

NIPS ¹³Next day, Moses sat as magistrate among the people, while the people stood about Moses from morning until evening. ¹⁴But when Moses' father-in-law saw how much he had to do for the people, he said, "What is this thing that you are doing to the people? Why do you act alone, while all the people

OJPS ¹³And it came to pass on the morrow, that Moses sat to judge the people; and the people stood about Moses from the morning unto the evening. ¹⁴And when Moses' father-in-law saw all that he did to the people, he said: "What is this thing that thou doest to the people? why sittest thou thyself alone, and

RASHI was Moses, who had gone out to meet him and caused him to get all this honor in the first place? He served them the meal. **Before God.** We learn from this that the enjoyment one gets at a festive meal where scholars are present is comparable to enjoying the radiance of the Shekhinah.

וַיֵּשֶׁב מֹשֶׁה לִשְׁפֹּט אֶת-הָעָם וַיַּעֲמֵד הָעָם עַל-מֹשֶׁה מִן-הַבֹּקֶר עַד-הָעֶרֶב: ¹⁴וַיֵּרָא חֹתֵן מֹשֶׁה אֶת-כָּל-אֲשֶׁר-הוּא עֹשֶׂה לָעָם וַיֹּאמֶר מִה-הֲדָבָר הַזֶּה אֲשֶׁר אַתָּה עֹשֶׂה לָעָם מִדּוּעַ אַתָּה

RASHBAM out of respect for Jethro. Moses did not need to be mentioned, for "the tent" of v. 7 was his tent.

13 Next day. As we have learned in the Sifrei, [F] it was the day after the Day of Atonement. "The morrow" (OJPS) must mean the day after Moses came down from the mountain, which forces you to admit that it was the day after the Day of Atonement. For before the giving of the Torah, it would be impossible to say "I make known the laws and teachings of God," as Moses does in v. 16. But Moses did not sit in judgment over the people between the giving of the Torah and the Day of Atonement. For he came down the mountain and broke the tablets (32:19) on the 17th of Tammuz. Early the next day he went back up. He spent 80 days on the mountain [G] and came down on the Day of Atonement. This section of the Torah is not in chronological order; it took place in the second year of the wandering. For even one who thinks Jethro came to the Israelites before the giving of the Torah admits that he did not leave until the second year; yet that departure is recorded in v. 27 of our passage. Notice that Hobab is on the scene in Numbers 10. If the departure mentioned in v. 27 took place before the giving of the Torah, where is it recorded that he returned? Some think Hobab was Jethro's son, but he was Jethro himself, for he is identified as Moses' father-in-law in Judg. 4:11. **Moses sat ... while the people stood.** He sat, as a king would do, while they stood. This disrespect of the Israelites made Jethro uncomfortable, and he criticized Moses for it: "Why do you sit alone, while all the people stand about you?" (v. 14). **From morning until evening.** Could this be literally true? No, but Scripture treats every judge who rules in accordance with truth for even a single hour as if he had spent the entire day busying himself with Torah, and as if he were God's partner in creation, when "there was evening and there was morning, a first day" (Gen. 1:5).

[F] This is found in the Mekilta, not in Sifrei. [G] See Rashi's comment to 33:11.

NAHMANIDES Leviticus (as I shall explain in my comment to Lev. 1:9, with the help of God). **Aaron came with all the elders of Israel to partake of the meal.** Celebrating Jethro's circumcision and conversion.

13 Next day. Literally, "on the day after"—the day after the things just related. But the Mekilta takes it to mean the day after the Day of Atonement. The Mekilta does not mean literally the day after the Day of Atonement, for they would not have eaten on the Day of Atonement—if they had the Day of Atonement at all in that first year, before being commanded to observe it. Since the second set of tablets was given on the Day of Atonement, and since on the day after that Moses came down from the mountain and told the Israelites all the commandments that God had given him on Mount Sinai, it could hardly have been a day when he sat in judgment of them from morning to evening. It could not have taken place on the day after the Day of Atonement in the second year, either. For according to Numbers 10, Jethro had already declared his intention to leave in the second month of that year, five months before the Day of Atonement. What the Mekilta means is that it was on a day after the Day of Atonement—not the day after. For they had not had a day free for judging the people from the time they arrived at Mount Sinai until after the Day of Atonement of that first year.

13 As magistrate among the people.

Even if Jethro came before the giving of the Torah, they had always had monetary disputes that needed to be resolved by someone. Our Sages, of course, said (on the basis of 15:25) that the laws concerning the judicial system were given to them at Marah. [B] But it would appear that Jethro came after the giving of the Torah. V. 5 says that Moses "was encamped at the mountain of God"; compare this with "Having journeyed from Rephidim, they entered the wilderness of Sinai and encamped in the wilderness. Israel encamped there in front of the mountain" (19:2). If they are already encamped at the mountain of God in our passage, it must have taken place after the journey from Rephidim. But it was put here out of sequence in order to keep it from interrupting the commandments passages. **From morning until evening.** Since he alone was the magistrate for the entire people and had no assistants.

14 Why do you act alone? That is why **all the people stand about you from morning until evening.** [C]

[B] See Rashi's comment to 15:25. [C] Contrast Rashi's comment to "Moses sat" (v. 13).

IBN EZRA offerings. **Before God.** For Moses' tent was just east of the Tent of Meeting. [B]

13 Next day. The day after Jethro's arrival. **Moses sat.** As was his custom. **From morning until evening.** "Morning" technically means sunrise, though the word is also used, casually, to indicate dawn. Similarly, true evening begins at sunset, but the word is casually used to indicate full darkness. Experts in natural science and astronomy agree that the extent of daytime is the period during which the disk of the sun is completely above the horizon on either side.

14 How much he had to do for the people. Rather, "all that he did to the people" (OJPS)—making them stand from morning until evening. Rashi thinks Jethro considers Moses rude for sitting while the others stand, but Moses was beyond doubt too great to have such

[B] In his earlier, short commentary, Ibn Ezra identified Moses' tent as the Tent of Meeting itself; see v. 7.

ADDITIONAL COMMENTS as Ibn Ezra says; or that the Shekhinah was always present in Moses' tent; or that they were striving to serve Him and draw as close to Him as possible (Gersonides). Before the altar where the sacrifices had been offered, either "Adonai-nissi" or another altar whose construction is not mentioned (Sforno).

13 Next day. Moses occupied himself with his father-in-law, wife, and children only on the day of their arrival; the very next day he was back at work (Abarbanel). **Moses sat.** The point is not that he was sitting down but that (as the word is used in Deut. 1:46) he had to "stay" as magistrate all day (Hizkuni). A judge must be seated in order to settle himself fully into the matter that is brought before him (Gersonides). **The people stood.** But the disputants ought rightly to stand, in order not to be able to settle themselves comfortably enough to find arguments that would contravene the truth (Gersonides).

NIPS stand about you from morning until evening?" ¹⁵Moses replied to his father-in-law, "It is because the people come to me to inquire of God. ¹⁶When they have a dispute, it comes before me, and I decide between one person and another, and I make known the laws and teachings of God."

¹⁷But Moses' father-in-law said to him, "The thing you are doing is not right; ¹⁸you will surely wear yourself out, and these people as well. For the task is too heavy for you; you cannot do it alone. ¹⁹Now listen to me. I will give you counsel, and God be with you! You represent

RASHI 15 To inquire of God. As Onkelos puts it, "to demand instruction" from God, to seek learning from the Almighty.

16 It comes before me. Not "it," but "he"—the one who has the complaint comes before me.

17 Moses' father-in-law. He is referred to this way out of respect—"the father-in-law of the king."

18 You will surely wear yourself out. The translation of this difficult phrase, correctly, follows Onkelos. The same verb means "withered" in Jer. 8:13 and Isa. 34:4.

"Yourself" is literally "you also"—"also" meaning Aaron, Hur, and the 70 elders as well. **For the task is too heavy for you.** Its burden is greater than your strength.

19 I will give you counsel, and God be with you! In that counsel. That is, "I advise you to go and consult with the Almighty." **You represent the people before God.** You

NAHMANIDES 15 The people come to me to inquire of God. The reason they must stand and wait the greater part of the day is that they come before me for so many different things—praying for the sick and telling them where to find their lost objects. This is the meaning of "inquiring of God." It is used similarly of the prophets; see 1 Sam. 9:9 and 2 Kings 8:8, as well as my comment to Gen. 25:22. Moses says "God" rather than "the Lord," because he is speaking to his father-in-law, who uses that term. It may also be because he is speaking about judging, for Deut. 1:17 says, "judgment is God's." As our Sages are always reminding us, "God" refers to the divine aspect of justice. In v. 16 he adds, "Moreover, I judge them and teach them Torah."

19 God be with you! See the comments of Rashi and Ibn Ezra. **You represent the people before God.** To pray to Him on their behalf. **You bring the disputes before God.** Rather, "the things" that they request. Jethro concedes that it is Moses who must "inquire of God" (v. 15). He may also be giving him another piece of advice: You stay "before

15-16 Moses replied. I am doing two things. First, **the people come to me to inquire of God.** That is, to inquire about His Torah. Second, **when they have a dispute, it comes before me.** Corresponding to this second demand on him, **I decide between one person and another.** Corresponding to the first demand, **I make known the laws and teachings of God.**

17 The thing you are doing is not right. In my opinion. — And he gave grounds for his opinion.

18 You will surely wear yourself out. You will (metaphorically) "wilt" like a leaf (Isa. 1:30). That is, he will fall down with exhaustion. As well. This also applies to what follows it: **For the task is too heavy for you as well.** **Do it.** A grammatically unusual word; this is an irregular verb but it is formed here as if it were a regular one.

19 God be with you! If you do this, God will be with you and will help you. **Before God.** Literally, "before the god." "God" is really a common noun, but it is used so frequently as a capitalized, proper noun that the Sages have made it one of the holy names that cannot be erased. The preposition *mul* indicates that Moses is acting here as intermediary from God's side; the second "before God" ("unto God")

ADDITIONAL COMMENTS 15 **Moses replied.** His words reveal that he filled four roles: prophet, king, teacher, and judge, the first three of which no one else could help him with (Abarbanel). **The people come to me to inquire of God.** Throughout this section, the reference is not to individual cases, but to the leaders of the people who came to Moses on public business (Sforno).

16 The laws and teachings of God. Those that had already been given to them in the "fixed rule" of 15:25 (Hizkuni). Anyone could derive those commandments that reason teaches, but only Moses could tell them the laws and teachings of God, which no amount of wisdom and study could derive (Gersonides). By the time I have finished with public business, the poor people who are seeking justice have waited until evening (Sforno).

19 I will give you counsel, and God be with you! If you follow my counsel, the task will never be so heavy as to interfere with your cleaving to God (Gersonides).

OJPS all the people stand about thee from morning unto even?" ¹⁵And Moses said unto his father-in-law: "Because the people come unto me to inquire of God; ¹⁶when they have a matter, it cometh unto me; and I judge between a man and his neighbor, and I make them know the statutes of God, and His laws."

¹⁷And Moses' father-in-law said unto him: "The thing that thou doest is not good. ¹⁸Thou wilt surely wear away, both thou, and this people that is with thee; for the thing is too heavy for thee; thou art not able to perform it thyself alone. ¹⁹Hearken now unto my voice, I will give thee counsel, and God be with thee: be thou for the

RASHBAM 15 It is because the people come to me to inquire of God. I alone must inquire of God. There is no one among them who is used to speaking with God except for me.

18 You will surely wear yourself out. This phrase *navol tibol* comes from the same root as *navlah*, "let us confound their speech" (Gen. 11:7). Your speech is confused trying to answer so many people all at once. And their speech is confused, too—this one and that one crying out simultaneously. You do not have the power to answer all of them in orderly fashion.

19-20 God be with you! Rather, "God will be with you," that is, "you will be able to bear up" (v. 23). **You represent the people before God.** For the cases where it

IBN EZRA a thing said of him; Aaron, who was great himself and older than Moses, treated Moses deferentially. Moses did the right thing, for the judge sits while the participants in the case stand: "The two parties to the dispute shall stand before the LORD" (Deut. 19:17). Jethro was asking why Moses sat alone, without other judges to assist him. **Why.** Ibn Janah says that *madu'a*, "why?", is a contraction of *mah de'ah*, "what is your thinking?"

יושב לבדך וכל העם יצב עליך מן בקר עד-ערב: ¹⁵ ויאמר משה לחתנו כיינבא אלי העם לדרש אלהים: ¹⁶ כיייהיה להם דבר בא אלי ושפטתי בין איש ובין רעהו והודעתני את-חקי האלהים ואת-תורתיו:

¹⁷ ויאמר חתן משה אליו לא-טוב הדבר אשר אתה עשה: ¹⁸ נכל תבל גם-אתה גם-העם הזה אשר עמך כייבדר ממך הדבר לא-תוכל עשהו לבדך: ¹⁹ עתה שמע בקלי איעצך ויהי אלהים עמך

ABARBANEL'S QUESTIONS + How is it that Jethro had to suggest such an obvious solution as appointing qualified judges (vv. 17-23) to Moses, the master of the prophets and the wisest of the sages?

OJPS the people before God: you bring the disputes before God, ²⁰and enjoin upon them the laws and the teachings, and make known to them the way they are to go and the practices they are to follow. ²¹You shall also seek out from among all the people capable men who fear God, trustworthy men who spurn ill-gotten gain. Set these over them as chiefs of thousands, hundreds, fifties,

RASHI should represent them before God, and inquire of Him about the rules of justice. **The disputes.** The translation is correct. [H]

21 You shall also seek out. Literally, you shall envision"—through the Holy spirit that is upon you. **Capable men.** Rather, "rich" men, who are under no pressure to flatter or show favoritism to anyone. **Trustworthy men.** Whose word is reliable, and who will therefore be listened to. **Who spurn ill-gotten gain.** Those who despise their own wealth if taken to court. [I] As it says at B. BB 58b, "A judge who must be hauled into court to pay money he owes to a

[J] Contrast the view of Nahmanides. [I] This expression seems to mean that they are absolutely indifferent even to their own possessions.

NAHMANIDES God," in the Tent of Meeting, ready to inquire of Him. Do not do this in the same place where you sit in judgment.

20 The way they are to go. According to the Teaching and the Commandment that you instruct them and enjoin upon them. Again, Jethro concedes that it is Moses' job to make known the laws and teachings of God" (v. 16), and adds his advice to "warn" the people (the literal meaning of the word translated "enjoin") strictly about the commandments and the punishments for violating them, since he will no longer be judging them as a person. But as far as deciding "between one person and another" (v. 16), you must disassociate other judges with you, for "the task is too heavy for you" (v. 17). It will be better for both you and them if others bear this burden with you. It is well known that Moses already had officials serving as court officers (they are mentioned in Deut. 1:15), e.g., to bring to court those who were summoned; many of them were among the judges appointed here. But there was no need to mention them here, since this was not part of Jethro's advice.

21 Capable men. Literally, "men of force," capable of managing such a large force of people. The word is not used only of military forces. It is applied to the "vast multitude" of revived dry bones in Ezek. 37:10 and the "army" of locusts let loose in Joel 2:25. The word is also applied to multitudes of wealth (Deut. 8:17 and Isa. 30:6) and of fruit (Joel 2:22). In matters of justice, the "capable" man is one who is wise, energetic, and honest, just as the capable warrior is energetic and knowledgeable about military formations and the capable wife (Prov. 12:4, 31:10) is energetic and knowledgeable about running a household. Jethro meant "capable" as a general designation, which the subsequent phrases specify. Others understand it to mean "energetic, powerful men," an interpretation that is also supported by many biblical verses. **Who fear God, trustworthy men who spurn ill-gotten gain.** One cannot really be capable of establishing justice without

21 I have already explained that Hebrew writers preserve meanings, not exact words; so we shall not contrast the differences between corresponding passages. [C] **Capable men.** The reference is to their physical ability to stand up to the task; the word is used this way in Hab. 3:19, "My Lord GOD is my strength." **Who fear God.** So they will not acquire a bad reputation. **Trustworthy men.** Literally, "men of truth" (OJPS), who do not lie. **Who spurn ill-gotten gain.** Money. The point is that they will not accept bribes. **Chiefs of thousands,** etc. Some make their total out to be 1,160; others, 678; still others, 11,110. I do not want to take the time to go over the calculations, for a careful reading of the text contradicts them. The truth is what the ancients said—the grand total of chiefs

[J] Ibn Ezra goes on to show that all the qualities of judges recommended by Jethro match the "men who are wise, discerning, and experienced" of Deut. 1:13, where Moses retells this story.

