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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR THE COUNTY OF KING

LANE POWELL, PC, an Oregon  
professional corporation,  
  
Plaintiff,  
  
v.  
  
MARK DECOURSEY and CAROL  
DECOURSEY  
  
Defendants

No. 11-2-34596-3 SEA

**DECLARATION OF CAROL  
DECOURSEY IN SUPPORT OF  
MOTION TO STRIKE FROM  
COURT RECORDS ALLEGED  
ATTORNEY CLIENT  
PRIVILEGED INFORMATION  
AND MATERIAL INTRODUCED  
BY LANE POWELL**

I, Carol DeCoursey, being of legal age and competent to testify, do swear under penalty of perjury of the laws of the state of Washington, to the following:

McNaul Ebel attorneys, representing Lane Powell, have filed statements in court containing material/information which allegedly was given to Lane Powell by my husband and myself in confidence, information that was covered by attorney-client privilege.

Neither my husband nor I have confirmed or denied that we gave or informed Lane Powell about the subject material. We continue to neither confirm nor deny we gave AP any such attorney-client confidences. .

I was curious to know why these attorneys, bound to uphold the laws and rules

1 concerning attorney client privilege in Washington, would incriminate themselves so roundly  
2 and so publicly as outlaws. I began to do some research.

3 Robert Sulkin Research. I found that Robert Sulkin and a junior attorney he  
4 supervises represent plaintiffs who have filed a lawsuit against the Olympia Food Co-Op. In  
5 that suit, the plaintiffs seek to end the Co-op's boycott of Israeli-produced food products.  
6

7 From an article published in *The Olympian* on February 27, 2012, **Exhibit A**, I  
8 learned that Mr. Sulkin's firm and clients were unsuccessful – that Thurston County Superior  
9 Court Judge Thomas McPhee ruled that Sulkin's suit was an illegal "Strategic Lawsuit  
10 Against Public Participation" (or SLAPP suit), dismissed the suit, and awarded attorney fees  
11 to the defendants. SLAPP suits are designed, of course, to shut down free speech and  
12 political expression and inhibit Americans from exercising their First Amendment rights.  
13

14 I then did further research on Mr. Sulkin and found an article entitled "Who's who  
15 behind the Olympia Food Co-op lawsuit," shown as **Exhibit B**. The article can be found at  
16 the Mondoweiss website (mondoweiss.net ; edited by Philip Weiss and Adam Horowitz).  
17 According to the article, Mr. Sulkin serves as board president of the Jewish Day School of  
18 Seattle, on the board of directors at Shalom Harman Institute in Jerusalem, and is co-founder  
19 of Hope for Heroism, an organization that provides assistance for disabled Israeli soldiers.  
20

21 But more important is Mr. Sulkin's affiliation with "StandWithUs," an organization  
22 that attempts to mobilize Americans into political action on behalf of Israel. It is apparently  
23 funded by the State of Israel. Evidence that "StandWithUs," is a front-group for the Israeli  
24 government was provided by Danny Ayalon, Israeli Deputy Foreign Minister, who was  
25 interviewed by Israeli Channel 10 news program *Tzinor Layla*. He was asked about the  
26

1 Israeli's government's possible involvement in the Olympia Food Co-Op lawsuit. He  
2 replied:

3 "It is very important to make use of every means at our disposal, mainly legal  
4 means. It is against American law to engage in boycotts certainly on any political  
5 basis, including this one. We are moving to a policy that is much more proactive, a  
6 policy that doesn't just react.

7 "And it's true, we are using this organization, StandWithUs, to amplify our  
8 power. There are other organizations, some Jewish and some non-Jewish, with  
9 which we are partnering in the same fashion. This is certainly an approach which  
10 will become even more evident with time." (**Exhibit B**, pg. 9.)

11 According to the Mondoweiss article, Mr. Sulkin's wife served as a "row host" for  
12 StandWithUs, and that Robert Sulkin, partnered with his wife, has also been a row host for  
13 "StandWithUs." (**Exhibit B**, pg. 6.)

14 *The Electronic Intifada*, covering the Olympia Food Co-Op controversy, reportedly  
15 obtained a copy of a 31 May 2011 letter sent to the Olympia Food Co-Op by individuals who  
16 would later sue the Co-op. The letter threatened "expensive" legal action if the Israeli  
17 boycott was not abandoned.<sup>1</sup> (**Exhibit C**, pg. 1.) *The Electronic Intifada* also stated:

18 Earlier this year, Israel passed a law that imposes heavy fines on anyone who  
19 participates in or advocates a boycott of Israeli business . . . The law was strongly condemned  
20 by human rights organizations as a violation of basic freedoms . . .

21 The threatened legal action against the Olympia Food Co-op may be a 'do it  
22 yourself' version of the law on US soil,. Simply taking someone to court imposes a  
23 punishment on them through **high legal fees before any judgment is ever rendered**. That  
24 may be the whole point.

25 It should serve as a red flag that however small and tight-knit a community powerful  
26 pro-Israel groups, in coordination with Israeli officials, are prepared to go to any length to  
27 **smear and harass people**.

---

28 <sup>1</sup> In their subsequent "expensive" lawsuit, the letter writers were represented by Robert  
29 Sulkin's firm. Sulkin used the same threat of expense against my husband and I. On October 6,  
30 2011, he promised another attorney that Lane Powell would spend "\$800,000" on its lawsuit against  
31 us to recover "\$3000,000." (**Dkt. 54, Ex. 8.**)

1 They'll do whatever it takes to keep people quiet about **Israel's human rights**  
2 **abuses, war crimes,** and International complicity that the BDS movement seeks to expose,  
3 challenge, and bring to an end.” (**Exhibit C**, pg. 13; emphases added.)

4 **Redacted** Silverstein, publisher of Tikun Olam at <http://www.richardsilverstein.com/>  
5 has been an outspoken critic of “lawfare” and sees the attack on the Olympia Food Co-op as  
6 part of that strategy; he is critical of those in the U.S. acting as agents of foreign  
7 governments. Silverstein quotes a source:

8 “Stand with Us is an unofficial arm of the Israeli government.” **Exhibit D**, pg. 2.

9 A June 15, 2010 article published in the Jewish Federation of Greater Seattle  
10 webpage bears this headline: “Jewish Legal Community to Honor Robert Sulkin Tonight.”  
11 (**Exhibit E**) The text of the article reads, in part:

12 At this year’s L’Dor V’Dor End of Year Reception being held tonight at 6pm at  
13 Smith Tower, the Cardozo Society of Washington State will honor Robert “Bob” Sulkin for  
14 his lifelong dedication to both the Jewish and legal communities in Washington State. ...

15 Sulkin moved from Chicago (with living on a kibbutz in Israel in between) in 1964.  
16 His work in law eventually led him to the firm of McNaul Ebel Nawrot & Helgren, where he  
17 is now the managing partner.

18 Sulkin could be called a lawyer’s lawyer as he represents many major law firms in  
19 town ....

20 ... Sulkin is the board president of the Jewish Day School and on the board of the  
21 Shalom Hartman Institute in Jerusalem. But helping start Hope for Heroism, which gives  
22 critical and immediate help to disabled Israeli combat soldiers who sacrificed their lives for  
23 the safety of the Jewish people, stands out as a seminal moment for him. ‘[Hope for  
24 Heroism] combines the essence of Judaism: showing our commitment to Israel and her  
25 people and doing what Judaism teaches us—repairing the world.’

26 This passion for Israel and Judaism come from a man who claims he took being  
27 Jewish for granted as a child. Like so many others, his first trip to Israel and experiences  
28 living on a kibbutz kick-started his Jewish journey, which continues to evolve....

29 “Judaism is my North Star. It gives meaning to life when you are helping someone  
30 else. That is what Judaism is all about.” (**Exhibit E**)

31 See also **Exhibit F**, which confirms that Mr. Sulkin was on the Board of Trustees of the

1 Jewish Day School (“JDS”).

2 I then visited the Shalom Hartman Institute website, learned that the Institute was  
3 planning a rabbinic leadership study group to begin in July 2013, and confirmed that Mr.  
4 Sulkin was on the Board of Directors, (**Exhibit G**).

5 Grant Degginger Research. Mr. Degginger is head of Lane Powell’s Construction  
6 and Environmental practice group. On July 8, 2007, *JT News, The Voice of Jewish*  
7 *Washington*, published “JDS [Jewish Day School] breaks ground on new gym.” (**Exhibit H**)  
8 According to the article, Bellevue Mayor Grant Degginger declared June 21, 2007 “Jewish  
9 Day School Day.” Given that American law and custom provides for the separation of  
10 church and state, the Mayor of Bellevue’s declaration of a “Jewish Day School Day”  
11 ventures on establishment of religion. It was inappropriate and out of step with American  
12 laws and traditions. Recall Robert Sulkin’s affiliation with JDS (above); Degginger may  
13 have personally chosen Sulkin to represent Lane Powell in its suit against us. Mr. Degginger  
14 is also a Trustee of Temple De Hirsch Sinai (**Exhibit I**)

15 Mr. Sulkin’s Exhibit WW. I then turned to the material alluded to by Mr. Sulkin and  
16 his associates. Here is an excerpt from Exhibit WW of Mr. Sulkin’s 7 December 2012  
17 Declaration (Dkt. **315**)

18 The critical issues of humankind are essentially religious ... We at Public Action have our  
19 own religious beliefs. Along with Thomas Jefferson, we believe that all men are created  
20 equal and that there are no Divinely Appointed rulers. ... Thus to preserve religious liberty  
21 for all, we believe that historical events – no matter what the religious believes of the players  
22 – should be examined openly in a spirit of free inquiry. This web page is a study of the  
23 struggle between religions and their efforts to control the interpretation of events. The  
24 outcome of that struggle will be of cataclysmic importance to the humankind.

25 Given that Mr. Sulkin has introduced the material from that website, the remainder of the  
26 text on this website is included herein by reference as if fully set forth – without admitting or

1 denying the ideas expressed therein were at any time part of discussions between Lane  
2 Powell and my husband and I, or that I authored that text.

3         The writer of the material Mr. Sulkin alluded to in his Exhibit WW expressed ideas  
4 fully compatible with American law and traditions: free thought, free expression, the  
5 separation of church and state, religious tolerance, and “liberty and justice for all” – the  
6 highest ideals of the American civilization.  
7

8         A link at the top of the text in Mr. Sulkin’s Exhibit WW guides the reader to another  
9 web page, Come-and-Hear.com. I thank Mr. Sulkin for bringing this material to my  
10 attention.

11         A reader quickly learns that website is devoted to a study of Jewish law (based on  
12 the Talmud and the Old Testament), particularly as it applies to contemporary life. (**Exhibit**  
13 **J.** See also <http://come-and-hear.com/navigate.html>) A welcoming page reads, in part, as  
14 follows:  
15

16         Meet the Talmud and the students of the Talmud — Three and a half million words of the  
17 uncensored Talmud on line, with discussions on its place in the modern world by Elizabeth  
18 Dilling, Rabbi Dr. J. H. Hertz, Rabbi Dr. I. Epstein, Rabbi Michael Rodkinson, Rabbi Israel  
19 Brodie, Rabbi Dr. Louis Finkelstein, and many other Talmud luminaries, Orthodox,  
20 Conservative, and Reform — and your hostess, Carol A. Valentine. This website is inspired  
21 by Rabbi Professor Jonathan Sacks, Chief Rabbi of the British Commonwealth, and to a  
22 lesser extent, the current President of the United States, George Bush. We are dedicated to  
23 bringing about understanding between people of different faiths ...

24         "The Talmud is open-ended and invites you to join in its discussion. The main trait of the  
25 Talmud is its argumentative character, its argument, back and forth ... its framers indicate  
26 that they want us to join in. And we do, and we do." —Rabbi Dr. Jacob Neusner  
(<http://come-and-hear.com/index-2.html>)

27         The remainder of the text on that website is included herein by reference as if fully  
28 set forth – without admitting or denying the ideas expressed therein were at any time part of  
29 discussions between Lane Powell and my husband and me, or that I authored that text.

1 For the convenience of the court, I provide printouts of several articles on that  
2 website, “The Talmud Lives for Jews” (**Exhibit K**), “America’s New Government Church”  
3 (**Exhibit L**) and “U.S. v. Talmud Law” (**Exhibit M**).

4 The views discussed in those pages and others on the Come-and-Hear website may or  
5 may not agree with the views taught in the Jewish Day School, the Shalom Hartman  
6 Institute, or the Temple De Hirsch Sinai.

7  
8 Sulkin’s Self-Incrimination. To reiterate: Sulkin represents that Lane Powell made  
9 available to him attorney-client privileged material and information about my husband and  
10 me that we allegedly gave to Lane Powell when we were Lane Powell’s clients. Sulkin has  
11 placed this allegedly privileged data in the open court record. By his self-incriminating act,  
12 together with information concerning Talmud law and the treatment of non-Jews under it,  
13 Sulkin has opened up a question: Was Lane Powell’s lawsuit against us motivated by a  
14 belief that I was the author of Public-Action.com and Come-and-Hear.com and consequent  
15 attempt to punish me and my husband by an act of “lawfare.” Certainly Sulkin’s promise  
16 that Lane Powell would spend \$800,000 in legal fees in order to recover \$300,000 makes no  
17 rational sense, and bespeaks of hatred, malice, and bigotry. And Sulkin has a history of  
18 threatening “expensive” lawsuits to harm those whom he views as political opponents. (**Dkt.**  
19 **54 Ex. 8.**)  
20

21  
22 While Lane Powell ostensibly “won” our case against Windermere, it won a Pyrrhic  
23 victory: Lane Powell gave away or otherwise lost for us at least \$350,000 – and wishes to  
24 charge approx. \$736,000 for its services. Of course we have had to pay other attorneys to  
25 handle the fall-out from Lane Powell’s representation, too – to bring the suit to final  
26

1 judgment and to try to negotiate with Lane Powell, not to mention the tens of thousands of  
2 dollars we spent to develop the case while *pro se*. Lane Powel milked our case for  
3 everything it could, and left us with shards.

