

HHD Sermon 5783  
*Hilchot T'shuvah* and Accountability

On May 26th, I joined a gathering of nearly 100 people on zoom, facilitated by a grassroots group, ACT, which stands for Accountable, Community-focused, Transparent – the headlines of the group’s 3 original demands on the Union for Reform Judaism, or URJ. This gathering was to give voice to survivors of harms done by the URJ and to heal as a community. I joined not only as a member of the URJ, a rabbi in the movement, or as a former URJ camp employee, but as a survivor of sexual misconduct at the hands and words of a male counselor when I was an 11-year-old camper at a URJ camp. For the first time in a public way, I shared my story and the ways that the URJ failed me in that situation. This public account was one of the most intimidating and scary things I had ever done in my life. And it empowered me to keep working for accountability in our Reform movement.

The Reform Movement includes three major institutions: the Central Conference of American Rabbis, or CCAR, the organization which most of the Reform Movement rabbis are affiliated, the Hebrew Union College-Jewish Institute of Religion, or HUC-JIR, which is the Reform Movement seminary, and the URJ, the organization which all Reform congregations belong and houses our summer camp and youth system. In April 2021, each of these three main Reform movement organizations hired independent law firms to conduct interviews and produce reports on incidents of ethics violations within the institutions.<sup>1</sup>

These reports<sup>2</sup>, released months later, outlined pages and pages of discrimination, unfair treatment, misconduct – much of it sexual in nature— and abuses of power. Each of the reports were full of pain. Alongside the URJ’s investigation, I contributed to the HUC-JIR investigation with harms that had been done to me, which were not sexual in nature. All in all, I had an idea of what would come about, but could not have imagined the depth of pain memorialized in the pages of these reports – truly public for the first time.

It was very clear to those of us watching that in many ways our Reform Movement was on the precipice of our own #MeToo moment. As I signed on to the ACT group’s original letter asking for accountability, I wrote my own letter to the URJ President and Board Chair, and then shared my story in the ACT’s gathering – finding myself deeply entrenched in the work. I intensified my role with the ACT group and subsequently became part of the URJ’s Restorative Processes Work Team, which is working on “identifying, recommending, and overseeing the implementation of restorative and healing processes for victim/survivors, and includes *t’shuvah*.”<sup>3</sup>

Before I go any further, I want to clarify that I am 100% a product of the Reform movement and the incredible resources it gives, the education it provides, and the opportunities which it encourages. All of this helped get me to this very moment of being your rabbi standing on this bima. And, because of my knowledge of and love for the Reform movement, I know we are flawed. VERY, VERY flawed. I am deeply committed to making our Reform movement the best it can be and so in showing my love, I am also expressing my rebuke, because, as Rabbi

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<sup>1</sup> <https://www.ccarnet.org/april-27-2021-an-update-from-rabbis-lewis-kamrass-and-hara-person/>, <https://pr.huc.edu/email/2021/04/message-from-president-4-30/email.html>, <https://urj.org/blog/important-message-ethical-accountability>

<sup>2</sup> CCAR: <https://10pzbn347s7w1b9a412ijnxn-wpengine.netdna-ssl.com/wp-content/uploads/2021/12/Alcalaw-Report-of-Investigation.pdf>, HUC-JIR: <http://huc.edu/sites/default/files/About/PDF/HUC%20REPORT%20OF%20INVESTIGATION%20--%2011.04.21.pdf>, URJ: [https://urj.org/sites/default/files/2022-02/URJ\\_Investigation\\_Report.pdf](https://urj.org/sites/default/files/2022-02/URJ_Investigation_Report.pdf)

<sup>3</sup> <https://urj.org/sites/default/files/2022-08/Ethics-Accountability-Task-Force-and-Work-Teams.pdf>

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Danya Ruttenberg says in her book, *On Repentance and Repair: Making Amends in an Unapologetic World*, “rebuke is a call to accountability.”<sup>4</sup>

How, then, do we understand this accountability? It can be found in *Hilchot T'shuvah*, the Laws of Repentance laid out by Maimonides in his *Mishneh Torah*, a legal compendium which he wrote somewhere between 1176 and 1178.<sup>5</sup> These laws explain how to go through a *t'shuvah* process with another person in five steps. The steps are unique to Judaism in the way they are laid out and the entire five step process must be survivor-focused and - engaged or it is not being done correctly.