ADDITIONAL COMMENTS 20 The laws and the teachings. The "laws" are those things which it is decreed that one must do, whether by commandment or by custom, and the "teachings" are the instructions about how to perform the commandments (Kimhi). These are the negative commandments, which cannot be known except by prophecy (Gersonides).

21 Seek out from among all the people. By means of prophecy (Gersonides). **Capable men who fear God.** Capable men tend to be grasping; hence only those who also feared God were suitable to serve as judges (Abarbanel). **Who spurn ill-gotten gain.** As our sages said of Prov. 29:4, "By justice a king sustains the land, but one who exacts gifts overthrows it": If the judge is like a king, who needs

OJPS people before God, and bring thou the causes unto God. ²⁰And thou shalt teach them the statutes and the laws, and shalt show them the way wherein they must walk, and the work that they must do. ²¹Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating unjust gain; and place such over them, to be rulers of thousands, rulers of hundreds,

RASHBAM is necessary to inquire of God, you will hear what the Holy One tells you, and enjoin it upon them. This corresponds to "Have them bring every major dispute to you" of v. 22. But the other cases, which are easily understood by the wise men of Israel whom you will appoint for them—"let them decide every minor dispute themselves. Make it easier for yourself" (v. 22).

21 Capable men. The Hebrew word implies that they are men of both wealth and might, who will fear no one. **Who spurn ill-gotten gain.** The word translated

IBN EZRA in OJPS) has him on the people's side. **The disputes.** If they are difficult ones, as Jethro explains in v. 22.

20 Enjoin upon them. Literally, "warn them," with the meaning here of "make sure they take care to observe." (This corresponds to what Moses said in v. 16 about making God's teachings known.) See Ezek. 3:21, where the man who is "warned" not to sin "takes warning," that is, takes care. "Them" is an unusual compound word. **The laws and teachings.** Those about which there is some question. For it is a huge task to teach them all "the practices they are to follow." Moses is to teach them the commandments that involve the heart, for they are the essence of Torah: to love God and cleave to Him; to fear Him and to follow Him; to circumcise the foreskin of the heart; not to hate one's brother, take vengeance, or bear a grudge. As Moses says, "the thing is very close to you, in your mouth and in your heart, to observe it" (Deut. 30:14). There are many such. **The practices they are to follow.** This refers primarily to the ritual commandments, for most of which the ritual action invokes some other value; I will explain each one in its place.

NJPS and tens, and ²²let them judge the people at all times. Have them bring every major dispute to you, but let them decide every minor dispute themselves. Make it easier for yourself by letting them share the burden with you. ²³If you do this—and God so commands you—you will be able to bear up; and all these people too will go home unwearied.”

RASHI plaintiff is no judge.” **Chiefs of thousands.** Since there were 600,000 adult male Israelites, there were 600 of these. **Hundreds.** 6,000 of these. **Fifties.** 12,000 of these. **Tens.** 60,000 of these.

22 Make it easier for yourself. Rather, “making it easier for you.” The verb form is not an imperative but a gerund.

23 God so commands you—you will be able to bear up. The verse should be read, Consult with the Almighty—“If God commands you” to do what you are already doing, “you will be able to bear up.” But if He prevents you, you will not. **All these people too.** Aaron, Nadab, Abihu, and the 70 elders who accompany you now.

NAHMANIDES these qualities. It was not necessary to add the qualities of wisdom mentioned when Moses recounts this episode in Deut. 1:13, since “capable” automatically presupposes this. **Who spurn ill-gotten gain.** What Rashi means is that whatever of their own money that they realize someone could get from them by suing them, they despise it so much that they give it to him immediately without being sued—even if they know that they are the rightful owners, as, for example, if one were to buy a slave without there being any witnesses, and the slave’s former owner denies the transaction. But the Mekilta explains it differently. R. Joshua understands it to mean that they spurn bribes and R. Eleazar of Modi’im that they spurn great wealth, an opinion also found in the Tanhuma. Onkelos’ phrase, “those who hate to accept money,” refers not to bribes, but to presents or loans that might influence their judgment. As B. Ket. 105b has it, “A judge who is in the habit of borrowing is forbidden to pronounce judgment.” But the straightforward explanation is that they despise the ill-gotten gain of others, and their only desire will be to get justice for one whose money was taken unjustly.

22 Let them judge the people at all times. If there are many judges, the one who is robbed can find a judge who will be ready to help him at any hour, something that is impossible as long as you are doing all the judging. Many of them, having no opportunity to bring their case before you, simply put up with the injustice done to them, being unwilling to leave their jobs or businesses for as long as it would take to wait for an audience with you. Our Sages interpreted the phrase “at all times” to indicate that civil cases may be decided even at night, unlike criminal cases, which must be decided in the daytime.

23 All these people too will go home. Rather “to their place” (OJPS)—to whatever place they go in their travels through the wilderness. **Unwearied.** Rather, “in peace” (OJPS). Currently, being unable to get to you to see justice done, no one can rest peacefully. For it provides an opportunity for robbers and swindlers.

“should God so command you.” He indicates that Moses should seek permission from God—which he undoubtedly did. **Home.** To the land of Canaan. Others think “their place” (as the more literal OJPS has it) merely means “their tents.” In this case it would mean that with so many judges adjudicating cases, you would eliminate all quarrels and there would be peace among them. For you cannot judge

[D] This is Rashi’s figure. In the long commentary, basing himself on the more precise census figure of 603,550 found in 38:21, he comes up with “over 79,000.”

ADDITIONAL COMMENTS nothing, he sustains the land; but if he is like a priest, always going back to the threshing floor for more, he overthrows it (Kimhi). **Chiefs of thousands, etc.** The same man who was chief of 1,000 might nonetheless also find himself within a group of 100 and under its chief, even under a chief of 10; and the same is true for all of them. This is the only system that accounts for the numbers given on B. Sanh. 18a (Bekhor Shor). To make Rashi’s numbers work out, either these chiefs were all over 60, and hence not counted in the 600,000, or the chiefs were included in their own units; e.g., the chief of 100 was chief over 99 other men and himself (Hizkuni). That is, chiefs who serve in a council of 1,000 (one for each tribe); others who serve in a council of 100; and so forth. This is how it is done in Venice. A council of larger than 1,000 is too unwieldy (Abarbanel). The court system would have four different levels: 1,000s; 100s; 50s; and 10s (Sforno).

22 Let them judge the people at all times. Since they do not need to be ready to speak at any moment with the Shekhinah (as you do), nor do they have any other public responsibilities (Hizkuni). **Make it easier for yourself.** The translation is correct; the verb is an imperative (Bekhor Shor). The verb is a gerund: “making it easier for yourself” (Gersonides).

23 God so commands you. If you do this, your prophetic connection with God will not be severed, and God will “command” you, that is, give you the commandments of the Torah (Gersonides). **Will go home unwearied.** Since they will not have to come to you to be judged, but need only go to their neighbors (Hizkuni). Because their cases will be heard and decided immediately, and so strife and

OJPS rulers of fifties, and rulers of tens. ²²And let them judge the people at all seasons; and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge themselves; so shall they make it easier for thee and bear the burden with thee. ²³If thou shalt do this thing, and God

command thee so, then thou shalt be able to endure, and all this people also shall go to their place in peace.”

RASHBAM as “ill-gotten gain” always refers to bribery or robbery; see Gen. 37:26 and Hab. 2:9.

22 Every major dispute. To inquire of God. See v. 15.

23 And God so commands you. Rather, “when God commands you” to judge them **you will be able to bear up** by means of your assistants. **And all these people too**, who “stand about you from morning until evening” (v. 14), will all quickly be able to **go home unwearied**.

IBN EZRA was 78,600. [D] For each chief of a thousand had under him 10 chiefs of hundreds; each chief of a hundred had under him two chiefs of fifties; each chief of a fifty had under him five chiefs of tens. But this number is absurd. As Prov. 28:2 says, “When there is rebellion in the land, many are its rulers.” Moreover, according to Deut. 1:15, these were all “wise and experienced men,” meaning that an eighth of the Israelite camp would have to be sages. This is extremely implausible in a group that Moses told, in the 40th year of their wandering, “to this day the LORD has not given you a mind to understand or eyes to see or ears to hear” (Deut. 29:3). I think the “chiefs of thousands” were those who had retinues of 1,000 men. There were probably 12 of these, one as head of each tribe. There would have been more of the chiefs of hundreds, fifties, and tens.

22 Have them bring every major dispute to you. And what you cannot decide, you will bring before God.

23 God so commands you. Rather,

NJPS 24Moses heeded his father-in-law and did just as he had said. 25Moses chose capable men out of all Israel, and appointed them heads over the people—chiefs of thousands, hundreds, fifties, and tens; 26and they judged the people at all times: the difficult matters they would bring to Moses, and all the minor matters they would decide themselves. 27Then Moses bade his father-in-law farewell, and he went his way to his own land.

19 On the third new moon after the Israelites had gone forth from the land of Egypt, on that very day, they entered the

RASHI 27 He went his way to his own land. To convert the rest of his family.

19:1 On the third new moon. The Hebrew says merely "in the third month" (OJPS), but NJPS is correct—it was the new moon. **On that very day.** It could have merely said "On that day." Why does it say "On that very day"? To indicate that the words of the Torah should always be as new to you as on the day they were given.

NAHMANIDES 25 **Capable men.** Including all the qualities mentioned in v. 21 as well as those of Deut. 1:13. **Out of all Israel.** The choicest of the Israelites, who possessed all the necessary qualities. Not being familiar enough with the people to know that the best of them possessed these qualities, Jethro had specified them.

19:1 On that very day. After the model of 16:1, this chapter ought to have begun, "Setting out from Rephidim, they encamped in the wilderness of Sinai, on the third new moon after their departure from the land of Egypt." But their arrival in the wilderness of Sinai was a joyous festival for them, which they had been longing for ever since their departure from Egypt. For they knew that they would receive the Torah there, since Moses had told them that God said, "you shall worship God at this mountain" (3:12). Moreover, he had told Pharaoh they would go "a distance of three days into the wilderness to sacrifice to the LORD our God" (5:3), and that was the distance to Mount Sinai. That is why this verse differs from the description of the other stages, to emphasize that they had finally arrived at the goal of their journey. Then v. 2 picks up the story as with the other stages of the journey.

usual verb, as in Ruth 2:8; but one would expect no vowel at all, merely a *sheva*. It is probably a pausal form, the result of the word's being at the end of the verse. (For it is essentially compounded with the following pronoun.)

27 Then Moses bade his father-in-law farewell. Rather, he "saw him off" out of respect, just as Abraham walked with his visitors "to see them off" (Gen. 18:16).

19:1 On that very day. We have no idea what "on that very day" "in the third month" (OJPS) means, unless Moses Gikatilla's suggestion (followed by NJPS) is correct, that it means the day of the new moon. The text mentions this because the giving of the Torah took place only a few days afterward. Perhaps Moses went up to God on one day; came down and spoke with Israel on the next; and went back up to report Israel's answer to God on the third day—at which time he was told the Torah would be given three days later. But this is

ADDITIONAL COMMENTS contention will be removed from among them (Gersonides). With four levels of courts to which to appeal, they can be confident that justice was done (Sforno).

24 Moses heeded his father-in-law and did just as he had said. This is an exaggeration, though Moses "heeded" him out of respect. The parallel text in Deuteronomy 1 reveals that Moses did a number of things differently. For instance, he waited until after the giving of the Torah (which he, but not Jethro, knew was imminent) to appoint the judges (Abarbanel).

25 Moses chose capable men. But the other qualities listed in v. 21 are not mentioned here, since they can only be estimated, not judged directly (Hizkuni). Not finding anyone with all the qualities listed by Jethro, Moses decided that capability was the most important quality (Sforno).

27 Moses bade his father-in-law farewell. This did not take place until several years later; but when writing the Torah Moses summed up the whole story here, just as he had earlier done with the story of the manna (Abarbanel). **He went his way to his own land.** But Jethro's children undoubtedly went into the land with the Israelites, as is seen from Judg. 1:16 (Sforno).

19:1 On that very day. On the same day that they left Rephidim (Bekhor Shor). As R. Levi said, Israel in Egypt is comparable to a king's son who was ill. When he recovered, his tutor said, "It is time for him to go to school" (Hizkuni). **The wilderness of Sinai.** This is

OJPS 24So Moses hearkened to the voice of his father-in-law, and did all that he had said. 25And Moses chose able men out of all Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. 26And they judged the people at all seasons: the hard causes they brought unto Moses, but every small matter they judged themselves. 27And Moses let his father-in-law depart; and he went his way into his own land.

19 In the third month after the children of Israel were gone forth out of the land of Egypt, the same day came they into

RASHBAM 26 They would decide themselves. The verb form *yishputu* (instead of *yishpotu*) is somewhat unusual, but there are a number of places (e.g., Ruth 2:8) where *u* replaces *o*.

IBN EZRA them alone; there are just too many of them. There is no one to reprove them, and they go home to their tents without having made "peace" (OJPS) with each other.

24 Moses heeded his father-in-law. What Moses added to Jethro's plan—"officials for your tribes" (Deut. 1:15) to enforce the judges' decisions—is not mentioned here.

25 Moses chose capable men. For this quality was evident. But "men who fear God" are not mentioned, since He alone knows the heart of man. Moses told the Israelites that he had chosen "wise men" (Deut. 1:15), for this is a quality that can be known (though there are wise men who do not fear God). Our text omits "experienced men" (ibid.) for brevity's sake.

26 They would decide themselves. There is a substitution of *u* for *o* in this un-

וַיִּשְׁמַע מֹשֶׁה לְקוֹל חֹתָנוּ וַיַּעַשׂ כָּל
אֲשֶׁר אָמַר: 25 וַיִּבְחַר מֹשֶׁה אֲנָשִׁי-חַיִּיל
מִכָּל-יִשְׂרָאֵל וַיָּתֵן אֹתָם רָאשִׁים עַל-הָעָם
שָׂרֵי אֲלָפִים שָׂרֵי מֵאוֹת שָׂרֵי חֲמִשִּׁים
וְשָׂרֵי עֶשְׂרִים: 26 וַיִּשְׁפֹּטוּ אֶת-הָעָם בְּכָל-
עֵת אֶת-הַדָּבָר הַקָּשֶׁה וַיְבִיאוּן אֶל-מֹשֶׁה
וְכָל-הַדָּבָר הַקָּטָן יִשְׁפֹּטוּ הֵם: 27 וַיֵּשְׁלַח
מֹשֶׁה אֶת-חֹתָנוּ וַיֵּלֶךְ לוֹ אֶל-אֶרְצוֹ: פ

יט
בַּחֹדֶשׁ הַשְּׁלִישִׁי לֵצְאַת בְּנֵי-
יִשְׂרָאֵל מֵאֶרֶץ מִצְרָיִם בַּיּוֹם הַהוּא בָּאוּ

ABARBANEL'S QUESTIONS + Why did Moses (v. 25) choose only "capable" men, and not the other qualifications that Jethro mentioned?

MOSES AND JETHRO CREATING A MODEL OF LEADERSHIP

Sharon L. Sobel

The Torah portion for this week, *Yitro*, teaches us that we must look beyond the superficial qualities when it comes to choosing a good leader. It helps us understand that there are certain criteria for leadership that transcend political, ethnic, and socioeconomic boundaries. *Parashat Yitro* enables us to make a distinction between the characteristics that make a great leader and those that make only a good leader. Ultimately, these qualities enable leaders to create meaningful relationships with those around them so that together they can work for the betterment of all.

Yitro provides us with two models of excellent leaders: Jethro, the Midianite priest who is also Moses' father-in-law, and Moses. Jethro is an example of a wise and seasoned leader. He is an impartial observer who is willing to share his knowledge, understanding, and wisdom with Moses. Moses is still in the first stages of his career as the leader of the Jewish people. He is a reluctant leader who ascended to his position only at God's insistence. Moses is humble: His ego does not get in the way. He is an excellent example of a leader who is able to listen to and learn from others. One of his great strengths is that he listens carefully to Jethro's wise advice and does not hesitate to integrate and incorporate that advice into the manner in which he leads.