4           Putting alleged attorney-client privileged material and information in open court --  
5 with no legal justification and for no monetary advantage – is an act motivated by arrogance  
6 and malice. It is an act that screams aloud for the world to hear: “Look at our power! Fear  
7 us! We fear no one – the judge is our puppet! We are above the law! YOU HAVE NO  
8 POWER!”  
9

10           This is the same arrogance and malice that ran over 22-year old Rachael Corrie with a  
11 bulldozer – horrifying the civilized world. And Robert Sulkin publicly identifies himself  
12 with those same brutal Israeli national forces, while Grant Degginger hides behind Sulkin’s  
13 skirts and whispers in his ear.  
14

15           What the attorneys of Lane Powell and McNaul Ebel Nawrot and Helgren have done  
16 in *Lane Powell v. Mark DeCoursey and Carol DeCoursey* should be known throughout the  
17 legal world, and condemned. Using attorney client privileges to extort clients is extortion,  
18 should be prosecuted as such.  
19

20           Attorneys who draw public attention to themselves as Jews – and then boast of  
21 betraying attorney client confidences -- discredit other American Jewish lawyers who are  
22 loyal to Bar oaths, court rules, state laws, and U.S. constitutional principles. People like  
23 Degginger and Sulkin create so-called “anti-Semitism.” (As if Arabs are not Semites! Calling  
24 those who criticize Israel “anti-Semites” is smear and another big lie.)  
25

26           What inspires Sulkin and Degginger and those who support the “We Shall Rule the



1 World” nationalism of the Nation of Israel? Thanks to Mr. Sulkin’s inclusion of the Public-  
2 Action.com and the Come- and-Hear website his Exhibit WW (**Dkt.** 315)) we are lead to  
3 some answers. From Public-Action:

4           The critical issues of humankind are essentially religious . . . .

5           And from Come-and-Hear.com, an analysis entitled “Blood Ritual and Judaism:”

6           A dominant theme of both ancient Hebrew and subsequent Jewish culture is the Holy  
7 Atrocity. The ancient Hebrews, most often acting upon direct orders from LORD God,  
8 exterminated entire ethnic groups, tribes and nationalities. Men, women, children, and  
9 livestock were slaughtered, cities burned, and artwork destroyed. Sometimes LORD God  
10 directed the Hebrews to massacre each other, and sometimes others attacked LORD God's  
11 people . . . *The Holy Atrocity is relevant to today's political situation in the Middle East and  
12 the role America will play: The Holy Atrocity is advocated as a political solution.* (**Exhibit**  
13 **O**, pg. 1, emphasis added.)

14           The essay cites many demands on Jews by Jehovah and his rabbis to commit barbaric  
15 acts in the name of religion and holiness.

16           But despite this barbarism, the civilized world must maintain its standards. In  
17 fairness to Mr. Degginger, I point out the following:

18           On December 6, 2012, I filed a Declaration (**Dkt.** 309), in which I correctly identified  
19 Grant Degginger’s email to us, dated February 14, 2011 at 1:04 PM (Exhibit A). In that  
20 email, Degginger effectively denied the existence of law based on judicial precedent, stating  
21 that the Supreme Court had no discretion over the Consumer Protection Act and that only  
22 “the legislature” can change the law. Degginger used those arguments to justify his refusal  
23 to obey our instructions regarding our answer to Windermere’s Supreme Court petition.

24           However, in that Declaration, I inadvertently omitted a detail: Seven (7) days earlier,  
25 Ryan McBride had essentially put forward that same lie: that the Supreme Court had no  
26 discretion over the Consumer Protection Act. Mr. Degginger later repeated it. McBride’s

1 email of February 7, 2011 at 10:59 AM is attached as **Exhibit N**. On February 8, the next  
2 day, at 9:06 AM. McBride did some embroidery: "The statute only allows fees incurred  
3 litigating the CPA claim on appeal. The Supreme Court cannot and would not ignore the  
4 statute." (**Exhibit N.**) The statute does not say anything like that, of course.

5  
6 Thus I publicly accuse Mr. McBride of lying to his clients, even though his last name  
7 is Irish. For I am an American: "Equal Justice Under Law."

8 DATED this 11 day of January, 2013.  
9  
10

11 Carol DeCoursey

12   
13 Pro se

**DECLARATION OF CAROL DECOURSEY IN SUPPORT OF MOTION TO  
STRIKE ALLEGED ATTORNEY CLIENT INFORMATION AND MATERIALS**

**A**



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**Judge tosses lawsuit to overturn co-op's boycott**

BY JEREMY PAWLOSKI | Staff writer • Published February 27, 2012

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A judge has dismissed a lawsuit that sought to overturn the Olympia Food Co-op's boycott of Israeli goods, ruling that the lawsuit was an illegal "Strategic Lawsuit Against Public Participation," or SLAPP. Bruce Johnson of Davis Wright Tremaine in Seattle, an attorney for the defendants in the lawsuit, said following the judge's ruling that SLAPP lawsuits are illegal under an enhanced anti-SLAPP statute he and another staff attorney at Davis Wright Tremaine helped draft.

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"SLAPPs are usually designed to throttle free speech and force the speakers to spend unnecessary litigation costs," Johnson said.

Thurston County Superior Court Judge Thomas McPhee ruled Monday that the plaintiffs who sought to overturn the co-op's boycott of Israeli goods failed to show that the co-op's board acted outside its authority when it enacted the boycott in July, 2010.

Nine of the co-op's 10 board members voted to remove Israeli products from store shelves.

McPhee also ruled that the issue of whether consensus was necessary among co-op staff in enacting the boycott was not material to the case, as had been argued by the plaintiffs who

brought the suit seeking to nullify the boycott. McPhee ruled that the co-op's board never exempted itself as the final authority with respect to the right to enact a boycott.

McPhee also addressed the plaintiffs' contention in its lawsuit that the boycott was not "nationally recognized," as is required under the co-op's boycott policy.

McPhee said the Boycott, Divestment and Sanctions movement or BDS, which supported the boycott, "is a national movement."

Members of Olympia's BDS movement have supported boycotts, divestment and sanctions against Israel "until it ends occupation of Palestine, respects the right of return of Palestinian refugees, and gives equal rights to Palestinians living inside of Israel," according to its website.

McPhee also ruled that the defendants' speech in enacting the boycott was protected free speech involving an issue of public concern. He also ruled that the SLAPP statute itself is not unconstitutional, as had been argued by the plaintiffs' attorney, Bob Sulkin.

The plaintiffs in the lawsuit are five co-op members who opposed the boycott. The defendants in the suit are 16 current or former co-op board members.

Sulkin said following McPhee's dismissal of the suit that he will appeal McPhee's opinion to the Washington Court of Appeals.

McPhee said that after he returns from a week's vacation, he will consider a written order awarding damages in the case. Under Washington's SLAPP statute, each defendant in the lawsuit is potentially entitled to an "anti-SLAPP penalty," of \$10,000, in addition to attorney's fees.

Israeli products that were removed from the co-op's two stores after the boycott, one in East Olympia and the other on Olympia's West Side, include gluten-free crackers, ice cream cones and a moisturizing cream.

In McPhee's concluding remarks, he recognized that his opinion will most likely be appealed by the plaintiffs' attorney. He suggested that one way to avoid more costly litigation by both sides would be to put the question of the boycott to a vote by its full membership. McPhee added in his remarks, however, that he has no authority to require any of the parties to put a boycott vote to the co-op membership.

Johnson pointed out outside court that last year, the co-op board offered to facilitate a member-initiated ballot that would have put a vote on the boycott to the co-op's full membership. However, Sulkin refused that offer, Johnson said.

Jeremy Pawloski: 360-754-5445 jpawloski@theolympian.com

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Great news. Stop Israeli lawfare. Stop Israeli apartheid. It is time Israel stopped breaking international law.

BDS

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12forget

Oy Vey.....or is it mehhhh....?

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justathought

Co-ops are expected to be the fastest growing business model by 2025. They promote the fullest possible participation in the economic and social development of all people, including women, youth, older persons, persons with disabilities an indigenous people. Did you know that ACE, True Value Hardware, Carpet One are purchasing co-ops. Credit unions and some banks are co-ops. Co-ops create jobs and economic stability in communities.

02/28/2012 02:26 PM 1 Like Report Abuse

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There are thousands of "Palestinians" living in Israel.

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Good.

02/28/2012 08:09 AM 4 Likes Report Abuse

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justathought



Grateful for the Food Co-op and all they do for our community!

(Edited by author 10 months ago)

02/27/2012 10:40 PM 8 Likes Report Abuse

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bayvilleboy

Other than sell food what do they do for our community?

02/28/2012 11:47 AM in reply to justathought Report Abuse

Like Reply



encore

Divide and agitate it.

02/28/2012 01:21 PM in reply to bayvilleboy 3 Likes Report Abuse

Like Reply



encore

I stopped shopping at the Co-Op when they had a ranting display about the US and Afghanistan and how we should stay out of "The Middle East".

Afghanistan is in Asia.

And the "free" "No Iraq War" signs that had a mandatory "donation" requirement.

Ralph's Thriftway and the Farmer's Market has much healthier organic produce without the lecturing.

02/27/2012 08:55 PM 12 Likes Report Abuse

Like Reply



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**DECLARATION OF CAROL DECOURSEY IN SUPPORT OF MOTION TO  
STRIKE ALLEGED ATTORNEY CLIENT INFORMATION AND MATERIALS**

**B**



# Who's who behind the Olympia Food Co-op lawsuit

by Phan Nguyen on February 22, 2012 20

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The first court hearing in the lawsuit against the Olympia Food Co-op will commence on Thursday, February 23. The lawsuit seeks to force the Olympia Food Co-op, the first US grocery store to publicly honor the boycott of Israeli products, to nullify the boycott and once again stock gluten-free ice cream cones specifically sourced from Israel.

Supporters of the boycott and of the Olympia Food Co-op released a video calling for support and have asked supporters to sign a [statement of solidarity](#).

## Lawsuit not about Israel?

The lawsuit against the Co-op can be classified as a [SLAPP](#)—a Strategic Lawsuit Against Public Participation—whose sole purpose it to deter political expression.

The defendants (current and former Co-op board members) have filed a motion to dismiss the lawsuit under Washington State's [anti-SLAPP law](#).

However, in order to conceal the censoring nature of the lawsuit, the five plaintiffs claim that the lawsuit is not politically motivated and is not about Israel. Instead, they contend that as Co-op members, they are simply opposed to the *process* in which the boycott was instituted and would have no problem if a boycott of Israel was insituted under an alternate method.

Yet previous statements and actions belie such claims.

Let's look at some of the players behind this “apolitical” lawsuit, from the plaintiffs to the StandWithUs-affiliated attorneys to the Israeli officials. You can jump to the various players by clicking on the links below:

- [Susan Trinin](#) (plaintiff)
- [Jeff Trinin](#) (plaintiff)
- [Linda Sternhill Davis](#) (plaintiff)
- [Kent Davis](#) (plaintiff)
- [Robert Sulkin](#) (attorney)
- [Avi Lipman](#) (attorney)
- [Rob Jacobs](#) (StandWithUs northwest director)

- [Akiva Tor](#) (Israeli consul general)
- [Danny Ayalon](#) (Israeli deputy foreign minister)

We begin with the plaintiffs, four of whom appeared in this melodramatic StandWithUs video explaining the dangers of ~~STDs~~ BDS:

Of the four plaintiffs in the video, three of them (Susan Trinin, Kent Davis, and Linda Sternhill Davis) attempted to overturn the boycott by running for the Co-op board of directors in November 2010. All three lost by a considerable margin to candidates who supported the boycott. The winning candidates are now among the defendants in the lawsuit, even though they did not serve on the board when the boycott was approved.

### Susan Trinin (plaintiff)

In a local alternative newspaper, Susan Trinin wrote an [incoherent essay](#) against the boycott, in which she rambled about “turds” in sandboxes and faulted the Co-op for not “address[ing] the secret/underground national security government” instead.

While running for the Co-op board, Trinin made the following statement at an Olympia synagogue on October 24, 2010:

Pardon me, but nowhere do international politics figure in [the Co-op mission statement]...We are to support the long-term health of this business...The reason why I am running for the board in the Olympia Food Co-op is because I want to get back to groceries. I want to get back to my community...I want to keep our community together, and I want to get out of international politics.”

She lost the election, and is now suing the Co-op instead.

After losing the election, Trinin appeared at the subsequent Co-op board meeting on December 16, 2010, where she tried and failed to get one of the winning board candidates disqualified.

At the same meeting, she proclaimed the board election “the dirtiest election since the Bush dynasty,” comparing it to “a third world country with ancient blood feuds bubbling to the surface.”



Jeff Trinin and Susan Trinin

### **Jeff Trinin (plaintiff)**

On August 12, 2010, at a Co-op–sponsored community forum, I implored boycott opponents to follow Co-op procedure and institute a member-initiated ballot rather than resort to bullying tactics to rescind the boycott.

Jeff Trinin, who spoke immediately after me, responded that he planned to do just that. This was recounted in the [Olympian newspaper](#):

Some boycott supporters suggested that those against the boycott launch a member-initiated ballot to overturn the board's decision. That's what longtime member Jeff Trinin said he plans to do. Trinin, also unhappy with the process, has collected 350 signatures that he soon plans to submit to the board for consideration, he said.