First, the harmdoer must name and own the harm. Before this step even, the harmdoer must understand the harm that they have caused and then be willing to face it – many times in a public arena. This public statement of ownership is NOT an apology, it is a recognition of the harm with full ownership and a commitment to engage in the process of transformation – a deep dive into themselves – no doubt, difficult work.

The second step is to change behavior, showing commitment to the process of *t'shuvah* and transformation. It may seem odd that we go from acknowledging the wrongs to changing behavior without amends or apologies, but Maimonides explains that 1) this isn't just about making amends, it's transformation and 2) amends and apologies mean little if there hasn't been work done to ensure it doesn't happen again. This step is the inner effort that must be done before the harmdoer can move forward in the repentance process. The harmdoer should focus on bettering themselves, delving into the root causes of the harm, going to therapy or rehab, or educating themselves.

The third step is restitution and accepting consequences.<sup>6</sup> Before jumping into this step, we must be willing to talk to the survivors and understand what restitution they need. Dr. Guila Benchimol, an expert in restorative justice, a champion for survivors, and a Jew engaged in Jewish communities grappling with the harms they have caused, explains that amends are not gifts to be offered *to* or *with* those harmed<sup>7</sup>, but it is what the harmdoer OWE[S] those that have been harmed.<sup>8</sup> The survivor has the right to decide what kind of restitution they are seeking. There are many ways this could go, from monetary restitution to the harmdoer showing a sincere understanding and public accounting of accepting that actions have consequences. Regardless, restitution is still victim centered.

The fourth step is apology, which, for many people, seems late in the game. However, Maimonides reminds us that it must be one of the last steps so that there is a true transformation happening and an understanding of what has been done. Again, here the focus is on the survivor – what kind of apology do they need? What actions has the harmdoer done to be able to apologize in a wholehearted, transformed way? Rabbi Ruttenberg highlights “a real apology is not aimed *at* the person who has been hurt, but rather is given in relationship with them.”<sup>9</sup>

The fifth and final step in Maimonides' *Hilchot T'shuvah*, Laws of Repentance, is that when and if the harmdoer is faced with the same situation, they will make a different choice.

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<sup>4</sup> Ruttenberg, Danya. *On Repentance and Repair: Making Amends in an Unapologetic World*. Beacon Press, 2022. 84.

<sup>5</sup> Ibid. 23.

<sup>6</sup> Ibid. 36.

<sup>7</sup> Ibid. 40.

<sup>8</sup> Personal Communication with Dr. Guila Benchimol, September 19, 2022.

<sup>9</sup> Ruttenberg, Danya. *On Repentance and Repair: Making Amends in an Unapologetic World*. Beacon Press, 2022. 41.

This shows that they have done a lot of work of understanding the harm they have caused and have changed themselves.

The piece that makes this all a little more complicated for our organizations, like the URJ, is that it is not one person who is THE harmdoer and not one person who is THE survivor. Instead, it is systemic, institutionalized harm that has perpetually impacted unknown numbers of harmdoers and survivors. At the same time, it is hard to realize that URJ, CCAR, and HUC-JIR not only harbored and encouraged harmdoers, but they are the harmdoers themselves.

