

Jewish Texts On Fair Voting And Just Elections

In the form we know them today, popular elections – where all adult citizens vote for their leaders – are the product of western democracies. In western democracies, as time has passed, modern technology has allowed for widespread campaigns and for hundreds of millions of votes to be cast and counted.

Although Jewish tradition long predates western democracy, over an extended time, Jewish tradition takes an increasingly democratic approach to choosing leaders. That tradition evolves along a clear path from Moses' appointment by God to a Jewish duty to vote for governmental leaders and even assess taxes. It follows, therefore, that for this duty to vote to be meaningful, the election must be just and votes must be fairly counted.

The Jewish trend towards democratic elections is rooted in the notion that we view government as a human partnership with God. Where Torah predicts that Israelites would want civil rulers instead of priests and prophets, Moses told the people: "[B]e sure to place over yourselves the king that God elects for you" ([Deut. 17:14-15](#)). Tanach records that God chose the first king, Saul ([1 Sam. 9:16-17](#)). The second king, David, however, was chosen by God but confirmed by "all of Israel's elders" ([2 Sam. 5:3](#)). The third king, his son Solomon, ruled in David's bloodline but "all the people" together ratified his accession ([1 Kings 1:39](#)). This democratic shift becomes clear in the Talmud, which opined that not even God would select rulers without consulting the people (B.T. [Berachot 55a](#)).

With the destruction of Jewish sovereignty in the Land of Israel, the role of the people in selecting their leaders and supporting secular government slowly expanded and extended. It began with the proposition that civil government is important. Thus, as in ancient days, we still "pray for government's welfare, for without fear of it [we] would swallow each other alive" ([M. Avot 3:2](#)). The duty to create and support government was so important that it became one of the few duties that Jewish law recognizes for all, Jew and non-Jew alike (B.T. [Sanhedrin 56b](#)). To R. Moses Maimonides (the "Rambam," 1135-1204), the purpose is to ensure public order ([Mishneh Torah, Melachim 9:14](#)); the Talmud extends the purpose to include all social welfare (B.T. [Avodah Zara 4a](#)). This is even more evident today where public safety, health, social equity, the rule of law – the very fabric of life in an interdependent world – require wise, effective and democratically accountable government.

When Jews elected tax collectors to remit Jewish taxes to secular authorities, Moses Isserles (the "Rema," 1520-1572) held that all taxpayers were to assemble and vote "for the sake of heaven" ([Shulchan Aruch, Choshen Mishpat 163:1](#)). Declining to vote means ignoring Torah's notion of human partnership in the "heavenly" work of government. Some 200 years later, R. Moses Schreiber Sofer of Pressburg (the "Chatam Sofer," 1762-1839) held that taxpayers who didn't vote forfeited their rights to shape election outcomes and were bound by those outcomes. Both based on the important call to vote and the binding nature of election outcomes, the Chatam Sofer necessarily assumed that votes would be counted in a fair and just election process.

While these authorities did not themselves establish a duty to vote, the Jewish focus on collective action – in political language, “the social contract” -- so highly values the public interest as to compel individual behavior that serves the common good. As Shlomo ben Meiri (“Rashbam,” 1080-1174) held, this social compact obliges Jews to honor the realm’s civil laws in exchange for the realm’s benefits and protection (comm. B.T. [Bava Batra 54b](#)). By choosing to live somewhere as citizens, we bind ourselves to a contract with that society.

Jewish choice of residency also triggers a duty to help provide the benefits of society, lest anyone’s non-participation cause what economists call free riding. (If anyone could take a public good without giving, then all would have the same incentive – and the public good itself could disappear.) For this reason, Jews must not only pay for public benefits they receive (B.T. [Bava Batra 8a](#)), but also directly help as needed to serve the public (B.T. [Bava Metzia 108a](#)).

While in talmudic times the main concerns for collective action were flood control, public transportation, civil defense and public health, in our day these concerns devolve mainly on government. It is via government that Jews fulfill their civic duty to communities where they maintain residence and citizenship – not only by paying taxes, but also through public service and especially by voting. The implications are profound. The real “Jewish issue” is government’s effectiveness to perform its public duties. Understood properly, government’s whole agenda – public health and safety, social policy, criminal justice, environmental protection and more – is a “Jewish issue.” All are necessary concerns of Jewish voters *as Jewish voters*. That is the Jewish commitment to our nation, tradition and values – whatever our personal politics and partisanship may be.