However, when Trinin and his colleagues finally submitted the petition to the Co-op board, it turned out not to be a formal petition for a member-initiated ballot, but rather a call to *bypass* standard Co-op procedure and immediately rescind the boycott.

Although the plaintiffs claim to “have exhausted all means within their reach to obtain compliance,” they rejected the most straightforward procedure available to them. Moreover, they attempted to force the Co-op board to disregard Co-op procedures in order to rescind the boycott, yet they are now suing the Co-op for supposedly not following procedure.

### **Linda Sternhill Davis (plaintiff)**



Kent Davis and Linda Sternhill Davis

Linda Sternhill Davis is perhaps the most overt fearmonger in the group. In an “open letter” email addressed to me on Oct. 14, 2010, Davis wrote:

Kent [Davis] and I have worked tirelessly on issues involving human rights for decades, but because we both believe that there should be a two-state solution, with separate, self-determination in both Israel and Palestine, we have not been involved with the efforts of the BDS movement whose global leaders have admitted that they seek a one-state solution which would replace the Jewish state of Israel with a Muslim state of Palestine.

At a forum that took place at an Olympia synagogue on October 24, 2010, Davis stated the following:

I wish the Olympia Food Co-op board had looked at the actual wording of what this boycott language entailed. If you read the fine print, it's going to replace the Jewish state of Israel ultimately with a Muslim majority Palestinian state, regardless of what Olympia BDS wants everyone to believe. I am concerned that those facts are not getting out to our community...They [Olympia BDS] don't want the whole truth to come out.

Although Davis fears that Israel will become a Muslim caliphate because of the Co-op boycott, she wants us to believe that she doesn't mind, as long as the boycott is instituted in a more egalitarian way.

### **Kent Davis (plaintiff)**

In the lawsuit, Kent Davis claims to be a Co-op member who was wronged by the passage of the boycott. However, the Olympia Food Co-op approved the boycott proposal on July 15, 2010, and Davis did not become a Co-op member until one month later.

Moreover, he was not a member of The Evergreen State College campus community when he addressed a May 11, 2011 meeting of the Evergreen board of trustees. At that meeting, Davis told the college board to ignore the overwhelming student vote calling for a socially responsible investment policy and divestment from the Israeli occupation. He explained:

One of the three mandates of the BDS movement is the right of return, which would lead to the end of the Jewish state of Israel by causing an influx of heirs whose ancestors of their own

volition left Israel. The number of heirs is exponentially greater many times over than the original ancestors who left Israel.

Let's just ignore the fact that some of these "ancestors" are still alive and shop at the Olympia Food Co-op.



Kent Davis at The Evergreen State College, imploring the board of trustees to ignore the will of the students

Davis also accused The Evergreen State College of being "hostile against Jewish students," despite the fact that several Jewish students spoke before and after Davis at the meeting, all of whom supported the divestment measure, except for a single Jewish student who was on the StandWithUs payroll.

In the StandWithUs video above, Davis claims that the Co-op's boycott

gives license to people who are not completely balanced. It gives them license to express anti-Semitic thoughts, which then lead to anti-Semitic actions...I really don't think it's comfortable for Jews to live in the city of Olympia and be outwardly expressive Jews...I just don't feel comfortable discussing my religion or my beliefs in a mixed-group environment anymore.

Yet we are to believe that Davis would be content if the boycott passed some other way. As much as Davis is concerned about anti-Semitism, there is no discussion of anti-Semitism in the lawsuit.

### Robert Sulkin (plaintiffs' attorney)



Robert Sulkin is one of two attorneys representing the plaintiffs in the lawsuit. Sulkin told an *Olympian* reporter that the goal of the lawsuit "is to bring people together at the end of the day." However, Sulkin's connection to pro-Israel advocacy organizations would seem to indicate he has other motives.

Sulkin is a founding member of McNaul Ebel Nawrot & Helgren, a high-priced Seattle law firm dealing in corporate litigation. Sulkin is also a prominent figure in the Seattle mainstream Jewish community. He serves as board president of the Jewish Day School of Seattle, is on the board of directors at the Shalom Harman Institute in Jerusalem, and is a co-founder

of Hope for Heroism, an organization based in Seattle that provides assistance for disabled Israeli soldiers, which Sulkin praises as “showing our commitment to Israel and her people.”

But that's not all. Robert Sulkin's wife Alayne recently served as a “row host” for a [StandWithUs annual community reception](#). On the web page where she is listed as a row host, we can view the HTML source and find, commented out, that at one point, Robert Sulkin was also partnered up with his wife to be a row host for StandWithUs:

```
<option value="Jonathan Weinstein">Jonathan Weinstein</option>
<option value="Peter Weiss">Peter Weiss</option>
<option value="Robert Wilkes">Robert Wilkes</option>

<!--
<option value="Alayne and Bob Sulkin">Alayne and Bob Sulkin</option>
<option value="Andrew and James Cohen">Andrew and James Cohen</option>
<option value="Barb and Chuck Maduell">Barb and Chuck Maduell</option>
<option value="Barry Goren">Barry Goren</option>
<option value="Bet Chaverim">Bet Chaverim</option>
<option value="Bet Shira Congregation">Bet Shira Congregation</option>
<option value="Bikur Cholim-Machzikay Hadath">Bikur Cholim-Machzikay Hada
```

In other words, the plaintiffs to the lawsuit, while denying that they are being managed by the pro-Israel organization StandWithUs, are being represented by an attorney affiliated with StandWithUs.

### Avi Lipman (plaintiffs' attorney)



Avi Lipman is a junior member of McNaul Ebel Nawrot & Helgren who works under Robert Sulkin. On March 10, 2011, six months before he filed the lawsuit on behalf of his clients, Lipman traveled to Olympia, where he met with StandWithUs regional director [Rob Jacobs](#) (also from Seattle), StandWithUs co-chair Carolyn Hathaway (from Bellevue, Washington), and Israeli consul general Akiva Tor (from San Francisco). The meeting was also attended by the future plaintiffs in the lawsuit.

At the meeting, [according to StandWithUs minutes](#), a “legal presentation” was given. Further meeting minutes signal that the legal presentation concerned strategy for fighting BDS by suing the Olympia Food Co-op. The lawsuit is described as a “project” of StandWithUs.

```
inoculation video
• Rob and Carolyn in Olympia with Olympia activists, Akiva Tor and Avi Lipman on Thursday -
Presentation of legal case, discussion of Evergreen strategy and Olympia community speaker
opportunities
Rob met with Eitan Passeri, founder of IPo, young Jewish professional group. Eitan to help a
```

```
4. Project Status
o The civil rights complaint against Evergreen State College
o The law suit against the Olympia Food Co-op
o Working to shut down the "educational" programs that Ed Mast has circulated to
```

### Rob Jacobs (Northwest regional director of StandWithUs, Seattle)

Jacobs's complicity in the Olympia Food Co-op lawsuit is well-covered in Ali Abunimah's [exposé on the matter](#). Abunimah interviewed Jacobs, who gave answers inconsistent with the details we now know from the StandWithUs weekly reports.

On July 30, 2010, in an unsolicited email to an Olympia activist who accused StandWithUs in Seattle of



intervening against the Olympia Food Co-op, Jacobs wrote:

By the way, we've had no active part in the growing movement within Olympia against the Olympia Food Coop Boycott. That is being planned and organized by local community leaders.

But a year later, soon after being outed by Ali Abunimah as a major player in the campaign against the Co-op, Jacobs attempted to make his involvement self-evident. In a September 2011 mailing to StandWithUs supporters, Jacobs wrote:

For more than a year, ever since the Olympia Food Co-op last year passed a boycott of all Israeli products with no notice to its members and no public discussion, StandWithUs Northwest has been working closely with a dedicated group of anti-boycott activists [in Olympia].

### Akiva Tor (Israeli consul general, San Francisco)



I have partly covered Tor's involvement [in an earlier post](#).

On March 10, 2011—following Tor's meeting with StandWithUs, the plaintiffs, and their lawyers—a number of Olympia activists (including myself) confronted Tor at a local restaurant. At the time, none of us were aware of Tor's meeting about the lawsuit earlier that day, although we suspected that his visit was related to squashing BDS in Olympia.

Our meeting with Tor was recorded, and I have transcribed a portion below, where local activist Anna-Marie Murano asked Tor why he was in town:

**Tor:** There's a very strong BDS movement in Olympia. I do not understand how that is going to get us to a peace—

**Murano:** Is that—

**Tor:** One second, one second—

**Murano:** Are you here because of the BDS movement...

**Tor:** No! I'm here because the state capit— I'm here—

**Murano:** ...and are you visiting city officials? And are you visiting college campus presidents?

**Tor:** I'm here because the state capital—

**Tor's assistant:** I'm sorry to interrupt. We have a flight in about an hour and a half.

**Murano:** I really want to know, are you here in Olympia—

**Tor:** I'm here in Olympia—I'm here in Olympia because it is the state capital of Washington—

**(unknown):** Could you speak up a little bit, sir?

**Tor:** I'm here in Olympia because it's the state capital of Washington, and I had a full day in

your state capital, meeting officials about issues that are important for Israel–State of Washington relations, such as alternative energy and trade.

Somehow Tor had forgotten that he had a meeting about the Olympia Food Co-op lawsuit earlier that day, six months before the lawsuit was actually filed.

### Danny Ayalon (Israeli deputy foreign minister)



Danny Ayalon on *Tzinor Layla*

News of the Israeli government's possible involvement in the Olympia Food Co-op lawsuit was covered in the Israeli press. As **Redacted** Silverstein noted on his *Tikkun Olam* blog, two weeks after the lawsuit was filed, the Israeli Channel 10 news program *Tzinor Layla* reported on the connections and asked Danny Ayalon if the Israeli Ministry of Foreign Affairs was involved in the lawsuit.

Ayalon, who is Akiva Tor's superior, gave a circumlocutory response that was essentially affirmative:

It is very important to make use of every means at our disposal, mainly legal means. It is against American law to engage in boycotts certainly on any political basis, including this one. We are moving to a policy that is much more proactive, a policy that doesn't just react.

And it's true, we are using this organization, StandWithUs, to amplify our power. There are other organizations, some Jewish and some non-Jewish, with which we are partnering in the same fashion. This is certainly an approach which will become even more evident with time. (Translation by **Redacted** Silverstein)

This is just a sampling of the long story behind the efforts to derail the Olympia Food Co-op boycott of Israeli goods. More details may be provided as the court case progresses.

For further information about the Olympia Food Co-op lawsuit, visit the following links:

- [Olympia BDS](#)
- [Center for Constitutional Rights](#) (part of the legal team representing the defendants)
- [Electronic Intifada's coverage of the Olympia Food Co-op](#), especially the article "[Uncovered: Israel's role in planned US lawsuit to fight BDS](#)"
- **Redacted** Silverstein's coverage on his [Tikkun Olam](#) blog

The first hearing of the Olympia Food Co-op lawsuit will be live-tweeted by the [Palestine Freedom Project](#)



via [@palfreedom](#), beginning at 9 am PST on Thursday.



#### About Phan Nguyen

Phan Nguyen is a Palestine solidarity activist based in New York. Follow him on Twitter: [@Phan\\_N](#)  
View all posts by Phan Nguyen →

Posted in [BDS](#), [Israel/Palestine](#)

{ 20 comments... read them below or [add one](#) }

#### **pabelmont** says:

February 22, 2012 at 1:49 pm



Plaintiff Kent Davis: "I really don't think it's comfortable for Jews to live in the city of Olympia and be outwardly expressive Jews...I just don't feel comfortable discussing my religion or my beliefs in a mixed-group environment anymore."

Is he indeed uncomfortable expressing JEWISH beliefs? How odd? But, of course, he should surely be uncomfortable expressing mindless pro-Zionist beliefs. Maybe he's got these things mixed up in his mind. I think it is anti-semitic to assert (even to oneself, mentally) that Jewish belief requires or implies giving the OK to murder, assassination, anti-H/R, and general lawlessness.

But who am I? It doesn't seem to be regarded as anti-Semitic in Israel. perhaps he should move there.

[Log in to Reply](#)

#### **American** says:

February 22, 2012 at 3:38 pm

"Plaintiff Kent Davis: "I really don't think it's comfortable for Jews to live in the city of Olympia and be outwardly expressive Jews...I just don't feel comfortable discussing my religion or my beliefs in a mixed-group environment anymore."

Well I think that guy is just using a bulls\*\*\* hasbara whine, but my reply to his nonsense would be neither the US nor the world is obligated to make him 'feel comfortable'. We and it have created laws and numerous legal privileges to protect Jews and other religious and minorities. If that's not good enough he can stay out of 'mixed-group discussions' in the US or move to the Israeli nursery school for more comfort.

The US law against boycotting Israel has I think been used a grand total of twice in two very small incidents—which I am willing to bet were set ups just to set a precedent in law because the money and companies involved were so inconsequential. The law itself is so easy to get around it might as well not exist. You can't sue a company that buys from vendors that offer the best price...well you can but you would lose. Whole Foods could lose and then go right back to buying US gluten free instead of Israel gluten free on a 2 cent price difference.

But I would love to see the US try to tell US retailers who they had to buy from or that they had to buy a certain amount of Israeli goods (like the US imposed on Egypt having to use Israel goods in their cotton exports)—that would bring some hellish monied lobbyist out against Israel.

Yea, I'd love to see Walmart vr Israel.LOL

[Log in to Reply](#)

#### **Mooser** says:

February 22, 2012 at 5:29 pm

*"I just don't feel comfortable discussing my religion or my beliefs in a mixed-group environment anymore."*

And that doesn't tell you something about your "religion" or your interpretation of it? It should, do-do!