From Exodus 18:1-27 we can extrapolate an outline of a training manual for leadership development, which we can use in all aspects of our lives: personal, religious, political, and professional. Jethro's behavior and actions show us that the following are crucial traits for a great leader:

1. Seek your constituents where they are. (Exodus 18:1-6)
2. Show care and concern for the well-being of others. (Exodus 18:7)
3. Celebrate the accomplishments of others. (Exodus 18:9-12)
4. Offer constructive criticism in a way that can be understood. (Exodus 18:13-23)
5. In a nonjudgmental manner, give advice on how to improve things or help devise a plan for such action. (Exodus 18:19-23)
6. Empower leadership (and encourage growth) in others by sharing the responsibilities. (Exodus 18:13-18; 21-23)
7. Remember to delegate responsibility and authority wisely. (Exodus 18:21-22) Choose those who are:
 - Capable
 - Trustworthy
 - Believers in God (crucial for religious leaders, both lay and professional)
 - Ethical/principled
 - Representative of the whole population

Moses' behavior and response to Jethro exemplify the following traits:

1. Sharing one's accomplishments with those who care. (Exodus 18:8)
2. Being open to, listening to, and learning from constructive criticism. (Exodus 18:24-26)
3. Not hesitating to implement change when necessary. (Exodus 18:24-26)
4. Being humble

Parashat Yitro reminds us that when we choose leaders, we must question more than their stances on political issues. We must ask, Do they have the necessary qualities to work with others to make this world a better place? *Yitro* also provides us with excellent models for creating relationships, which will enable each of us to be leaders in our everyday lives vis-à-vis our families, our colleagues, and our community. With Jethro and Moses as our guides, we will be able to lead one another to the Promised Land.

Jewish Sources on Leadership

Ideas for how to use these quotes:

- Paste them around the room and have each USYer stand by the one they agree OR disagree with the most. Have them explain their choice
- Put each quote on a piece of flip chart/poster paper and have each USYer write their reaction to the quote. Share reactions as a group
- Have each USYer write one person (famous or local), they know of that applies to that quote
- Ask USYers to brainstorm in small groups, one quote in action- examples of how this quote can be applied in 'real life' situations
- Have them think of a TV or movie character who exemplifies this quote or ask them to think of a famous Jew who embodies this quote
- Build a leadership pyramid with the foundation of leadership at the bottom with the most important quotes, building up to the tip
- The "key" to leadership- have USYers choose one quote to make into a keychain which they will carry with them as a constant reminder or motivation in their journey toward becoming Jewish leaders

QUOTES:

Who is wise? One who learns from every person. Who is strong? One who subdues one's evil inclination. Who is rich? One who is happy with one's lot. Who is to be honored? One who honors others.

Pirkei Avot 4:1

Shammai taught: Make a fixed time for study; say little and do much and greet each person with a cheerful face.

Pirkei Avot 1:15

Shimon Hatzadik used to say: "The world rests on three things: On Torah, on Worship and on acts of loving kindness

Pirkei Avot 1:2

In a place where there is no leader- strive to be a leader. Abaye said: Therefore we learn that in a place where there is a leader, do not seek to be a leader. That's simple (and therefore unnecessary to teach) except in a situation where two are equal.

Talmud (Brachot 63a)

Hillel says: Do not separate yourself from the community; do not have confidence in yourself until the day of your death; do not judge another until you stand in his place; do not say something that shouldn't be heard; in

the end it will be heard; do not say, 'when I have time I will study,' lest you never find time.

Pirkei Avot 2:4

Rabbi Eliezer taught: Hold the Honor of another as dear as your own, do not be easily provoked to anger and repent the day before you die.

Pirkei Avot 2:15

Surely God was in this place and I did not know it

Bereshit 28:17

The old will be renewed and the new will be sanctified

Rabbi Avraham Yitzchak Kook (20th C, first chief Rabbi of Israel)

This is the generation and those who seek its welfare (Psalms 24:6).

According to one opinion, the character of a leader is determined by the generation

Talmud (Arachim/values 17a)

Most often, the person who becomes leader is not the one who knows the way, but the one who behaves as if he/she knows

(Midrash) Yalkut Shimoni

Who to a community who has an unwise leader

(Midrash) Shmuel

One who is wise, humble and fearful of sin may be made a community leader.

Tosafot (12th c commentary on Mishna) Sanhedrin 7:1

A leader must not think that God chose for him greatness

Menachem Mendel of Kotzk (19th c Hasidic Master)

This is what the Holy One said to Israel: My children, what do I seek from you? I seek no more than that you have the love for one another, honor one another, and that you have awe and reverence for one another.

(Midrash) Tanna de Bei Eliyahu Rabbah 26:6

Our Masters taught: One who sees a host of Israelites should say, "blessed be the One who discerns secrets," for the mind of each of them is not like the mind of any other, nor is the countenance of each of them like the countenance of any other.

(Talmud) Brachot 58a

Come and Learn: The voice of God spoke to each Israelite, that means to each and every person God's voice was heard and understood because

the voice spoke to each individual person according to that person's particular ability to hear and understand...to the elderly in keeping with their ability, to the young in keeping with their ability, to the little ones in keeping with their ability, and so on.

(Midash) Exodus Rabba 5:9)

If a person resides in town for thirty days, that person is responsible for continuing the soup kitchen; After three months, the charity box; After six months, to the clothing fund; After nine months, to the burial fund; And after 12 months, that person is responsible to the repair of the town walls.

(Talmud) Baba Batra 8a

As the leader, so the generation; as the generation, so the leader.

(Talmud Yerushalmi) Arachim 17a

An argument for the sake of heaven will have lasting value. An argument not for the sake of heaven will not endure. What is an example of a controversy not for Heaven's sake? The rebellion of Korach and his associates (who attempted to overthrow Moses)

Pirkei Avot 5:19

10

Tuesday, 26 January 2016 [Subscribe](#) [Where to Buy](#) [Donate](#) [Advertise](#)

Search...

moment

THE JEWISH VOICE OF AMERICA

II DEMOCRACY

[Current Issue](#) [Web Exclusives](#) [Events](#) [Back Issues](#) [Programs](#) [Guides](#) [Video](#) [Advertise](#) [About](#) [Contact](#) [Donate](#) [Subscribe](#) [Shop](#)
[Home](#) -> [Issues](#) -> [2012 September-October](#) -> [Symposium / Is Democracy a Jewish Idea?](#)

SYMPOSIUM / IS DEMOCRACY A JEWISH IDEA?

Twitter Like G+ Print

Shlomo Avineri . Noah Feldman . Gidi Grinstein . Anat Hoffman Jodi Kantor . Benny Katzover . Ed Koch . David Novak . Norman Ornstein . Fania Oz-Salzberger . Eilon Schwartz . Adam Sutcliffe . Michael Walzer . Ruth Wisse . Beth Wenger

Michael Walzer

Did we invent democracy? No. It's a Greek invention. I don't think there's anything in the Hebrew Bible from which you could derive an argument about democratic politics. There are features of biblical religion that are proto-democratic: the implicit recognition that law has to be interpreted, the pluralism of the legal codes and the willingness to allow the codes of Exodus and Leviticus and Deuteronomy to co-exist even though they're different. This implies a recognition of human interpretation—not law-making, because God is the only lawmaker. There is also the fact that the prophets speak in the streets to ordinary men and women. The moment they leave the court of the king and come into the streets of the city is a democratizing moment. But political democracy, the rule of people, the notion that the word of the people is the word of God, there's nothing like that in ancient Jewish thought, and I doubt that it can be found in the Talmud either. Over time in the exilic communities, we opened paths toward democratic decision making. There were assemblies of the male members, and they voted for representatives to the Council of the Four Lands in Poland and Lithuania from the 16th to the 18th centuries. Representatives were chosen in the local areas and sent to a central meeting twice a year. But it was only about five to ten percent of Jews who voted. So we came to democracy slowly.

Michael Walzer is professor emeritus at the Institute for Advanced Study, co-editor of Dissent and author of In God's Shadow: Politics in the Hebrew Bible.

Ruth Wisse

Ben Gurion once said he was prime minister of a country of prime ministers, implying that Jews are hyper-democratic. If democracy encourages governance from below—by the people, of the people and for the people—then the memory of *all* the Jews standing at Sinai, and later, the practice of *all* the Jews reading from the Torah would certainly have encouraged a democratic culture. Democracy is less a Jewish idea than a by-product of the Jewish way of life. The Greeks developed the idea of democracy in thinking about how one governs a polity. Among Jews it began with the sanctity of individual life. They badly needed mature self-governance in order to live as a minority among other nations. Mitt Romney was only stating the obvious when he said that culture determines the democratic nature of Israel and the difficulty its neighbors have in attaining democracy.

The tribal nature of the Jews is sometimes considered an obstacle to democracy. Just the opposite is true: Because Jews do not universalize their religion, they have no trouble co-existing with others. Democracy requires just that balance between self-sufficiency and respectful recognition of others. Jews know from their own difficulties the hard self-discipline that civilization requires.

Ruth Wisse is professor of Yiddish literature and comparative literature at Harvard University and author of Jews and Power.

 to search type and hit enter

DONATE

HELP SUPPORT OUR
IMPORTANT WORK

► [SIGN UP FOR OUR FREE WEEKLY NEWSLETTER](#)



Refuge: Stories
of the Selfhelp
Home Official
Trailer

with Ethan Bensinger 02:14

[Click here to learn more about the Selfhelp Home in Chicago](#)

17

Fania Oz-Salzberger

The Jewish tradition carries very powerful democratic genes. Democracy was invented in ancient Greece and then reinvented in Europe in the 18th century, but there is a long-standing Jewish notion of popular civil participation, with numerous voices taking part in political decision-making. The ancient Israelites are on biblical record as a dazzling multiplicity of voices—both men and women—debating and deciding issues such as what is the best form of government, who is the true sovereign, how should human beings be governed, what are the entitlements of the ruler and the ruled, how to achieve social and economic justice, and what community is all about? The fierce multivocality and the ever-present quest for human equality and social justice were often uniquely Israeli, and later uniquely Jewish, until they found their way to modern Western discourse at large.

In Talmudic times, the democratic instinct of the Jewish people turned from the political to the intellectual. In the Bible, many simple people were able to make their voices heard. In the Talmud, that same instinct is seen in the way that large numbers of rabbis and scholars debate each other. The Jewish community has always left a window open for disagreement—intellectual and rabbinical, but also on matters of community and society. There is an ongoing tradition of openness—albeit not always and not everywhere—to a plurality of opinions. It's not full-fledged democracy, but it's a condition for it.

Modern-style pluralism came slowly and gradually, and modern-style democracy needed other sources than the Jewish scriptures. In modern Israel today, anyone pretending that Judaism and democracy are incompatible traditions and that Israeli society must decide between the two is showing a certain measure of historical ignorance. Not only are Jewish and democratic elements of Israel's statehood compatible, but they have been influencing one another for well over 2,000 years.

Fania Oz-Salzberger is director of the Posen Forum for Political Thought at the University of Haifa and co-author of the upcoming book Jews and Words.

Adam Sutcliffe

In the early modern period it's not democracy that is associated with Judaism, but republicanism, a system of government in which a citizen body participates in politics, and there is no monarch, but not everyone has equal rights, as in a democracy. When, in the 17th century, republican governments were established in the Netherlands and, briefly, in Britain, Protestant scholars of Hebrew sought to use the Jewish Bible and some rabbinic texts to lend extra theological support to these polities. I am skeptical, though, of claims made by some historians that republican thought in this period was inspired by Jewish sources. British and Dutch political thinkers generally had a clear idea of what they were looking for in Jewish sources, and were able to interpret these texts to make sure they found it. As for democracy, this is clearly a Greek idea, and in the Western tradition there is a long tradition of contrasting what Matthew Arnold, in the 19th century, characterized as "Hebraism and Hellenism." The inescapability of divine authority and of the divine covenant is central to Judaism, and in the European Enlightenment many thinkers regarded Judaism as a religion of unquestioning obedience to divine law. For Kant and others this aspect of Judaism was deeply inimical to individually autonomous thought and judgment, which was and still is widely regarded as essential to the successful functioning of a democracy. The claim that the key ideas of Western political discourse are somehow proprietorially Jewish seems often to derive from a desire to associate Jews and Judaism with Euro-American values, in contrast to those imputed to the Islamic world.

Adam Sutcliffe is a senior lecturer in Early Modern History at Kings College in London and author of Judaism and Enlightenment.

Noah Feldman

Democracy has two essential parts: majority rule and the equal treatment of free citizens. Judaism never historically had much to say on the former, but it has a lot to say about the latter. Although the origins of democracy as a political practice are Greek, democracy is a very flexible idea, and it's compatible with Jewish values and ideals when those are themselves interpreted so that they are both egalitarian and majoritarian. The Bible certainly doesn't imagine democracy, nor does the Talmud. Yet some modern ideals of equal treatment for all and the equal dignity of human beings can be said to have important biblical and rabbinic roots. The creation of Israel with its aspiration to be a Jewish and a democratic state opens the possibility for a distinctively Jewish democracy and for a form of Judaism that is more closely



**What Makes
Art Jewish?**
A Moment Magazine
Symposium

FREE EBOOK
DOWNLOAD NOW

FIND US ON FACEBOOK

connected to democratic values. For democracy to be Jewish, or for a state to be Jewish and democratic, requires treating all citizens—regardless of ethnicity, religion, or sex—as fully equal participants in that state, and respecting not only their legal right to equality, but their moral right to be treated with equality and dignity. If a Jewish state can satisfy those goals, it can be democratic in the same way that an Islamic state or a Christian state that satisfies those goals can also be democratic.

*Noah Feldman is a professor of law at Harvard Law School and the author of *Divided by God: America's Church-State Problem*.*

Beth Wenger

I'm always struck that when I teach American Jewish history, there are always students who assert confidently that the Bible teaches democracy. The Bible, of course, represents a theocracy, not a democracy, which isn't to say there aren't some ideas about social justice and democratic values that have biblical origins. The reason that students will argue that Judaism teaches democracy is because they are heirs to a long tradition in which Jews in America have consciously constructed the notion that Judaism is essentially democratic. In forging their own identity in the United States, Jews redefined the contours of their own culture so as to enhance that image of the symbiosis between Judaism and American democracy. Since America itself had been created as a "new Promised Land," and its founders regularly drew on biblical paradigms and rhetoric to define American values, Jews seized upon this pervasive motif and used it to shape their own communal identity. They continually stressed how much American democracy was founded on biblical ideas, and since Jews were the original People of the Book, they claimed for themselves and for Jewish culture a role as ideological progenitors of the nation. Especially from the mid-19th century forward, both Jews and non-Jews were fond of drawing parallels between Puritans and ancient Hebrews. Early Jewish textbooks were filled with comparisons between Sukkot and Thanksgiving and a host of other ways to make Judaism not only compatible with, but actually part of the organic fabric of the nation. There is nothing inherent in either American culture or Jewish tradition to render them fundamentally compatible, but American Jews created this construction of American Jewish culture. It was a kind of self-fashioning. In sermons, in speeches, in celebrations of national holidays and of Jewish holidays, American Jews created a history and a heritage for themselves in the United States that demonstrated their belonging in and fundamental contribution to American culture. That effort—sometimes conscious, sometimes subconscious—was so successful that in the 21st century, students in my classes are often certain that Judaism itself teaches democracy.

*Beth Wenger is director of the Jewish Studies Program at the University of Pennsylvania and author of *History Lessons: The Creation of American Jewish Heritage*.*

Ed Koch

I believe that a Jewish value, but one not limited to Jews, is justice. More than anything else, that's what Jews crave. In fact, when I talk on this subject, I always refer to the phrase "Justice, justice shalt thou render" sayeth the Lord," which you find in the Talmud, in the Torah, and also, I believe, in the Ethics of our Fathers. I was always intrigued by the question: Why is justice repeated twice? The explanation given by the sages was that really was a reference to the requirement that justice was not only for Jews, justice was for your non-Jewish neighbors as well. Justice can exist in governments that are not democracies, if the ruler is a just ruler. Obviously, democracy is to be preferred because you can throw rulers out.

Ed Koch served in the United States House of Representatives from 1969 to 1977 and was mayor of New York City from 1978 to 1989.

Jodi Kantor

Democracy has benefited Jews in the United States in many ways—but especially because it's a system of government that makes it easy for outsiders to join. Many of the Jews I've covered in politics are people whose families are relative newcomers to the United States and who didn't arrive on the scene with a ton of status or history. They're not the Bushes or the Kennedys. If we look at the Obama administration, we see David Axelrod and two Jewish White House chiefs of staff, Rahm Emanuel—who is half Israeli—and Jack Lew, who is an Orthodox Jew. Even though they're now the ultimate insiders, they come from outsider backgrounds. So I'm not sure democracy is necessarily Jewish, but it's good for Jews who want to participate in the system. That sense of outsider-ness is one of the strongest themes in the whole Obama experience. One of the ideas that runs through my book, *The Obamas*, is that these are not people born to power. They were outsiders, they're not part of the system, and that's what was captivating

about the President's campaign in 2008, but that's part of the reason he and the first lady struggled the first year or two. After a lifetime of being an outsider critiquing the establishment, Barack Obama is the establishment, a difficult leap to make. And American Jews face some of the same questions. For most of American history, Jews were the outsiders, the new arrivals, the people who were trying to establish financial stability and join the middle class. Now American Jews in so many ways are at the pinnacle of power. We may feel like outsiders in some ways, and we carry that in our memory. But now that we are, in many cases, the insiders, what sort of transition do we have to make, and how do we use and perform that role?

