

“Here are three things most Americans take as an article of faith: The sky is blue. The Pope is Catholic. And politicians are liars.”<sup>1</sup> In this paper I explore and synthesize three essays that address classic rabbinic understandings of misuse of speech in an attempt to shed light on what I see as a crisis in today’s political discourse that has both spiritual and ethical implications.

Since the earliest campaigns in the Jacksonian period, candidates have tried to gain the upper hand by exaggerating facts about themselves and their opponents. However, the advent of broadcast media (first radio, later television and now the internet) coupled with increasing partisanship (that has accelerated exponentially since the Clinton years) has driven the level of vitriol and deception to new highs. Moreover, this practice of lying in politics is no longer reserved for the arena of campaigning. It has become part of our daily discourse, perpetuating hate and potentially inciting violence within our largely uneducated populace who believe that what officials and newscasters say is authoritative. The rampant misuse of speech that is constantly streaming on the internet and cable news stations has created a seemingly impenetrable barrier to realizing the ideal of democracy – defined as an informed people who can make decisions about competing programs offered by different leaders for solving our country’s problems – that was unimaginable as recently as the end of the twentieth century. The democracy we practice today has been reduced to sound bites, innuendo, images and outright falsehoods, making the job of governing one of constant salesmanship and counterpoint. Meanwhile, the needs of the American people have become secondary and, at times, dismissed all together.

Dr. Alyssa Gray’s chapter in the recently published *Oxford Handbook of Jewish Ethics and Morality* entitled “Jewish Ethics of Speech” outlines thoroughly and

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<sup>1</sup> www.cbsnews.com; Brian Montopoli; *Lying Politicians: A fact of life*, August 3, 2012

concisely how the sages of old understood the array of damage that could be wrought through misuse of the tongue.

Human speech can be creative, like God's; witness the Jewish legal recognition that through speech human beings can change – *re-create* – the statuses of people, animals, or things. Human speech can also be the equivalent of murder. Of human beings, then, it can justifiably be said that 'Death and life are in the power of the tongue' (Proverbs 18:21) and that 'When [the tongue] is good, there is nothing better; when bad, there is nothing worse' (Leviticus Rabbah 33:1).<sup>2</sup>

Dr. Gray divides her comprehensive survey into three umbrella categories – Jewish legal and ethical norms pertaining to bad language and speech about other people, holy speech, and speech that is beneficial to society or other people. Together these headings encompass what the *Tanakh*, Talmud and law codes have to say about the power of words. She asserts that our sages understood the Torah's repeated cautions against lying<sup>3</sup> as a necessity in order to maintain the mutual trust required to make human society possible, but they "recognized that not every untruth is an evil to be avoided [and] not every truth necessary to reveal,"<sup>4</sup> especially in situations where manipulating the truth can save a life. For example, Jews in the Middle Ages were permitted disguise themselves as non-Jews during periods of noted persecution and, according to Rabbi Moses Isserles, answer personal questions about one's religious affiliation ambiguously when necessary.<sup>5</sup>

Ambiguous answers and shading the truth to protect personal integrity and safety (for oneself and others) is one thing. Overt deception is quite another. *Geneivat da'at* (literally, "stealing the mind") falls under the latter category and is the subject of an article written by Rabbi Shai Cherry entitled "Death by Deception."<sup>6</sup> Cherry offers a complete analysis of what rabbinic literature has to say about this particular specialized category of forbidden speech. Toward the end of his paper, he

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<sup>2</sup> Alyssa M. Gray, *The Oxford Handbook of Jewish Ethics and Morality*, Ed. by Elliot N. Dorff and Jonathan K. Crane (Oxford University Press, 2013), p. 433

<sup>3</sup> "You must not carry false rumors." (Ex 23:1) "Keep far from a false charge." (Ex 23:7) "You shall not deal deceitfully or falsely with one another." (Lev 19:11)

<sup>4</sup> Gray, p. 434

<sup>5</sup> See *Shulhan Arukh*, *Yoreh De'ah* 157:2 and the *Ramah's* gloss.