[Log in to Reply](#)

#### **piotr** says:

February 22, 2012 at 8:06 pm

"As a Buddhist, I am convinced that eating chicken, kosher or not, will lead to reincarnation as an animal. But I am not comfortable discussing my religious beliefs with non-vegetarian Jews."

In good old days, people from different religions could freely exchange notes who will go to hell and who will not. But now it is not comfortable anymore. :-)

[Log in to Reply](#)

**pabelmont** says:

February 22, 2012 at 1:56 pm

Good report, Phan. We hope to hear more about the progress of the lawsuits, motions to dismiss for SLAPP or frivolity or whatnot. Keep us posted.

[Log in to Reply](#)**Dan Crowther** says:

February 22, 2012 at 2:22 pm

Great post Phan.

I always love when zionists talk about fears of anti-semitism and of discussing their beliefs in a mixed group environment – but have absolutely no problem in browbeating people who disagree with them. I mean, how worried can you really be? People who are trying to come to an understanding don't incessantly sue others, ya know?

[Log in to Reply](#)**DICKERSON3870** says:

February 22, 2012 at 3:33 pm

RE: "People who are trying to come to an understanding don't incessantly sue others, ya know?" ~ Crowther

MY REPLY: Welcome to The Age of Lawfare. It's part of the "Iron Wall"!

FROM WIKIPEDIA [Iron Wall (essay)]:

(excerpt)...Jabotinsky argued that the Palestinians would not agree to a Jewish majority in Palestine, and that "Zionist colonisation must either stop, or else proceed regardless of the native population. Which means that it can proceed and develop only under the protection of a power that is independent of the native population – **behind an iron wall, which the native population cannot breach.**"[1] The only solution to achieve peace and a Jewish state in the Land of Israel, he [Ze'ev Jabotinsky] argued, would be **for Jews to unilaterally decide its borders and defend them with the strongest security possible...**

SOURCE – [link to en.wikipedia.org](http://en.wikipedia.org)

ALSO: The Iron Wall, Vladimir (Ze'ev) Jabotinsky, 1923 – [link to mideastweb.org](http://mideastweb.org)

[Log in to Reply](#)**Mooser** says:

February 22, 2012 at 5:24 pm

*"I always love when zionists talk about fears of anti-semitism and of discussing their beliefs in a mixed group environment – but have absolutely no problem in browbeating people who disagree with them. I mean, how worried can you really be? People who are trying to come to an understanding don't incessantly sue others, ya know?"*

Bingo, Crowther! Bull's Eye!

[Log in to Reply](#)**Mooser** says:

February 22, 2012 at 5:38 pm

Since I live a scant hour away from Olympia, I feel qualified to judge, and I would say the rhetoric employed by the Trinns is most typical of political discussion in Washington State. You're thinking I must be crazy, but any time you want to prove it to yourself, most of the Washington papers are online, and have well-utilised comment sections. In Washington the *non-sequitur* is the king of discourse!

[Log in to Reply](#)**tommy** says:

February 22, 2012 at 9:12 pm

This post is excellent journalism.

[Log in to Reply](#)**Annie Robbins** says:

February 23, 2012 at 12:03 am

i agree, excellent!

[Log in to Reply](#)

**anonymouscomments** says:

February 23, 2012 at 12:08 am

Those whiners in the second video should just wisen up, and join BDS. If they all join BDS, community "problem" solved, and they help pressure Israel to stop being an ass as well... win-win.

[Log in to Reply](#)

**Annie Robbins** says:

February 23, 2012 at 12:25 am

*The first hearing of the Olympia Food Co-op lawsuit will be live-tweeted by the Palestine Freedom Project via @palfreedom, beginning at 9 am PST on Thursday.*

that's tomorrow morning!

i've just finished reading every link and watching the videos including the one @ silverstein's. given Ayalon's comments and the retrieved notes on the meeting it seems pretty clear the israeli government is involved. silverstein:

Concerning Stand With Us' involvement in this process, an Israeli journalist who's followed the group's activities inside Israel and abroad told me: "Stand With Us is an unofficial arm of the Israeli government." In this blog, you've heard me often talk about groups like NGO Monitor, Im Tirzu, Middle East Forum, The Israeli Project and Stand With Us as doing the bidding of the Israeli government. You've heard me claim that they closely coordinate their activities with the government and in effect become its mouthpiece. But this is the first direct confirmation that SWU, at the very least, is literally joined at the hip with the MFA. In the video Ayalon specifically confirms the government's "partnership" with SWU and acknowledges it has similar partnerships with other Jewish and non-Jewish American organizations. No sense of discretion here. Israel, under the Lieberman-Ayalon Plan, will throw its weight around the world, even attempting to smash food coops in Washington State.

plus i don't understand what ayalon means when he says "It is against American law to engage in boycotts certainly on any political basis, including this one."

no it's not.

[Log in to Reply](#)

**Philip Munger** says:

February 23, 2012 at 10:33 am

I hope the co-op wins this one for Rachel. The ninth anniversary of her death comes up in three weeks.

[Log in to Reply](#)

**Les** says:

February 23, 2012 at 10:58 am

What about the long term health issues of Palestinians subject to US funded occupation and ethnic cleansing by Israel?

[Log in to Reply](#)

**Light** says:

February 27, 2012 at 1:42 pm

This morning the judge ruled that the lawsuit against the Olympia Food Coop was a SLAPP suit and dismissed it.

[Log in to Reply](#)

**Annie Robbins** says:

February 27, 2012 at 2:35 pm

YEAH!!!!

[Log in to Reply](#)

**Light** says:

February 27, 2012 at 2:46 pm

The plaintiffs also have to pay the defendants legal fees!

[Log in to Reply](#)

**Annie Robbins** says:

February 27, 2012 at 3:26 pm

[link to theolympian.com](http://theolympian.com)

McPhee also ruled that the issue of whether consensus was necessary among co-op staff in enacting the boycott was not material to the case, as had been argued by the plaintiffs who brought the suit seeking to nullify the boycott. McPhee ruled that the co-op's board never exempted itself as the final authority with respect to the right to enact a boycott.

McPhee also addressed the plaintiffs' contention in its lawsuit that the boycott was not "nationally recognized," as is required under the co-op's boycott policy.

McPhee said the Boycott, Divestment and Sanctions movement or BDS, which supported the boycott, "is a national movement."

Members of Olympia's BDS movement have supported boycotts, divestment and sanctions against Israel "until it ends occupation of Palestine, respects the right of return of Palestinian refugees, and gives equal rights to Palestinians living inside of Israel," according to its website.

McPhee also ruled that the defendants' speech in enacting the boycott was protected free speech involving an issue of public concern. He also ruled that the SLAPP statute itself is not unconstitutional, as had been argued by the plaintiffs' attorney, Bob Sulkin.

...

Sulkin said following McPhee's dismissal of the suit that he will appeal McPhee's opinion to the Washington Court of Appeals.

McPhee said that after he returns from a week's vacation, he will consider a written order awarding damages in the case. Under Washington's SLAPP statute, each defendant in the lawsuit is potentially entitled to an "anti-SLAPP penalty," of \$10,000, in addition to attorney's fees.

...

In McPhee's concluding remarks, he recognized that his opinion will most likely be appealed by the plaintiff's attorney. He suggested that one way to avoid more costly litigation by both sides would be to put the question of the boycott to a vote by its full membership. McPhee added in his remarks, however, that he has no authority to require any of the parties to put a boycott vote to the co-op membership.

Johnson pointed out outside court that last year, the co-op board offered to facilitate a member-initiated ballot that would have put a vote on the boycott to the co-op's full membership. However, Sulkin refused that offer, Johnson said.

[Log in to Reply](#)

**Light says:**

February 27, 2012 at 1:47 pm

Judge says that Anti-SLAPP act protects any lawful conduct in the expression of free speech and public participation.

[Log in to Reply](#)

**DECLARATION OF CAROL DECOURSEY IN SUPPORT OF MOTION TO  
STRIKE ALLEGED ATTORNEY CLIENT INFORMATION AND MATERIALS**

**C**



## **The Electronic Intifada**

الانتفاضة الإلكترونية

### Activism News

## **Uncovered: Israel's role in planned US lawsuit to fight BDS**

Ali Abunimah

The Electronic Intifada

6 September 2011



Israel is busily attempting to disrupt the boycott, divestment and sanctions movement in support of Palestinian liberation and self-determination.

(Anne Paq / The Electronic Intifada)

A group of pro-Israel activists, backed by StandWithUs, a national US pro-Israel US organization, is planning to take legal action to force the Olympia Food Co-op to rescind its historic decision to boycott Israeli products.

The Electronic Intifada has obtained a copy of a 31 May 2011 letter sent to the Board of Directors of the Olympia Food Co-op in Olympia, Washington, threatening “expensive” legal action if the pro-Israel activists’ “demands” to end the boycott of Israeli products are not met.

Other documents, supported by interviews, confirm that the Israeli government has taken part in discussions about, and been given advance knowledge of, the planned lawsuit and another planned action against Evergreen State College in Olympia in response to Palestine solidarity activism by students.

Evergreen State is noted for being the school attended by Rachel Corrie, who was killed by an Israeli occupation soldier operating a bulldozer in the Gaza Strip in March 2003.

These developments indicate new, even more aggressive tactics by pro-Israel organizations to suppress, deter and malign any form of Palestine-related dissent, protest or solidarity action.

## **An historic vote**

On 15 July 2010, the Olympia Food Co-Op (OFC) became the first grocery store in the United States to ban Israeli-made items from its shelves.

The highly symbolic action, which gained global attention, came in response to the Palestinian civil society call for boycott, divestment and sanctions (BDS) measures against Israel until Israel respects Palestinian human rights and international law.

From the first moment the boycott resolution was passed, Olympia community members who supported and organized for it were accused of anti-Semitism by the Northwest chapter of StandWithUs.

Now, StandWithUs is taking its assault against the OFC to a new level with its backing for legal action.

Also in June 2010, students at Evergreen State College voted overwhelmingly to back an initiative calling on college administrators to divest the school's assets from any companies that profit from Israel's occupation of Palestinian lands, and specifically Caterpillar Corporation, which makes bulldozers Israel uses to demolish Palestinian homes.

It was a Caterpillar bulldozer that Israeli forces used to kill Rachel Corrie as she attempted to prevent such a demolition. According to a StandWithUs flyer (PDF), Rachel Corrie “died in Gaza after interfering with Israeli counter-terrorism operations.”

Documents show that in addition to targeting the Olympia Food Co-op, StandWithUs is helping to plan a civil rights complaint against Evergreen State College.

## **Threat of legal action against Olympia Food Co-op**

The 31 May letter (PDF) sent individually to members of the Olympia Food Co-op Board of

Directors is signed by five individuals who identify themselves as “members of the Olympia Food Co-op (‘OFC’) who oppose OFC’s boycott of Israeli made products (‘Israel Boycott’) and divestment from Israeli companies (‘Divestment’).”

The five are Kent L. Davis, Linda Davis, Susan Mayer, Susan G. Trinin and Jeffrey I. Trinin. All except for Mayer also appeared in a StandWithUs Northwest video published on YouTube in June entitled “Why BDS Scars Don’t Heal: A StandWithUs Production.”

The video alleges that the BDS effort in Olympia has been motivated by and generated anti-Semitism, and was run by a secretive and conspiratorial “dark organization” from outside the community.

It also claims that the BDS effort in Olympia and a similar initiative in the town of Port Townsend, north of Seattle, last year had generated “a climate of fear and terror for Jews.”

The activists’ letter makes sweeping allegations that the OFC board engaged in “numerous procedural violations” in passing the boycott of Israeli goods, but it does not provide any examples of such violations.

The letter writers claim to have made many sincere efforts to rectify the unspecified “violations” but asserted that their complaints had “fallen on deaf ears as the Board steadfastly refuses to revisit its position on the Israel Boycott and Divestment policies.”

“At this point,” the letter states, “we are left no choice but to demand in no uncertain terms that OFC act in accordance with its rules and bylaws and rescind the Israel Boycott and Divestment policies.”

The letter sets a thirty-day deadline for a response and adds, “Regrettably should the board reject our demand, we are prepared to pursue relief through the court system.”

The pro-Israel activists’ letter concludes, “If you do what we demand, this situation may be resolved amicably and efficiently. If not, we will bring legal action against you, and this process will become considerably more complicated, burdensome, and expensive than it has been already.”

### **Lawsuit “a matter of time”**

Reached by telephone, Avi Lipman, a Seattle-based attorney that The Electronic Intifada learned represents the letter writers, confirmed that two letters had been sent to the OFC board — the 31 May letter obtained by The Electronic Intifada and a follow-up.

However, Lipman said that a lawsuit had still not been filed, and “there is still an opportunity for



the board to take the remedial action my clients have asked for.”

Lipman would not specify any procedural violations made by the OFC board. “I don’t want to get into it in any detail,” he said, indicating that the 31 May letter described “in general terms what our concerns are.”

But Lipman did not seem optimistic that the board would rescind the boycott decision as demanded. After the initial thirty-day deadline, Lipman said his clients had given the board an additional fifteen-day period to act.

“That time has also expired,” Lipman said. “The board has indicated that it plans to stand by the actions it has taken, so it seems clear to me that remedial action will not be taken.”

“It’s just a matter of time before we go to court and seek relief from the court,” Lipman added.

Lipman was keen to emphasize that his clients’ complaints were not based on the substance of the BDS decision, but merely the alleged, unspecified procedural violations. “The issue is how the process unfolded and the procedures that were followed and not followed by the board,” Lipman said.