This Jewish requirement to honor the social contract strongly implies a duty to vote, which in turn, implies a right to a fair and just process that allows for and counts those votes accurately. Indeed, in the Rama’s view, an election’s legitimacy depends on universal notice of the election and the corresponding full and fair opportunity for all eligible voters to cast ballots. Indeed, even before the advent of modern election mechanics, halachically it was well-settled that an election’s legitimacy would be undermined – and its outcome thus unenforceable – if the election was inadequately publicized or some voters inhibited eligible others from voting. So also held R. Yechezkel Landau (the “Noda b’Yehuda,” 1713-1793) and the Chatam Sofer.

It follows that in this modern era of complex election mechanics – any of which can and often do suppress voting or raise reasonable public question about the fairness of election administration – the spiritual duty to vote necessarily requires that election procedures be fair.

This result accords with modern Israel’s status as a democratic state, reflecting its continuation of Jewish commitment to the public good and fair elections. Indeed, after the founding of modern Israel, the Lubavitcher Rebbe (Igrot HaKodesh, at 32) and the [Chazon Ish](#) both urged all eligible voters to vote (albeit for specified candidates). So important was the electoral franchise that at least [one prominent Israeli rabbi wouldn’t receive congregants on election day until they voted](#). To them, it was obvious that Jews must vote.

This result also accords with the views of contemporary progressive Jewish movements that deemed voting key to democracy and urged reforms against voter suppression to fulfill the verse (Lev. 19:15): לֹא־תַעֲשֶׂה עֹל בְּמִשְׁפָּט לֹא־תִשָּׂא פָנֶי־דָל וְלֹא תִהְדָּר פָּנֵי גִבּוֹר בְּצִדֶּק תִּשְׁפֹּט עַמִּיתְךָ - “Do not render an unfair decision, do not respect the poor or favor the mighty.” This verse inspired the Conservative Movement’s Rabbinical Assembly’s [call for fair election mechanics](#) to enforce the practical right to vote and have each vote counted, and its later [resolution demanding elections](#) in which “all eligible voters... have free and equal access to cast their ballots and all votes should be counted equally.”

Similarly, the Reform Movement’s Central Conference of American Rabbis (“CCAR”) adopted a 2001 resolution calling for election reform after the disputed U.S. presidential election of 2000. The CCAR [narrated](#) a societal “ethic of political participation [that] has guided Jews” and that renders anathema to Jewish thought what the CCAR called undue barriers to voting. The CCAR held a 2010 symposium on this subject, in which leading Reform rabbis offered case studies of Jewish religious community participating in the civic sphere.

Judaism’s wisdom tradition teaches that “You do not need to finish the work, but you are not free to desist from it” ([M. Avot 2:16](#)). Maybe no single election will fix the nation’s fate, but every election is important – and Judaism’s value of collective action mandates Jews to pitch in. That demand, in turn, implies a right to an election that is just and where the votes are fairly counted.

Prepared by R. Mark Hurvitz and R. Ed Stafman, with special thanks to R. David Markus, whose 2014 rabbinic teshuvah on these matters provided much of the research and thought supporting this paper.

Resources in order of their appearance in the document above:

Deut. 17:14-15

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| <p>“When you come into the land that YHVH your God is giving you, and you possess and settle it, and say, ‘I will set over me a king like all other nations around me,’ be sure to place over yourself the king YHVH will elect for you....</p> | <p>כִּי־תָבֹא אֶל־הָאָרֶץ אֲשֶׁר ה' אֱלֹהֶיךָ נָתַן לָךְ וַיִּרְשָׁתָהּ וַיִּשְׁבֶּתָהּ בָּהּ וְאָמַרְתָּ אֲשִׁימָה עָלַי מֶלֶךְ כְּכָל־הַגּוֹיִם אֲשֶׁר סְבִיבֹתַי. שׁוּם תָּשִׂים עָלֶיךָ מֶלֶךְ אֲשֶׁר יִבְחַר ה' אֱלֹהֶיךָ בּוֹ....</p> |
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1 Sam. 9:16-17

