

On Not Attending Prime Minister Netanyahu's AIPAC Speech: Jewish Sources and Analysis

T'ruah, a network of more than 2,000 rabbis and cantors across the U.S. and Canada, calls on AIPAC attendees not to attend the speech by Prime Minister Benjamin Netanyahu, as Jewish law prohibits speaking and listening to *lashon hara* (evil speech), consorting with evildoers, and swaying a court case.

Netanyahu regularly engages in speech that denigrates and even incites against Israeli citizens — particularly Arab citizens and human rights leaders; he has orchestrated a deal likely to bring a political party that advocates violence into the government; and he is in the process of being indicted for crimes of fraud and breach of public trust.

AIPAC attendees are committed to the State of Israel and to its future. Right now, the prime minister — who incites against his citizens, welcomes those embrace terrorism into his coalition, and faces indictment for bribery and breach of trust — is threatening the future of the country we love. Attending Netanyahu's speech suggests approval of his hate mongering and of his alliance with a political party that advocates genocide.

There are at least three major Jewish reasons to avoid Netanyahu's speech:

1. The prohibition on listening to *lashon hara*
2. The warning against consorting with evil doers
3. The concern about swaying an open case

1. The power of speech: "מֹת וְחַיִּים בְּיַד-לָשׁוֹן"

"Death and life are in the power of the tongue," Proverbs 18:21 teaches. The Midrash expands,

נמשל הלשון לחץ ולמה שאם ישלוף האדם החרב שבידו להרוג את חברו הוא מתחנן לו ומבקש הימנו רחמים מתנחם ההורג ומחזיר החרב לגרתיקו. אבל החץ כיון שירה אותו והלך אפילו מבקש להחזירה אינו יכול להחזירה.

"The tongue is compared to an arrow. Why? If one draws a sword to kill another, the intended victim can beg for mercy, and the [would-be] killer can have mercy and return the sword to its sheath. But in the case of an arrow, once it is shot and has begun to go on its way, even a shooter who wants to take it back cannot." (Midrash Tehillim 120)

Prime Minister Benjamin Netanyahu has a history of attacking and spreading false rumors about his fellow citizens. This has included:

- Accusing Arab citizens — among them members of Knesset — of disloyalty, and even of being security threats;

- Announcing sham committees and investigations to intimidate human rights organizations;
- Praising a group that released a video depicting a target on Israeli human rights leaders; and casting one of Netanyahu's political opponents as Iran's favored candidate.

These tactics are not new. To this day, Netanyahu has not apologized for speaking at a rally 25 years ago while the crowd chanted, "Death to [Prime Minister Yitzhak] Rabin." Rabin was assassinated just weeks later.

The prohibition is not simply against speaking *lashon hara*. The Chofetz Chayim (1839-1933), Judaism's leading voice on the topic, writes the following regarding hearing *lashon hara*:

דְּמָה שֶׁכָּתְבֵנו בְּסֵעִיף ב"דֹאפְלוֹ שְׁמִיעַת לְשׁוֹן הָרַע הוּא אֲסוּר תּוֹרָה, הִינוּ לִילֵךְ וְלִשְׁמַע, אֲבָל אִם יֵשֵׁב בְּחִבּוּרַת אֲנָשִׁים, שֶׁנִּתְקַבְּצוּ לְעִנְיָן מָה, וְהִתְחִילוּ לְדַבֵּר דְּבָרִים אֲסוּרִים, וְהוּא מְשַׁעַר, שֶׁדַּבְּרֵי תוֹכְחָתוֹ לֹא יוֹעִילוּ לָהֶם מְאוּמָה, תְּלוּי בָּזָה אִם אֶפְשָׁר לוֹ לִילֵךְ מִמְסַבְּתָם, אוֹ לְהִנִּיחַ אֶצְבְּעוֹ בְּאָזְנוֹ, מִצְוָה רַבָּה הוּא עוֹשֶׂה בָּזָה...

"Even hearing lashon hara is forbidden by Torah... But if one was sitting in the company of people who had gathered for a certain purpose, and they began to speak forbidden things, and one feels that his words of reproof would be of no avail to them, [what he should do] depends upon the following: If it is possible to leave them or to place one's fingers in his ears, it is a great mitzvah to do so..."