The next step in our Reform movement's process after *t'shuvah* is restorative justice – what do we do with the community aspect of harm? The leaders who are in our movement right now are not necessarily the people who are listed (or not listed) as harmdoers, however, as leaders of our organizations, they are still responsible for the harm and the process for correcting it, especially for any continued harm. As Rabbi Ruttenberg states, “We are held accountable for the harm that was done before our time—for all the injurious deeds that we have held on to, for all that we have not actively worked to undo.”<sup>10</sup>

So where is the URJ in the year and a half since the law firm was retained for the investigation? It's a slow process. The URJ has not published a recognition of harms done, and, in many cases within blog posts and emails the first step of ownership is referenced as if it has already been done. It has not. The communication has been sparse and spotty. There have been task forces and working groups created, with, what seems like very little actual work. Even in the Restorative Processes Work Team, in which I serve, we have only had one meeting as a group, and that took months.

At the same time, the URJ has hired an ombuds to serve “as an external, neutral, independent, and supportive guide to assist with the resolution of questions and concerns related to the reporting of misconduct and abuse, and to take complaints and reports from those who seek confidentiality or are not comfortable reporting through traditional URJ... channels.”<sup>11</sup> Just before Rosh Hashanah, they also employed restorative justice consultants, Dr. Guila Benchimol and Dr. Alissa R. Ackerman, who will be spending the next year exploring how restorative justice can work within the URJ - guided by survivors. As they shared, “restorative justice [is] an untried mechanism in our Jewish spaces... and the URJ has come to understand that they cannot be the providers or holders of these processes because of the harm they, too, have caused.”<sup>12</sup>

How does this implicate each of us – members of Temple Beth-El, one of the founding congregations of the Union for Reform Judaism (then the Union of American Hebrew Congregations) whose clergy have all been ordained by HUC-JIR, and whose rabbis are members in good standing of the CCAR?

One of the suggestions that Rabbi Ruttenberg makes in her book, is to practice “calling in” a term that focuses on the victims being part of the community – they are calling in, not calling out. This calling in is a way to rebuke the harmdoers in a constructive way that is mindful of the victim's role in protecting their emotional and mental well-being.<sup>13</sup> This truly means to hold our organizations accountable.

Before my involvement in the ACT group demanding accountability from the URJ, I felt that my voice wouldn't mean a whole lot. I'm a rabbi at a URJ congregation that is large, and I

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<sup>10</sup> Ibid. 132.

<sup>11</sup> <https://urj.org/blog/urj-ethics-accountability-update-august-5-2022>

<sup>12</sup> <https://urj.org/blog/announcing-building-very-narrow-bridge-restorative-justice-project>

<sup>13</sup> Ruttenberg, Danya. *On Repentance and Repair: Making Amends in an Unapologetic World*. Beacon Press, 2022. 79-80.

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grew up in the Reform movement. But I kept thinking to myself, who am I? The answer I discovered is: I am a product of the movement who has been involved in all three of these major groups investigating harms. I am a survivor of harms by these institutions. I am a thriver who has continued to hold leadership and lay positions in this movement. And, as a Reform Jew, I am doing the work of calling in. Now I want each of you to do so. Even when it seems that your voice might be small, I promise, it is not.

So now, we act.

The first step to really call in is education, we must fully understand the weight of these investigations and the harm that has been done. Read each report, the blog posts, and letters to explore where each organization is in Maimonides' steps. All of it is housed in one central location: [reformjudaismethics.org](http://reformjudaismethics.org).

Each organization is striving to maintain an open, ethical reporting process. If you have experienced harm in one of our institutions and you feel comfortable, take that step. If you want me to help you, please don't hesitate to reach out. It is scary and intimidating and also crucial to making our community a stronger and safer place.

As Temple Beth-El, we have a role in the future of the moral and ethical responsibilities of our community. In conversations with our Board of Trustees' President, Debbie Roos, there has been an understanding of the importance of Temple Beth-El creating our own ethical process. This is in the beginning stages and might take some time as we want to do it correctly and holistically. In the coming months, Temple Beth-El will establish an ethics task force to set about creating a policy for our congregation.

Some people may think that this step is overkill for Temple to engage in. Let me be clear, it is not. It is critical. We strive to make Temple a warm, inviting community which seeks to encourage and empower a connection to Judaism. If we don't have ownership for future harms that could occur, we are going to lose Jewish people – Jews who were committed to Judaism in various ways, who feel abandoned by their own Judaism.