Jodi Kantor is a New York Times correspondent and author of the best-selling book, The Obamas, about the President and the first lady, now available in paperback.

Norman Ornstein

Does the concept of democracy stem from Judaism? No. You can go back to the Greeks and even before. Is democracy consistent with Judaism? There, I would say largely yes, but with a caveat, and the caveat is the same as you would have for other religions: What is Judaism? There are many strains of Judaism. Fundamentalist Judaism, just like some elements of fundamentalist Christianity, would not view democracy as an ideal or consistent with what it believes. In Judaism, where you have an enormous tolerance for different view points, a culture built around argument, a willingness to tolerate dissent, a focus on the larger society and helping others in need, the whole concept of *tzedakah*, all of those things, it seems to bolster many of the ideas of democracy and freedom. And it's particularly true if you're looking at a system like the American one, which is built around deliberation, debate and dissent.

Norman Ornstein is a resident scholar at the American Enterprise Institute and co-author of It's Even Worse Than It Looks: How the American Constitutional System Collided With the New Politics of Extremism.

Gidi Grinstein

Judaism did not invent democracy in the way that we understand and practice it today, but it did create a society based on intellectual transparency and a democratic process that was universally participatory and meritocratic. The Sanhedrin was governed by a system of majority rule in order to preserve the cohesion of society.

Later on, with the dismantling of the Sanhedrin, majority rule gave way to a system of intellectual meritocracy. Universal access to education for men at the age of three granted members of the community an opportunity to acquire the tools to participate in shaping the structure of society. Accepted rules of logic ensured transparent deliberation. This system ensured social mobility, as a child from the poorest family could rise to a prominent role based on his intellectual abilities.

Judaism has been very progressive in that both sides of a debate were respected and deemed to be "words of God," provided they argue for the betterment of the community. Furthermore, the ancient democracy of Judaism was effectuated by the ability of Jews to move within the worldwide web of communities. This was often a response to failing institutions and crisis of leadership.

Gidi Grinstein is founder and president of the Reut Institute, a policy group in Israel.

Shlomo Avineri

In a way, this is an irrelevant question, just like asking whether democracy is a Christian or a Muslim idea. Democracy is a distinctly modern phenomenon, emerging in the 19th century, while monotheistic religions have been around for millennia. With some *pilpul* one can find a sentence here and there in the great sea of the Talmud, which can be interpreted as supporting democratic ideas (e.g., *aharei rabim le-hatot*, "one should follow the many"). But if one takes seriously the basic norms of Judaism as originating in divine revelation, obviously such eternal verities cannot be open to the vagaries of human opinion. However, the question is relevant to the current political discourse in Israel, and here—paradoxically—one can discern a set of Jewish traditions that made it possible for Israel to develop along democratic lines.

For centuries, Jews did possess institutional structures that were based on representation and some sort of electoral process—the *kehilla*, or congregation. Absent a state structure or a hierarchical church, the

14

only way Jewish life could be maintained was on a free associational basis in which ordinary Jews congregated together, elected their own leadership, secular and religious, taxed themselves and established the institutions needed for the preservation of their culture—synagogues, schools, welfare support groups and burial societies.

From its inception, the Zionist movement was built on such representative principles, and Israel's democracy grew out of these sources. The first *olim* organized themselves, in villages, towns and kibbutzim, according to familiar modes; since the 1920s the Representative Assembly of Jews in Eretz Israel was elected in multi-party contested elections. It was this Jewish tradition of representation that made the transition from the Yishuv to the State of Israel possible—no need to “adopt” a British or French model. Yes, democracy has a Jewish ancestry—but this political tradition grew out of the real needs of actual, living Jews, not from religious texts or commandments.

Shlomo Avineri is a professor of political science at the Hebrew University of Jerusalem. He is former director general of the Israeli Ministry of Foreign Affairs.

Benny Katzover

Israel's democracy in its present form will break apart because it's not based on Jewish principles. Democracy can be important in that it can preserve important values, but it's essentially a frame: It should be used to preserve the greater picture—the Jewish people—and not the other way around. You don't throw away the picture to preserve the frame, but that's what is happening in Israel today. In Israel, people talk about equal rights and about democracy, but then you aren't allowed to talk about the importance of increasing the birthrate among Jews or about the demographic problem—all in the name of equality. But at the same time, in the name of promoting equality, Arabs aren't drafted into the army. You can't even fight effectively against terrorism anymore because you can't deport terrorists or destroy the homes of suicide bombers, again because of Supreme Court rulings in the name of democracy. The Sanhedrin and the courts are both Jewish and democratic institutions in the way that leaders are chosen, but the law and the courts need to reflect the people, and that's not how it is in Israel today. We finally have a state after 2,000 years, but we're not even allowed to build new settlements. The solution is to use democracy when it's not in conflict with the Jewish people; when there is a conflict, Jewishness and the Jewish people need to prevail.

Benny Katzover, chairman of the Samaria Residents Committee, is a veteran settler leader.

Anat Hoffman

When Shulamit Aloni left the Labor party and formed Ratz, the Movement for Civil Rights and Peace, she stood in front of the Knesset and read a story from the Talmud. She read the famous tale about the oven of Achnai. Two rabbis were arguing over whether an oven was kosher or not and Rabbi Eliezer said to Rabbi Joshua, if my opinion is the right one, let a carob tree fly in the air to prove it. And so a carob tree uprooted itself and flew in the air. Rabbi Joshua responded that you don't learn Torah from carob trees. And so Rabbi Eliezer said if my opinion is the right one, let the aqueduct prove it. And suddenly the water in the aqueduct flowed in another direction, against gravity. But Rabbi Joshua said that you don't learn from an aqueduct. Then Rabbi Eliezer said if my opinion is the correct one, let the walls of the Beit Midrash prove it and the walls then started to fall. But again, Rabbi Joshua said that the walls don't have a place in deciding a debate. Finally, Rabbi Eliezer said, “If my opinion is right, let the heavens prove it.” A heavenly voice came and said to Rabbi Joshua, “Why do you argue with Rabbi Eliezer? The law is according to him.” But Rabbi Joshua said to the heavenly voice, “*Lo bashamayim hi*: the Torah is not in the heavens. The majority rules.” At this God smiles and says “My sons are victorious over me, my sons are victorious over me.” When Shulamit Aloni read this story, the ultra-Orthodox criticized her, but she replied to them: “I believe in democracy because I am a Jew.” This is a 3,000-year-old story and it's a subversive story. And so to answer your question, yes, democracy is not only a Jewish idea, it's an idea that was invented by Judaism.

Anat Hoffman is executive director of the Israel Religious Action Center, the legal and advocacy arm of the Reform Movement in Israel.

David Novak

If you mean democracy as a political order created by human beings who, therefore, claim ultimate authority is theirs, then no. That's not a Jewish idea because the Jewish idea is that the ultimate authority

15

in the world and every part of it is God. On the other hand, if democracy is a certain type of procedure that ensures such things as majority rule and individual rights—what we consider the benefits of democracy—then yes, these things can be found in the Jewish tradition and developed by constructive Jewish thought. The right to life and the right not to be harmed are codified in Jewish law. In that way, there's a happy medium between those Jewish thinkers who basically say that Judaism is to be taken as nothing but proto-democracy, that democracy is the central Jewish contribution (and all the theological stuff can be eliminated), and those who say that democracy is not a Jewish idea, and then advocate a system that sounds like fascism, where you're ruled by an oligarchy, and there are no rights at all, only duties to the state and its leaders. I think both of these extremes can be argued against in the name of Jewish "theocracy" properly understood.

David Novak is professor of Jewish Studies at the University of Toronto and author of Covenanted Rights: A Study in Jewish Political Theory.

Eilon Schwartz

Judaism is replete with texts that can suggest democracy and democratic ideals. The foundational notion of the Hebrew Bible, echoed in the American Declaration of Independence, that all human beings are created in God's image, presents the theological basis on which the democratic idea of citizenship and equal rights is based. And yet, simultaneously, Judaism is replete with texts that can suggest the very opposite—that there is one ultimate authority, and it is not the people. Jewish fundamentalists in Israel, for example, continue to challenge the authority of the state in the name of Jewish religious beliefs. A prime minister was murdered because of the conflict between democracy and the murderer's allegiance to a particular understanding of what Judaism teaches. And many secular Jews in Israel accept the same equation, only with the opposite conclusion—that Judaism, far from a partner in building a healthy democracy for all Israeli citizens, is its greatest impediment. The question here in Israel is not whether democracy is a Jewish idea—it definitely is and most certainly isn't—but rather what understanding of Judaism, and democracy, will we choose to shape Israel's future. And that is a political choice. The more that they are seen as compatible, the less tension there will be between the Jewish and democratic identities of this country. The more that they are seen as in tension, the more Jews will be forced to choose between the Jewish and democratic identities of this country, a dangerous gambit where all sides will inevitably lose.

Eilon Schwartz is director of the Shalom Center in Israel.

SHARE

tweet

like

0

G+

0

ch

Print

ABOUT MOMENT



ONE COMMENT



bob

06/26/2013 at 4:46 am

pointless & self deluding question, answer is no, it is a political construct born of ancient hellenic greece.

[Reply](#)

LEAVE A REPLY

Your email address will not be published. Required fields are marked *

Name *



HOW JEW'S VOTE

U.S. Presidential Elections: Jewish Voting Record

(1916 - Present)

Presidential Elections: [Table of Contents](#) | [The Campaigns](#) | [Political Contributions](#)

Print Document Page 308 of 308

Join Our Mailing List

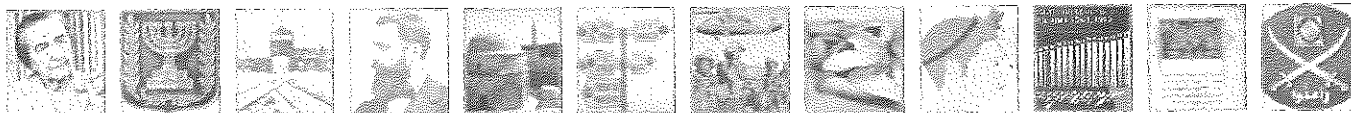
Enter Email Here...

GO

Election Year	Candidates	Jewish Vote*	Total Vote*	Election Year	Candidates	Jewish Vote*	Total Vote*
2012	Romney (R)	30	48	1960	Nixon (R)	18	50
	Obama (D)	69	51		Kennedy (D)	82	50
2008	McCain (R)	22	46	1956	Eisenhower (R)	40	57
	Obama (D)	78	53		Stevenson (D)	60	42
2004	Bush (R)	24	51	1952	Eisenhower (R)	36	55
	Kerry (D)	76	48		Stevenson (D)	64	44
2000	Bush (R)	19	48	1948	Dewey (R)	10	45
	Gore (D)	79	48		Truman (D)	75	50
1996	Dole (R)	16	41		Wallace (Progressive)	15	2
	Clinton (D)	78	49	1944	Dewey (R)	10	46
1992	Bush (R)	11	37		Roosevelt (D)	90	53
	Clinton (D)	80	43	1940	Wilkie (R)	10	45
1988	Bush (R)	35	53		Roosevelt (D)	90	55
	Dukakis (D)	64	46	1936	Landon (R)	15	37
1984	Reagan (R)	31	59		Roosevelt (D)	85	61
	Mondale (D)	67	41	1932	Hoover (R)	18	40
1980	Reagan (R)	39	51		Roosevelt (D)	82	57
	Carter (D)	45	41	1928	Hoover (R)	28	58
1976	Ford (R)	27	48		Smith (D)	72	41
	Carter (D)	71	50	1924	Coolidge (R)	27	54
1972	Nixon (R)	35	61		Davis (D)	51	29
	McGovern (D)	65	38	1920	Harding (R)	43	60
1968	Nixon (R)	17	43		Cox (D)	19	34
	Humphrey (D)	81	43		Debs (Socialist)	38	3
1964	Goldwater (R)	10	38	1916	Hughes (R)	45	46
	Johnson (D)	90	61		Wilson (D)	55	49

* - Number as percentage of popular vote

Sources: L. Sandy Maisel and Ira Forman, Eds. *Jews in American Politics*. (Lanham: Rowman & Littlefield, 2001), p. 153.



[About Us](#) | [Bookstore](#) | [Contact Info](#) | [Careers](#) | [Feedback](#) | [Glossary](#) | [Links](#) | [Publications](#) | [Sponsorship](#)

[Iran Intelligence](#) | [Stop-BDS](#) | [Joc's Israel](#) | [The Israel Calendar](#)

Copyright © 2016 American-Israeli Cooperative Enterprise; Webmaster: Jason Levine

Party and Ideology

	NET Jewish	Jews by religion	Jews of no religion	U.S. gen. public
	%	%	%	%
Democrat / lean Democratic	70	68	78	49
Democrat	55	54	57	33
Lean Democratic	15	14	21	16
Republican / lean Republican	22	24	12	39
Republican	13	15	8	24
Lean Republican	8	9	5	15
Ind./Other/No pref. – No lean	8	8	9	12
	100	100	100	100
Liberal	49	44	67	21
Moderate	29	31	20	36
Conservative	19	22	11	38
Don't know/refused	3	3	2	5
	100	100	100	100

Source: Pew Research Center 2013 Survey of U.S. Jews, Feb. 20–June 13, 2013. PARTY, PARTYLN, IDEO, U.S. general public data from aggregated Pew Research Center polls, February–June 2013. U.S. general public figures include some Jews. Figures may not sum to 100% due to rounding.

PEW RESEARCH CENTER

U.S. Jews are a largely Democratic, politically liberal group. Overall, seven-in-ten Jews (including 68% of Jews by religion and 78% of Jews of no religion) identify with or lean toward the Democratic Party, while just 22% identify with or lean toward the Republican Party. And roughly half of U.S. Jews describe themselves as political liberals (49%), including 44% of Jews by religion and two-thirds of Jews of no religion (67%). By comparison, the general public is much more evenly divided between the two parties (49% identify with or lean toward the Democratic Party, while 39% identify with or lean toward the GOP) and is much less politically liberal.

In Pew Research surveys conducted since 2000, the partisanship of Jews by religion has shown some variability, but they have always identified with the Democratic Party over the GOP by large margins. Roughly two-thirds of Jews by religion have identified as Democrats or Democratic-leaners over the past decade, and there has never been a year in which support for the Democratic Party has dipped below 62%.

K

Jews are Among the Most Liberal, Democratic Groups in the Population

	Dem/lean Dem %	Rep/lean Rep %	Lib. %	Mod. %	Con. %
NET Jewish	70	22	49	29	19
Jews by religion	68	24	44	31	22
Jews of no religion	78	12	67	20	11
Men	65	27	43	31	22
Women	75	17	54	26	16
Ages 18-49	70	21	49	30	18
18-29	75	17	54	28	16
30-49	65	24	46	31	20
Ages 50+	71	22	49	28	21
50-64	70	24	49	29	21
65+	72	20	48	27	21
College grad+	75	19	55	29	14
Post-grad degree	80	16	58	27	13
BA/BS	71	22	52	31	15
Some college	66	23	39	33	26
HS or less	61	27	42	22	27
Orthodox	36	57	12	27	54
Ultra-Orthodox	35	58	7	21	64
Modern Orthodox	37	56	22	35	41
Conservative	64	27	35	33	28
Reform	77	17	58	29	13
No denomination	75	15	58	26	13
U.S. general public	49	39	21	36	38
Christian	45	44	16	35	44
Protestant	44	46	14	34	47
White evangelical	26	66	8	27	62
White mainline	40	49	17	41	37
Black Protestant	85	8	21	36	36
Catholic	49	38	20	38	38
White, non-Hisp.	41	50	17	39	41
Hispanic	59	21	26	32	35
Mormon	24	69	7	24	67
Unaffiliated	59	25	37	38	20

Source: Pew Research Center 2013 Survey of U.S. Jews, Feb. 20-June 13, 2013. PARTY, PARTYLN, IDEO. U.S. general public data from aggregated Pew Research Center polls, February-June 2013.