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| <p>‘To-morrow about this time I will send thee a man out of the land of Benjamin, and thou shalt anoint him to be prince over My people Israel, and he shall save My people out of the hand of the Philistines; for I have looked upon My people, because their cry is come unto Me.’ And when Samuel saw Saul, the LORD spoke unto him: ‘Behold the man of whom I said unto thee: This same shall have authority over My people.’</p> | <p>כָּעֵת מָחָר אֶשְׁלַח אֵלֶיךָ אִישׁ מֵאֶרֶץ בִּנְיָמִן, וּמִשְׁחָתוֹ לְנָגִיד עַל־עַמִּי יִשְׂרָאֵל, וְהוֹשִׁיעַ אֶת־עַמִּי, מִיַּד פְּלִשְׁתִּים: כִּי רָאִיתִי אֶת־עַמִּי, כִּי בָאָה צָעֲקָתוֹ אֵלַי. וּשְׁמוּאֵל, רָאָה אֶת־שָׁאוּל; וַיְהִי עֲנָהוּ-- הִנֵּה הָאִישׁ אֲשֶׁר אָמַרְתִּי אֵלֶיךָ, זֶה יַעֲזֹר בְּעַמִּי.</p> |
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2 Sam. 5:3

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| <p>“All the elders of Israel came to [David] before God, and anointed David as King of Israel.”</p> | <p>וַיָּבֹאוּ כָל־זִקְנֵי יִשְׂרָאֵל אֶל־הַמֶּלֶךְ ... לִפְנֵי ה' וַיִּמְשְׁחוּ אֶת־דָּוִד לְמֶלֶךְ עַל־יִשְׂרָאֵל</p> |
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1 Kings 1:39

And Zadok the priest took the horn of oil out of the Tent, and anointed Solomon. And they blew the ram's horn; and all the people said: 'Long live king Solomon.'

וַיִּקַּח זָדוֹק הַכֹּהֵן אֶת-קֶרֶן הַשֶּׁמֶן,
מִן-הָאֵהָל, וַיִּמָּשַׁח, אֶת-שְׁלֹמֹה; וַיִּתְּקְעוּ,
בַּשּׁוֹפָר, וַיֹּאמְרוּ כָל-הָעָם, יְחִי הַמֶּלֶךְ
שְׁלֹמֹה.

B.T. Berachot 55a

"R. Yochanan said: the Holy Blessed One proclaims three things: famine, plenty and a good leader.... A good leader, as in (Ex. 31:2): God spoke to Moses saying, 'See I called by name Betzalel son of Uri.' R. Yitzchak said: We mustn't appoint a leader for a community without consulting it, as in (Ex. 35:30): 'See, God called by name Betzalel.' The Holy Blessed One said to Moses: Moses, do you think Betzalel suitable? [Moses] replied: Ribono shel Olam, if You think him suitable, all the more do I! [God] said to [Moses]: All the same, go consult them. [Moses] went and asked [Israel]: Do you think Betzalel suitable? They replied: If the Holy Blessed One and you think him suitable, all the more do we!"

אמר רבי יוחנן שלשה דברים מכריז עליהם
הקב"ה בעצמו ואלו הן רעב ושובע ופרנס
טוב. ... פרנס טוב דכתיב (שמות לא:ב) (ויאמר)
ה' אל משה לאמר ראה קראתי בשם בצלאל וגו'
אמר רבי יצחק אין מעמידין פרנס על הצבור
אלא אם כן נמלכים בצבור שנא' (שמות לה:ל)
ראו קרא ה' בשם בצלאל אמר לו הקדוש ברוך
הוא למשה משה הגון עליך בצלאל אמר לו
רבנו של עולם אם לפניך הגון לפני לא כל
שכן. אמר לו אף על פי כן לך אמור להם הלך
ואמר להם לישראל הגון עליכם בצלאל אמרו
לו אם לפני הקדוש ברוך הוא ולפניך הוא הגון
לפנינו לא כל שכן.

Mishna Avot 3:2

R. Chanina, assistant to the priests, said: Pray for the welfare of the government, since but for the fear of it men would swallow each other alive.

רבי חנינא סגן הכהנים אומר הוי
מתפלל בשלומה של מלכות שאלמלא
מוראה איש את רעהו חיים בלעו.

B.T. Sanhedrin 56b

It was taught in a Baraita: Just as Israelites were commanded to establish courts in each and every province and each and every town, so to were Noahites commanded to establish courts in each and every province and each and every town.