<sup>6</sup> Shai Cherry, *Death by Deception*, *Conservative Judaism*, Volume 61, No. 3, Spring 2009, pp. 40-54

presents a creative use of this prohibition that applies to the self. Individuals must not deceive themselves into believing that the health and resiliency of one's youth is a given as one ages. Specifically, Cherry believes that his father's unexpected death was fueled by willed self-deception a decade earlier – a desire to believe that his hearty exterior reflected his interior to the extent that he ignored the advice of his physicians who, at the time, advised him to undergo preventative heart surgery. By the time Lou Cherry found himself on the operating table, he was very fragile and never woke up.

Shai Cherry admits that there is no way of knowing what would have happened ten years earlier had his father followed doctor's orders, but, in principle, his caution would be well-heeded by all of us in this day and age of excellent preventative medicine. Building on Cherry's *hidush* (insight), I believe that the routine violation of *g'neivat da'at* (and other categories of prohibited speech) is redounding to the detriment of America's overall health and welfare. Recent history has revealed that the decisions made by Americans at the voting booth, including the choice to not vote at all (which in today's polarized climate might be considered a form of "standing idly by the blood of your neighbor"<sup>7</sup>) have long-term ramifications for all of America's citizens and for the world. History has shown that a collapsed American economy impacts economic trends everywhere. Irresponsible environmental policy and roughshod diplomacy have not served our allies or our own diplomatic goals well.

Cherry uses legal constructivism to build his case, demonstrating thoroughly how core aspects of *g'neivat da'at* are "socially constructed" – given their form by ongoing processes of social practice and interaction. The primary source for all rabbinic conversation on any matter is, of course, Divine guidance as expressed in the Torah. It is the task of rabbis in subsequent generations to legislate legal, moral and ethical responses to dilemmas of the time through the lense of previous constructions. He notes that the rabbis chose to interpret Exodus 23:7 and Leviticus 19:11 narrowly, focusing on the specific contexts and language of the verses. "Keep

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<sup>7</sup> Leviticus 19:16

far from lies” is directed toward the judiciary; “You shall not deal deceitfully or falsely with one another” applies to interpersonal dealings. “Rabbinic Judaism, thus, forbids certain kinds of lies, particularly those involved in legal proceedings or slander, but abstains from demanding full and unvarnished truth in all circumstances.”<sup>8</sup> Perhaps, Cherry suggests, this is because the rabbis understood, ahead of their time, that humans are hardwired to self-present in the best light they can. He refers to the research of social psychologist Daniel Goleman, who posits that through unspoken agreement, “We tacitly encourage one another’s lies.... Social lies succeed as a lubricant only when received with *tactful inattention*.”<sup>9</sup> This insight is compelling because it speaks to a key challenge in political discourse that we face today. Political lies receive “tactful inattention” because they are so plentiful, but more, they fill a disturbing need: Our craving for sensationalism. In addition, campaign strategists and media personalities take into account that most American voters have a dual handicap: limited attention span and feeble long-term memory. What you say today *probably* won’t be held against you tomorrow. Rutgers professor Jason Stanley makes this point well in a New York Times Op Ed:

...the public’s trust in public speech, whether by politicians or in the media, has disintegrated, and to such a degree that it has undermined the possibility of straightforward communication in the public sphere. The expectation is that any statement made either by a politician or by a media outlet is a false ideological distortion. As a result, no one blames politicians for making false statements or statements that obviously contradict what are known to be that politician’s beliefs.<sup>10</sup>

Such common distractions from serious debate can do a lot of damage very quickly before they fade away like a shooting star – bright, powerful and quickly forgotten. There are always two parties involved in creating a successful lie – the speaker and the listener. Ever since Richard Nixon so memorably declared, “I am not a crook,” we have come to expect that politicians will engage in some measure of self-deception in order to appear the more suitable candidate. It should be the job

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<sup>8</sup> Cherry, p. 40

<sup>9</sup> Ibid p. 41 / footnote 7

<sup>10</sup> <http://opinionator.blogs.nytimes.com/2012/08/30/speech-lies-and-apathy>

of every voter to do her homework and determine just how much sweetener has been added to make the person more palatable.

