

Harassment, Bullying, and Jewish Institutions

Shabbat HaGadol – Parashat Tzav, 5781

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Hannah Dreyfus, writing in *The Forward* this week, tells of a controversy swirling around Steven M. Cohen, “a leading Jewish sociologist[, who was] forced out of his position at Hebrew Union College in 2018 amid allegations of sexual harassment that dated back decades. He did not contest the allegations..., but expressed remorse and intentions to apologize to his accusers.”ⁱ Cohen has made none of the promised apologies.ⁱⁱ

Nevertheless, last year, when Yehuda Kurtzer and Claire Sufrin published *The New Jewish Canon*, they included Cohen’s work. Dreyfus reports that an “uproar...erupted...At the time, Kurtzer acknowledged in a Facebook post ‘the harm that victims of sexual...violence experienced by the continued appearance of their attackers in public discourse and media.’ But, he said in the post, that it’s ‘also the case that individuals accused of sexual violence may have contributed to the Jewish communal discourse.’”ⁱⁱⁱ Like me, the editors of *The New Jewish Canon* have read the harrowing first-person reports of Cohen’s sexual misconduct, including the use of physical force to initiate sexual contact—that is to say, assault.^{iv} Nevertheless, those editors judged Cohen’s work so important that they published it anyway.

In so doing, they identified Steven Cohen as a “productive perpetrator,” a term coined by Rabbi Mary Zamore, Executive Director of the Women’s Rabbinic Network and a former scholar-in-residence at our congregation. Rabbi Zamore defines “the productive perpetrator” as “the professional or lay leader in a congregation or institution who is successful in their work, yet has substantiated accusations of sexual assault, harassment, or abusive/bullying behavior against them. They are trusted and beloved, generous with their time and/or money; they excel in their field. And because of their success, their community will never hold them accountable for their bad behavior—even if it endangers the community’s atmosphere of safety and respect—leaving a wake of damage in their path. Often working to keep the behavior and its negative impact unknown to the wider world, community leaders act as if the bad behavior is an unavoidable tax for the benefits the community reaps from the productive perpetrator’s presence and work.”^v

This week, we read from Leviticus about the consecration of the priests, essential leaders and functionaries of the ancient Israelite community. Their role, conducting sacrifices on behalf of the people, was absolutely necessary in that world: They controlled access to *t'shuvah*, the only available process for an Israelite's sins to be forgiven.

Nevertheless, unlike “the productive perpetrator,” even their essential work did not exempt the priests from accountability for wrongdoing. Rabbi Zamore observes, “Holding our leaders accountable for their actions is intrinsic to the biblical design of the ancient sacrificial cult and the accompanying priesthood.”^{vi}

Calling Leviticus “revolutionary,” Rabbi Zamore points to the fact, unusual in the Ancient Near East, that “the laws regulating the sacrifices were given to the entire people, not just to the elite class of priests.” With this knowledge came power: The people of Israel knew the rules, watched as the priests observed or violated them, and were therefore in a position to hold the priests accountable.^{vii} Still, Torah does not assume that the people would witness every instance of wrongdoing. Therefore, as Rabbi Zamore notes, the Torah “demands a rigorous method of atonement for the priests' misdeeds, whether they were known to the public or not.” And priests were not the only leaders held to a higher standard: As Rabbi Zamore says, “the greater one's status is in the community, the more accountable they must be for their actions.”^{viii}

The problem of productive perpetrators is not limited to Professor Cohen or ancient Israelite priests. The world knows all too well that the Roman Catholic Church made a horrific miscalculation, imagining that pedophile priests and others, even the Cardinal Archbishop of Washington, D.C., who committed different sexual misdeeds, were too valuable to the Church to be removed from their posts. Public exposure of their crimes was deemed more damaging than permitting them to continue abusing victims.

Overly focusing on the Catholic Church, though, obscures the terrible reality of abuse in the Jewish world. Some cases are infamous, like the Orthodox rabbi who installed a hidden camera in the *mikvah*, the ritual bath, so that he could ogle naked women from the desktop computer in his office. Others are less well known and closer to home. In the 1980s and earlier, male rabbis who abused women were quietly spirited off to other congregations.

Our Reform rabbinate's Code of Ethics is more stringently enforced these days, a constantly evolving process; but not every productive perpetrator is a rabbi,

and not all wrongdoing involves crossing sexual boundaries. Consider a couple of Rabbi Zamore’s composite examples of excusing misdeeds:

“Yes, it is awful that he said those things. They are totally inappropriate, but he is a beloved member of our clergy team, a founder of our congregation. We must recognize that he only yells at our professional staff and lay leaders when he is stressed.

“She just has trouble with boundaries, but she’s harmless. If we hold her accountable, she may leave the Temple, which would be devastating. After all, she donates hours and hours to our synagogue. She is irreplaceable. The staff just needs to avoid her.”^{ix}

I suspect that we all recognize these behaviors, if not at Congregation B’nai Israel, then in a variety of other organizations and institutions.

Tonight is *Shabbat HaGadol*, literally “the great Shabbat,” the Sabbath immediately preceding Passover. In generations past, rabbis would take to the pulpit on *Shabbat HaGadol* to lecture about the details of Passover observance, particularly about food to be avoided.

I have addressed you about a completely different subject tonight—behavior, not food, that must be rooted out of our communities. Like prohibited foods, abuse is intrinsically related to the festival that begins tomorrow evening. At the Seder, we will proclaim, “Wherever slavery remains, Jews taste its bitterness.”^x As long as people are harmed by harassment, bullying, and even assault in our Jewish institutions—indeed, anywhere—none of us is free.

We must acknowledge, too, that victims are most often women, children, and transgender people. Let us all commit ourselves to working toward the day when Congregation B’nai Israel, each synagogue and Jewish institution everywhere—and beyond the Jewish community, the entire world—is free from assault, harassment, and bullying. Let us agree that perpetrators are, by definition, not “productive,” no matter their contributions. Let us unite to root out abuse. Then, in freedom, let us all rejoice—with Miriam and with Moses, with our young and our old; and with Elijah the prophet—heralding a better day to come.

Amen.

ⁱ Hannah Dreyfus, “Steven M. Cohen, shunned by academy after harassment allegations, makes stealthy comeback—and provokes uproar,” *The Forward*, March 23, 2021.

ⁱⁱ Rabbi Mary Zamore, Facebook comment, March 25, 2021.

ⁱⁱⁱ Dreyfus.

^{iv} *Ibid.*

^v Rabbi Mary L. Zamore, “Harassment-Free Jewish Spaces: Our Leaders Must Answer to a Higher Standard,” unpublished manuscript for *The Social Justice Torah Commentary*, forthcoming from CCAR Press in 2021.

^{vi} *Ibid.*

^{vii} *Ibid.*

^{viii} *Ibid.*

^{ix} *Ibid.*

^x Herbert Bronstein, editor, *A Passover Haggadah*, Revised Edition, New York: Central Conference of American Rabbis, 1994, 56.