

1 URJ BIENNIAL 2019

2 **Resolution on the Study and Development of Reparations for Slavery and Systemic Racism in the U.S.**

3 **Submitted by the Commission on Social Action**

4 In the Talmud, we learn that all people are descended from a single person so that no person  
5 can say, "my ancestor is greater than yours." (Sanhedrin 37a) "God created humanity from the  
6 four corners of the earth - yellow clay, and white sand, black loam, and red soil. Therefore, the  
7 earth can declare to no part of humanity that it does not belong here, that this soil is not their  
8 rightful home." (Yalkut Shimoni 1:1) These passages have inspired decades of resolutions  
9 expressing our commitment to civil rights and pursuit of racial justice including [Civil Rights](#)  
10 (1950), [Commitment to Racial Justice](#) (1963), [Race and the U.S. Criminal Justice System](#) (1999),  
11 the [Crisis of Racial and Structural Inequality in the U.S.](#) (2014), and [Our Community's Pursuit of](#)  
12 [Racial Justice](#) (2017), among others.

13 Systemic racial oppression in the United States began four hundred years ago with the  
14 institution of slavery. Black families were ripped apart, Black individuals were subjected to  
15 sexual and other forms of violence, and Black children were kept deliberately uneducated and  
16 illiterate. Some early Jewish Americans were among slave traders and owners.

17 Though the practice of slavery was ultimately restricted to southern states, it was inextricably  
18 intertwined with the development of the American economy and of the nation overall.<sup>1</sup>

19 Northern state residents provided southern slave owners with the tools needed to keep people  
20 enslaved, were instrumental in returning slaves to their owners, and relied heavily on cotton,

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<sup>1</sup> [A Brutal Process, The New York Times. Oct 3, 2014.](#)

21 tobacco and sugar crops harvested by slaves. After the adoption of the Thirteenth Amendment  
22 to the Constitution that abolished slavery in the U.S., systemic oppression, violence, and racial  
23 discrimination against Black Americans continued. Jim Crow laws, lynchings, policies such as  
24 “separate but equal,” restricted access to the ballot box for Black Americans, an unjust criminal  
25 justice system have led to drastically higher incarceration rates of Black men, redlining, and  
26 denied economic, educational and social opportunities for Black Americans, among a litany of  
27 injustices persisted through the generations. These many forms of violence and discrimination  
28 have generated ongoing generational and historic trauma for Black Americans.

29 Today, racial inequity is present in virtually every aspect of American life: Seventy-three percent  
30 of white households own their homes, compared to only 43 percent of Black households.<sup>2</sup> Black  
31 students are expelled from school at disproportionately high rates,<sup>3</sup> and the 2013 total college  
32 enrollment rate for white students was 42 percent, while rates for their Black peers was only 34  
33 percent.<sup>4</sup> The employment rate for Black men has been 11 to 15 percentage points lower than  
34 that for whites in every month since January 2000.<sup>5</sup> Black women experience maternal deaths  
35 at three to four times that of white women.<sup>6</sup> Black infants are more than twice as likely to die  
36 before their first birthday compared to white babies.<sup>7</sup> Blacks are incarcerated at a rate 5.1  
37 times higher than that of whites.<sup>8</sup> The ongoing wounds of slavery and centuries of entrenched

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<sup>2</sup> [Why Buy a Home? Race, Ethnicity, and Homeownership Preferences in the United States. American Sociological Association. 2018](#)

<sup>3</sup> [2013-2014 Civil Rights Data Collection: A first look. US Department of Education. October 28th 2016](#)

<sup>4</sup> [Status and Trends in the Education of Racial and Ethnic Groups 2016. National Center of Education Statistics. August 2016](#)

<sup>5</sup> [Significant racial and ethnic disparities still exist, according to Stanford report. Stanford. June 16th 2017](#)

<sup>6</sup> [Racial Disparities in Maternal Mortality in the United States: The Postpartum Period Is a Missed Opportunity for Action. American College of Gynecology. 2018](#)

<sup>7</sup> National Center for Vital Statistics: IMR B:W = 11.11 v 4.82

<sup>8</sup> [The Color of Justice: Racial and Ethnic Disparity in State Prisons. The Sentencing Project. June 14th 2016](#)