The *Mekhilta d'Rabbi Ishmael* and *Masehet Hullin* 94a are the two places in rabbinic literature that address *g'neivat da'at* specifically. *Mekhilta, Mishpatim* 13 identifies three kinds of mind thieves: 1) one who urges his neighbor to be his guest when in his heart he is not so disposed; 2) one who multiplies gifts to his neighbor knowing they won't be accepted; and 3) one who opens his wine casks when he has sold them to a merchant. Cherry interprets these three cautions in today's parlance as follows: 1) We are not supposed to be hypocritical even while being generous; 2) we are not to pose as generous in order to engender unwarranted goodwill; 3) and we are not to pose as more generous than we are\_in order to engender unwarranted goodwill.<sup>11</sup> Realistically, politicians must be guilty of all of these in some measure. They have to make campaign promises that speak to collective needs. The problem is that most of the policies they champion, even if they believe in them with utmost sincerity, are not within their control to legislate – a direct violation of both 2 and 3. Enticing the public to cast their votes for you when you know that your policies will actually decrease their quality of life is a form of the hypocrisy and deception cautioned against in 1, but again, that is to be expected on the campaign trail in reasonable measure. To what degree politicians have license to enhance their images is hard to quantify, but the passage in *Hullin* offers some guidance. It is composed of three *baraitot* that build on each other, the first of which closely parallels what we saw in the *Mekhilta*. The upshot of the second *baraita*, according to the Cherry, is that the prohibition of *g'neivat da'at* can be trumped by an appeal to someone's honor. The third *baraita* has three components that point to an element of responsibility for parties on the other side of the transaction: The Rabbis taught that a person shouldn't sell a sandal made from the hide of an animal that died naturally to a buyer who assumes that the animal was slaughtered. There are two reasons for this: deception and danger.

This example seems to be a case promoting full disclosure on the part of the vendor to the customer. The *baraita* here equates the vendor's silence with

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<sup>11</sup> Cherry, pp. 41-43

deception. Rabbinic Judaism does not rely on *caveat emptor* – let the buyer beware. Moreover, in this example, the fraud can lead to danger....In any case, the element of danger has been introduced into our *sugya*, and that danger intensifies in the next unit of the *baraita*

recounting a tale of someone who bought a barrel of wine with oil floating on top. When the owner realized in front of his guests that the barrel was actually full of wine, not oil, he strangled himself from embarrassment.<sup>12</sup> The third section of this *baraita* relays another tragic tale of a man who invited guests to his home when there was only a morsel of food to feed them. Why the *ba'al habayit* extended the invitation in the first place is not clear, but the guests opted to share their portions with the host's (presumably hungry) child. In anger and embarrassment, the host hit his child, killing him. The mother then killed herself in despair, and the host soon followed. Bottom line: Deception can be both physically and psychologically dangerous to both the deceiver and the deceived.

There is an example of this unfolding in our own time. The decision on the part of the Bush administration and Congress to enter into a war with Iraq rested on deception. The administration's desire to take over that country was so strong, that thoughtful people were willing to rely on inadequate evidence regarding the imminent threat of weapons of mass destruction. Without verification that lives were at risk, there was little or no justification for inviting military force into the region at that point in time. Champions of this invasion had their eye on the prize. Hindsight revealed that minimal forethought went into what this military commitment would look like over time; the toll it would take on our country financially and in human life; and how greater instability in that region would impact our overall goal of peace and security in the Middle East. The fallout from this gross example of deception will be felt for decades to come on many levels. Of all the decisions made by George Bush, his advisors and a bipartisan Congress during his presidency, the collective stakes were highest here, and I imagine his self-esteem has been permanently marred by this.