כשם שנצטוו ישראל להושיב בתי
דינין בכל פלך ופלך ובכל עיר ועיר
כך נצטוו בני נח להושיב בתי דינין
בכל פלך ופלך ובכל עיר ועיר

Rambam, Mishneh Torah, Melachim 9:14

How must the gentiles fulfill the commandment to establish laws and courts? They are obligated to set up judges and magistrates in every major city to render judgement concerning these six mitzvot and to admonish the people regarding their observance.

A gentile who transgresses these seven commands shall be executed by decapitation. For this reason, all the inhabitants of Shechem were obligated to die. Shechem kidnapped. They observed and were aware of his deeds, but did not judge him.

A gentile is executed on the basis of the testimony of one witness and the verdict of a single judge. No warning is required. Relatives may serve as witnesses. However, a woman may not serve as a witness or a judge for them.

וְכִיצַד מִצְוֵיָן הֵן עַל הַדִּינִין. חִיבִין
לְהוֹשִׁיב דִּינִין וְשׁוֹפְטִים בְּכָל פֶּלֶךְ
וּפֶלֶךְ לָדוֹן בְּשֵׁשׁ מִצְוֹת אֵלֶּה. וּלְהַזְהִיר
אֶת הָעָם. וּבֵן נֹחַ שֶׁעָבַר עַל אַחַת
מִשְׁבַּע מִצְוֹת אֵלֶּה יִהְיֶה בְּסִיף. וּמִפְּנֵי זֶה
נִתְחַיְבוּ כָּל בְּעָלֵי שָׂכָם הַרְיָנָה. שֶׁהָרִי
שָׂכָם גָּזַל וְהֵם רָאוּ וַיֵּדְעוּ וְלֹא דָּנוּהוּ.
וּבֵן נֹחַ נִהְרָג בְּעֵד אֶחָד וּבְדִין אֶחָד
בְּלֹא הַתְּרָאָה וְעַל פִּי קְרוֹבִין. אֲבָל לֹא
בְּעֵדוֹת אִשָּׁה. וְלֹא תָרוּן אִשָּׁה לָהֶם:

B.T. Avodah Zara 4a

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| <p>Alternatively, just as in the case of fish of the sea, any fish that is bigger than another swallows the other, so too in the case of people, were it not for the fear of the ruling government, anyone who is bigger than another would swallow the other. And this is as we learned in a mishna (Avot 3:2) that Rabbi Ḥanina, the deputy High Priest, says: One should pray for the continued welfare of the government, as were it not for the fear of the government, every man would swallow his neighbor alive.</p> | <p>דבר אחר מה דגים שבים כל הגדול מחבירו בולע את חבירו אף בני אדם אלמלא מוראה של מלכות כל הגדול מחבירו בולע את חבירו והיינו דתנן רבי חנינא סגן הכהנים אומר הוי מתפלל בשלומה של מלכות שאלמלא מוראה של מלכות איש את רעהו חיים בלעו</p> |
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Shulchan Aruch, Choshen Mishpat 163:1

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| <p>It is necessary to assemble by writ of election all taxpayers and prompt them to speak according to their judgment for the sake of heaven, and then we follow the majority. But if a minority refuses [to follow] the majority, it is permissible to force them, even by order of star worshippers (i.e. non-Jews), to pay their share to the tax collector selected. If one boycotts and refuses to offer one's opinion (i.e. vote), then it is disregarded and the opinions of the majority remaining decide the matter.</p> | <p>יש להושיב כל בע"ב הנותנים מס ויקבלו עליהם שכל אחד יאמר דעתו לשם שמים וילכו אחר הרוב ואם המיעוט ימאנו הרוב יכולין לכופ אותן אפילו בדיני עכו"ם ולהוציא ממון על זה והם צריכין לתת חלקם והמסרוב מלומר דעתו ע"פ החרם בטילה דעתו ואזלי בתר רוב הנשוארים האומרים דעתן.</p> |
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Shlomo ben Meiri (Rashbam), Comm. B.T. [Bava Batra 54b](#)

The Gemara in Baba Kama 113b proves that this rule [“the law of the kingdom is the law”] is universally accepted from the fact that we use public works built by the government with requisitioned materials (e.g. bridges constructed with appropriated lumber). If Torah law did not recognize the government’s law as binding on its citizens, the use of these public works would constitute use of stolen property and would be forbidden.