38 racial discrimination continue to fester and impact every part of American society. Such  
39 injustices will endure unless proactive steps are taken to acknowledge and eliminate them.<sup>9</sup>  
40 One means of addressing centuries of entrenched racial discrimination is through reparations.  
41 Reparations can take many forms including expressions of remorse, education, monetary  
42 compensation, and more.<sup>10</sup> According to the United Nations, several conditions must be met  
43 for full reparations: These are cessation of injury and a guarantee of non-repetition;  
44 compensation from the injuring state, institution or individual for the damages done;  
45 restitution and repatriation, restoring identity, culture, livelihood, and humanity; satisfaction,  
46 including apologies; and rehabilitation, including legal, medical, psychological, and other care  
47 and services.<sup>11</sup> In practice, these measures may manifest as congressional hearings, a national  
48 apology, the institution of government programs, creation of tax incentives for Black-owned  
49 businesses, educational stipends to Black Americans, individual or community compensation, or  
50 other approaches. Legislation has been introduced in the House of Representatives to establish  
51 a commission to study slavery and its ongoing effects (including other forms of race-based  
52 discrimination), recommend ways to educate the public, and recommend remedies for these  
53 injustices.<sup>12</sup>  
54 Our Jewish texts are clear on the importance of restitution for wrongs committed. The rabbis  
55 understood that the victim of a crime was made whole by financial repayment for damages

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<sup>9</sup> [Race and Ethnicity in America: Turning a Blind Eye to Injustice. ACLU. December 2007](#)

<sup>10</sup> [What Do 2020 Candidates Mean When They Say "Reparations." The Atlantic. June 5th 2015](#)

<sup>11</sup> [Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. United Nations. December 16th 2005](#)

<sup>12</sup> [H.R. 40- 116th Congress. US Congress. June 19th 2019](#)

56 done. Maimonides went one step further, linking the payment of damages to the concept of  
57 *t'shuvah*, noting that repentance must accompany the financial commitment (Mishnah Torah,  
58 Hilchot Teshuvah 1.1).

59 In 2008, the U.S. House of Representatives adopted a formal resolution that “apologizes to  
60 African Americans on behalf of the people of the United States, for the wrongs committed  
61 against them and their ancestors who suffered under slavery and Jim Crow.”<sup>13</sup> Today, there are  
62 growing calls for reparations to be made to the descendants of slaves.

63 Some argue that today’s generation should not bear the burdens of wrongs committed by their  
64 ancestors. Yet as scholar Ta-Nehisi Coates said in his June 19, 2019 testimony before a  
65 congressional committee, “We honor treaties that date back some 200 years, despite no one  
66 being alive who signed those treaties. Many of us would love to be taxed for the things we are  
67 solely and individually responsible for. But we are American citizens, and thus bound to a  
68 collective enterprise that extends beyond our individual and personal reach.”<sup>14</sup>

69 Recent examples of reparations to wronged communities and individuals offer some guidance.  
70 Since 1952, the German government has paid more than \$70 billion in reparations to more than  
71 800,000 Holocaust survivors. In 1988, the U.S. formally apologized to more than 100,000 people  
72 of Japanese heritage who were subjected to internment during World War II and provided  
73 \$20,000 to each survivor.

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<sup>13</sup> [H.Res. 194 \(110th\): Apologizing for the enslavement and racial segregation of African-Americans. GovTrack. July 29th 2008](#)

<sup>14</sup> [Ta-Nehisi Coates’s Testimony on Reparations. The Atlantic. June 19th 2019](#)

74 The history of slavery and the ills that have succeeded it are collective American issues that  
75 have affected the Black community broadly, in addition to those individuals who are direct  
76 descendants of slaves. Racial healing can only begin to be achieved when this systemic  
77 oppression is recognized and accounted for. As an institution striving to be antiracist, we seek  
78 to address the harms of those who came before us, and the injustices that continue to surround  
79 us, so that we do what we can to make our institutions, communities, and nation more just for  
80 future generations. As Jews, we know from *Pirke Avot*, the Ethics of the Fathers, (2:21) that we  
81 are not required to finish the task, but neither are we free to desist from it.

82 THEREFORE, the Union for Reform Judaism resolves to:

- 83 1. Advocate for the creation of a federal commission to study and develop proposals for  
84 reparations to redress the historic and continuing effects of slavery and subsequent  
85 systemic racial, societal, and economic discrimination against Black Americans;
- 86 2. Urge our congregations and their members to take active steps to redress the  
87 destructive effects of historic and ongoing systemic racism, including through education  
88 and conversations within our congregations and communities using resources such as  
89 the RAC's Reflect, Relate, Reform toolkit<sup>15</sup> and other nationally recognized resources;  
90 and
- 91 3. Commit to ongoing assessment and evaluation to strengthen our own institutions'  
92 efforts to combat implicit and explicit bias and promote racial equity.

