

# The JEWISH Spin on Current Events

## QUALIFICATIONS OF GOVERNMENT OFFICIALS

*Are elected officials lives a personal or public matter?*

### c OVERVIEW d

1. UNDER WHAT CIRCUMSTANCES MAY A LEADER BE REMOVED FROM OFFICE?
2. WHY SHOULD ONE'S PERSONAL LIFE AFFECT HIS ABILITY TO SERVE AS GOVERNOR?
3. HOW SHOULD PEOPLE BEHAVE WHEN THEIR LEADERS ARE CAUGHT?
4. SHOULD ONES PAST BEHAVIOR BE TAKEN INTO ACCOUNT IN DETERMINING THEIR QUALIFICATIONS?

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**c SOURCES d**

**1. Under what circumstances may a leader be removed from office?**

**c 1A d**

MAIMONIDES, HILCHOS SHEGOGOS, CHAPTER 15, LAW 7, 9

7. A High Priest that was anointed with the “anointing oil” and was then removed from office because of a blemish or old age and the similar...

9. A *nasi* that became afflicted with *tzora’as* is removed from office, and a *nasi* that is removed from office, is considered as an ordinary person.

**c 1B d**

CODE OF JEWISH LAW, ORACH CHAYIM, CHAPTER 53, LAW 25

A *chazzan* that is a butcher and a *bodek*, shouldn't *daven* with his soiled and odorous clothes. And if he doesn't want to change while he is *davening*, we remove him....

**c 1C d**

TALMUD, TRACTATE BERACHOT, 27B-28A

*At the time when Rabban Gamliel was a Nasi in the Sanhedrin, R' Yehoshua had a disagreement with him. Upon hearing this, Rabban Gamliel made him stand throughout his entire lecture. Similar incidents happened two other times that Rabban Gamliel distressed R' Yehoshua since he had a different view on the issue than himself. As a result of these events, the Talmud relates the following:*

[The sage said:] How long will [Rabban Galmiel] go on distressing [R' Yehoshua]?... Come, let us depose him! Whom shall we appoint? Shall we appoint R' Yehoshua? He is involved in the incident. Shall we appoint R' Akiva? Perhaps [Rabban Gamliel] will cause punishment to befall him, because he does not have the merit of forefathers. Rather, let us appoint R' Elazar ben Azaryah, for he is wise, and he is wealthy, and he is the tenth [generation] from Ezra...

*The Talmud continues and relates, that Rabban Gamliel asked an apology from R' Yehoshua, to which R' Yehoshua accepted the apology and also encouraged the Rabbis to reelect Rabban Galmiel. But the Sages didn't know how to go about this, since they had already elected R' Elazar ben Azaryah.*

They said: How shall we do this? Shall we remove [R' Elazar ben Azaryah]? We have a tradition that we ascend in matters of sanctity but do not descend. Shall one master lecture one week and the other master one week, [i.e. alternating]? It will lead to jealousy. Rather, let Rabban Gamliel lecture three weeks and R' Elazar ben Azaryah one week.

c 1D d

CODE OF JEWISH LAW, ORACH CHAYIM, CHAPTER 53, LAW 25

One should not remove a *chazzan* from his position, unless he is guilty of a wrongdoing. *Hagah*: And we do not remove him because of a rumor, i.e. a rumor circulated that he was caught with a non-Jewish [girl], or he informed on somebody. But if witnesses came to testify on these matters, we remove him.

c 1E d

JERUSALEM TALMUD, SANHEDRIN, CHAPTER 2 PAGE 19D

R' Elozor said: A High Priest that sinned, we give him lashes and we do not remove him from his greatness [i.e. from office]. R' Manna said: [as it states:] "For the crown of his G-d's anointing oil is upon him, I am G-d," (Leviticus 21:12), [which implies that] just like I'm completely holy, so Aharon [i.e. high Priests] remain in their entire holiness.