He stressed that if the boycott of Israeli goods was revoked, and then reinstated according to the proper procedures, his clients would abide by it.

### **“An allegation that doesn’t have an allegation”**

“We don’t have any statement on the non-existent lawsuit,” Jayne Kaszynski, Staff Representative to the Olympia Food Co-op Board, told The Electronic Intifada. “It’s pretty much impossible to respond to an allegation that doesn’t have an allegation.”

Kaszynski said that the BDS decision and the procedures used to reach it had generated widespread public debate among Co-op members, especially on the OFC’s blog. She added that any member who was unhappy with a decision of the board had “democratic alternatives” to legal action.

“If you’ve read the bylaws you know that we have a simple member petition process. Any member can create a petition and if they get 300 members to sign it, they can get pretty much any issue put on a ballot,” Kaszynski said.

The OFC has 22,000 active members, according to Kaszynski, “so the 300 signature requirement is not very high. So far no one has exercised this democratic right in relation to the boycott.”

The petition procedure is described in the [Olympia Food Co-op Bylaws](#).

Lipman, however, said his clients did not think they should use this procedure because they see the original boycott decision as illegitimate, and therefore the burden should be on the board, not on his clients, to take remedial action.

## **Smearing BDS as “anti-Semitism”**

At one point, the StandWithUs YouTube video briefly displays an image of a Nazi Swastika superimposed on a Star of David, with a caption above it stating “Actual image from handout.”

The video provides no information on where this handout was supposedly distributed or any evidence that it has anything whatsoever to do with the Olympia Food Co-op.

Yet the smear is clearly meant to tar any and all BDS supporters — presumably including those who self-identify as Jewish — as anti-Semites.

“I really don’t think it’s comfortable for Jews to live in the city of Olympia and be outwardly expressing Jews,” Kent Davis, one of the letter writers, claims in the video. “You know, you can be a closet Jew and that’s fine. I just don’t feel comfortable discussing my religion or my beliefs in a mixed group environment anymore.”

As with the swastika “handout,” no evidence is ever presented of any specific incidents that back up this grave charge likening placid Olympia to 1930s Berlin, or to link the alleged climate of fear to the Olympia Food Co-op’s boycott of Israeli goods.

## **A “dark” outside conspiracy**

In the StandWithUs video, the letter writers and other speakers allege that the BDS action at the Olympia Food Co-op was planned by a shadowy organization that came in from outside the community, and then disappeared leaving behind acrimony and conflict from which there has been no “healing.”

None of these allegations come with any specifics or facts and the overall tone is conspiratorial.

“It’s amazing that I’ve been pushed aside as a Jew in this town because of the BDS,” says Tibor Breuer, identified as an OFC member in the video. “It’s a very, very dark organization that has no interest in anything that has to do with the two-state solution.”

BDS is, in fact, not an “organization,” but the term given to a set of principles and tactics which have been taken up by independent individuals and solidarity groups all over the world in response to the [2005 Palestinian civil society call for boycott, divestment and sanctions](#) measures on Israel until Israel ends its human rights violations and respects Palestinian rights and international law.

“When BDS comes into these communities, they just divide people in all sorts of ways and then they leave and the community is stuck with having to somehow heal and we can’t heal yet,” Linda Davis, another of the five letter writers, alleges in the video.

“BDS was over there in Europe celebrating their victory, and we’re stuck with this shit,” Breuer adds.

In fact, at the time the OFC boycott was passed, and since, those who initiated it spoke frequently to the media, and all have been local Olympia community and Co-op members.

Ironically, Robert S. Jacobs, the director of StandWithUs Northwest, acknowledges as much.

Refuting suggestions that the pro-Israel counterattack against BDS is centralized, Jacobs told The Electronic Intifada, “Similar to the BDS movement, we’re made up of activists in the community who passionately feel they want to express a certain perspective and hope that opinion leaders will adopt that perspective.”

Jacobs admitted in the interview that there was no such thing as “BDS central.” Yet the video that bears the StandWithUs name and features the letter writers paints an altogether different picture.

Meanwhile, the vilification of Palestine solidarity activists as anti-Semites is not surprising given the views of some of the StandWithUs leadership.

One board member and founder in Los Angeles, Mordechai “Moti” Gur, describes the purpose of StandWithUs in the following terms on the website for another organization he founded: “We combat the soft jihad and local intifadas by Muslim organizations by exposing everyone to the light of truth” ([The Moses Project](#)).

Other StandWithUs documents and websites routinely malign Palestine solidarity activists — including the nine civilians killed by Israeli commandos on the [Mavi Marmara](#) as “jihadists.”

But while the pro-Israel activists in the StandWithUs video allege — without offering a shred of evidence — that OFC was the victim of a “dark” external conspiracy by anti-Semitic outsiders bent on dividing their community, they themselves are receiving significant external backing.

## **How StandWithUs describes its role**

StandWithUs is a national pro-Israel advocacy organization which has taken a lead in fighting “[delegitimization](#)” and BDS.

Pro-Israel groups and the Israeli government have since last year claimed that virtually all

Palestinian solidarity work amounts to an effort to delegitimize Israel. In recent policy speeches, US officials have vowed to help Israel combat “delegitimization” — though precisely what this means in practice and how it may affect civil liberties and free speech is unclear.

The Northwest chapter of StandWithUs has been particularly active in combating BDS efforts not only in Olympia but at the food co-op in Port Townsend, north of Seattle, where there was an unsuccessful bid to emulate the OFC boycott. (Disclosure: I was invited to Port Townsend in August 2010 to speak at a community event in support of BDS).

But how deeply involved is StandWithUs, and how does the organization liaise with the Israeli government in mounting these local battles?

Jacobs characterizes StandWithUs Northwest as little more than a small local chapter, “a two-person office,” providing basic support and advice to individuals such as those threatening to sue the Olympia Food Co-op.

Jacobs told The Electronic Intifada his group’s contact with the five letter writers was largely limited to providing printed materials, helping bring in speakers and offering advice. He said he had not seen either of the letters sent to the OFC board.

Although Jacobs did acknowledge working with and meeting repeatedly with the letter writers, he characterized the relationship to any potential lawsuit as arms length:

“Since we’re not actually a party to anything down there, frankly we’re not in any of the loop regarding the legal matters. Just from an attorney-client privilege standpoint anything we would do with anybody would be violating some kind of potential privilege. So, we know that they’re doing some stuff. I know they’ve been working with an attorney. I know which firm it is but beyond that we have not in any way participated in the legal discussion.”

Jacobs acknowledged attending one meeting related to the potential lawsuit.

“We were at one meeting, I don’t know how many months ago, before anything actually happened,” Jacobs explained.

“We had been asked by some of the folks down there if we knew any attorneys up here [in Seattle], so we mentioned a number of names. But I was at a meeting where they had an initial — they had not retained any attorney or developed any permanent relationship with an attorney — when they had someone there talk off-the-cuff about what an attorney could do for them.”

Jacobs was also adamant that his office had not done any fundraising toward a potential lawsuit. “I don’t foresee us putting any money into a lawsuit,” he said, adding, “I don’t know of anybody who’s giving them money. I’ll be that blunt about it.”

Jacobs estimated that the amount of money his office had spent on work related to the OFC boycott — presumably not including staff time — amounted to just hundreds of dollars principally for printing flyers and brochures.

## **The role of the Israeli consulate**

Asked what role the Israeli government plays in StandWithUs Northwest's work, Jacobs stated that he personally knew Akiva Tor, the Israeli Consul General for the Pacific Northwest, based in San Francisco, and that Tor would be speaking at an upcoming StandWithUs fundraising event. Jacobs acknowledged that StandWithUs had helped to bring Tor's deputy to speak in Port Townsend.

Jacobs said that the Israeli consulate did not play any "active role" in opposing the OFC boycott, but, he added, "from the information standpoint they want to know what's going on."

"We update him [Tor] on what's happening in the community here," Jacobs said.

"If what you're talking about is if there is some sort of central coordination out of Israel for the activity we are doing here, absolutely not," he added.

Tor had also offered to speak in Olympia, but it had not happened yet, according to Jacobs. "I know he met in a coffee shop with the Corries [Cindy and Craig, the parents of Rachel Corrie]. I heard that from all sorts of people in Olympia," Jacobs stated.

Yet, this characterization is at best incomplete.

## **A deeper role for Israeli officials?**

Although Jacobs has confirmed reporting to Israeli officials what goes on in the local community, the relationship may be even closer than he acknowledged.

A ["Weekly Status Report" of StandWithUs Northwest, for the week of 5-11 March 2011](#) states that the following meetings took place:

"Rob [Jacobs] and Carolyn in Olympia with Olympia activists, Akiva Tor and Avi Lipman on Thursday - Presentation of legal case, discussion of Evergreen strategy and Olympia community speaker opportunities."

Carolyn Hathaway is the co-chair of StandWithUs Northwest.

In his conversation with The Electronic Intifada, Jacobs did not disclose that Israeli Consul

General Tor had not only already traveled to Olympia at the behest of StandWithUs, but had participated in a meeting with the activists threatening to sue the OFC and their lawyer.

The “status update” was posted on a website that archives emails sent to members of a private list of StandWithUs affiliates, but the website itself is unprotected.

It appears that this and other documents may have been published inadvertently, given how revealing they are of StandWithUs Northwest’s activities and strategy and the contradictions with Jacobs’ own characterizations.

Akiva Tor did not respond to a request to speak to The Electronic Intifada left with a staff person at his office.

The attorney, Avi Lipman, would not disclose what was discussed at the March meeting, again citing attorney-client privilege. Lipman said, however, “The Israeli consulate has nothing to do with this action. StandWithUs is not our client. We represent the individual co-op members who have asked the board to take remedial action.”

While all that may technically be true, none of it is inconsistent with a close advisory and an eventual fundraising role for StandWithUs and even the Israeli consulate.

Nor does it explain the presence of an official from a foreign government at a meeting in which legal action against OFC and possibly Evergreen State College was discussed.

Lipman would also not discuss how his clients might be able to afford an “expensive” — as the 31 May letter put it — legal action.

Another worrying possibility is that through StandWithUs, and possibly other organizations, Israeli diplomatic missions may collect intelligence about local activists or people who express views sympathetic to Palestinian human rights in order to exclude such people from visiting the occupied West Bank and Gaza Strip on political grounds.

In July, for example, Israel detained and deported dozens of individuals who planned to visit the occupied West Bank at the invitation of Palestinians.

### **StandWithUs remains fully engaged in Olympia lawsuit**

Jacobs’ characterization of his organization’s role with the planned lawsuit as almost incidental is flatly contradicted by another document made public via the StandWithUs email archive.

The agenda for an upcoming 27 September 2011 StandWithUs Northwest Executive Committee meeting includes the following items:

### *Project Status*

- *The civil rights complaint against Evergreen State College*
- *The law suit against the Olympia Food Co-op*
- *Working to shut down the “educational” programs that Ed Mast has circulated to all Washington State social studies teachers and librarians*
- *Speakers Bureau*

Thus the OFC lawsuit and the Evergreen State College civil rights complaint are both “projects” of the StandWithUs Northwest Executive Committee, and firmly on its agenda.

Ed Mast, it is worth noting, is a Seattle-area activist and playwright who has provided educational resources on Palestine.

In addition to everything else, it would appear that rather than merely providing an alternative, pro-Israeli viewpoint, StandWithUs is working to censor and exclude other viewpoints from schools and libraries and exclusively impose its own.

And, far from being merely restricted to its local area, StandWithUs Northwest is apparently assuming a national role:

### *StandWithUs Northwest helping other regions*

- *Helping Avi Posnick in NY oppose the BDS boycott proposal at the Park Slope Food Co-op in Brooklyn*
- *Helping Gail Rubin in Davis oppose the BDS boycott proposal at the Sacramento Food Co-op in Sacramento*

It is clear from its agenda that not only is StandWithUs Northwest playing a continuing role in Olympia, but expanding its anti-BDS activities across the country.

### **Focus on procedure, not substance**

During his interview with The Electronic Intifada, Jacobs characterized the grievances the letter writers had with the co-op in a manner remarkably similar to the 31 May letter which he said he had not seen. He acknowledged that it was StandWithUs’ advice that the case should focus on procedure, rather than substance.

“Courtrooms aren’t the place to discuss foreign policy and they wouldn’t make a decision based on that,” Jacobs explained. “The same is true with the board members that were on the board [of OFC] at the time. Most of them were sympathetic to the BDS movement and trying to make an argument counter to theirs would be a huge educational effort and probably not very successful.”

This, Jacobs said, was the rationale for focusing on procedure, rather than substantive

arguments.

## **StandWithUs fundraising**

Jacobs presents StandWithUs Northwest as almost a shoe-string operation. “We’re thought of as this huge, incredibly wealthy organization,” he told The Electronic Intifada. “As far as Jewish community organizations go, even on a national basis, we don’t have anything near the kind of resources of some other organizations such as ADL or AJC. Here frankly, we barely cover our own costs just in operations.”

But public financial filings of StandWithUs, which raises funds under the legal name “Israel Emergency Alliance,” (IEA) tell a quite different story.

The IEA’s mandatory Form 990 financial filings to the Internal Revenue Service ([available from the website Guidestar](#)) show an organization with \$4.2 million in annual revenue and impressive fundraising capacity.

In 2008, Jacobs himself received an annual salary of \$96,923 for an average forty-hour week, more on a pro-rated basis than StandWithUs founder and national executive director Roz Rothstein who received \$100,000 for an average sixty-hour week, according to the filings. In 2009, Rothstein’s salary was raised to \$150,000.

StandWithUs also has an international presence, with an Israeli office and a European base in Brussels, which together accounted for a million dollars in expenses in 2009.