PEW RESEARCH CENTER

Jews by religion are more than twice as likely as members of most other religious traditions to describe themselves as politically liberal. And black Protestants are the only religious group with a larger share than Jews by religion that identifies with or leans toward the Democratic Party. For their part, Jews of no religion are even

more politically liberal and Democratic-leaning than is the overall religiously unaffiliated population, which itself is among the most strongly liberal and Democratic groups in the population. 19

But while Jews overall are a strongly liberal, Democratic group, there are pockets of conservatism and Republicanism within the Jewish population. Orthodox Jews identify with or lean toward the Republican Party over the Democratic Party by a 57% to 36% margin. And 54% of Orthodox Jews, including 64% of Ultra-Orthodox Jews, consider themselves politically conservative. On these measures (partisanship and ideology), the only other U.S. religious groups that are as conservative and Republican as Orthodox Jews are white evangelical Protestants and Mormons.

Voter Registration

	NET Jewish	Jews by religion	Jews of no religion	U.S. general public
	%	%	%	%
Registered to vote, certain	83	83	82	74
Registered, but chance has lapsed	4	4	4	4
Not registered	10	10	10	21
Don't know/refused	1	1	2	1
Not eligible to vote	2	2	2	n/a
	100	100	100	100

Source: Pew Research Center 2013 Survey of U.S. Jews, Feb. 20-June 13, 2013; REG, U.S. general public data from aggregated Pew Research Center polls, February-June 2013. Figures may not sum to 100% due to rounding.

PEW RESEARCH CENTER

Upwards of eight-in-ten Jews (83%) say that they are absolutely certain they are registered to vote at their current address. This exceeds the share of the general public that says they are registered to vote.

Views of Obama



Calendar

Placement

Login Register

20

Search site

IV FINANCE REFORM

[Home](#) > [Tzedek / Justice](#) > [Resolutions](#) > [Resolutions 2012](#) > Resolution on Campaign Finance Reform in the United States

Resolutions

Resolution on Campaign Finance Reform in the United States

- [Resolutions 2012](#)
- [Resolutions 2013](#)
- [Resolutions 2014](#)
- [Resolutions 2011](#)
- [Resolutions 2010](#)
- [Resolutions 2009](#)
- [Resolutions 2008](#)
- [Resolutions 2007](#)
- [Resolutions 2006](#)
- [Resolutions 2005](#)
- [Resolutions 2004](#)
- [Resolutions 2003](#)
- [Resolutions 2002](#)
- [Resolutions 2001](#)
- [Resolutions 2000](#)

Whereas Judaism believes in the equality of all human beings regardless of race, creed or financial position;

Whereas Deuteronomy 16 commands, "You shall not judge unfairly: you shall know no partiality; you shall not take gifts, for gifts blind the eyes of the discerning and upset the plea of the just";

Whereas the Talmud Bavli in Tractate Ketubot (105b) notes, "As soon as a man receives a gift from another he becomes so well disposed towards him that he becomes like his own person, and no man sees himself in the wrong";

Whereas as Jews, we believe that all Americans must have equal access to the voting process which is so central to our democracy, in accordance with the words of Leviticus 19:15, "You shall not render an unfair decision";

Whereas the January 2010 Supreme Court ruling in *Citizens United v. FEC* overturned 63 years of precedent, allowing corporations and labor unions to spend unlimited sums on independent political expenditures;

Whereas wealthy individuals and corporations can now circumvent campaign finance laws by pouring unlimited funds into "Super PACs" that have coarsened political discourse and have made candidates even more beholden to the wealthy few and their interests;

Whereas in a modern democracy, it is necessary for elected officials to be accountable to all citizens, not just wealthy and powerful moneyed interests;

Social Justice Commission

Whereas in a time of economic stress in our nation and around the world the billions of dollars spent on American elections are unseemly and immoral in the face of increased poverty, hunger, unemployment and lack of access to health care, among the many pressing issues in our society requiring greater resources; and

Civil Rights

Economic Justice

Environment

Whereas the Rabbinical Assembly as far back as 1997 has called for campaign finance reform.

Food Justice and Hunger

Gender and LGBTQ

Therefore be it resolved that the Rabbinical Assembly call upon the United States Congress, the U.S. Administration and state and local governments nationwide to reform current campaign financing regulations to ensure greater accountability of elected officials to the American public;

Health Care

Human Rights

Be it further resolved that the Rabbinical Assembly reiterate its prior support of free media access including television and radio time for political candidates during an election season;

Inclusion

Interreligious Dialogue

That such free television and radio time be legislated by Congress in coordination with the television and radio industries;

Israel

Slavery and Human Trafficking

That candidates be given access to free television and radio time in exchange for accepting limits on the amount of time candidates can purchase in any media market; and

Tzedakah

Be it further resolved that the membership of the Rabbinical Assembly urge Congress to set stricter limits on the amount of money that can be raised by candidates, political parties and PACs in any given election cycle.

Passed by the Rabbinical Assembly Plenum, May, 2012

[Contact Us](#)[Affiliates](#)[Donate](#)[Legal Notices](#)[Tags](#)[Facebook](#)[Twitter](#)[RSS](#)



■ ENRICHING THE JEWISH COMMUNITY ■ FOSTERING EXCELLENCE IN RABBINIC LEADERSHIP ■

HOME ABOUT US RABBIS SPEAK LIFELONG LEARNING CCAR PRESS PLACEMENT RABBIS & COMMUNITIES DONATE NOW MEMBERS

 Search

[Home](#) » [Rabbis Speak](#) » [Resolutions](#) » All

Rabbis Speak

Resolution Adopted by the CCAR

CAMPAIGN FINANCE REFORM

Adopted by the 114th Annual Convention
of the Central Conference of American Rabbis
Omni Shoreham, Washington D.C.
March, 2003

Rabbinic Voice

Resolutions

All

1889-1972

1973

1974

1975

1976

1978

1979

1980

1982

1983

1984

1985

1986

1987

1988

1989

1990

1991

1992

1994

1995

1996

1997

1998

1999

2000

2001

2002

2003

2004

Background

Thousands of years ago the Bible warned against mingling money and politics. Deuteronomy 16 states, "You shall not judge unfairly: you shall know no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just." The Talmud, asks in Tractate Kethuboth "What is the reason for [the prohibition against taking] a gift? Because as soon as a man receives a gift from another he becomes so well disposed towards him that he becomes like his own person, and no man sees himself in the wrong."

Our tradition also speaks clearly and unhesitatingly to the critical importance of appointing leaders according to their merit, and for maintaining the ability of leaders to act independently for the public good, unfettered by the demands of the wealthy. The Talmud quotes the biblical verse "You shall not make with Me gods of silver, neither shall you make for yourselves gods of gold." (Exodus 20:23) Since the fashioning of all idols, whether made of gold or wood, is prohibited, Rav Ashi explains that the verse actually condemns a judge who comes to his or her position because of silver or gold. The Shulchan Aruch, a 16th century compilation of Jewish law, goes further to state that "If someone appoints as a judge a person who is not fit for the position he violates a Biblical prohibition. If a judge was appointed on account of his money, it is forbidden to appear before him for a judgment." (Shulchan Aruch, Hoshen Mishpat 8:1) In today's electoral system it has become too common for politicians to win public office because of the size of their campaign coffers.

On March 27 2002, President Bush signed into law the Bipartisan Campaign Reform Act of 2002 (The McCain-Feingold/Shays-Meehan Bill). The historic legislation prohibits national party committees, federal candidates and federal office holders from raising or spending unlimited soft money campaign contributions from corporations, labor unions and wealthy individuals. The law prohibits corporations and labor unions from using their funds to pay for ads featuring a federal candidate that are broadcast to the candidate's electorate within 30 days of the primary and 60 days of the general election. It also increases limits on individual contributions to House, Senate and presidential campaigns to \$2,000.

The Federal Elections Commission is charged with enforcing election laws in America. The six-member commission consists of three appointees from each major political party. Since the passing of the McCain-Feingold/Shays-Meehan legislation the FEC has voted to limit the effect of some of the new campaign finance regulations. The law prohibited Presidents and federal elected officials from soliciting soft money contributions for a political party. By a 4 to 2 vote the FEC adopted a regulation saying that the President and other federal officeholders can "recommend" or "suggest" that a donor make a soft-money contribution as long as they do not explicitly "ask" for the contribution. The new campaign finance law also prohibited state parties from spending any soft money to influence federal elections. The FEC voted to allow state parties to use soft-money in get-out-the-vote efforts that influence federal elections, including acquiring voting lists, setting up phone banks, and sending out mass mailings.

Even if the letter and spirit of the BPCRA were vigorously enforced, the law would be only the first

2005

step on a long road toward a democracy where a person's wealth no longer determines his or her political influence.

2006

2008

2009

2010

2011

2012

2013

2014

2015

Reform Responsa

Platforms

CCAR Journal: The
Reform Jewish Quarterly

CCAR News

RavKav

RavBlog

Federal candidates raised \$2.2 billion in hard money during the 2000 election cycle, donations that were not affected by the new law. Even with a complete ban on soft money, our elected representatives will still be beholden to wealthy donors. Those who give hard money donations are not representative of the rest of the American population: Only one quarter of one percent of the population of the United States gave a hard money contribution of \$200 or more in the 2000 election cycle. A 1997 survey of such donors revealed that four-fifths had an annual family income of more than \$100,000 a year and that more than nine out of ten were white. Corporate and Labor PACs are also a huge source of hard money. 71 U.S. Senators and 188 U.S. Representatives, for example, took direct hard-money donations from Enron. 75% of \$19 million contributed by the auto industry in 2000 was in hard money. Over 60% of the real estate industry's \$79 million was hard money, as was 40% of the pharmaceutical industry's \$19 million donated during the 2000 election cycle.

Studies based on data from the Federal Election Commission show a startling correlation between contributions and votes. The skyrocketing cost of election campaigns has favored the wealthy candidate and created an increasing dependency on PAC money.

"Clean Money" campaign reform reduces the inherent conflicts of interest that arise when the campaigns of public servants are privately financed. Under a "clean money" system, candidates who agree to forego private contributions, accept strict spending limits, and demonstrate a significant threshold of public support, receive an equal and limited amount of money to run their campaigns from a publicly financed clean election fund. Clean Money campaigns have been successful in Arizona, Massachusetts, Vermont and Maine and have been implemented to varying degrees.

On a national level, the current campaign finance system has also proven to significantly disadvantage challengers, who are often unable to raise the campaign funds necessary to buy the time on national television that is essential in getting their message out to voters.

In the 2000 election cycle, approximately \$1 billion of the total \$4 billion raised was spent on television advertising. Between 1980 and 2000, the amount of money spent on political ads more than quadrupled, even after adjusting for inflation. The rising costs of political ads corresponds with a reduction in the amount of time broadcast television devotes to substantive coverage of issues, debates, conventions and candidate speeches. The three national network nightly newscasts devoted 28 percent less time to coverage of the 2000 campaign than they did to the 1988 campaign, the last open-seat contest for the presidency. The typical local television station aired just 45 seconds a night of candidate discourse in the month before the 2000 election, and the national networks aired just 64 seconds a night—both far below a five-minute a night voluntary standard recommended by a White House advisory panel charged with updating the public interest obligations of broadcasters.

Congress must legislate an end to this pernicious influence of money on our political system.

THEREFORE, the Commission on Social Action of Reform Judaism resolves to:

Support legislation to establish a system of free electronic media time for candidate ads, debates, and issue discussion before every election;

Call on the Federal Elections Commission to uphold the letter and spirit of the Bipartisan Campaign Reform Act of 2002; and

Affirm our commitment to public financing of political campaigns including support for state level "clean money" initiatives.



Copyright © 2015 Central Conference of American Rabbis
355 Lexington Avenue | New York, NY 10017 | (212) 972-3636 | info@ccarnet.org
For questions or comments about this site email the webmaster: webSupport@ccarnet.org





REFORM JEWISH VOICE
OF NEW YORK STATE

UNION FOR REFORM JUDAISM
633 THIRD AVENUE NEW YORK, NY 10017
INFO@RJVNYS.ORG 212 650 4272 WWW.RJVNYS.ORG

January 23, 2016 · 13 Sh'vat

Campaign Finance Reform

Subscribe ▶
to the
RJV e-newsletter
and Action Alerts



[Printable Version](#)



[Bookmark](#)

I. Background

II. Reform Jewish Position

III. Legislative Update

IV. Related Links

V. Talking Points

I. Background

Campaign finance refers to fundraising and spending involved in a candidates run for office. There are enormous financial burdens that accompany campaigning, including travel, advertisements and staff salaries. Supporters of campaign finance reform argue that big donations afford the influence that comes with big money, away from "average" voters who cannot afford to make large donations. Opponents argue that money is a form of expression that is protected by the United States Constitution.

Clean money campaign financing systems, including voluntary public financing of elections, do exist in a number of states. Most proposals for such a system require candidates to collect, during a defined qualifying period, a prescribed number of signatures and \$5-100 qualifying contributions from registered voters in their state or district. Candidates would agree not to raise or spend private money during the primary and general election campaign periods and receive a set amount of money or matching funds from the clean money fund and will typically also receive a media voucher.

New York State campaign contribution limits are high and disclosure requirements and enforcement of the laws are lax. Governor Andrew Cuomo pledged in his State of the State address to introduce legislation during the 2012 legislative session to create a public funding option for New York state elections based on the NYC model. He also discussed lower contribution limits, enacting "pay-to-play" rules, and improving the enforcement of the state's campaign finance laws.

The New York City program provides money to candidates who accept expenditure limits and enhanced disclosure. According to the Brennan Center for Justice, the heart of the NYC system, and what sets it apart, is the multiple match—a feature that boosts the impact of small donations by matching up to \$175 of each contribution at a six-to-one ratio. The Brennan Center noted that the system along with its vigorous oversight and enforcement has limited the influence of big money.

II. Reform Jewish Position

Both the Union for Reform Judaism (URJ) and the Central Conference of American Rabbis (CCAR) have resolutions strongly supporting campaign finance reform. These resolutions are based largely on the warnings in our ancient texts about the dangers of mixing money and politics. Deuteronomy 16:19 states, "You shall not judge unfairly; you shall know no partiality; you shall not take gifts, for gifts blind the eyes of the discerning and upset the plea of the just."

URJ Congressional Campaign Finance Reform (1984)
CCAR Congressional Campaign Finance Reform (1987)
CCAR Campaign Finance Reform (1997)
CCAR Campaign Finance Reform (2003)

The Talmud Tractate Kethuboth notes, "What is the reason [for the prohibition against taking] a gift (*shochad*). Because as soon as a man receives a gift (*she-hu-chad*) from another he becomes so well disposed towards him that he becomes like his own person, and no man sees himself in the wrong." Jewish tradition also stresses a need

for public accountability in a system of governance. Rabbi Yitzhak taught that "A ruler is not to be appointed until the community is first consulted," (Babylonian Talmud Berachot 55a). Rabbi Yitzhak argued that in the Torah, Bezalel could be chosen to build the Tabernacle only with the community's approval. In a modern democracy, it is still necessary for elected officials to be accountable to all citizens.

As Jews, we are commanded to stand up for the widow, the poor, the orphan and the stranger. In the words of former Commission on Social Action (CSA) director Leonard Fein, Jews have always acted on the belief that both our moral obligations and our self-interest require "a politics that speaks to the needs of those who have been left out or left behind, a politics of inclusion." It is the poor and the immigrant who are ignored in a system where the currency that matters is money rather than ideas. It is the poor who suffer when policy decisions are made by those who are dependent on the small percentage of the population that supplies the largest percentage of campaign contributions.

III. Legislative Update

Last legislative session, there were three bills related to campaign finance reform introduced, [A5279](#) (Brennan) which was not passed out of the Assembly Election Law Committee, [S2740](#) (Smith) which was directed to the Senate Election Law Committee, and [S3584](#) (Adams) which did not make it past the Senate Rules Committee.

Legislation calling for campaign finance reform has yet to be introduced this session.

In February, 2012, [RJVNYS](#) signed onto a letter to the Governor with over 100 other organizations expressing strong support for the pledge he made to introduce legislation to create a public funding option for New York state elections; "that it is the single most important next step to upend the perception of "pay-to-play" culture in Albany and promote greater transparency, competition, and accountability." The letter also notes that New York City's experience shows that a public financing option can counter the potentially corrupting influence of big money in politics. ... "Public financing enables candidates to run competitive campaigns while relying on a base of small donors back home, rather than on a small number of wealthy contributors. By doing so, public financing is particularly valuable for promoting participation among voters and candidates in low-income communities and communities of color. Public financing will promote accountability and diversity in New York's governance while revitalizing our participatory democracy."

RJV is a proud member of the [Fair Elections for New York](#) coalition.