B.T. [Bava Batra 8a](#)

Rav Yehuda says: All of the city’s residents must contribute to the building and upkeep of the city gates [*le’aglei gappa*], and for this purpose money is collected even from orphans. But the Sages do not require protection and are therefore exempt from this payment. All of the city’s residents must contribute to the digging of cisterns [*lekarya patya*], and for this purpose money is collected even from the Sages, since they too need water. The Gemara comments: And we said this only when the people are not required to go out en masse [*be’akhluza*] and do the actual digging, but are obligated merely to contribute money for that purpose. But if the people are required to go out en masse and actually dig, the Sages are not expected to go out with them en masse, but rather they are exempt from such labor.

אמר רב יהודה הכל לאגלי גפא
אפילו מיתמי אבל רבנן לא צריכי
נשירותא הכל לכריא פתיא אפילו
מרבנן ולא אמרן אלא דלא נפקי
באכלוזא אבל נפקי באכלוזא רבנן
לאו בני מיפק באכלוזא נינהו:

B.T. Bava Metzia 108a

“Rav Yehudah said: When the river requires dredging, those dwelling on the lower reaches must aid the upper inhabitants, but not vice versa. But it is the reverse in respect to rain water [in a drainage ditch].”

אמר רב יהודה לכריא דנהרא תתאי
מסייעי עילאי עילאי לא מסייעי תתאי
וחילופא במיא דמיטרא.

Lubavitcher Rebbe

In response to a letter asking about the halacha of voting for an Israeli civil government, the Lubavitcher Rebbe replied on 5 Kislev 5709 (December 7, 1948) that voting is halachically mandatory to ensure the election of the most religious candidates running for office. Schneerson, Igrot HaKodesh, at 32.

“[Someone] asks about the issue of participating in elections for the government in the Land of Israel. Certainly it is obligatory for all eligible to vote not to give up this [voting] right. All who participate must try to [elect] the most religious party, but not for one whose interest is to create controversy and sow disunity through advocacy in the [mere] name of Torah. May awe in God stoke the pride of our brothers in Israel living in the Holy Land, may it be built and completed, and in all the lands of exile. May they merit the coming of the Redeemer... who will gather us to the Holy Land, may it be built and completed, from all nations in which we were scattered.”

[פב"פ] שואל על אודות ההשתתפות
בענין הבחירות לממשלה בארץ
ישראל. בודאי חובה על כל אחד
ואחד שראוי לבחור לא יותר על
זכותו זה. ועם מי להשתתף צריכים
להשתדל להשתתף עם חבורת
היראים יותר אבל לא עם אלו אשר
כל ענינם הוא לעשות מחלוקת ופירוד
לבבות ודוגלים בשם התורה. והיראת
השי"ת ירים קרן אחינו בני ישראל ד'
עליהם יחיו באה"ק ת"ו ובכל מדינות
הגולה ונזכה לביאת הגואל צדק
משיח צדקנו אשר יקבצנו מכל ארצות
פזורנו לאה"ק ת"ו.

R. Avrohom Yeshaya Karelitz (1878-1953, the Chazon Ish):

The Gedolim's View On Voting In the Israeli Elections

Many years ago, Rabbi Shimon Soroka, a leader of Zeirei Agudath Israel in Israel and a vice mayor of Bnei Brak, came to Baltimore to solicit funds for the upcoming Israeli elections. As a yeshiva bochur who was the head of Pirchei Agudas Yisroel of Baltimore, I was zocheh to accompany him on his visits in Baltimore. He related to me the story of a Bnei Brak resident, who took it as a given that he shouldn't vote. He did, however, pose the question to the Chazon Ish. The Chazon Ish answered him very firmly that, in fact, he must vote.

On Election Day, the Chazon Ish met this same Jew in the street. "Did you vote yet?" inquired the Chazon Ish.

"No," was the response.

"Why not?" persisted the Chazon Ish.

"I don't have the three Israeli pounds to pay the poll tax," was the answer.

The Chazon Ish would not give up. "Do you own a pair of tefillin?" he continued.

"Of course!" answered the Jew.

"Well, go and sell your pair of tefillin and use the funds to pay the poll tax so that you can go and vote," said the Chazon Ish.

The Chazon Ish later explained to Rabbi Soroka that wearing tefillin is a mitzvah, but voting in the election is also a mitzvah.

"I'm not worried that this Jew will not put be putting on tefillin," explained the Chazon Ish. "If need be, he'll borrow a pair. I am afraid that he won't perform this other mitzvah – voting in the election."

