widow the stranger and the orphan. Their commitment to the welfare of those around them and the whole planet. We should have as one of our goals of mediation that the parties can leave the process relating to each other in a Godly manner. Caring for each other. Acknowledging that doing damage to one person created in the image of God is like doing damage to the whole world.

And Tsuvah, return? I do not expect that the couple we see in mediation should return to being husband and wife. But in the world of Tsuvah, they can be responsible and remorseful and apologetic for the hurt they have caused the other (in the 1000 plus mediations that I have done, this has never been all on one side, no matter what my biases tell me). And they can return to the being of a caring parent, who needs to care for the other parent of their children. Return and restore the spirit, the soul with which they came into marriage into their very being, and use it in the new relationship they will have moving into the future.

Shalom Bayit, Tzelem Elohim, Peace, Tikkun Olam, Care for the less fortunate, Tsuvah. Centuries old principles, passed down from generation to generation, can within the mediation process transform divorce, and provide for the future of our families. We are providing Tikkun, and aiming for Tikkun Olam, one couple at time. Maybe the next couple is the one who will turn the tide.

**EXPLANATION OF TERMS: Glossary and People**

TALMUD. The Talmud is the central text of Rabbinic Judaism and the primary source of Jewish religious law (halakha) and Jewish theology.Until the advent of modernity, in nearly all Jewish communities, the Talmud was the centerpiece of Jewish cultural life and was foundational to "all Jewish thought and aspirations", serving also as "the guide for the daily life" of Jews. The Talmud is made up of the Mishnah and the Gemara. It includes their differences of view. There are two versions of the Talmud. The Jerusalem Talmud was compiled by scholars of the Land of Israel, and was published between about 350–400 CE. The Babylonian Talmud was published about 500 CE. By convention, a reference to the Talmud without further qualification, refers to the Babylonian version.

TOSAFOT. The Tosafot or Tosafos are medieval commentaries on the Talmud. They take the form of critical and explanatory glosses, printed, in almost all Talmud editions, on the outer margin and opposite Rashi's notes.

TANACH. The Hebrew Bible, also Tenakh, Tenak, Tanach) is the canonical collection of Hebrew scriptures. These texts are almost exclusively in Biblical Hebrew, except for some Biblical Aramaic passages in the books of Daniel and Ezra. The Hebrew Bible is also the textual source for the Christian Old Testament. The form of this text that is authoritative for Rabbinic Judaism is known as the Masoretic Text (MT) and it consists of 24 books, while the translations divide essentially the same material into 39 books for the Protestant Bible.

MAHARSHA. Shmuel Eidels (1555 – 1631) was a rabbinic sage in Poland, a renowned rabbi and Talmudist famous for his commentary on the Talmud, Chiddushei Halachot. Eidels is known as Maharsha a Hebrew acronym for "Our Teacher, the Rabbi Shmuel Eidels"

MISHNAH. The Mishnah is the first major written collection of the Jewish oral traditions known as the "Oral Torah". It is also the first major work of rabbinic literature. The Mishnah was redacted at the beginning of the third century CE in a time when, the persecution of the Jews and the passage of time raised the possibility that the details of the oral traditions from the Second Temple period (536 BCE – 70 CE) would be forgotten. The Mishnah consists of six orders (sedarim), each containing 7–12 tractates (masechtot), and further subdivided into chapters and paragraphs.

GEMARA. The Gemara is the component of the Talmud comprising rabbinical analysis of and commentary on the Mishnah. After the Mishnah was published by Judah the Prince (c. 200 CE), the work was studied exhaustively by generation after generation of rabbis in Babylonia and the Land of Israel. Their discussions were written down in a series of books that became the Gemara, which when combined with the Mishnah constituted the Talmud.

TANNA. Tanna, also spelled Tana (Aramaic: “teacher”), plural Tannaim, any of several hundred Jewish scholars who, over a period of some 200 years, compiled oral traditions related to religious law. Most tannaim lived and worked in Palestine. Their work was given final form early in the 3rd century CE by Judah ha-Nasi, whose codification of oral laws became known as the Mishna.

AVOT DE-RABBI NATHAN. Usually printed together with the minor tractates of the Talmud, it is a Jewish aggadic work probably compiled c.700–900 CE. Avot de-Rabbi Nathan is the first and longest of the minor tractates. It may be considered as a kind of "tosefta" or "gemarah" to the Mishna Avot, which does not possess a traditional gemarah. Avot de-Rabbi Nathan contains many teachings, proverbs, and incidents that are not found anywhere else in the early rabbinical literature.