IV. Related Links

[Brennan Center for Justice at NYU](#)
[NYS League of Women Voters](#)
[Common Cause New York](#)
[Citizens Union of the City of New York](#)
[New York Public Interest Research Group](#)
[Citizen Action of New York](#)

V. Talking Points

- The Reform Jewish Movement supports public financing of political campaigns including support for state "clean money" initiatives.
- There is a perception that elected officials in New York State are beholden to special interest groups and the campaign contributions these groups make undermine the public's confidence in the expected impartiality and integrity of the decisions being made by state government officials.
- The amount of money raised and spent on campaigns increases with each election cycle.
- Campaign finance reform should include:
 - Reduced allowable campaign contributions that can be accepted by any candidate
 - A limitation on total campaign spending by any candidate who accepts public financing
 - A system of partial public funding, similar to the New York City system
 - A limitation on the amount of personal wealth any candidate who accepts public financing could spend in his/her campaign
 - Strong disclosure provisions
 - Penalties for violations sufficient to deter prohibited behavior and ensure compliance
 - An enforcement body sufficiently empowered and nonpartisan to punish violators efficiently and effectively



REFORM JEWISH VOICE
OF NEW YORK STATE

UNION FOR REFORM JUDAISM
633 THIRD AVENUE NEW YORK, NY 10017
INFO@RJVNYS.ORG 212.650.4272 WWW.RJVNYS.ORG

Campaign Finance Reform

Jewish tradition commands us to stand up for the widow, the poor, the orphan and the stranger. In the words of former Commission on Social Action (CSA) director Leonard Fein, Jews have always acted on the belief that both our moral obligations and our self-interest require "a politics that speaks to the needs of those who have been left out or left behind, a politics of inclusion." It was with this statement and other biblical mandates in mind that Reform Jewish Voice signed a letter to Gov. Cuomo with over 100 other organizations in February 2012 expressing strong support for the pledge he made to introduce campaign finance reform legislation to create a public funding option for New York State elections. RJV is also a coalition member of Fair Elections for New York.

New York City Campaign Finance as a Model for New York State

Supporters of campaign finance reform argue that big donations afford the influence that comes with big money, away from "average" voters who cannot afford to make large donations, while opponents affirm that money is a form of expression that is protected by the United States Constitution.

Clean money campaign financing systems, including voluntary public financing of elections, do exist in a number of states. Most proposals for such a system require candidates to collect, during a defined qualifying period, a prescribed number of signatures and \$5-100 qualifying contributions from registered voters in their state or district. Candidates would agree not to raise or spend private money during the primary and general election campaign periods and receive a set amount of money or matching funds from the clean money fund and will typically also receive a media voucher.

New York State campaign contribution limits are high and disclosure requirements and enforcement of the laws are lax. Gov. Cuomo pledged in his 2013 State of the State address to introduce legislation to create a public funding option for New York state elections based on the New York City model, which is a multiple match program that boosts the impact of small donations by matching up to \$175 of each contribution at a six-to-one ratio. The New York City program provides money to candidates who accept expenditure limits and enhanced disclosure. He also discussed lower contribution limits, enacting "pay-to-play" rules, and improving the enforcement of the state's campaign finance and election laws.

Reform Jewish Values

Both the Union for Reform Judaism (URJ) and the Central Conference of American Rabbis (CCAR) have resolutions strongly supporting campaign finance reform. These resolutions are based largely on the warnings in our ancient texts about the dangers of mixing money and politics. Deuteronomy 16:19 states, "You shall not judge unfairly: you shall know no partiality; you shall not take gifts, for gifts blind the eyes of the discerning and upset the plea of the just."

The Talmud Tractate Kethuboth notes, "What is the reason [for the prohibition against taking] a gift (*shochad*). Because as soon as a man receives a gift (*she-hu-chad*) from another he becomes so well

disposed towards him that he becomes like his own person, and no man sees himself in the wrong." Jewish tradition also stresses a need for public accountability in a system of governance. Rabbi Yitzhak taught that "A ruler is not to be appointed until the community is first consulted," (Babylonian Talmud Berachot 55a). Rabbi Yitzhak argued that in the Torah, Bezalel could be chosen to build the Tabernacle only with the community's approval. In a modern democracy, it is still necessary for elected officials to be accountable to all citizens.

Talking Points

- The Reform Jewish Movement supports public financing of political campaigns including support for state "clean money" initiatives.
- There is a perception that elected officials in New York State are beholden to special interest groups and the campaign contributions these groups make undermine the public's confidence in the expected impartiality and integrity of the decisions being made by state government officials.
- The amount of money raised and spent on campaigns increases with each election cycle and the type of money spent on candidates by individuals and organizations could be spent on behalf of important causes, such as education, services for the developmentally disabled, etc.
- Campaign finance reform should include:
 - Reduced allowable campaign contributions that can be accepted by any candidate
 - A limitation on total campaign spending by any candidate who accepts public financing
 - A system of partial public funding, similar to the New York City system
 - A limitation on the amount of personal wealth any candidate who accepts public financing could spend in his/her campaign
 - Strong disclosure provisions
 - Penalties for violations sufficient to deter prohibited behavior and ensure compliance
 - An enforcement body sufficiently empowered and nonpartisan to punish violators efficiently and effectively

The Ask: I urge you to support campaign finance reform, including a public funding option for statewide candidates and lower campaign contribution limits, strong disclosure and enforcement mechanisms.

הני מילי - היכא דשקיל בתורת שוחד, קרנא - בתורת אגרא הוה שקיל. ובתורת אגרא מי שריי ודחמנ, הנוטל שכר לדון - דינני בטילין הני מילי - אגר דינא, קרנא - אגר בטילא הוה שקיל.

ואגר בטילא מי שריי ודחמנא: מוכר הדיון שנוטל שכר לדון, אלא שדינו דין. היכי דמי? אילימא אגר דינא - דינו דין ודחמנא: הנוטל שכר לדון - דינו בטילין. אלא - אגר בטילא, וקתני: מוכר הדיון.

הני מילי בטילא דלא מוכחא, קרנא - בטילא דמוכחא הוה שקיל. ודחמנא תהי באמברא דחמרא, וקתני: ליה וזא.

כי הא דרב הונא, כי הוה אתי דינא לקמיה, אמר להו: הבו לי גברא דדלי לי בחריקא, ואידון לכו דינא.

אמר רבי אבהו: בא וראה כמה סמויות עיניהון של מקבלי שוחד; אדם חש בעיניו - נותן קמון לרופא, ספק מתרפא ספק אינו מתרפא. והן נוטלין שוה פרוסא, ובסמון עיניהון. שנאמר "כי השוחד יעור עינים".

תנו רבנן: "כי השוחד יעור עיני חכמים" - קל וחומר לשפשיין. "ויסלף דברי צדיקים" - קל וחומר לרשעים. מידי טפשים ורשעים בני דינא ניהו? אלא הכי קאמר: "כי השוחד יעור עיני חכמים", אמלו חכם גדול ולוקח שוחד - אינו נפטר מן העולם בלא סמויות הלב. "ויסלף דברי צדיקים".

The Gemara answers: This applies only when one takes the money in the form of a bribe, even if he does not intend to pervert the judgment, whereas Karna took the money in the form of a salary, not a bribe. The Gemara asks: But is it permitted to take money from litigants in the form of a salary? Didn't we learn in a mishna (*Kiddushin* 58b): With regard to one who takes a salary to judgeⁿ cases, his judgments are void? The Gemara answers: This applies only when he took money as his compensation for judging the case, whereas Karna accepted the money as compensation for unemployment, i.e., as he could not engage in his usual work while dealing with the case, he would take compensation for this unemployment.

The Gemara asks: And is it permitted to take money as compensation for unemployment? Isn't it taught in a *baraita*: Ugly is the judge who takes a salary to judge cases; however, his judgments are valid judgments? The Gemara clarifies: What are the circumstances of this *baraita*? If we say that it is referring to one who accepted money as his compensation for judging, are his judgments valid judgments? But didn't we learn in a mishna (*Kiddushin* 58b): With regard to one who takes a salary to judgeⁿ cases, his judgments are void? Rather, it must certainly be referring to a situation where he takes money as compensation for unemployment, and yet the *baraita* teaches: Ugly is the judge.

The Gemara answers: This statement that the judge is ugly applies only when the fact that he is taking a salary for his unemployment is not evident, as he was not engaged in some other type of work at the time. Karna, however, would take money for his unemployment when it was evident that he was taking time off work to judge the case, as he was examining his wine stores [*ambara*]¹ to see which casks would last and which were going sour, and they would pay him one dinar as a salary. Consequently, when Karna paused from his work to deal with a case, it was clear that he was losing money.

This resembles an incident involving Rav Huna. When people would come for judgment before him, he would say to them: As I am unable to take time off from my work, give me a man who can draw water for me, to irrigate the fields in my place, and I will judge your case.

Rabbi Abbahu said: Come and see how blind are the eyes of those who accept bribes, and how they ruin themselves. If a person has pain in his eyes, he gives a doctor money, and even then it is uncertain whether he will be healed or whether he will not be healed. And yet those judges take the value of a *peruta*, a small amount of money as a bribe, and actively blind their eyes, as it is stated: "For a bribe blinds those who have sight" (*Exodus* 23:8).

The Sages taught: "For a bribe blinds the eyes of the wise" (*Deuteronomy* 16:19); *a fortiori* it will certainly blind the eyes of fools. "And perverts the words of the righteous" (*Deuteronomy* 16:19); *a fortiori* it will certainly pervert the statements of the wicked. The Gemara asks: Are fools and the wicked suitable for judgment, i.e., to be appointed as judges? Rather, this is what the *tanna* of the *baraita* said: "For a bribe blinds the eyes of the wise"; even if he were very wise but he took a bribe, he will not leave this world without suffering blindness of the heart, i.e., he will eventually turn foolish. "And perverts the words of the righteous";

HALAKHA

One who takes a salary to judge - הנוטל שכר לדון - With regard to a judge who takes a salary, all of his decisions are void, apart from those concerning which it is known that he did not receive payment. However, if the judge receives compensation for his time and not for judging the case, i.e., wages for his unemployment, it is permitted. This is true only when it is clear to all that the salary is for the time that he would have otherwise devoted

to his paid job. Furthermore, he has to receive this compensation from both litigants. However, if it is not evident that the salary is for his unemployment, e.g., if he does not have another job and argues that he should be paid in case he misses the chance of a job or a business opportunity, this is prohibited (*Rambam Sefer Shofetim, Hilkhot Sanhedrin* 23:5; *Shulhan Arukh, Hoshen Mishpat* 9:5).

NOTES

One who takes a salary to judge - הנוטל שכר לדון - The prohibition against a judge accepting a salary for judging cases is based on the idea that just as God gave the Torah without receiving anything in exchange, so too, it is prohibited for Torah scholars to accept compensation for the Torah they teach and the judgments they issue (see 106a).

LANGUAGE

Wine stores [*ambara*] - אמברא: From the middle Persian anbar, meaning silo, a place for storing food.

Perek XIII
Daf 105 Amud b

NOTES

if a judge is like a king – **אם דומה דין למלך** – This can mean that a judge is like a king in that he is not dependent on others for money, as he is financially independent. Rivan, who prefers that interpretation, nevertheless suggests that it might alternatively mean that the judge is likened to a king in that he is not dependent on others for Torah, as he knows all he requires. Others maintain that both interpretations are essential (Rabbeinu Tam in *Tosafot*). Yet others claim that this comparison of a judge to a king means that he acts as though he is independent of others, in that he does not chase after wealth or honor (Rambam's Commentary on the Mishna).

HALAKHA

A judge who borrows – דין דשאל שאילתא: A judge who borrows an object may not preside over a case involving the one who lent it to him. This applies only if the judge does not have anything to lend to that person, but if he does have articles of his own to lend he may serve as his judge, as they both borrow from each other. The *halakha* is in accordance with the opinion of Rabba bar Rav Sheila. Some add that all this applies only when the judge is accustomed to borrowing from the same person all the time. However, if he happened to borrow from that individual and it is not apparent that the owner is lending the judge an article due to the pending case, the judge may preside over the case (Rema; Maharik). If the judge borrows from others so that those people will gain respect in the eyes of the community, he is allowed to preside over their cases, as indicated in the story involving Rava (*Shakh*, citing *Tur*; Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 23:4; *Shulhan Arukh*, *Hoshen Mishpat* 9:1).

A person should not judge, etc. – לא לידון איניש וכו': A judge should not preside over a case involving someone of whom he is fond, even if that litigant is not his closest companion. Likewise, a judge should not preside over a case involving someone he dislikes, even if he is not an enemy upon whom he wishes evil. Instead, the two litigants must be equal in the eyes and hearts of the judges. It is best if the judge does not know either of the two litigants. Some authorities rule that if a judge does preside over a case involving someone he likes or dislikes, the verdict is upheld (Rema; *Haggahot Asheri*). Others say that if he presided over a case involving someone he utterly detests to the extent that he has not spoken with this individual for three days due to the enmity he feels toward him, or alternatively, if he presided over a case involving someone he loves very much, his ruling is invalid (*Tur*). Yet others add that with regard to less extreme cases of like or dislike it is permitted for the judge to preside over the case, although as an act of piety he should be strict in this matter and withdraw from the trial. According to this opinion, it is permitted in such cases for the judge to participate in arbitration in which each litigant chooses a judge somewhat partial to him. All the more so a judge may preside over a case involving his disciple, for whom he is a figure of authority (Maharik; Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 23:6; *Shulhan Arukh*, *Hoshen Mishpat* 7:7).

אפילו צדיק גבור ולוקח שוחד – אינו נפטר מן העולם בלא טיוריף דעת.

כי אתא רב דימי אמר: דרש רב נחמן בר כהנא: מאי דכתיב "מלך במשפט יעמיד ארץ ואיש תרומות יחרסנה" אם דומה דין למלך, שאינו צריך לכלום – יעמיד ארץ, ואם דומה לבחן שמתור על הגרנות – יחרסנה.

אמר רבה בר רב שילא: האי דינא דשאל שאילתא – פסול למידן דינא. ולא אמרן – אלא דלית ליה לאושולי, אבל את לית לאושולי – לית לן בה.

איני? והא רבא שאיל שאילתא מדבי בר מריון, אף על גב דלא שניילי מיניה! התיב לאחושבינא: הוא דבעי.

אמר רבא: מאי טעמא דשוחדא? פיון דקביל ליה שוחדא מיניה – איקרבא ליה דעמיה לגביה, והוי בגופיה, ואין אדם רואה חובה לעצמו. מאי שוחד – שהוא חד. אמר רב פפא: לא לידון איניש דינא למאן דרחים ליה, ולא למאן דסני ליה. דרחים ליה – לא חוי ליה חובה, דסני ליה – לא חוי ליה זכותא.

אמר אביי: האי צורבא מרבנן דמרחמין ליה בני מתא – לאו משום דמעלי טפי, אלא משום דלא מוכח להו במילי דשמיא.

אמר רבא: מריש הוה אמינא: הני בני מתא בולדו רחמו לי, פיון דהואי דיינא, אמינא: מינייהו סני לי, ומינייהו רחמו לי. פיון דהואי דמאן דמחייב ליה האידינא קא זכי למחר, אמינא: אם מרחם – בולדו רחמו לי, אי מסני – בולדו סני לי.

even if he is completely righteous but he took a bribe, he will not leave this world without becoming demented.

When Rav Dimi came from Eretz Yisrael to Babylonia, he said that Rav Nahman bar Kohen interpreted a verse homiletically as follows. What is the meaning of that which is written: "The king by justice establishes the land, but he who exacts gifts [terumot] overthrows it" (Proverbs 29:4)? If a judge is like a king,¹ in that he does not need anything and is not dependent on anyone, he establishes the land, i.e., he can serve as a judge. But if he is like a priest, who seeks out his *terumot* from various granaries, as he is dependent on others, he overthrows the land.

§ Rabba bar Rav Sheila said: This judge who borrows² items from others is disqualified from rendering judgment because it is as though he accepts a salary. And we said this only in a case where he does not have articles to lend out to others but is constantly borrowing without lending objects in turn. However, if he has items to lend out to others, we have no problem with it.

The Gemara asks: Is that so? But Rava would borrow items from the house of bar Maryon even though they would not borrow from him. The Gemara answers: There, he wanted to cause them to be considered more important in the community. Rava was very wealthy and did not need to borrow for his own benefit. On the contrary, by borrowing from the house of bar Maryon he raised their standing in the community.