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<sup>15</sup> [Religious Action Center of Reform Judaism: Racial Justice](#)

## **Resolution on the Study and Development of Reparations for Slavery and Systemic Racism in the U.S. – Q and A**

### **What was the impetus for this resolution?**

This resolution was drafted in response to efforts to address the historic wrong of slavery and ongoing systemic racial injustices in the United States. Reparations for these injustices, which could take many forms from formal apologies to financial compensation, have been discussed and debated for generations. At this moment, the conversations have taken on a new urgency as the nation grapples with the ongoing impacts of slavery and systemic racism. This year alone, reparations have been the focus of congressional hearings that drew national attention.<sup>1</sup>

### **What is the Jewish basis for this resolution?**

In the Talmud, we learn that all people are descended from a single person so that no person can say, "my ancestor is greater than yours." (Sanhedrin 37a) "God created humanity from the four corners of the earth - yellow clay, and white sand, black loam, and red soil. Therefore, the earth can declare to no part of humanity that it does not belong here, that this soil is not their rightful home." (Yalkut Shimoni 1:1)

The rabbis understood that the victim of a crime was made whole by financial repayment for damages done. Maimonides went one step further, linking the payment of damages to the concept of *t'shuvah*, noting that repentance must accompany the financial commitment (Mishnah Torah, Hilchot Teshuvah 1.1).

### **What are reparations? Must reparations for slavery include financial compensation?**

Reparations can take many forms, including: expressions of remorse, education, congressional hearings, a national apology, the institution of relevant government programs, creation of tax incentives for Black-owned businesses, educational stipends to Black Americans, individual or community compensation, monetary compensation, or other approaches. Reparations can, but need not be, exclusively financial.

### **What would the leading congressional proposal on reparations, H.R. 40, achieve?**

"H.R. 40, the 'Commission to Study and Develop Reparation Proposals for African-Americans Act,' would create a commission to study the history of slavery in the United States and in the

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<sup>1</sup> [At historic hearing, House panel explores reparations. The New York Times. June 19, 2019.](#)

American colonies from 1619 to 1865; the role of the federal and state governments in supporting slavery; federal and state laws that discriminated against the descendants of African slaves; other forms of discrimination against the descendants of African slaves; and the lingering effects of slavery on African Americans. The commission would also make recommendations as to appropriate ways to educate the American public about its findings.”<sup>2</sup>

The bill was introduced by Rep. Sheila Jackson-Lee (D-TX) and has 118 co-sponsors. The House Judiciary Committee Subcommittee on Constitution and Civil Justice held a hearing on the bill in June 2019.

### **What precedents are there for reparations?**

While there is no direct historical corollary for reparations for slavery and ongoing systemic racism, the United States, and the Jewish community, has prior experience with reparations for wrongs committed.

Precedents for reparations include—but are not limited to—[Holocaust Restitution provided to victims of the Holocaust and to the state of Israel](#), the [Civil Liberties Act of 1988 that formally apologized and provided compensation for the internment of people of Japanese descent in the U.S. during World War II](#), and [The Alaska Native Claims Settlement Act that applied to aboriginal land claims](#).

### **What are some of the arguments against reparations?**

Opponents of reparations often [question the cost](#), the [practicality of determining who should receive reparations](#), and the [justness of current generations providing reparations for the actions of prior generations](#).

### **What have past URJ resolutions said about related issues?**

- [Achieving Equality Under the Law \(1961\)](#)
- [Commitment to Racial Justice \(1963\)](#)
- [No Color Barriers in UAHC \(1965\)](#)
- [Resolution on the Crisis of Racial and Structural Inequality in the United States \(2014\)](#)
- [Resolution on Our Community’s Pursuit of Racial Justice \(2017\)](#)

### **Additional Resources**

- Ta-Nehisi Coates, The Atlantic, June 2014 [The Case for Reparations](#)

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<sup>2</sup> [House Judiciary Subcommittee on the Constitution and Civil Liberties. Hearing Announcement. June 13, 2019.](#)

- Julia Craven, HuffPost, February 23, 2016 [We Absolutely Could Give Reparations To Black People. Here's How.](#)
- David Brooks The New York Times, March 7, 2019 [The Case for Reparations](#)