The largest area of expenditure, however, is for campus advocacy at US colleges and universities, which accounted for \$2.6 million in 2009.

## **Targeting Evergreen State College for student activism**

The planned civil rights complaint against Evergreen State College may be an attempt to use alleged incidents of campus anti-Semitism as the basis for a legal action to discredit the divestment campaign at the school.

On 8 November 2010, a story appeared on the news website MyNorthwest.com under the byline of Alex Silverman with the headline “[Pro-Israel students harassed, leave Evergreen State.](#)”

It alleges that Evergreen State, once an oasis of tolerance, had become a place where some students have faced “torment and harassment” and have even left “simply for expressing their opinions about a controversial issue.”

The story claims five unnamed students “transferred out” of Evergreen State because of



“harassment,” but the only source is a student named Joshua Levine. “There are days I feel uncomfortable walking across campus alone because I wear a yarmulke [Jewish skull cap] on my head,” Levine alleges.

Levine, president of the campus chapter of Hillel — another national pro-Israel organization — is also a StandWithUs Northwest Emerson Fellow.

But what were the examples of “harassment” that supposedly led to this situation? Just like the StandWithUs video, the only ones Levine provides conflate Palestine solidarity with “anti-Semitism”:

“Checkpoints were erected outside the bus stop,” Levine told Silverman. “People claiming to be IDF [Israeli army] veterans shoving toy assault rifles in people’s faces, demanding to see their student ID before they could go onto campus.”

Students have staged similar actions on campuses across North America to highlight the well-documented abuses Palestinians face living under Israeli military occupation.

The article quotes Israeli Consul General Akiva Tor decrying the supposedly dire situation.

The MyNorthwest.com story also notes: “This summer, the student body at Evergreen State voted overwhelmingly to divest from companies with economic interests in Israel, further fueling the anti-Israel fervor on campus.”

That, it would seem, is what is making Levine so uncomfortable.

### **Laying the ground for a civil rights complaint**

Recently, the US Department of Education began investigating precisely such a civil rights complaint stemming from charges of anti-Semitism because of Palestine solidarity activism at the University of California-Santa Cruz.

That federal investigation is the first of its kind, though it may well be the model for targeting Evergreen State College.

Has StandWithUs, through Levine, been carefully laying the ground for a similar effort to use US civil rights protection legislation to suppress criticism of a foreign government that engages in massive human rights abuses and discrimination of precisely the kind civil rights legislation is meant to prevent?

### **Importing Israeli repression to the US?**

What is particularly troubling about the threatened legal action against OFC and Evergreen State backed by StandWithUs and its close collaboration with the Israeli government, is that it appears to import Israeli tactics of political repression into the United States.

Earlier this year, Israel passed a law that imposes heavy fines on anyone who participates in or advocates a boycott of Israeli businesses, universities and social and cultural institutions or illegal West Bank settlements. The law was strongly condemned by human rights organizations as a violation of basic freedoms.

The threatened legal action against the Olympia Food Co-op may be a “do it yourself” version of the law on US soil. Simply taking someone to court imposes a punishment on them through high legal fees before any judgment is ever rendered. That may be the whole point.

It should serve as a red flag that however small and tight-knit a community, powerful pro-Israel groups, in coordination with Israeli officials, are prepared to go to any length to smear and harass people.

They’ll do whatever it takes to keep people quiet about Israel’s human rights abuses, war crimes and the international complicity that the BDS movement seeks to expose, challenge and bring to an end.

*Correction: An earlier version of this story identified major StandWithUs donors Steven and Rita Emerson, who fund the StandWithUs Emerson Fellowship. Following publication of the article, StandWithUs confirmed via Twitter that the Steven Emerson who funds StandWithUs is in no way related to the Steven Emerson who runs the Investigative Project on Terrorism (ITP), and who has been accused of being a leading figure in fostering Islamophobia. The story has been amended accordingly. StandWithUs also stated via Twitter that the Steven Emerson who runs ITP “has never donated nor is he associated in anyway with StandWithUs.”*

*Ali Abunimah is co-founder of The Electronic Intifada, author of One Country: A Bold Proposal to End the Israeli-Palestinian Impasse and is a contributor to The Goldstone Report: The Legacy of the Landmark Investigation of the Gaza Conflict (Nation Books).*

Letter to OFC Board of Directors



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# Israeli Foreign Ministry Sponsoring U.S. BDS Lawsuits

by Redacted Silverstein on September 19, 2011 · [9 comments](#)

in [Mideast Peace](#)



Electronic Intifada and [I have been reporting](#) on the Olympia Food Coop BDS lawsuit brought by five members who claim the business violated its procedures by approving a boycott on nine Israeli products in its stores. Up till now, we knew that Stand With Us and the Israeli consul general, Akiva Tor were instrumental in the process of initiating the suit as the SWU website indicates they attended key meetings at which decisions were made about the legal case including hiring of an attorney.

But now Tzinor Layla, Israel's Channel 10 news program (at 3:04 of the above video) confirms via an



interview with Deputy Foreign Minister Danny Ayalon, that the Israeli government itself is willing to sponsor these lawsuits and presumably paying the legal bills. Frankly, I find it astonishing that a foreign government would sue a U.S. company for such an alleged infraction. First, I've never heard of a foreign government suing any overseas company for supporting a boycott against it; and second, I've never heard of a government initiating a lawsuit against an overseas company for political, as opposed to pecuniary reasons.

In interviews they gave to Electronic Intifada, Rob Jacobs of StandWithUs and Akiva Tor, Israeli consul general in the Pacific NW lied when the first claimed he knew nothing about where the funding for the lawsuit was coming from and the second lied when he claimed that he, and by extension his government had nothing to do with the suit. You'd have thought that Tor and Jacobs would've coordinated things better with their bosses back in Tel Aviv. Let's watch to see how Tor and Jacobs worm their way out of this one.

In my earlier post I called this the pro-Israel version of lawfare, that noxious concept touted by Alan Dershowitz to deride human rights activists having the chutzpah to demand Israeli accountability for their actions. It is a deliberate attempt to interfere with, and destroy American businesses willing to take a position that angers the Israeli state. I say this is un-American and that it violates basic rights to free speech. Besides lawfare, this is a perfect example of a SLAPP (strategic limitation of public participation) suit. That is, a frivolous use of the legal system to strategically limit public participation in an issue that is rightfully part of social discourse. On its merits, the Washington courts should throw this sucker out. But the problem, as I've found, is that judges sometimes either get the law wrong or wish to allow a plaintiff to get his or her moment in court. So they refuse to do the right and proper thing. We'll have to see how this plays out.

Concerning Stand With Us' involvement in this process, an Israeli journalist who's followed the group's activities inside Israel and abroad told me: "Stand With Us is an unofficial arm of the Israeli government." In this blog, you've heard me often talk about groups like NGO Monitor, Im Tirzu, Middle East Forum, The Israeli Project and Stand With Us as doing the bidding of the Israeli government. You've heard me claim that they closely coordinate their activities with the government and in effect become its mouthpiece. But this is the first direct confirmation that SWU, at the very least, is literally joined at the hip with the MFA. In the video Ayalon specifically confirms the government's "partnership" with SWU and acknowledges it has similar partnerships with other Jewish and non-Jewish American organizations. No sense of discretion here. Israel, under the Lieberman-Ayalon Plan, will throw its weight around the world, even attempting to smash food coops in Washington State.

Personally, I don't mind having Israel lobby type organizations advancing their political agenda. After all, that's free speech and the American way. But where I do begin to have a problem is when these groups become agents of a foreign government. Of course, people like Rob Jacobs and Roz Rothstein are oblivious to the implications because for them loyalty to Israel is the same as loyalty to the U.S. The interests of the two are virtually the same. That's the poison of this notion of pro-Israelism which posits no free will or independence on the part of American Jews and their leadership.

I'm hoping to inform the five litigants suing the Olympia Food Coop that they are fronts for the Israeli government in this matter. It may not change their minds, but I hope it will at least give them pause.

One aspect of the legal strategy of the plaintiffs I find odd. Since they are members of the coop they are filing their suit AS the coop. They are claiming that they truly represent the coop and its interests whereas the board and staff and everyone else who voted to endorse the boycott are either impostors or abusers of the coop's bylaws. Keep in mind, that these five all ran for the Coop board and lost by a wide margin.

Another shrewd aspect of the legal thinking in this case is not to argue the merits or demerits of BDS. The

litigants know that not only will they fail if they put the issue to a vote, they know that a U.S. court would throw out a lawsuit against a company that was purely politically motivated. The only possible legal grounds they have is to argue that the coop board violated its own bylaws in endorsing BDS. Keep in mind too that all this brouhaha is over nine Israeli products taken off the shelves.

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[Israeli Consul, StandWithUs Engage in Lawfare Against Olympia Food Coop](#)



[Olympia Food Coop Wins Anti-SLAPP Motion, Court Dismisses StandWithUs Lawsuit](#)



[Seattle Rejects StandWithUs Pro-Israel Pinkwashing Campaign](#)

Tagged as: [bds](#), [israeli foreign ministry](#), [lawfare](#), [standwithus](#)

{ 9 comments... read them below or [add one](#) }



[Johan Genberg September 19, 2011 at 11:53 PM](#)

Thanks for the article. One factual inaccuracy: only three of the plaintiffs ran for the board last fall, not all five.

[Reply](#)



[Johan Genberg September 19, 2011 at 11:56 PM](#)

The footage from Olympia in the Channel 10 clip comes from the film [Challenging Power](http://www.trickleupfilms.org/challenging-power) (<http://www.trickleupfilms.org/challenging-power>) a short documentary on the Oly Food Coop Boycott.

[Reply](#)



[Redacted Silverstein September 20, 2011 at 12:57 AM](#)

Thanks for correcting that error. And thanks as well for making the documentary. Had I known about yr efforts I would've put you in touch with the news segment producer for an interview. Sorry about that.

[Reply](#)



[Chayma September 20, 2011 at 1:22 AM](#)

*But where I do begin to have a problem is when these groups become agents of a foreign government.*

Dual nationals are subversives. Someone should lead a campaign to have them swear allegiance to one country or another.

It's like a woman, she cannot be married to men at the same time.

[Reply](#)



[Chayma September 20, 2011 at 1:28 AM](#)

Since most of the Israeli American's are extremists (Kahane sympathists) if it were put to the test, most of them would sell out America for Israel. That is evident, in that they support candidate for what they can do for Israel and pretend it's for the good of the USA.

Why aren't Americans demanding loyalty allegiance laws for dual citizens? I have seen time and again, dual Israeli Americans, merely see the US as a tool to manipulate for their agenda, which goes against the interests of the USA.

This BDS case manipulation is just a small symptom of this problem.

[Reply](#)



[Chayma September 20, 2011 at 1:30 AM](#)

I meant to say, Likud sympathisers too, not just Kahane, and Moshe Feiglin, Lieberman, and all the other assorted distasteful characters that Israel has.

[Reply](#)



[pabelmont September 20, 2011 at 3:24 AM](#)

This lawsuit is motivated by anti-BDS fever, but the lawsuit itself appears to be a suit by members of a membership organization to compel its leadership to play by the established rules.

It is very hard to understand why the CO-OP did not immediately back down (indeed, before a lawsuit was launched) and submit the issue of boycott to whatever voting (or other) procedures are set forth ion its own rules.

I'd love to see established procedures authorize BDS. But I'd hate to see the CO-OP itself brought down (via money damages, though its a bit hard to understand how the complainants can have suffered any injuries properly compensable by money) because they "jumped the tracks" even in so good a cause as BDS.

[Reply](#)



Michael [September 20, 2011 at 5:26 AM](#)



The influence the Israeli government wields in the US completely unchecked is really scary. It amazes me that larger media institutions do not cover this as much as they would cover Kim Kardashian's wedding...

<http://www.theamericanconservative.com/blog/tapping-the-israeli-embassy/>

[Reply](#)



David [September 20, 2011 at 6:27 PM](#)

I too am concerned  this dual loyalty nonsense. I think the time may come, in a backlash, where people like  Perle are charged with treason.

All the "real" co-op has to show is that it followed procedures or, failing that, it will follow procedures. But, the key thing here is to get press to identify the sponsorship so that Americans can see and hear how anti-free speech the Israeli government is. That's certainly worth something.

[Reply](#)

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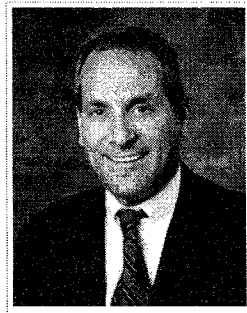
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## Jewish Legal Community to Honor Robert Sulkin Tonight

Posted on Tuesday Jun 15, 2010 8:13 AM

At this year's L'Dor V'Dor End of Year Reception being held tonight at 6pm at Smith Tower, the Cardozo Society of Washington State will honor Robert "Bob" Sulkin for his lifelong dedication to both the Jewish and legal communities in Washington State.

From *Seattle Magazine* to *Washington Law and Politics*, Bob Sulkin has been recognized for his legal work in more "Best Attorneys" lists than we can include in a bio. Yet, his achievements extend far beyond the legal arena.



Sulkin moved to Seattle from Chicago (with living on a *kibbutz* in Israel in between) in 1984. His work in law eventually led him to the firm of McNaul Ebel Nawrot & Helgren, where he is now the managing partner.

Sulkin could be called a lawyer's lawyer as he represents many major law firms in town. But you might also know him as the attorney who represented Rick Neuheisel in his contentious, 19-month battle with the NCAA and the University of Washington over his early termination as head coach.