Rava said: What is the reason for the prohibition against taking a bribe? Once a judge accepts a bribe from one party, his thoughts draw closer to him and he becomes like his own self, and a person does not find fault in himself. The Gemara notes that the term itself alludes to this idea: What is the meaning of *shohad*, bribe? It can be read as: *Shehu had*, as he is one, i.e., at one mind with the litigant. Rav Pappa said: A person should not judge³ a case involving one whom he loves, nor involving one whom he hates. He should not judge one whom he loves, as he will not find any fault in him, while with regard to one whom he hates, he will not find any merit in him.

Abaye said: With regard to this Torah scholar who is beloved by the residents of his town, it is not because he is a superior Sage than others; rather, it is because he does not reprove them in Heavenly matters. He is beloved because he is not strict with them with regard to the observance of mitzvot.

Rava said: At first I would say that all these residents of Mehoza⁴ love me; however, once I became a judge I said that some of them hate me and some of them love me, as I assumed that their feelings toward me depended on the success of their case. When I saw that the one I declared guilty today would be found innocent the following day, I realized that my rulings do not determine their attitudes, and therefore I said: If they love, then they all love me, and if they hate, then they all hate me, regardless of what happens in the courtroom.

BACKGROUND

Mehoza – מחוזא: Mehoza was a large city on the banks of the Tigris River, not far from the Malka River, which connects the Tigris with the Euphrates. Its location in the center of Babylonia led to its development as a wealthy commercial city. The people of Mehoza were known for their great wealth, to the extent that even the male residents of the city would wear special, ornamented cloth-

ing. A large portion of the city's population was Jewish, including many converts. Rava was the head of the yeshiva in Mehoza, which later merged with the yeshiva of Neharde'a-Pumbedita. He regularly rebuked the people of the city for their self-indulgence, dishonesty, and lack of fear of God.

תנו רבנן: "שוחד לא תקח" – אינו צריך לומר שוחד כמון, אלא אפילו שוחד דברים נמי אסור. מדלא קתני "בצע לא תקח". היכי דמי שוחד דברים?

§ The Sages taught: "And you shall take no bribe" (Exodus 23:8). It is not necessary to say that this includes bribery by means of money; however, even verbal bribery, assisting by means of speech, is also prohibited. The *halakha* that a bribe is not necessarily monetary is derived from the fact that it is not written: And you shall take no profit. The Gemara asks: What are the circumstances of bribing with words?

כי הא דשמאל הוה עבר במברא. אתא ההוא גברא יתיב ליה דיה. אמר ליה: מאי עבדתך? אמר ליה: דינא אית לי. אמר ליה: פסילנא לך לדינא.

The Gemara explains: This can be demonstrated by that episode involving Shmuel, who was once crossing a river on a narrow ferry. A certain man came along and gave him a hand to help him out of the ferryboat. Shmuel said to him: What are you doing in this place? The man said to him: I have a case to present before you for judgment. Shmuel said to him: I am disqualified from presiding over your case, as you did me a favor. Although no money changed hands, a bond was formed between the pair.

אמימר הוה יתיב וקא דאין דינא פרח גרפא ארשיה. אתא ההוא גברא שקל ליה. אמר ליה: מאי עבדתך? אמר ליה: דינא אית לי. אמר ליה: פסילנא לך לדינא. מר עוקבא הוה שדי רוקא קמיה. אתא ההוא גברא בשייה. אמר ליה: מאי עבדתך? אמר ליה: דינא אית לי. אמר ליה: פסילנא לך לדינא.

The Gemara relates a similar story. Ameimar was sitting and judging a case when a feather floated and landed on his head. A certain man came by and removed it from his head. Ameimar said to him: What are you doing here? He said to him: I have a case to present before you. Ameimar said to him: I am disqualified from presiding over your case, due to the favor you performed for me. The Gemara likewise relates: There was spittle lying before Mar Ukva. A certain man came by and covered it. He said to him: What are you doing here? He said to him: I have a case to present before you. Mar Ukva said to him: I am disqualified from presiding over your case.

רבי ושמעאל ברבי יוסי הוה רגיל אריסיה דהוה מייתי ליה כל מעלי שבתא בנתא דפירי. יומא חד אייתי ליה בחמשה בשבתא. אמר ליה: מאי שנא האידנא? אמר ליה: דינא אית לי. ואמינא: אגב אורחי אייתי ליה למר. לא קביל מיניה. אמר ליה: פסילנא לך לדינא.

The Gemara cites another incident. The sharecropper of Rabbi Yishmael, son of Rabbi Yosei, was accustomed to bringing him a basket [*kanta*] full of fruits every Shabbat eve. One day, he brought him the basket on a Thursday. Rabbi Yishmael said to him: What is different that you came early now, this week? The sharecropper said to him: I have a case to present before you, and I said to myself that along my way I will bring to the Master the basket of fruits, as in any case I am coming on Thursday, the day the courts are in session. Rabbi Yishmael did not accept the basket of fruits from him, and he said to him: I am disqualified from presiding over your case.

אוריב וזא דרבנן, וקדייני ליה. בחדא דקאזיל ואתי אמר: אי בעי טעין הכי, ואי בעי טעין הכי, תיפת נפשם של מקבלי שוחד! ומה אני שלא נטלתי, ואם נטלתי – שלי נטלתי, כך, מקבלי שוחד – על אחת כמה וכמה.

Rabbi Yishmael seated a pair of rabbinic scholars⁴ and they judged the sharecropper's case. As Rabbi Yishmael was coming and going, he said to himself: If he wants, he could claim this, and if he wants, he could claim that, i.e., he kept thinking of all the ways in which the litigant who brought him the fruits could win his case. He said to himself: Blast the souls of those who accept bribes. If I, who did not accept anything, and if I had accepted, I would have accepted my own property, as it is my sharecropper and the fruits legally belong to me, am nevertheless in this state of mind due to the proposed gift, all the more so are those who actually accept bribes inevitably biased in favor of the one who bribed them.

רבי ושמעאל בר אלישע אייתי ליה ההוא גברא ראשית הגז. אמר ליה: מהיכא את? אמר ליה: מדוך פלן. ומהתם להכא לא הוה בון למיתבא ליה? אמר ליה: דינא אית לי. ואמינא: אגב אורחא אייתי ליה למר. אמר ליה: פסילנא לך לדינא. לא קביל מיניה.

The Gemara likewise relates with regard to Rabbi Yishmael bar Elisha, who was a priest, that a certain man once brought him the first shearing.⁵ Rabbi Yishmael said to him: From where are you? The man said to him: I am from such and such a place. Rabbi Yishmael said to him: And from there to here was there no priest to whom you could give the first shearing? He said to him: I have a case to present before you, and I said to myself that along my way I will bring to the Master the first shearing. Rabbi Yishmael said to him: I am disqualified from presiding over your case, and he would not accept the first shearing from him.

BACKGROUND

The first shearing *הגז*: This refers to the obligation to give the priest the first portion of any fleece shorn from a flock of five sheep or more (see Deuteronomy 18:4).

This donation must weigh at least five *se'a*, and it becomes the personal property of the priest. The first shearing is not sacred.

Verbal bribery – שוחד דברים: A judge must take excessive care not to accept a bribe of any kind. This includes verbal bribery and bribery performed by means of objects, including favors performed by the litigant for the judge, as in the incidents related in the Gemara (Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 23:3; *Shulhan Arukh*, *Hoshen Mishpat* 9:1).

LANGUAGE

Basket [*kanta*] – קנטא: Some claim that this is from the Greek *καντήτιον*, *kanētion*, meaning a small reed basket. Apparently, this term itself is derived from the Semitic *kaneh*, meaning reed.

NOTES

He seated a pair of rabbinic scholars – אוריב וזא דרבנן: The commentaries ask why Rabbi Yishmael did not invite three judges, as there should not be a court of only two judges *ab initio*. Some suggest that he added a third judge. Alternatively, each of these men was an expert judge and was therefore authorized to hear the case on his own (Meiri). Others accept this interpretation and further state that Rabbi Yishmael was interested to see if they would both arrive at the same conclusion (Maharsha). The Maharsha also suggests that Rabbi Yishmael himself was the third judge, as he was merely disqualified from presiding over the case alone. Yet others claim that when Rabbi Yishmael subsequently realized that he was still more inclined toward this litigant, he excused himself from the case completely, which left two judges (*Sefer Haifa'a*).

LANGUAGE

Small fish [*gildanei devei gilei*] – גילדני דבי: Some assert that *gildanei* is from the Greek *χελιδών*, *chelidon*, which means, among other things, a kind of fish, specifically one of the varieties of flying fish. However, in the language of the Sages this is apparently a name for different kinds of fish, large and small. This explains the addition of *devei gilei*, which means small fish.

BACKGROUND

First fruits – תבואה ראשונה: The first fruits of the new harvest were given to the priests (Deuteronomy 26:1–11). When the Temple stood, a farmer would select the first fruits of the seven types of fruit with which Eretz Yisrael is specially favored (Deuteronomy 8:8). By rabbinic decree, at least one-sixtieth of the harvest must be brought as first fruits. The farmer would bring these fruits to the Temple in a basket, place them before the altar, and recite a prayer of appreciation to God (Deuteronomy 26:3–10). Afterward, the fruit was given to the priests and eaten under the same provisions that govern *teruma*. The first fruits were brought to the Temple between the festivals of *Shavuot* and *Sukkot*. If they were not brought within this period, an extension was granted until Hanukkah. An entire tractate of the Mishna, *Bikkurim*, is devoted to the *halakhot* and practices governing this mitzva.

אחריב ליה זוגא דרבנן וקדייני ליה. בהדי דקאזיל ואחרי אמו: אי בעי טעין הכי ואי בעי טעין הכי, תיפח גפושם של מקבלי שוחד! ומה אני שלא נטלתי, ואם נטלתי – שלי נטלתי, כך, מקבלי שוחד – על אחת כמה וכמה.

רב ענן איתני ליה ההוא גברא מנתא דגילדני דבי גילי, אמר ליה: מאי עבדתך? אמר ליה: דינא אית לי. לא קביל מיניה, אמר ליה: פסילא לך לדינא.

אמר ליה: דינא דמר לא בעינא, קבילי לקבילי מר, דלא למנען מר מאקרויב בבורים. דתנא: "ואיש בא מבעל שלישה ויבא לאיש האלהים לחם בבורים עשרים לחם שעורים וברמל בעקלונ", ובי אלישע אוכל בבורים הוה? אלא לומר לך: כל המביא דורון לתלמוד חכם – כאילו מקריב בבורים.

אמר ליה: קבילי לא בעינן דאי קבילי, השתא דאמר לי טעמא – מקבילא. שדריה לקמיה דרב נחמן, שלח ליה: נדייניה מר להאי גברא, דאנא ענן פסילא ליה לדינא. אמר: מדשלח לי הכי, שמע מינה קריביה הוא, הוה קאים דינא דתמי קמיה, אמר

Rabbi Yishmael bar Elisha seated a pair of rabbinic scholars and they judged his case. As Rabbi Yishmael was coming and going, he said to himself: If he wants, he could claim this, and if he wants, he could claim that. He said to himself: Blast the souls of those who accept bribes. If I, who did not accept anything, and if I had accepted, I would have accepted my own property, as I am a priest and am entitled to receive the first shearing, am nevertheless in this state of mind, all the more so are those who accept bribes.

The Gemara relates: There was a certain man who once brought to Rav Anan a basket of small fish [*gildanei devei gilei*].¹ He said to him: What are you doing here? The man said to him: I have a case to present before you. Rav Anan would not accept the basket from him, and he said to him: I am disqualified from presiding over your case, due to your actions.

The man said to him: I do not need the Master's judgment. However, let the Master accept my gift anyway, so that the Master does not prevent me from presenting first fruits.² What does the mitzva of first fruits have to do with this situation? As it is taught in a *baraita*: "And there came a man came from Ba'al Shalisha, and he brought the man of God bread of the first fruits, twenty loaves of barley and fresh ears of corn in his sack" (II Kings 4:42). But did Elisha, the recipient of these gifts, eat first fruits? After all, he was not a priest. Rather, this verse comes to tell you: Whoever brings a gift to a Torah scholar, it is as though he has presented first fruits. This visitor to Rav Anan wished to fulfill this mitzva.

Rav Anan said to him: I do not want to take it from you, but now that you have explained to me the reason that you wish to give it to me I will accept it from you. Rav Anan sent the man to Rav Nahman, and he also sent him a letter: Let the Master judge this man's case because I, Anan, am disqualified from judging his cases. Rav Nahman said to himself: From the fact that he sent me this letter, I can conclude from here that the reason he is disqualified from judging the case is because he is his relative. At that time, a case involving orphans was being heard before Rav Nahman. He said:

Perek XIII

Daf 106 Amud a

NOTES

This is a positive mitzva and this is a positive mitzva – הוי עשה והוי עשה: Rashi states that one of these mitzvot has its source in the verse: "And judge righteously" (Deuteronomy 1:16). However, other commentaries wonder how it is inferred from this mitzva that a case involving orphans takes precedence over others. Perhaps the righteous way to behave is to take the cases in the order in which they come to the court. Others maintain that the positive mitzva referred to here is "You shall hear the small and the great alike" (Deuteronomy 1:17; Ritva). Yet others claim that this refers to the mitzva not to postpone the performance of mitzvot. Alternatively, some claim that there is a special mitzva to give preferential treatment to orphans and hear their case first (Rambam).

האי עשה והאי עשה: עשה דכבוד תורה עדיף. סלקיה לדינא דיתמי, ואחריה לדיניה. כיון דהוה בעל דינה יקרא דקא עבדי ליה – איסתתם טענתיה.

This is a positive mitzva, for judges to judge cases properly, and this is a positive mitzva,³ to honor Torah scholars and their families. Rav Nahman concluded that the positive mitzva of giving honor to the Torah takes precedence.⁴ Therefore, he put aside the case of the orphans and settled down to judge the case of that man, under the mistaken assumption that he was a relative of Rav Anan. Once the other litigant saw the honor being accorded to that man by the judge, he grew nervous until his mouth, i.e., his ability to argue his claim, became closed, and he lost the case. In this manner, justice was perverted by Rav Anan, albeit unwittingly and indirectly.

HALAKHA

The positive mitzva of giving honor to the Torah takes precedence – עשה דכבוד תורה עדיף: If many people were waiting in court to have their cases heard, the case of orphans is heard before that of widows, widows before Torah scholars, and Torah scholars before everyone else. However, some question the above order in light of on the Gemara here, in which Rav Nahman granted preference over an orphan to someone whom he thought was a relative of a Torah scholar (see *Lehem Mishne* and *Bah*). Some state that this incident serves as the source for the ruling of the Rambam that a relative of a Torah scholar should not receive special

treatment (*Be'er HaGola*). Others claim that if a Torah scholar personally came before the judges, even if they have already started hearing another case, they should stop and grant him precedence so that he not lose time from his studies (Rema). However, if a relative of a Torah scholar comes to the court, they should not stop another case on his account, although if they have not yet started another case they should give precedence to the relative of the scholar out of respect for the scholar himself (*Beit Yosef*, citing the Ritva; Rambam *Sefer Shofetim*, *Hilkhot Sanhedrin* 21:6; *Shulhan Arukh*, *Hoshen Mishpat* 15:2).

The Wind Report 2016 Elections

Blog #3: Ten Principles of Jewish Political Behavior

by Steven Windmueller

December 17, 2015 | 9:55 am

Traditional Jewish political practices remain important in understanding voting behavior:

Principle One: The Jewish community views its self-interests to be directly tied to how successful it is in accessing and conveying its political agenda; this notion is directly linked to the course of Jewish history, where Jews were locked out of power. Today, for the first time in 2000 years, Jews possess political power, changing the character, substance, and scope of their political engagement. This investment by Jews in politics is reflected in its voting power, financial contributions, and the depth of its involvement with political parties and engagement with specific causes.

Principle Two: The most effective model of organizing for a small community is to be able to effectively access the power structure within the society. American Jewish political activism is tied to influencing key social, political, ethnic, business and cultural elites in the society, who in turn shape and promote policies and attitudes that are viewed as coherent with Jewish interests and American democratic principles. Building personal connections with such influentials represents a critical ingredient toward promoting Jewish political interests.

Principle Three: Aligned with this previous principle, the community has established as one of its core axioms that all politics is local, thereby requiring Jewish organizations and their leaders to identify and connect with key political actors and institutions of influence within a community. Based on Jewish history, communal leaders have understood the importance of such key stakeholders.

Principle Four: The Jewish community seeks to align its agenda in consort with American values and to identify its specific political interests as supportive of this nation's political priorities.

Principle Five: When Jewish interests, or Israeli policies, are not aligned with core American values and policies, there is a greater potential for increased tension, anti-Semitism and anti-Israel activism. Those political forces that have historically opposed Jews and Judaism, now employ the “Israel card” as their vehicle to criticize and even marginalize the Jewish people.