בְּמָה דְּבָרִים אֲמוּרִים? אִם בְּעֵת שֶׁיֵּשֵׁב בִּינֵיהֶם, לֹא דַבְּרוּ אֶז דְּבוּרִים הָאֲסוּרִים, וְגַם עֵתָה אִינוּ יָכוֹל לְהִשְׁתַּמֵּט מֵהֶם, אֲבָל אִם בְּעֵת, שֶׁהוּא רוֹצֵה לִישֵׁב בִּינֵיהֶם, כְּבָר הִתְחִילוּ לְדַבֵּר דְּבוּרִים הָאֲסוּרִים, אוֹ שֶׁהוּא יָכוֹל לְהִשְׁתַּמֵּט וְלִילֵךְ מֵאֲתָם, וְהוּא מִתְעַצֵּל בָּזָה, אוֹ שֶׁהוּא מְכִיר מְכִיר לְאֵלוֹ הָאֲנָשִׁים בְּטַבְּעָם, שֶׁהֵם מְבַעְלֵי הַלְשׁוֹן, שֶׁתִּשְׁקוּתָם תִּמְיֵד לְדַבֵּר מְגִנּוֹת חֲבֵרֵיהֶם, וְהוּא הוֹלֵךְ וְיוֹשֵׁב בִּינֵיהֶם, אִף שֶׁלֹּא יִסִּיעַ לְדַבְּרֵיהֶם כָּלֵל וְלֹא נִיחָא לֵה בָּהֶם, אִף עַל פִּי כֵן פּוֹשְׁעַ מְקַרֵי כְמוֹתָם, שֶׁעֲבַר עַל דְּבָרֵי חַז"ל, שֶׁצִּוּוּ לְהִתְרַחֵק מִשְׁמִיעַת דְּבָרִים שֶׁאֵינָם הַגּוֹנִים. וְכָל שֶׁכֵּן אִם הוּא מְכוֹן לִשְׁמַע אֶת דְּבָרֵיהֶם!

"But if at the time that one wanted to sit among them, they had already begun to speak in this manner, or if one could have gotten away from them and he was lax in doing so, or knew these people to be "natural slanderers," whose desire was always to speak demeaningly of their friends, and went and sat among them — even one who takes no part in their conversation and is "uncomfortable" with them is still called a poshea [an "offender"], like them, for having transgressed the words of the rabbis, who commanded that one distance oneself from improper words. How much more so if his intent is to hear their words!"

(Chofetz Chaim, "The Prohibition Against Lashon Hara," 1:5-6)

Neither discomfort with Netanyahu's words, nor announcing one's disapproval before or after his speech, constitutes an excuse for joining the audience of someone known to

incite, someone who will no doubt use his speech at AIPAC as evidence of his popularity among American Jews.

מות וחיים ביד לשון (משלי יח, כא). . בר סירא אמ' היתה לפניו גחלת נפח בה בערה, רקק בה כבת.

“Death and life are in the hands of the tongue.” . . . Bar Sira says: If there is a glowing coal before you and you blow on it, it ignites; if you spit on it, it goes out. (Vayikra Rabbah 33:1)

Joining the crowd cheering Netanyahu only spreads the fires of incitement by sending the signal that American Jews approve of his hateful and divisive language and tactics. This will be especially true if Netanyahu uses this prominent platform to repeat his incitement against non-Jewish Israeli citizens. The proper alternative is to remove oneself from the crowd, leaving less “tinder” in which the flame can spread.

2. Partnership with Otzma Yehudit

Last month, Prime Minister Benjamin Netanyahu orchestrated a deal by which Otzma Yehudit — a party that preaches genocide and violence — united with another right-wing party (HaBayit HaYehudi) such that Otzma Yehudit leaders are likely to be in a coalition government.

This move will bring into the Knesset politicians who align themselves with Meir Kahane, the terrorist banned from Knesset in the 1980s. Many of these politicians have themselves been indicted for incitement and terrorism. This party and the constellation of organizations surrounding it proudly espouse Kahane’s ideology, celebrate the mass murderer Baruch Goldstein, and call for genocide against Palestinians and violence against progressive Israelis.

The prime minister has not learned the lesson of the Psalms:

אֲשֶׁר־יֵאֵשׁ אִישׁ אֲשֶׁר לֹא הִלֵּךְ בְּעֵצַת רָשָׁעִים; וּבְדֶרֶךְ חָטָאִים לֹא עָמַד, וּבְמוֹשֵׁב לְצִדִּים לֹא יֵשֵׁב.

Happy is the person who has not walked in the counsel of the wicked, nor stood along the path of sinners, nor sat in a gathering of the scornful (Psalms 1:1)

The rabbis of the Talmud comment:

דרש ר' שמעון בן פזי מאי דכתיב אשרי האיש אשר לא הלך בעצת רשעים ובדרך חטאים לא עמד ובמושב לצים לא ישב וכי מאחר שלא הלך היכן עמד ומאחר שלא עמד היכן ישב ומאחר שלא ישב היכן לץ? אלא לומר לך שאם הלך סופו לעמוד ואם עמד סופו לישב ואם ישב סופו ללוצ' ואם לץ עליו הכתוב אומר (משלי ט, יב) אם חכמת חכמת לך ואם לצת לבדך תשא

Rabbi Shimon ben Pazi taught: ... Since the happy (or praiseworthy) person did not walk in the counsel of the wicked, how would they stand with them? And since they did not stand, how would they sit with them? And since they did not sit with them, how would they scorn? Rather, [the verse] is telling you that if he walked [with wicked people], he will ultimately stand with

them. And if he stood with them, he will ultimately sit in their company, and if he sat, he will ultimately scorn along with them. And if he scorned, the verse says about him: "If you are wise, you are wise for yourself; and if you scorn, you alone shall bear it" (Proverbs 9:12). (Babylonian Talmud Avodah Zarah 18b).