However, Sulkin's greatest personal accomplishment in his career, he explains, is his first jury trial as a young lawyer. "It was a tough case that would have been easy to just settle. Looking back, I am proud my clients and I took the risk on the case, which turned out to be successful when no one thought there was a chance."

He is clearly still not shy about taking things on. Sulkin is the board president of the Jewish Day School and on the board of the Shalom Hartman Institute in Jerusalem. But helping start Hope for Heroism, which gives critical and immediate help to disabled Israeli combat soldiers who sacrificed their lives for the safety of the Jewish people, stands out as a seminal moment for him. "[Hope for Heroism] combines the essence of Judaism: showing our commitment to Israel and her people and doing what Judaism teaches us—repairing the world."

This passion for Israel and Judaism come from a man who claims he took being Jewish for granted as a child. Like so many others, his first trip to Israel and experiences living on a *kibbutz* kick-started his Jewish journey, which continues to evolve.

"Judaism is my North Star. It gives meaning to life when you are helping someone else. That is what Judaism is all about."

Make a tribute to Bob at [www.JewishInSeattle.org/Tribute](http://www.JewishInSeattle.org/Tribute) (<http://www.JewishInSeattle.org/Tribute>).

Posted in

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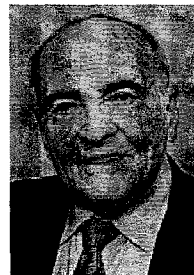
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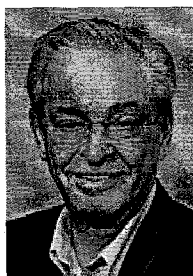
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# Rabbinic Leadership Initiative Cohort V

01.07.2013

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Are you a rabbi looking for an inspiring learning opportunity with a pluralistic group of rabbinic colleagues and some of the top thinkers in the Jewish world?

Applications are now being accepted from rabbis looking to reinvigorate themselves and their rabbinates by joining the fifth cohort of the Rabbinic Leadership Initiative (RLI). The new cohort will begin study in July 2013.

Click here for more information about the program. To set up a conversation to discuss your participation contact Rabbi Lauren Berkun. Contact Marlene Houry for more information and to apply. (Applications are due January 31).

The Rabbinic Leadership Initiative, which has been described by many rabbis as a transformative experience, immerses an elite cadre of North American rabbis in the highest levels of Jewish learning, equipping them to meet contemporary challenges with ever-increasing intellectual and moral sophistication.

RLI offers in-depth study, designed to map out the central ideas of Jewish tradition in the fields of ethics, faith, spirituality, and politics. At the same time, RLI imparts skills that are essential to enhancing synagogue and community life.

### Program Components

- Three 25-day summer seminars in Jerusalem (July 2013, 2014, 2015) and a two-week graduation summer seminar in July 2016.
- Three week-long winter seminars in Jerusalem (last week of January 2014, 2015, 2016)
- Three years of weekly virtual Beit Midrash study including local havruta study prior to the weekly sessions and a 2 1/2-hour live video conference. Each year consists of two semesters of 10 sessions each, with two courses taught at each session.

Although highly subsidized by the Institute, each participant is responsible for financial contribution toward participation.

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### JDS breaks ground on new gym

Daniel Levisohn • Assistant Editor, JTNews  
Posted: July 6, 2007

Approximately 500 students, teachers and parents gathered on the outdoor basketball court of the Jewish Day School of Metropolitan Seattle in Bellevue on June 21 for the groundbreaking of its new gymnasium. Sitting in rows just hours before the before the start of summer break and wearing plastic yellow construction hats, the students watched as representatives from their classes dug up ceremonial scoops of earth with miniature spades.

Bellevue Mayor Grant Degginger issued a proclamation declaring it Jewish Day School Day in recognition of the school's role in preparing "intellectually curious and socially compassionate leaders in their community and world."

JDS has never had a facility on its campus large enough to hold its entire community, which this past school year numbered 296 students from

preschool-8th Grade, their families and staff. In the past, the school has held community-wide events at Temple B'nai Torah, which is next door, or Herzl-Ner Tamid Conservative Congregation on Mercer Island. This past Simchat Torah, the school hosted a celebration in its cafeteria, which could fit the students and staff, but not the parents.

"Within this gymnasium, we will be able to gather as a community," said Tom Elieff, JDS's head of school, speaking from a podium at the start of the short ceremony.



DANIEL LEVISOHN

Student representatives lined up at the Jewish Day School of Metropolitan Seattle on June 21, the last day of school, to dig up a ceremonial plot of earth at the groundbreaking ceremony for the school's new gymnasium. When completed in approximately 10 months, the 12,000-square-foot facility will provide a home for athletic competitions, gym classes and community-wide events, such as graduations, that had previously been held off-campus.

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When completed, the 12,000-square-foot facility will contain 250 bleacher seats, a 5,700-square-foot gym floor, a climbing wall and office space for athletic staff. It will play host to basketball games and gym classes, but also expanded arts and performance programming and graduation. Plans for the construction of new school facilities have been brewing since the mid-1990s, but the campaign for the gymnasium began in earnest two years ago, right when Elieff was hired as head of school.

The building committee began working with consultants and outreased early estimates of what the school could spend on the project. In total, the JDS expects to raise \$15 million to build the gymnasium, of which \$3 million will go towards the school's endowment.

"We've been blessed, particularly at a time when there are so many great causes to give to," said Redacted Galanti, co-chair of the building committee and a JDS board member.

The gymnasium is the first construction project on the campus' grounds in 50 years, which goes back to when the city of Bellevue operated a middle school on the site. The Jewish Day School took over the campus 21 years ago.

Construction should be completed 10 months after the school secures the requisite building permits, which could be as early as this week.

"The whole project for me is really a testament and investment in the school's mission," said Elieff. "Jewish Day School is really the gateway to future [Jewish] commitment."

And what do the kids think of their future gymnasium?

"I think it will be slightly better," said Ben Friedman, who said he is "retiring" from 2nd Grade before he enters the 3rd Grade in the fall. "It always feels good to be in a new place."

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Thursday 10 January

10:30 am - Learner's Minyan with Ron Schneeweiss

12:00 pm - Lunch and Learn at Island Crust Cafe

2:00 pm - Seattle Melton School - Adult Ed

7:00 pm - Current Events In Israel & the Middle East

7:00 pm - Lunar Latte ~ A Jewish Women's Rosh Chodesh Gathering

7:30 pm - Mishna Berura for Men

8:00 pm - Rabbi Eli Mansour Video Presentation

4:00 pm - From A to Z: A Jewish Alphabet

**All Day Event - From Age-ing to Sage-ing**

Friday 11 January

**10:30 am - PJ Library Story and Song Time with Shoshana Stombaugh**

**10:30 am - PJ Library Storytime at SJCS**

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### TEMPLE DE HIRSCH SINAI BYLAWS (Rev. 05/12/2011)

#### ARTICLE I • NAME

The name of this Congregation is Temple De Hirsch Sinai (sometimes referred to herein as "Temple"). It has been incorporated as a Washington nonprofit corporation under the same name and is an affiliate of the Union for Reform Judaism.

#### ARTICLE II • PURPOSE

**Vision:** Temple De Hirsch Sinai leads the community in Reform Jewish thought and practice, enriching the lives of our members and our community as we explore our Jewish possibilities together.

**Mission:** Temple De Hirsch Sinai serves a large, diverse, multi-campus Reform Jewish congregation in the greater Seattle area and provides leadership in promoting Jewish ethical and moral concepts. We uphold the traditional values of our historic congregation and strive to create a progressive and contemporary Jewish

environment providing worship, education, lifecycle events, community building, and community service opportunities to all of our members.

### **ARTICLE III • MEMBERSHIP**

Section 1. Any person of the Jewish faith, upon written application, agreeing to the philosophy and objectives of this Congregation as stated in these Bylaws, is eligible for membership. When the spouse of a member is not Jewish, that spouse shall also be a member, subject to the limitations set out in Section 8 of this Article.

Section 2. Applications for membership shall be subject to review by the Membership Committee and approval by a majority of the Board of Trustees (hereinafter "Board") present and voting.

Section 3. Categories of membership may be established by the Board.

Section 4. All members of the Congregation shall make an annual contribution to the Temple, as determined by the Board, which is due on the first day of the fiscal year or payable in accordance with an agreed upon schedule.

Section 5. All members of the Congregation shall be required to pledge and make payment to the Capital Fund an amount in accordance with a schedule determined by the Board.

Section 6. A member, to be in good standing, shall be current in financial obligations. Any member more than three (3) months in arrears is not in good standing and may be suspended or terminated from membership by a two-thirds vote of the Board, present and voting. Any member who is recommended to the Board for suspension or termination shall be notified by Certified Mail.

Section 7. Members in good standing, upon payment of any applicable fees, shall have the privilege, whether or not employed by the Temple unless otherwise noted below, to:

- a. Participate in and vote at all meetings of the Congregation. In the case of a married couple each spouse shall have such rights to vote and participate. Each member's child whose age is at least eighteen and less than twenty-two shall also have such rights regardless of whether the child has his or her own membership in the congregation.
- b. Serve on standing committees or special committees.
- c. Be eligible for any elected position as provided in these bylaws, provided however, a member employed by the Temple more than 20 hours per week shall not be entitled to hold any elected office.
- d. Obtain tickets for the High Holy Day Services as prescribed by the Board.
- e. Enroll in the Religion School any child or children in the member's family.
- f. Use the services of the Temple's professional staff and clergy.
- g. Use the Temple's facilities.
- h. Participate in all programs, religious services and activities of the Congregation.
- i. Obtain Cemetery property in accordance with established cemetery policies.
- j. Receive Congregational mailings.

Section 8. Spouses shall each be entitled to exercise all the privileges of membership, except that to hold any elected position an individual must be Jewish. Where dissolution of marriage between members occurs, each party wishing to retain Temple membership must maintain separate membership in the congregation.

Section 9. Resignation shall be submitted in writing. All financial obligations shall be reviewed prior to acceptance of resignation by the Board.

Section 10. An application for reinstatement of membership shall be considered in the same manner as a new application.

### **ARTICLE IV • MEETINGS OF THE CONGREGATION**

Section 1. The Congregation shall meet annually in May on a date set by the Executive Committee.

Section 2. Members in good standing at the Annual Meeting shall:

- a. Elect the officers of the Congregation.
- b. Elect members of the Board.
- c. Elect two (2) members and one (1) alternate to the Nominating Committee.
- d. Act on any other business referred by the Board.
- e. Consider and take appropriate action on any other business referred to the Congregation by written petition of twenty-five (25) members in good standing, submitted to the Secretary of the Congregation no less than thirty (30) days prior the Annual Meeting.

Section 3. Special meetings of the Congregation may be called by the President, the Executive Committee, the Board or upon written petition of twenty-five (25) members in good standing, submitted to the office of the Congregation. A special meeting, requested by petition, shall be convened by the President within sixty (60) days of receipt of such notice.

Section 4. Notice of each meeting of the Congregation, stating the purpose of the meeting, shall be sent to all members no less than fifteen (15) days prior to the date set for such meeting. Notice is effective if mailed to the address submitted by the member in the membership application or such other address as member may thereafter designate in writing. Notice may be given to members in an electronic transmission provided such members have expressly consented in writing (including via electronic transmission) to the Temple, to receive electronically transmitted notices. Such member shall designate in the consent the address, location, or system to which these notices may be electronically transmitted. A member who has consented to receipt of electronically transmitted notices may revoke this consent by delivering a revocation to the Temple in the form of a record. The consent of any member is revoked if (I) the Temple is unable to electronically transmit two consecutive notices given by the Temple in accordance with the consent and (II) this inability becomes known to the Secretary, the transfer agent, or any other person responsible to giving the notice. The inadvertent failure by the Temple to treat this inability as a revocation does not invalidate any meeting or other action.

Section 5. One hundred (100) voting members in good standing shall constitute a quorum. Members may vote at any meeting either in person or by proxy, however, no single member is authorized to hold more than two (2) proxies. A member may appoint a proxy to vote for the member by submission of (a) an appointment form signed by the member or the member's attorney-in-fact, or (b) an electronic transmission sent in accordance with the provisions for the electronic notice under Article IV, Section 4. An appointment of proxy is effective when an appointment form or an electronic transmission (or documentary evidence thereof, including verification information) is received by the person authorized to tabulate votes for Temple. The proxy has the same power to vote as that possessed by the member, unless the appointment form or electronic transmission contains an express limitation on the power to vote or direction as to how to vote on a particular matter, in which event Temple must tabulate the votes in a manner consistent with that limitation or direction. The appointment of proxy is valid for eleven (11) months unless a longer period is expressly provided in the appointment form or electronic transmission. Notwithstanding the foregoing, a proxy appointment is only valid if the proxy is also a member in good standing at the time of the meeting or vote. A valid proxy shall constitute presence at the meeting for the purpose of determining a quorum. Members may participate in a meeting by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at meeting.

#### **ARTICLE V • OFFICERS AND THEIR DUTIES**

Section 1. The elected officers shall be President, President Elect, up to five (5) Vice Presidents as determined by the Board, Secretary and Treasurer.

Section 2. To qualify for election to an office, the individual must be a current elected member of the Board who will have served at least one (1) full year as Trustee at the time of assuming said office. A candidate for President Elect shall have served no less than one (1) year on the current Executive Committee at the time of assuming office.

Section 3. The officers shall be elected by a majority vote of the members of the Congregation in good standing, present at the Annual Meeting, and shall hold office for a term of one (1) year or until they are succeeded. Officers shall assume their duties on the first day of the fiscal year. No person shall serve in the same office for more than two (2) consecutive terms, with the exception of the office of Treasurer.