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<sup>12</sup> Ibid, p. 45

It is widely known that George Bush Sr. has been in ill health for some time and is no longer making public appearances, but I found it curious that his son was absent from Obama's second inaugural ceremony. I was not surprised to learn that he has become somewhat of a recluse in recent years. In "Whatever became of George W. Bush?" writer Kevin Drum speculates that the reasons for Bush's extremely low profile run deep. "Bush may have seemed larger than life for eight years, but he left a surprisingly thin legacy." Drum explicates what happened to the bulk of Bush's failed policies over time (such as No Child Left Behind, Sarbanes-Oxley, two wars, immigration and campaign finance reform) and concludes:

Neither party wants anything to do with him. It's not surprising that Democrats still think of him as the Frat Boy President, one of the worst of all time, but what *is* surprising is that Republicans largely agree. A guy who was hailed in 2000 as the first *real* conservative since Reagan, and in 2004 as the second coming of Winston Churchill, was all but dead to the GOP by 2008. He was just another big spender who led the economy into a tailspin and then seemed to have no idea what to do about it. By the time his second term finally petered out, his reputation was toxic on both sides of the aisle.<sup>13</sup>

From a rabbinic perspective, one might conclude that George W. Bush engaged in so much *g'neivat da'at* during his eight years in office, he is shamed into seclusion. Perhaps that will change with the passage of time, and hopefully he is using this respite to soul-search and define a productive course for the rest of his life.

Elected officials on both sides of the aisle practice *g'neivat da'at* religiously, but those who do so in the extreme tend to retreat from the public eye after the completion of their terms. It was more than a decade after his forced resignation from office in 1974 that Richard Nixon felt comfortable reasserting his place as an elder statesman in the political arena. The fact that Ronald Reagan was in the heavy throes of dementia by the time his two presidential terms were over begs two disturbing questions: Who was the *true* leader of the free world during the latter part of his presidency, and what does it say about America that a figurehead often unaware of what was going on in his administration was so popular throughout his term? By comparison, the greed-driven policies that defined the Bush

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<sup>13</sup> Kevin Drum, "What Ever Happened to George W. Bush?" [www.motherjones.com](http://www.motherjones.com), Aug 24, 2012

administration can be viewed as *g'neivat da'at*. They hurt a majority of the American people, countless others all over the world, and resulted in thousands of senseless deaths. The rabbinic recognition that deception can be dangerous and potentially lethal is a piercing truth. Those who voted for Bush because of his proposed tax cuts were a little greedy too, wanting to believe that a few more dollars in their pockets every year was in their long-term best interest, oblivious to the far-reaching implications of this collective loss of revenue. One of the greatest achievements of the Republican party leaders has been their capacity to direct the public conversation in such a way that the majority of their base actually votes against its own best interests in the short and long term. Look no further than recent news about growing acceptance of "ObamaCare" among state leaders who were its most outspoken opponents. The efforts to undercut this monumental (not perfect) advance in our country's healthcare policy were selfishly and politically driven, yet many people who need this support most took up the mantle against it based on one-line stump critiques.

Deceiving the American people is only one strand of speech misuse on the campaign trail. What would the rabbis say regarding politicians who tell lies about their opponents? Are degrees of untruth understood differently based upon the long-range impact they may have? What is the responsibility of the one who has been slandered in terms of self-defense? And finally, how much responsibility rests on the shoulders of the listeners? No person should ever expect to hear the whole truth and nothing but the truth because truth is in the eye (mouth) of the teller. Look no further than the Torah for proof. *Parashat Shelakh L'kha* includes the story of the Twelve Spies' reconnaissance mission to the Promised Land. All twelve attested to the land's beauty and bounty. Caleb and Joshua did not dispute the grand stature of the native dwellers and the sturdy fortification of the cities that the Israelites would need to conquer. Caleb and Joshua are later rewarded for seeing beyond the physical, prompting the Israelites to sally forth on their divine mission, but the initial caution issued by the other ten spies was probably not unfounded: "We cannot attack that people, for it is stronger than we." Had the *m'raglim* (spies)

stopped reporting there, the unfolding of history may have been quite different. This legitimate concern could have been dealt with through thoughtful military strategy nurtured by Divine influence. The problems begin with the spies' fearful elaborations: "The country that we traversed and scouted is one that devours its settlers...we saw *Nephilim* there... We looked like grasshoppers to ourselves, and so must we have looked to them."<sup>14</sup> Fearful analysis based on speculation rather than fact caused the entire community to break into loud cries and weep through the night, railing against Moses and Aaron for leading them to an early and painful death. Such a tale, so central to Jewish consciousness, highlights an important psychological truth: How people in power relay information matters. Too often messages are crafted only for purposes of inspiring hysteria and outrage.