c 1F d

SAMUEL 1, CHAPTER 15

Samuel said to Saul: "Hashem sent me to anoint you as king over His people, over Israel, so now hear the sound of Hashem's words. So said Hashem, Master of Legions: 'I have remembered what Amalek did to Israel - -the ambush] he emplaced against him on the way, as he went up from Egypt. Now go and strike down Amalek and destroy everything he has. Have no pity on him – kill man and woman alike... ox and sheep alike, camel and donkey alike.' "

He captured Agag, king of Amalek, alive, and the entire people he destroyed by the edge of the sword. Saul, as well as the people, took pity on Agag, on the best of the sheep, the cattle, the fatted bulls, the fatted sheep, and on all that was good; and they were not willing to destroy them; but the inferior and wretched livestock, that they did destroy.

The word of Hashem then came to Samuel, saying, "I have reconsidered My having made Saul king, for he has turned away from Me and has not fulfilled My word!"...

When Samuel came to Saul, Saul said to him, "Blessed are you to Hashem! I have fulfilled the word of Hashem."

Samuel said, "And what is this sound of the sheep in my ears and the sound of the cattle that I hear?"

Saul said, "I have brought them from the Amalekite, for the people took pity on the best of the sheep and cattle in order to bring them as offerings to Hashem, your G-d, but we have destroyed the remainder."...

Samuel said, "Does Hashem delight in elevation-offerings and feast-offerings as in obedience to the voice of Hashem? Behold! To obey is better than a choice offering, to be attentive than the fat of rams. For rebelliousness is like the sin of sorcery, and verbosity is

like the iniquity of idolatry. Because you have rejected the word of G-d, He has rejected you ask king!"

Saul said to Samuel, "I have sinned, for I have transgressed the word of Hashem and your word, for I feared the people and I hearkened to their voice..."

**2. Why should one's personal life affect his ability to serve as governor?**

c 2A d

EXODUS 18:21

And you shall discern from among the entire people, men of accomplishment, G-d-fearing people, men of truth, people who despise money, and you shall appoint them leaders...

**3. How should people behave when their leaders are caught?**

c 3A d

TALMUD, SANHEDRIN 39B

...The Holy One, Blessed is He, does not rejoice at the downfall of the wicked. For R' Shmuel bar Nachman said in the name of R' Yonasan: What is the meaning of that which is written: "And one did not come near the other all night"? At that time [when the Egyptians were drowning], the ministering angels wanted to recite a song of praise in the presence of the Holy One, Blessed is He. The Holy One, Blessed is He, said to them, My Handiwork is drowning in the sea, and you recite a song before Me?!

c 3B d

MAIMONIDES, LAWS OF TALMUD TORAH, CHAPTER 7, LAW 1

Even though a sage who is distinguished for his wisdom, or the *nasi*, or the *av beit din* acts detestably, a ban of ostracism should never be publicly announced upon them unless their deeds resemble those of Jeroboam ben Nevat and his colleagues [the first king of the ten tribes, who set up idols and led the people away from Torah practice]. However, if one [of these individuals] performs other sins, he should be whipped privately, as [implied by Hoshea 4:5]: "You shall stumble during the day and the prophet will stumble with you at night" - i.e., even though he stumbles, cover him like night. He is told: "Preserve your honor and stay at home."

Similarly, whenever a Torah sage is obligated to be ostracized, it is forbidden for a court to jump up and hastily pronounce a ban. Rather, they should shun the matter and try to avoid it. The pious among the Sages would be proud of the fact that they never participated in the ostracism of a Torah sage. Nevertheless, they would participate in

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sentencing him to be lashed. They would even participate in sentencing him to receive "stripes for rebellion."

**4. Should ones past behavior be taken into account in determining their qualifications?**

**c 4A d**

CODE OF JEWISH LAW, ORACH CHAYIM, CHAPTER 53, LAW 4

A *chazzan* must be fit for the position. What is considered fit? He should be free of sin, and he does not have a 'bad name'...

**c 4B d**

TALMUD, BAVA METZIA 58B

Just as there is wronging in buying and selling, so there is wronging with words... If someone was a penitent, one should not say to him, "Remember your past deeds."