Principle Six: Realizing that politics is about negotiated outcomes, creating coalitions permits the Jewish community and other religious, racial and ethnic groups to support causes as well as public officials that reflect the interests and priorities of the coalition partners. For minorities coalitional arrangements represent an essential feature of their political organizing strategy.

Principle Seven: Stadtlanim (spokespersons of influence) served the community throughout the middle ages and continue to be a critical political feature of the community. Today, this presence is often reflected through Jewish institutional players rather than necessarily individual spokespersons.

Principle Eight: Communal politics serves as a barometer of the intensity of engagement with the larger stage of political participation. As an example, one finds competing ideological and policy groups within the Jewish community. Organizations within the American Jewish community emulate the same behavior and rhetoric that define the policy divisions within the broader society. Similarly, Jewish communal institutions mimic Israeli and Zionist ideological positions and movements.

Principle Nine: Jews understood that the core values and ideas found within their religious tradition would serve as the basis for their political engagement:

- Focusing on Nation-Building: Zion would represent a central theme within the Jewish political tradition.
- Maintaining the Idea of Peoplehood: The continuity and wellbeing of community, in covenant with God, represented a central element of the Jewish story.
- Preserving the Tradition: In facing threats throughout their history, Jews would employ the power of memory and the centrality of ritual as a way to provide a sense of meaning and purpose.
- Making the World Whole (Tikkun Olam): Universal principles of just behavior and practice would be central values that defined how Jews would see themselves in the world.

These themes would frame Jewish political thinking and practice over the course of history.

Principle Ten: Jews would take on the political culture and behavior of the societies in which they have resided. Some of the specific American Jewish political principles and patterns of

behavior include:

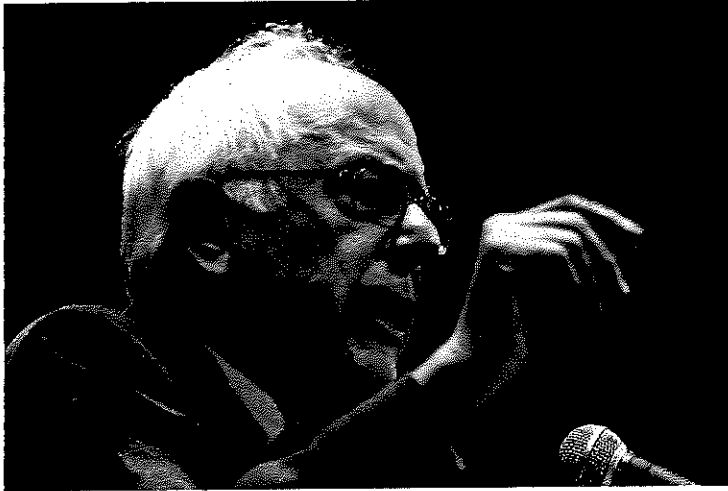
There has always existed within the American political base, a strong conservative strand of Jewish voters just as there exists a dominant liberal or progressive base of support.

1. The Jewish voting base in the United States remains concentrated in a number of states, including several key "swing " states, including Florida and Ohio.
2. The other core states with a significant cohort of Jewish voters include New York, California, Illinois, Massachusetts, Maryland, and New Jersey.
3. As with other American voting groups, Jews tend to vote their ideological passions in national campaigns, while often expressing their political and economic self-interests in local and state contests.
4. There are numerous theories about the "liberal" character of American Jewish political behavior. Among the ideas that have been introduced include: (1) the deeply ingrained prophetic, social justice ideas found within Jewish religious thought; (2) drawing on the experience of Jewish history, the exposure to authoritarian and oppressive rule would help to frame a counter political response on the part of American Jews; and (3) the broad base of civic engagement by Jews with liberal American causes would be transferred over to their "Jewish" political activism.

For more information on this topic, see my book, *The Quest for Power: A Study in Jewish Political Behavior and Practice*(2014), which can be purchased through Amazon either as an online text or in soft cover. Visit <http://theWindReport.com> to view all of my blogs, articles and publications.

Bernie Sanders surging in polls, but are Jews feeling 'the Bern'?

By Ron Kampeas | January 14, 2016 11:23am



Democratic presidential candidate Bernie Sanders delivering a speech on financial reform in New York, Jan. 5, 2016. (Andrew Burton/Getty Images)

WASHINGTON (JTA) – Talk of a Bernie Sanders presidency has suddenly become a lot more serious.

Recent polling shows the independent Vermont senator and Democratic presidential hopeful dramatically improving his prospects in the first two primary states against front-runner Hillary Clinton.

Two polls out this week — by the Des Moines Register and Quinnipiac University — showed Clinton's 9-point lead in Iowa dwindling from the past month, with Sanders pulling ahead in the latter survey.

BREAKING NEWS

Israel Electric Corp. fending off major cyberattack, energy minister says

Sanders campaign sets new TV ad to Simon and Garfunkel's 'America'

Peres released from hospital after second stay in 2 weeks

The Register poll out Thursday showed Clinton now holding a 42 to 40 percent lead over Sanders less than three weeks before the Iowa caucuses, well within the poll's 4.4 percent margin of error. And the Quinnipiac poll posted Tuesday had Sanders ahead of the former secretary of state, 49-44. The poll, which has a margin of error of 4 percentage points, is a dramatic shift from December, when the

university found Clinton leading Sanders in Iowa, 50-41.

In New Hampshire, a Monmouth University poll released this week had Sanders with a



53-39 advantage, up from the 48-45 edge he owned in a November poll. The poll has a margin of error of 5 percentage points.

Wall Street Journal/NBC News/Marist polls also showed tighter races in both states, with Clinton leading 48-45 percent in Iowa — an effective dead heat with the 4.8 percentage point margin of error — and Sanders leading 50-46 percent in New Hampshire, also within the 4.8 percent margin of error.

It's unclear if the Sanders surge in the polls is paralleled by a rise in his standing among Jews. The only poll available, conducted back in September by the American Jewish Committee, suggests Clinton has strong Jewish support. The poll showed Clinton as the preferred candidate by 40 percent of Jewish voters, with just 18 percent opting for Sanders.

Steve Rabinowitz, who runs a Washington communications firm and helped launch Jewish Americans Ready for Hillary, a pro-Clinton fundraising group, said an early Sanders win could capture younger Jewish voters, but that the important community of Jewish donors remains committed to Clinton.

"God love him, but our community is not feeling 'the Bern,'" said Rabinowitz. "He does not deny [his Judaism], he does not shrink from it, when asked about it he says the right thing — but we'd like it on his sleeve. We got it from [Lieberman]. Blacks got it from Obama. Hispanics would expect it. It's not a litmus test, but we kind of want more from him."

The improvement in Sanders' fortunes has prompted Clinton to take a sharper turn toward her principal Democratic challenger in recent days. Rabinowitz said that while a Sanders victory in both states would complicate Clinton's run, it would not derail it.

"The momentum certainly turns his way, and it becomes much more of a campaign," said Rabinowitz, who runs a Washington communications firm and consults for a number of liberal and Jewish groups. "But the national numbers are changing very



little, and you can't read too much into Iowa and New Hampshire."

Mik Moore, a political strategist who in 2008 helped create The Great Shlep, a campaign encouraging young Jews to lobby their Florida grandparents to support Barack Obama, agreed that Iowa and New Hampshire are sui generis: Iowa's Democrats trend to the liberal end of the party and New Hampshire tends to favor candidates from neighboring states.

But Moore said early wins for Sanders in those states, combined with national polls showing Sanders outperforming Clinton against Republicans, could bring out voters who favor Sanders but doubt he can ultimately beat Clinton.

"Those two factors could shift the viability factor for voters," said Moore. "There's a subset of Democrats who would prefer Bernie but who have decided he can't win and decided they will support Clinton."

One such voter is Allen Linden, 84, a Jewish New Hampshire voter who said he favored Sanders but worried about his electability.

"What's keeping me on the fence a little bit is that I don't know if he's the nominee how likely he is to win the elections," Linden said. "I like what he stands for, but I'm not sure he has the strength to carry the extremely conservative states."

Even if Sanders does squeak out a win in Iowa or New Hampshire, polls show he still faces an uphill climb. Clinton remains strong in Nevada, the third early voting state. She also consistently outperforms Sanders in many of the 11 states that go to the polls on March 1, particularly those in the South.

Moore said Sanders is not as much of a game changer for Jews as Obama was for blacks because Joe Lieberman already broke that ground in 2000, when he became the first Jew to run for vice president on a major party ticket.

Moore said Sanders' Jewishness could emerge in a discomfiting way should he become

a true national contender. The fringe groups stirred by the nativism peddled by Republican front-runner Donald Trump would likely include elements who would be hostile to a Jewish candidate, he said.

“His persona is very Jewish,” Moore said, noting Sanders’ Brooklyn working-class origins. “If he was the nominee, it would become an issue among a subset of the electorate. But it would not be the focal point.”

(JTA senior writer Uriel Heilman contributed reporting from New Hampshire.)

SPONSORED: Search 155+ camps to find your perfect Jewish camp, and you may be eligible for \$1000 off! Visit OneHappyCamper.org today!

FEATURED STORIES



Oscars red carpet preview: Modesty is the new sexy



Jewish transgender man gives birth and embraces life as a single 'abba'

Conservative, Orthodox, pluralistic and Reform day school organizations to merge

Jewish Forward – Jan 19 2016 Nathan Guttman

What Draws Some Jewish Voters to Donald Trump? His 'Chutzpah.'

These were the yiddishisms that Republican Jewish Coalition board member Abbie Friedman deployed when he introduced Donald Trump at the group's candidates forum last December. It was, in part, an effort to ease the palpable discomfort of wealthy RJC donors with the brash billionaire who would be president.

The problem, though, is that for many Jewish Republican voters, the New York billionaire's ratio of chutzpah to mensch leans too heavily to the former, leading them to throw their support behind other, more conventional contenders. Still, the GOP front-runner, now preparing for the official kickoff of primary season, has succeeded in charming some Jewish voters with his outsized personality and trademark bluntness.

Jewish Trump supporters have their own Facebook page, a Twitter account and even a rabbi. One rabbi. Many of these supporters and sympathizers seem to be drawn to the candidate more for his swagger and his image of business success than for what he is saying and proposing to do if elected president. Most important, they relish the prospect that he will bring this spirit to the presidential race to ensure that the Democrats don't win another four years in the White House.

"I'm a NFH — Not for Hillary," said Joan Rubin, a Jewish Chicago native who spends her winters in Florida. "I don't know who will win the nomination, but I will definitely vote for Donald Trump if he's nominated. We can't have what happened in the past seven years continue."

Anti-Trump: Jewish attorney Marty Rosenbluth and Rose Hamid, a Muslim flight attendant, stand silently in protest at a Trump rally in Winthrop, South Carolina, on January 8.

Almost across-the-board, mainstream national Jewish groups have denounced Trump for his call to indefinitely ban entry of all Muslims to America, and his suggestion that authorities should close mosques judged to be extremist. They view Trump's move as an affront to American Jewry's own history, which included the government's exclusion of their European brethren when they sought to flee Nazism. But even before Trump's Islamophobic comments, his soaring popularity in pre-primary polls raised concern within the Republican Jewish establishment, which has traditionally sought to back candidates closer to the political center.

Trump backers generally tend to be less educated and to earn less than average Republicans, while American Jews, in general, fall into neither of these categories.

Some Jewish supporters of Trump still feel uneasy identifying publicly as being in the Donald camp. "I don't need people asking questions," said a Florida Jewish resident who strongly supports Trump but asked not to be named. She argued that the media has distorted Trump's message and therefore expressing public support for him is considered socially unacceptable in her circles. She expressed full

support for Trump's call to ban Muslim entry to America, arguing that Muslim immigrants have shown no willingness to assimilate into society and that the local Muslim community has not sufficiently condemned terrorist attacks carried out by violent Islamists. "Trump's the only one forcing the press to report things they don't want to report," she said.

But not everyone is embarrassed about going on the record. Trump recently got an unexpected endorsement from the legendary Jewish comedian Jerry Lewis. "I think he's great," Lewis said in an interview with Raymond Arroyo on "The World Over." "He's a showman, and we've never had a showman in the president's chair," the octogenarian comic explained.

Jewish backers of Trump interviewed by the Forward sought to distinguish between the outspoken candidate's achievement-driven personality, which they find attractive, and some of his positions, especially those relating to women and ethnic minorities, which they find unappealing.

"In the beginning I was very, very excited with Donald Trump. I admire his business ability and I think he is an amazing man," Rubin said. "But I was shocked by some of the things he said." But these comments did not make Trump any less of a legitimate candidate in Rubin's eyes. She initially thought that Chris Christie would poll more strongly and that Jeb Bush ("He's so nebbish, I can't believe it") would be a top-tier candidate. Trump, now in the lead, is just as good for Jewish voters, she said, as long as he defeats Hillary Clinton.

Some GOP candidates, mainly Bush, Ted Cruz and Marco Rubio, have already built bridges to the Jewish community, cultivating donors and arranging meetings with community leaders.

In contrast, in his RJC address, Trump voiced doubt about Israel's commitment to achieving peace with the Palestinians and was booed after he refused to say whether Jerusalem should serve as the undivided capital of Israel, a priority for many in America's pro-Israel lobby.

"Do me a favor, just relax," he told one of the people booing, in a trademark display of his accent on the chutzpah side of the ledger.

Trump also seemed to suggest that the wealthy Jewish donors in front of him sought to put a puppet in the White House. "You're not going to support me even though you know I'm the best thing that could happen to Israel," Trump said. "I know why you're not going to support me — because I don't want your money. You want to control your own politician."

No Joke: Jewish comedian Jerry Lewis recently endorsed Trump.

This approach has done little to build more bridges for Trump into the Jewish world. But one Trump enthusiast, Rabbi Bernhard Rosenberg of Edison, New Jersey, tried to change this reality, setting up a "Rabbis for Trump" Facebook group, only to learn he was the sole rabbi in the group. Rosenberg changed the name to the singular form, and now he runs the "Rabbi for Trump" page.

"Cruz already had his following of rabbis, and I didn't see a lot of effort with regard to Trump," Rosenberg told the Forward. "Politically, it's not right to put all your eggs in one basket."

Rosenberg, who is rabbi emeritus of Congregation Beth El in Edison, chose Trump because of his "personality, character and vigor to make change in this country." He dismissed Trump's use of offensive language toward women, Mexican immigrants and even to Jewish listeners as "his sense of humor," which is "part of his personality." If Trump gets elected, Rosenberg added, he'll have to "tone it down a bit."

As for Trump's call to ban entry of Muslims to America, Rosenberg thinks it "didn't come out correctly." But he agrees with the need to halt absorption of refugees "until we know exactly what's going on with the Muslim community coming from outside."

For other Jewish backers of Trump, the call to ban Muslims was a breaking point.

Joel Leyden, a journalist and international media consultant, was drawn to Trump's success story. "The man is successful; he knows business, knows how to negotiate and has a daughter who is an Orthodox Jew. I put it together, and it sounds very good," said Leyden, who divides his time between the United States and Israel. "His personality is very Israeli," Leyden observed. "He's very confident, just like Israelis are, and you need to be confident in the Middle East. If you're not, they'll treat you like a rag."

Leyden used his digital marketing expertise to set up a Trump outreach campaign in New Hampshire with its own Facebook page. Separately, he also launched a "Jews 4 Trump" Facebook page and a Twitter account.

"Then he comes up with this proposed ban on Muslims," Leyden said of Trump's December 7 statement. "That really turned me off big time."

Leyden asked the campaign for clarifications, and when those weren't sufficient he raised his concerns on the New Hampshire Facebook page he had created, only to have the Trump campaign try to shut down the page. Leyden said he is now "moving away" from the Trump campaign and looking toward Cruz as his candidate. But the "Jews 4 Trump" page will remain active in the hope that the candidate will change his views on banning Muslims from entering the United States and state that he supports the unity of Jerusalem.

"There were many Jews who were initially turned off by Trump's bombastic nature, and others were turned on by it but later became turned off because of the ban on Muslims," he said.

Jonathan Gould, a New York entrepreneur, expressed the dilemma facing voters who see value in Trump's anti-establishment posture while rejecting his policy on many other issues.

"I feel Donald Trump's anti-Washington stance is worth continuing to hear even when it's contrary to core Jewish values along the way," he said. "Our country's suffering from the lack of an effective government assaults my Jewish sensibilities."

Contact Nathan Guttman at guttman@forward.com or on Twitter, [@nathanguttman](https://twitter.com/nathanguttman)