In his essay "Legislating Morality: The Prohibition of *Lashon Hara*,"<sup>15</sup> Asher Ben Zion Buchman offers a thorough exploration of Rambam's legal approach to *r'chilut* (gossip) and *lashon hara* (speaking ill of another). The particular focus of his close study is an analysis of why certain laws of speech appear in *Hilchot Tza'arat*, others in *Hilchot Deot*, and still others in *Hilchot Mechirah* (14:12). Points made in his comprehensive presentation are essential to this discussion.<sup>16</sup>

Rambam speaks of the slippery slope of the idle chatterers in the pubs and street corners. Merely gathering to speak and swap stories and tall tales is included in the prohibition of "*lo teileich rachil*" (do not follow a gossip monger). 'This is the manner of the evil slackers....At first they dwell on exaggerations... and from this it leads to the denigration of the righteous.... This is the speech of evil men that results from sitting on the street corners, and pubs of the ignorant.' One proceeds on a slippery slope from *rechilut* to *lashon hara*, and both are contained in the same *lav* (prohibition).<sup>17</sup>

What would Rambam have said about our news stations and websites that continually feed the public ideas and suspicions about candidates (true or false) that

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<sup>14</sup> Numbers 13: 31-33; *Etz Hayim*, p. 844

<sup>15</sup> Asher Ben Zion Buchman, "Legislating Morality: The Prohibition of *Lashon Hara*"; volume 12 of *Hakira*, The Flatbush Journal of Jewish Law and Thought, 2011, pp. 121-137

<sup>16</sup> To highlight the multivalent quality of sacred scripture, I noted in Buchman's essay that Rambam also refers to the story of the spies in *Deot* 7:6, in this case to drive home the point that their speaking ill of the Land was akin to speaking about people. In Rambam's eyes, both constitute *lashon hara*. p. 129

<sup>17</sup> Buchman, pp. 122-123

are irrelevant in terms of their capacity to govern? Could these venues be the “pubs” and “street corners” of the 21<sup>st</sup> century? The hype about the “Birther Movement” comes to mind. I would suspect that most of the newscasters on FOX, if pushed to the wall, had no real concern about Obama’s status as a United States citizen. Yet, night after night, the issue was given air time while our economy remained in a free fall, our environment was (and still is) in peril, and millions of Americans could not afford health insurance or fuel for their cars.

Some may find it intriguing to learn that the seeds of the Birther Movement were planted in 2008 during the Democratic primaries by the Clinton team as Obama began to emerge as the likely nominee – in hopes of reversing his growing lead.<sup>18</sup> The speculation was short-lived in that race, but the kernel of a question remained in some people’s minds, and, when the Republicans needed a distraction because substantive debate on real issues was not on their side, it was a seed ready to sprout. Hurtful speech is often compared to the feathers in a pillow that can never be collected once scattered in the wind. In this instance, an issue that should have been laid to rest early in Obama’s presidency when it made headlines the first time was resurrected in 2011 by Donald Trump with an unofficial nod from the Romney campaign. This time Obama had the state of Hawaii release his “long-form” birth certificate, signed by his mother, and had it posted on the White House web page.<sup>19</sup> In the three years prior to his reelection campaign, Obama had not wanted to give credence to the ridiculous speculations about his American citizenship, but, with so much at stake for America’s well-being in the upcoming neck-and-neck election, the issue had to be addressed once and for all.