At the same time as we are improving our congregational community and being proactive with an ethics policy, the URJ should be held accountable for the work they have said they would do and has not yet been done. Dr. Elana Sztokman, in her book, *When Rabbis Abuse: Power, Gender, and Status in the Dynamics of Sexual Abuse in Jewish Culture*, explains that for things to really change in our Jewish institutions, they need to be done through changes in policy and in culture.<sup>14</sup>

For policy changes, the URJ needs to publicly own the harms that they have caused to minors and to adults, to those who are still in our movement and to those who have abandoned Judaism because of the harms done to them by the URJ, to those who have felt that our camps and youth programs were their safe haven and to those who are from historically marginalized backgrounds, specifically, Jews of color, LGBTQIA+, or Jews with disabilities,<sup>15</sup> to those who are currently employed by the URJ and to those who had to sign an NDA, a non-disclosure agreement, upon their departure from working at the URJ, and any other victims who have been harmed. Not only must NDAs be removed from employees' contracts, but former URJ employees must be released from the NDAs they had to sign in order to receive severance.

For cultural changes, the URJ must have clearer communication that is made known to the wider public as is indicated in the Laws of Repentance's emphasis on the public nature of a

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<sup>14</sup> Sztokman, Elana Maryles. *When Rabbis Abuse: Power, Gender, and Status in the Dynamics of Sexual Abuse in Jewish Culture*. Lioness Books and Media, 2022. 356.

<sup>15</sup> [https://urj.org/sites/default/files/2022-02/URJ\\_Investigation\\_Report.pdf](https://urj.org/sites/default/files/2022-02/URJ_Investigation_Report.pdf) page 112.

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*t'shuvah* process. The URJ must communicate the work that has been done, not just the temporary solutions that have been marked “completed” on their At-A-Glance Progress Sheet.<sup>16</sup> The URJ must develop a process to support victims and future victims throughout their entire process – from as soon as the harm has been made known to the point where the victim says that they do not need any more support. Last, but certainly not least, it is imperative that the URJ hold an accessible community gathering so that people can understand the harms done, have a space to be in pain, to be heard, and to process.

The reality is, as Rabbi Ruttenberg says, “We cannot change the past, yet we can change the future, but only if we are honest about what has been—and who was harmed, and who caused that harm.”<sup>17</sup> We can no longer rest on our laurels and think someone else will be taking up the hard work. We cannot ignore misconduct of any kind and think that there will not be anyone impacted by it. We must realize that when we don’t stand up against misconduct, we are secondary harmdoers, placing even more harm on the victim. In the coming months not only will Temple Beth-El be working on an internal ethics process, but also holding the URJ accountable.

On Yom Kippur, we are to atone for our misgivings, but just because you show up on Yom Kippur or participate in *vidui*, confession, doesn’t mean that your slate is wiped clean. In fact, the Mishnah teaches “...For a transgression against their neighbor, Yom Kippur cannot atone, until they make things right with their neighbor.”<sup>18</sup> We can do this together. The Reform movement has begun to do this hard work of recognizing the flaws within itself and must continue to do this hard work. The Reform movement is engaging in a revolutionary undertaking not seen in Jewish communities before.<sup>19</sup> We must be both proud of our movement and prepared to hold them accountable. Now is our time to better our institutions. Now is our time to better ourselves. In this new year, let us step up for one another, truly making this world a better place. Ken Yehi Ratzon, may this be God’s will!

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<sup>16</sup> <https://urj.org/sites/default/files/2022-09/At-a-Glance-Progress-Sheet.pdf>

<sup>17</sup> Ruttenberg, Danya. *On Repentance and Repair: Making Amends in an Unapologetic World*. Beacon Press, 2022. 134.

<sup>18</sup> Mishnah Yoma 8:9

<sup>19</sup> <https://urj.org/blog/announcing-building-very-narrow-bridge-restorative-justice-project>