How Gedolei Yisrael Viewed Elections in Israel

He adds that he heard from Harav Yitzchak Flakser, *zt"l*, *R"m* in Sfas Emes, who was a neighbor of the Tchebiner Rav, that on the morning of Election Day, he heard people arguing outside the Rav's house. They argued that if the Tchebiner Rav didn't have to go to vote, then why did they? Reb Yitzchak shared what he had heard with the Rav, who told him to go outside and tell the people there that he had already voted. Reb Yitzchak was stunned. "Rebbi, *ad kedai kach* [to such an extent?]" and the Rav replied, "*Ya, ya, ad kedai kach.*"

...

The *meshamshim* recall how the Rav was adamant that everyone go vote, including his *gabba'im*, and even the Rebbetzin — and they traveled to Tel Aviv, where they were registered as residents. That day, he didn't take *kvitlach* [which were conveyed through the *gabba'im*]. When people came to him with *kvitlach*, he said, "Go vote."

Harav Weber, who was then a *bachur*, relates that only he remained in the Rav's house while the other *gabba'im* went to their places of residence to vote.

"The Rebbe said to me, 'The truth is it was very hard for me to send all the *gabba'im* away,'" Harav Weber recalls. "But I had no choice, because the elections are such a great *mitzvah* I could not hold them back!' He waved his two holy arms in the air and said '*Aza groiseh mitzvah!*' with reverence."

If the Belzer Rav, who knew what a *mitzvah* means, said of elections "*Aza groiseh mitzvah!*"— dare we doubt it?

Chatam Sofer, Choshen Mishpat 116

An election's legitimacy can be undermined – and its outcome thus unenforceable against non-voters – only if the election is inadequately publicized or some voters inhibit eligible others from voting... once a public announcement issues for an election, all who choose not to vote give up their rights to cast ballots and are treated as if they appointed those who do vote as their proxies to decide the election.

[The Rabbinical Assembly \(“RA”\)](#)

The RA urged reforms against voter suppression to fulfill the verse **לֹא-תַעֲשׂוּ עוֹל בְּמִשְׁפָּט** - **לֹא-תִשָּׂא פָנֶי-דָל וְלֹא תִהְדָּר פָּנֵי גִדּוֹל בְּצֶדֶק תִּשְׁפֹּט עַמִּיתְךָ** - “Do not render an unfair decision, do not respect the poor or favor the mighty. This result impelled what the RA called fair election mechanics to enforce the practical right to vote and have each vote counted. [Rabbinicalassembly.org/resolution-election-reform?tp=270](http://www.rabbinicalassembly.org/resolution-election-reform?tp=270), quoting Lev. 19:15; see also “Resolution on Voting Rights in the United States” (2014), available at <http://www.rabbinicalassembly.org/story/resolution-voting-rights-united-states?tp=1355>. Similarly, the RA advocated public financing of campaigns to equalize political influence, based on the Deuteronomy ban on partiality in judgment. See Rabbinical Assembly, “Resolution on Campaign Finance Reform in the United States,” available at <http://www.rabbinicalassembly.org/story/resolution-campaign-finance-reform-united-states?tp=378>.

[Central Conference of American Rabbis \(CCAR\), “Resolution on Election Reform” \(2001\)](#)

The presidential election of 2000 exposed numerous flaws in the United States’ election procedures. Across the nation, polling mechanisms, the design of election ballots, voting rules, hours, and allocation of financial resources vary significantly between states and localities. In many jurisdictions utilizing older types of voting equipment (such as punch card machines) ballots are disqualified at significantly higher rates than in jurisdictions employing more accurate and reliable equipment (such as optical scan machines). In some states, it has been found that older machines are concentrated in poorer areas and result in statistically higher rates of disqualified votes for citizens of color, who tend to reside in these precincts. Moreover, due to the lack of legislative prioritization for funding of election administration, officials in many states and localities do not have the resources to hire adequate numbers of election workers and conduct meaningful voter education programs. Finally, in some instances, efforts to purge ineligible voters from registration rolls (including those who have died, moved, or been sentenced as felons) have resulted in the mistaken elimination of fully eligible voters from registration rolls. Election laws that place high burdens of proof on the voter, combined with inadequate checks and balances in these systems in place on Election Day, have made it difficult for such aggrieved voters to obtain redress.