At some point, we have to draw a line in the sand. If we accustom ourselves to being present alongside people who use speech abusively, we will be habituated to it and may come to speak that way ourselves.

The Talmud regularly assumes that if the rabbis do not protest a certain action or practice, that means they do not object to it. In one famous story, taught to explain how the sovereign Jewish state in the Land of Israel was destroyed by the Roman Empire, Bar Kamtza is snubbed at a dinner party, and he assumes that the failure of the rabbis in attendance to protest his treatment indicates their approval. This assumption has disastrous consequences (Babylonian Talmud Gittin 55b-56a).

That is: One who "walks with" with a group engaged in violence and incendiary rhetoric will likely come to join in their evil practices and cannot later claim surprise when the rhetoric leads to dangerous actions.

Rambam (Maimonides) lists among the four transgressions for which one cannot repent:

- One who leads the public to sin
- One who diverts one's fellow from the right path, including through seduction or enticement
- One who has a possibility to protest against others, whether individuals or many, and does not protest against them but instead leaves them to their stumbling (Hilchot Teshuva 4:1)

By inciting against Arab citizens and human rights leaders, Netanyahu has already encouraged sin — including violence and threats against those whom he has targeted. The indictments against him suggest that he has gone even further — including enticing and seducing media in order to control press coverage of himself. Those who choose to listen to and clap for him only encourage him to continue this behavior; by doing so, they send the message that the American Jewish community approves of his incitement.

3. Influencing an open court case

Today, Prime Minister Benjamin Netanyahu awaits an indictment hearing on multiple counts of bribery and breach of trust. This hearing will likely be followed by a public trial and public debates on the question of whether a sitting prime minister can be removed from office.

Giving Netanyahu a public platform, in front of nearly 20,000 American Jews, threatens to influence public perception of him and could even sway the legal process.

The commandment to establish courts of law is considered one of the fundamental mitzvot (commandments) that God gives Noah after the flood — and thus is incumbent on all human beings (Babylonian Talmud Sanhedrin 56a-b). The Torah — and later, the Talmud and law codes — go to great lengths to ensure a fair trial for everyone, regardless of position:

Exodus 16:19

לֹא־תִטֶּה מִשְׁפֹּט לֹא תִכִּיר פְּנִים וְלֹא־תִקַּח שֹׁחַד כִּי הַשֹּׁחַד יַעֲוֶר עֵינֵי הַכֹּמְיִים וְיִסְלַף דְּבַר צְדִיקִים:

You shall not judge unfairly: You shall show no partiality; You shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just.

Much of the legal discussion surrounds the responsibilities of the judges to ensure a fair trial, but the Shulchan Aruch also puts the onus on potential influencers to behave appropriately:

מאוד מאוד צריך הדיין ליזהר שלא ליקח שוחד... וכשם שהלוקחו עובר בלא תעשה כך הנותנו עובר... ולא שוחד ממון בלבד אלא אפי' שוחד דברים...

A judge must be exceedingly cautious not to take a bribe... Just as the one who receives it transgresses a negative command, so does the donor transgress... And not only a bribe of money [is forbidden] but even a bribe of words [or acts]... (Shulchan Aruch Choshen Mishpat 9:1)

The idea of a bribe of words or deeds comes from the Talmud, which offers a series of stories about rabbis who recused themselves from officiating at cases after even trivial incidents that might tip the balance toward one party (Ketubot 105b). If minor “bribes of words” are forbidden, how much more so must we consider carefully the impact of a stadium full of American Jews giving the appearance of supporting the prime minister — when we know full well the political effect to which such support will be put?

When it comes to ensuring a fair trial, the stakes are high. The *Arukh HaShulchan*, an influential 19th-century legal work, comments:

כל דיין שאינו דן דין אמת גורם לשכינה שתסתלק מישראל... וכל דיין שדן דין אמת לאמיתו אפילו שעה אחת כאילו תיקן כל העולם כולו וגורם לשכינה שתשרה בישראל

Every judge who does not judge fairly causes the divine presence to depart from the world...And every judge who judges fairly, even for a moment, is like one who has repaired the entire world, and who causes the divine presence to rest among the Jewish people.



(Choshen Mishpat 8:2)

We learn from all of these texts that we must keep our eyes open to the larger context and ramifications of our actions. Attendance at Netanyahu's speech constitutes complicity in his dangerous incitement and partnership with proponents of violence and terror; and has the potential to influence an open court case. AIPAC attendees, who are committed to the future of the State of Israel, should not attend Netanyahu's speech and might instead spend the time studying about *lashon hara* and incitement in Jewish text and committing to stand up to incitement.