AGGADAH (pl. aggadot). Agaddah refers to non-legalistic exegetical texts in the classical rabbinic literature of Judaism, particularly as recorded in the Talmud and Midrash. In general, Aggadah is a compendium of rabbinic texts that incorporates folklore, historical anecdotes, moral exhortations, and practical advice in various spheres, from business to medicine.

RASHI. An acronym for RAbbi SHlomo Itzhaki. He was a medieval (end of 10th century) French rabbi and author of a comprehensive commentary on the Talmud and commentary on the Tanakh. Acclaimed for his ability to present the basic meaning of the text in a concise and lucid fashion, his works remain a centerpiece of contemporary Jewish study. His commentary on the Talmud has been included in every edition of the Talmud since its first printing in the 1520s.

HALAKHA. Halakha is the collective body of Jewish religious laws derived from the written and Oral Torah. Halakha is based on biblical commandments (mitzvot), subsequent Talmudic and rabbinic law, and the customs and traditions compiled in the many books such as the Shulchan Aruch. Halakha is often translated as "Jewish Law", although a more literal translation might be "the way to behave" or "the way of walking". The word derives from the root that means "to behave" (also "to go" or "to walk"). Halakha guides not only religious practices and beliefs, but also numerous aspects of day-to-day life.

SHULCHAN ARUCH. The Shulchan Aruch (literally: "Set Table"), sometimes dubbed in English as the Code of Jewish Law, is the most widely consulted of the various legal codes in Judaism. It was authored in Safed (today in Israel) by Joseph Karo in 1563 and published in Venice two years later.Together with its commentaries, it is the most widely accepted compilation of Jewish law ever written.

RAMBAM. Moses ben Maimon, commonly Maimonides, and also referred to by the acronym Rambam, (Rabbeinu Moshe bēn Maimun, Our Rabbi Moses, son of Maimon), was a medieval Jewish philosopher and one of the most prolific and influential Torah scholars of the Middle Ages. He was also a preeminent astronomer and physician. Born in Córdoba, in present-day Spain in 1135 he worked as a rabbi, physician, and philosopher in Morocco and Egypt. He died in Egypt in 1204 and was buried in Tiberias. He is amongst the foremost rabbinical decisors and philosophers in Jewish history, and his works on law and ethics comprise a cornerstone of Jewish scholarship. His fourteen-volume Mishneh Torah still carries significant canonical authority as a codification of Talmudic law, and includes the 13 articles of faith, and the 8 levels of tzedukah. We also learn from the Rambam that teshuva (repentance) has three main components. First, we need to reflect on our behavior. Secondly, we must commit to change our ways. And thirdly, we have to try to make amends for the damage we have done.

GEMILUT ḤASADIM literally "the bestowal of lovingkindness" usually referred to as acts of loving kindness, the most comprehensive and fundamental of all Jewish social virtues, which encompasses the whole range of the duties of sympathetic consideration toward one's fellow man. The earliest individual rabbinic statement in the Talmud, mentions it as one of the three pillars of Judaism: Torah, the Temple service, and gemilut ḥasadim, upon which the continued existence of the world depends.”

T’SHUVAH. Tshuvah (pronounced ti-shoo-vah) is a complex notion. It is common to translate it into English as "repentance", but repentance carries with it ideas about sin and evil that have their roots in a Christian world view and that are only marginal to modern Jewish theology. Tshuvah is less about transgression than it is about return. The Hebrew verb literally means "a turning". One returns to the right path, the path that has always been present in the commandments of the Torah and in the work of seeking justice.

NACHMANIDES. Moses ben Nahman ( "Moses son of Nahman"; 1194–1270), commonly known as Nachmanides, and also referred to by the acronym Ramban (Ra-M-Ba-N, for Rabbeinu Mōšeh bēn-Nāḥmān, "Our Rabbi Moses son of Nahman"), was a leading medieval Jewish scholar, Sephardic rabbi, philosopher, physician, kabbalist, and biblical commentator. He was raised, studied, and lived for most of his life in Girona, Catalonia. He is also considered to be an important figure in the re-establishment of the Jewish community in Jerusalem following its destruction by the Crusaders in 1099.

VILNA GAON. Elijah ben Solomon Zalman (Sialiec, April 23, 1720 – Vilnius October 9, 1797), was a Talmudist, halakhist, kabbalist, and the foremost leader of misnagdic (non-hasidic , literally opposers) Jewry of the past few centuries. He is commonly referred to in Hebrew as ha-Gaon he-Chasid mi-Vilna, "the pious genius from Vilnius".