The Democrats learned a painful lesson from their loss in 2004 – never underestimate the gullibility of the American people. Democratic strategist Jamal Simmons’ explanation for why politicians mislead voters is “because they can.” An excellent example of that is the “Swift Boat” attacks on John Kerry in 2004 when the

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<sup>18</sup> schytlerthorpe.wordpress.com; *Where it all Began: History of the Birther Movement*, May 6, 2011

<sup>19</sup> topics.nytimes.com; *Birther Movement*, updated August 24, 2012

then-presidential candidate was accused in attack ads of lying about his Vietnam record. CBS reporter Brian Montopoli quotes Simmons:

The lesson of those attacks ...is that politicians need to quickly and aggressively contest false claims before they take hold in the public consciousness. Kerry waited for weeks to respond and then offered only a 'tepid' defense, in part because he did not want initially to elevate the claims by dignifying them.<sup>20</sup>

Kerry and Edwards ran a thoughtful campaign, did well in all the debates and were trying to address America's problems on the campaign trail. Surely Kerry never thought, given what was known about his service to our country, that these attacks would be taken seriously. Think again.

In the age of reality television and base shows like Jerry Springer's (a Jew by birth), the American mindset is to enjoy and perhaps crave the gossip and sparring that has become regular fare in politics. It is tragic that so many Jews in our time have been sucked into the circus. In Rambam's words:

Our Sages said that anyone who speaks *lashon hara* is as if he denies God.... In addition, they said *lashon hara* kills three [people], the one who speaks it, the one who listens to it, and the one about whom it is spoken. The one who listens to it [suffers] more than the one who speaks it.<sup>21</sup>

Asher Buchman expounds on Rambam:

The soul of the *ba'al lashon hara* is lost – his corrupted character is tainted with the cruelty of a murderer.... [He] is harmed more than his victim, and the one who accepts slander and is drawn into the web is harmed the most.<sup>22</sup>

Consider what ensued because of the Monica Lewinsky scandal. Preying upon Clinton's personal challenges that had been public fodder since early in his presidency, the crafters of this unfortunate drama in partnership with the media put the President of the United States in an unconscionable position regarding a personal problem. Had Clinton, his wife and advisors any idea how this scandal would mushroom, for the good of the American people he would have wisely told

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<sup>20</sup> www.cbsnews.com; Brian Montopoli; *Lying Politicians: A fact of life*, August 3, 2012

<sup>21</sup> *Mishneh Torah, Hilchot Deot 7:3*; Moznaim Publishing Corporation, New York

<sup>22</sup> Buchman, pp. 126-127

the entire truth up front and dealt with the family and tabloid fallout later. But I don't think any of us could have imagined the lengths Congress would go to strip him of his dignity and cripple his presidency over this incident. What he said to protect his family and save face before the world may have been untrue, but some rabbinic legislation might have sanctioned his evasive speech because so much was at stake given his role in the world. He did not try to cover up a serious military blunder (such as Iran Contra) or illegal activity (such as Watergate), but rather his personal failings and weakness.

At the time this happened, America was prospering. Nonetheless the entire country, even Clinton's loyal supporters, felt confused and betrayed by Clinton's prevarication. Vice President Al Gore distanced himself from the President during the 2000 presidential race. Clinton was not allowed to campaign on Gore's behalf, and that proved to be a terrible strategic decision. Polls taken before and after the 2000 election indicated that, if give the opportunity, a majority of Americans would have elected Clinton for a third term. Harkening back to Maimonides, the soul of the Republican Party (the *ba'alei lashon hara*) became lost with this drawn-out travesty. As far as I am concerned, party strategists have operated from a foundation of fear and dishonesty ever since. There is no question that Bill Clinton, the victim, paid a high price for this fiasco. Yet, time has a way of clearing the fog that can temporarily cloud substance and truth. President Clinton has gone on to do important work around the world, including, most recently, helping Obama win his reelection. All of us, including many of his supporters, who listened intently to the vicious slander that showed no mercy on his wife and daughter, could not deny that he was a troubled man in many ways. True to Maimonidean wisdom, it is the American people who paid the highest price. Within Bush's first term, most of the gains made during Clinton's eight years were erased, and America's reputation as a world leader began to corrode.