Many citizens are particularly embittered over the alleged disenfranchisement of citizens of color during the 2000 presidential election. While the events in the state of Florida have received the most attention, the phenomenon is not limited to that state in particular. Along with the disqualifying of thousands of disputed ballots, there are unanswered questions about both access to the polls and the fairness of procedures for counting of votes. Many citizens of color harbor lingering resentment over this process, and echo the sentiment of Representative John Lewis (D-GA), who remarked, “I thought this was behind us.” Allegations of voter disenfranchisement remind us of the vital importance of our government’s obligations to vigorously enforce voting rights

Jewish Texts On Fair Voting And Just Elections

laws and ensure that all Americans have free, unfettered access to fulfill their right to a secret ballot.

Our tradition teaches us that the process of choosing leaders is not a privilege, but a collective responsibility. The Sage Hillel taught “Al tifros min hatzibur, Do not separate yourself from the community” (Pirke Avot 2:5). Rabbi Yitzhak taught that “A ruler is not to be appointed unless the community is first consulted” (Babylonian Talmud Berachot 55a). This ethic of political participation has guided Jews to enthusiastically participate in the American electoral process and is epitomized by our traditionally strong voter turnout. Jews also have placed a priority on voter education and registration efforts. In the past election cycle, the Reform Movement, through the Religious Action Center, took a lead role in this effort by publishing a “Get Out the Vote Program Plan and Action Manual,” jointly with the Reconstructionist, Conservative, and Orthodox Movements. Moreover, given our historical role in the civil rights struggle, allegations of voter disenfranchisement compel us to speak out. It is our duty to ensure that all citizens are afforded the opportunity to vote and have their votes counted.

In order to restore confidence in the integrity and fairness of our nation’s election process, government agencies at the federal, state and local levels must work together to evaluate the various components of our electoral system. They should take any necessary and appropriate steps to strengthen and/or change policy at the federal, state and local levels to ensure that all persons wishing to vote are given a meaningful opportunity to do so, and all votes determined to be valid in accordance with established fair standards are counted accordingly. Congress and other government agencies should assess approaches that aim to ensure fairness with regard to casting and counting of votes, including, but not limited to, the implementation of a uniform nationwide poll closing time and uniform standards for counting disputed ballots within individual states. Government agencies at the federal, state and local levels should also evaluate and undertake measures aimed at expanding voter registration, increasing voter participation and ensuring equal access to the polls for all Americans. Such measures could include, but are not limited to, weekend voting; mail-in ballots; establishment of Election Day as a holiday; and same-day voter registration.

For the Jewish community, the events surrounding the 2000 presidential election must be seen as a clarion call to civic duty. The impetus now exists for us to redouble efforts, individually and collectively, to increase voter registration and participation, and engage in legislative advocacy to ensure that vital election reform proposals are afforded serious consideration by our nation’s elected officials.

Therefore, the Central Conference of American Rabbis resolves to:

- Call on federal, state and local governments to vigorously enforce voting rights laws and to ensure that all Americans have free, unfettered access to fulfill their right to a secret ballot.
- Support legislation at the federal, state and local levels to ensure fairness with respect to the casting and counting of votes.

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- Support the replacement of unreliable and outmoded voting equipment with more accurate and reliable equipment.
- Urge the federal government to provide financial assistance to state and local governments to implement improvements in their election systems.
- Call on the United States Department of Justice and other appropriate governmental agencies to conduct a proper and thorough investigation into the deeply troubling allegations of voter disenfranchisement during the 2000 presidential election.
- Encourage federal, state and local government agencies to undertake measures aimed at expanding voter registration, increasing voter participation and ensuring equal access to the polls for all Americans.
- Call on our member rabbis to take a leadership role within their congregations and communities in sponsoring nonpartisan voter registration and voter participation drives.

Mishna Avot 2:16

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| Rabbi Tarfon said: the day is short, and the work is plentiful, and the laborers are indolent, and the reward is great, and the master of the house is insistent. | רַבִּי טַרְפוֹן אוֹמֵר, הַיּוֹם קָצֵר וְהַמְּלָאכָה מְרֻבָּה, וְהַפְּוֹעַלִים עֲצֵלִים, וְהַשָּׂכָר הַרְבֵּה, וּבַעַל הַבַּיִת דּוֹחֵק: |
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