Our rabbis understood the dangers of extremes in all matters. The tale of the town of "*Kushta*," a midrash found in the Babylonian Talmud, *Sanhedrin* 97a, about a shocking tragedy that befell a village in which no untruth was ever told, highlights

rabbinic sensitivity to the fact that absolute truth can be as harmful as out-and-out lies. What concerns me is that Americans have become fully tolerant of the latter to the extent that, if what we saw in 2012 is the new mean, political truth is on its deathbed.

All politicians shade the truth – or lie. Various fact-checking outfits have rapped President Obama for making false statements. But Romney pushed the envelope this election cycle. He didn't merely shift shapes and flip-flop excessively.... He didn't only hype his past history and qualifications [and] issue grand and hollow promises about his proposed policies.... He didn't just mislead through the selective use of facts.... Romney engaged in foundational lying, [building] much of his campaign on basic untruths about the president.<sup>23</sup>

Know that Governor Romney was in good company. New York Times writer Charles M. Blow quoted the Washington Post in a recent OpEd:

During last year's G.O.P. presidential race, [Michelle] Bachmann racked up the highest ratio of Four-Pinocchio comments, so just about everything she says needs to be checked and double-checked before it is reported.... Jim Drinkard, who oversees fact-checking at The Associated Press [said] 'We had to have a self-imposed Michele Bachmann Quota in some of those debates.' It's sad when you are so fact-challenged that you burn out the fact-checkers.<sup>24</sup>

Congresswoman Bachmann knows she has an audience. Today's standard is "if a subsection of the American public believes it, it must not be a lie." More alarming is that our highly polarized Congress and media continue to fan the flames of fear and distrust in the wake of a clearly decided election. Even after Bush vs. Gore, we did not see hostile trends and behaviors in this extreme.

The last twenty years in politics have mirrored an overall ethical decline in our society. Precedent-setting investigations like Whitewater that, after six years and 50 million dollars spent in taxpayer dollars, revealed no illegal activity, should have been shunned long ago. Instead we are faced today with a level of misrepresentation and dirt digging that was unimaginable to the biblical and

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<sup>23</sup> [www.motherjones.com](http://www.motherjones.com); David Corn: *Campaign 2012: The End of Political Truth?* Nov 5, 2012. See full article for examples.

<sup>24</sup> Charles M. Blow; *The New York Times* OpEd, Saturday, March 23, 2013, p. A19

rabbinic mind. There is much we can gain from the wealth of rabbinic wisdom in this area. The literatures from which Alyssa Gray's survey has been drawn demonstrate

that a Jewish ethics of speech emerges out of reflection on the nuances and sheer messiness of concrete human interactions. Maimonides' (and others') systematization of these principles was not a deduction from first principles, but an induction from the stories and scriptural interpretations found in late antiquity's rabbinic literature.<sup>25</sup>

Read together, the three essays written by Alyssa Gray, Asher Benzion Buchman and Shai Cherry provide a thorough picture of how deeply concerned our Sages were about the potential evils that can ensue from misuse of the tongue. The rabbis acknowledge that there is a time and a place for massaging the truth, particularly when doing so can foster harmony between people.<sup>26</sup> But misrepresentation of one's self, one's fellow, or the facts *when the welfare of others is at stake* is a direct violation of rabbinic law precisely because the potential for psychological and physical damage to all parties (including the *ba'al lashon hara*) is painfully real. Gray concludes her chapter with the following insight:

A Jewish ethics of speech includes not only speech between individuals, but even what might in other contexts be called political speech or public opinion. Throughout, a Jewish ethics of speech is animated by a religious sense that speech is a point of similarity between the Divine and humanity; that is the fundamental principle, to which all the rest may be seen as commentary.<sup>27</sup>

Only through a renewed sensitivity to how we will agree to disagree, partnered with the biblical (or intuitive) consciousness that we are all fallible creatures created lovingly in God's image, can America ever hope to return to being "one nation, under God, indivisible, with liberty and justice for all." *Kein y'hi ratzon.*

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<sup>25</sup> Gray, p. 443

<sup>26</sup> See *Avot d'Rabbi Natan* 12:3 as an example

<sup>27</sup> Gray, p. 443