Section 4. A vacancy occurring in any office shall be filled for the unexpired term by the Board, upon recommendation of the Nominating Committee. A meeting of the Nominating Committee shall be called for this purpose by its Chair within thirty days of said vacancy or as soon thereafter as reasonably possible.

Section 5. The President shall:

- a. Preside at all meetings of the Congregation, Board and Executive Committee.
- b. Be ex-officio member of all committees except the Nominating Committee.
- c. Sign official documents as required, except that with the approval of the Board, this authority may be delegated to one or more members of the staff, Executive Committee or Board.
- d. Establish special committees with the approval of the Executive Committee.
- e. Appoint chairpersons of all committees except as otherwise provided for in the Bylaws.
- f. Appoint a Parliamentarian.
- g. Perform such other duties as usually pertain to the office of the President.

Section 6. The President Elect shall succeed to the position of President when that office is vacated, and shall serve as an aide to the President and carry out such duties as assigned by the President, the Executive Committee or the Board.

Section 7. The Vice Presidents shall serve as aides to the President and carry out such duties as assigned by the President, the Executive Committee or the Board.

Section 8. In the absence or inability of the President to serve, the President Elect shall temporarily assume the duties of the President. In the absence or inability of the President and President Elect to serve, one of the Vice Presidents, selected by lot, shall temporarily assume the duties of the President.

Section 9. The Secretary shall arrange for the recording of the minutes of all meetings of the Congregation, Board and Executive Committee, shall sign, with the President, official documents as required by third parties or the Board, and shall perform such duties as pertain to the office or as assigned by the President, the Executive Committee or the Board.

Section 10. The Treasurer shall serve as Chairperson of the Finance Committee and shall perform such other duties as pertain to the office or as assigned by the President, the Executive Committee or the Board.

#### **ARTICLE VI • BOARD**

Section 1. There shall be a Board consisting of the following voting members: The elected officers of the Congregation, not less than sixteen (16) or more than twenty-two (22) other members as determined by the Board half of whom shall be elected each year by the congregation, the Immediate Past President, the President of Men of Reform Judaism, and the President of Women of Reform Judaism. Representatives of the Past Presidents Committee, Senior Youth Group and other auxiliary groups, any non-Board committee chairpersons appointed by the President and any members elected to the Regional or National Board of the Union for Reform Judaism or Hebrew Union College-Jewish Institute of Religion, shall be non-voting members. Trustees shall have all of the rights and obligations of directors under the Washington Nonprofit Corporation Act. Only voting members shall have the right to attend Executive Sessions of the Board.

Section 2. The Immediate Past President shall be the then living person who most recently served as President.

Section 3. Unless filling an unexpired term, trustees shall assume their duties on the first day of the fiscal year. Trustees shall hold office for two (2) years or until they are succeeded. No Trustee shall serve more than three (3) full consecutive terms without serving as an officer of the congregation. Twelve (12) months or more shall be considered a full term for this purpose.

Section 4. The Board shall:

- a. Establish the policies, direct and control the affairs, funds and properties of the Congregation, authorize and control all expenditures, adopt an annual budget, approve programs and projects and take such other action as shall in its judgment best promote the welfare of the Congregation.
- b. Recommend to the Congregation, for action at a Congregational meeting, employment or termination of the Senior Rabbi.

- c. Employ or terminate employment of the Executive Director.
- d. Conduct an annual performance evaluation of the Senior Rabbi and Executive Director.
- e. Develop and maintain a statement of responsibility for its own conduct and annually evaluate its performance.
- f. Approve establishment of special committees.

Section 5. The Board shall meet monthly unless it determines otherwise. Special meetings of the Board may be called at any time by the President, Executive Committee, or upon written request to the Secretary by not less than ten (10) members of the Board. Unless waived in writing all voting members of the Board shall be given no less than (5) five days notice of all regular meetings, including an agenda which shall state all actions to be considered and 24 hours notice of special meetings stating the purpose thereof. Notice is effective if mailed to the address originally submitted by the Trustee in the Temple membership application or such other address as Trustee may thereafter designate in writing. Notice may be given to Trustees in an electronic transmission provided such Trustee has expressly consented in writing (including via electronic transmission) to the Temple, to receive electronically transmitted notices. Such Trustee shall designate in the consent the address, location, or system to which these notices may be electronically transmitted. A Trustee who has consented to receipt of electronically transmitted notices may revoke this consent by delivering a revocation to the Temple in the form of a record. The consent of any Trustee is revoked if (I) the Temple is unable to electronically transmit two consecutive notices given by the Temple in accordance with the consent, and (II) this inability becomes known to the Secretary, the transfer agent, or any other person responsible for giving the notice. The inadvertent failure by the Temple to treat this inability as a revocation does not invalidate any meeting or other action. Members of the Board may participate in a meeting of such Board by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at a meeting.

Section 6. Any elected officer or trustee absent from three (3) consecutive meetings of the Board without approval of the President, may be removed by a two-thirds (2/3) vote of the Board present and voting.

Section 7. A vacancy occurring in the position of elected Trustee shall be filled by the Board for the unexpired term upon recommendation of the Nominating Committee.

Section 8. Thirteen (13) voting members of the Board, including three (3) elected officers, shall constitute a quorum.

#### **ARTICLE VII - EXECUTIVE COMMITTEE**

Section 1. Members of the Executive Committee shall be the officers and Immediate Past President.

Section 2. The Executive Committee shall:

- a. Transact all necessary business between meetings of the Board and such other business as may be referred to it and shall make a complete report at each regular meeting of the Board.
- b. Have the authority to sign checks as established by the Board.
- c. Approve establishment of special committees.

Section 3. The Executive Committee shall hold no less than nine (9) meetings annually. Meetings may be called by the President or by four (4) of its members upon written or oral notice. Members of the Executive Committee may participate in a meeting of such Committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at a meeting.

Section 4. Any Executive Committee member who is absent for three (3) consecutive meetings of the Executive Committee without approval of the President, may be removed from office by a two-thirds (2/3) vote of the Board present and voting.

Section 5. Four (4) members of the Executive Committee shall constitute a quorum for the transaction of business.

#### **ARTICLE VIII - NOMINATIONS AND ELECTIONS**

Section 1. There shall be a Nominating Committee of nine (9) members.

Section 2. It shall consist of:

- a. The Immediate Past President as of the new fiscal year, who shall act as Temporary Chairperson. If for any reason the immediate Past President is unable or unwilling to act, then the Board shall fill the position of temporary chairperson.
- b. The Presidents of the Men of Reform Judaism and Women of Reform Judaism who assume office at the commencement of the new fiscal year or their appointee.
- c. The four (4) members elected at Annual Meetings of the Congregation, two (2) of whom shall be elected each year, each for a two (2) year term. Unsuccessful candidates for elected positions on the Nominating Committee shall be considered alternates, and shall assume such positions for the balance of the term following their unsuccessful election as provided in Section 2.f. below.
- d. Two (2) members of the Board appointed by the President with the approval of the Board at its first meeting in the new fiscal year.
- e. A member shall not serve more than two (2) consecutive terms on the Nominating Committee.
- f. A Nominating Committee vacancy occurring in an elected position shall be filled from the alternates in order of the number of votes each received. Any further vacancies shall be filled by action of the Board.
- g. The Nominating Committee shall serve for the full fiscal year following its election.

Section 3. Duties of the Nominating Committee shall be to:

- a. Hold its initial meeting no later than November 15 of each year.
- b. Solicit the Congregation for names of prospective candidates no later than December 31 of each year.
- c. Select candidates with qualifications based upon written criteria established by the Board.
- d. Nominate one person for each office.
- e. Nominate one person to each position open on the Board.
- f. Obtain prior consent of each person nominated.

Section 4. The Nominating Committee shall send a written and signed report of those nominated to the Secretary of the Congregation no later than the last day of February of each year and shall send a copy of the report to each member of the Congregation no later than March 10th of each year.

Section 5. Twenty-five (25) members of the Congregation in good standing, by petition submitted to the Secretary of the Congregation prior to April 10, may nominate for election any member of the Congregation in good standing to a position on the Board.

Section 6. Twenty-five (25) members of the Congregation in good standing, by petition submitted to the Secretary of the Congregation prior to April 10, may nominate for election a candidate to any office consistent with Article V, Section 2, of these Bylaws.

Section 7. Not more than thirty (30) nor less than ten (10) days prior to the date of the Annual Meeting, any member in good standing who wishes to run for the Nominating Committee may nominate himself/herself by informing the Secretary of the Congregation in writing. Candidates may also be nominated from the floor at time of the Annual Meeting.

Section 8. No person shall be a candidate for more than one position on the Board.

Section 9. No member of the Nominating Committee shall be nominated by that Committee for an elected office or position on the Board.

Section 10. Election shall be by ballot at the Annual Meeting of the Congregation by those present and eligible to vote. If there is only one (1) nominee for any vacant office or any vacant position on the Board, election may be by voice vote. A majority of all votes cast shall elect the officers. In the event that there are more candidates than vacant positions on the Board, the candidates with the highest number of votes shall be elected. Election of the Nominating Committee shall be by ballot. Two (2) members elected annually to said Committee from a list of all nominees shall each serve a two (2) year term, the next one (1) shall be the alternate, provided however, if necessary additional alternates shall be selected as provided in Article VIII section 2.c.

#### **ARTICLE IX • BUDGET AND FINANCE**

Section 1. The fiscal year shall be July 1 through June 30.

Section 2. The Board shall determine the fiscal policies of the Congregation with authority to direct and control use of funds and properties of the Congregation.

Section 3. Members shall pay an annual contribution, assessments and other fees in accordance with the policy determined by the Board.

Section 5. The Executive Director, in consultation with the President, or other authorized officers, shall be empowered to expend no more than an amount fixed by the Board for unanticipated expenses.

Section 6. There shall be an annual audit of the financial records of the Congregation by a CPA or CPA firm recommended by the Finance Committee.

The selection of CPA or CPA firm and the audit report shall not be considered final until approved by the Board. Section 7. The Board shall have the power to establish and designate fund categories and shall adopt rules governing their receipt and use. Section 8. Unrestricted Funds: The General Fund shall be the depository for all membership contributions and such other unrestricted funds as may be established by the Board.

Section 9. Temple maintains a Capital Fund and a Cemetery Fund, both of which have dedicated purposes stipulated by the congregation. In addition, the board may accept and designate certain funds as restricted. These may include endowment funds or other funds where the principle is restricted by the donor including but not limited to memorial funds designated for various Temple purposes. In general, endowment funds will be restricted to distribution and spending of earnings only, leaving principal intact. Other donor restricted funds must be managed, invested and distributions made in accordance with the direction of the donor(s). By accepting the monies to establish such donor-restricted funds, Temple agrees to comply with the restrictions and conditions specified by the donor.

Section 10. Limitation on Expenditures: Subject to Article IX, Section 4 above, which governs in case of an emergency as determined by the Executive Committee in good faith, expenditures of \$500,000 or more shall be referred to the Congregation for approval upon recommendation of a two-thirds (2/3) vote of the members of the Board present and voting.

#### **ARTICLE X • CEMETERY AND MAUSOLEUM**

Section 1. There shall be Cemetery and Mausoleum facilities owned and maintained by the Congregation.

Section 2. These facilities shall be governed by rules and regulations established by the Board.

Section 3. There shall be independent records of the Cemetery and Mausoleum operations.

Section 4. Endowment care shall be provided.

#### **ARTICLE XI • RELIGION SCHOOL**

There shall be a Religion School for religious education, which shall be governed by approved policies and regulations as established by the Board.

#### **ARTICLE XII • JENNIFER ROSEN MEADE PRESCHOOL**

There shall be a school for early childhood education supported by the Jennifer Rosen Meade Preschool Fund, in facilities operated by the congregation.

#### **ARTICLE XIII • STANDING COMMITTEES AND THEIR DUTIES**

Section 1. Standing Committees shall have a Chairperson and if practical a Vice-Chairperson or co-chairperson.

Section 2. Standing Committees shall meet no less than once each quarter of the fiscal year unless otherwise provided in these Bylaws. Minutes of all meetings shall be promptly distributed to the Board.

Section 3. When requested by the President all Standing Committees shall prepare and submit annually a program work plan & budget request. Policies, regulations and plans for additional programs and projects, and funding thereof, shall be approved by the Board prior to implementation. Section 4. There shall be at least the following Standing Committees and such others as the Board shall from time to time deem appropriate, each of which shall operate in accordance with such written policies, rules and procedures as shall from time to time be specified by the Board:

a. An Education Committee which in consultation with the Professional Staff, shall develop and promote educational activities and programs to meet the needs and interests of the members of the Congregation and their children, and those who may or may not be members of the Congregation who chose to send their children to the Temple's school for early childhood education. With the approval of the Board this committee may have subcommittees, such as by way of example and not of limitation, an adult education subcommittee, a religion school committee, and an early childhood education subcommittee.

b. A Finance Committee chaired by the Treasurer which shall prepare and present to the Board for its approval, no later than during the month the end of which ends the

Temple's fiscal year, an annual budget for the ensuing year. It shall regularly review the finances of the Congregation and advise the Board on their status quarterly or as otherwise requested by the Board.

- c. An Investment Committee, the chairperson of which shall be a current or past member of the Board and no fewer than two (2) other members shall be current members of the Board. The Investment Committee shall have the authority to direct investments of all Temple Funds subject to policy established by the Board and to retain and consult with investment counselors. It shall maintain a written current status portfolio of the Temple's investments and advise the Board on them at least quarterly. At least five (5) affirmative votes of those committee members present and voting shall be necessary for decision on investments. No member of the Committee shall become liable or accountable for losses incurred unless caused by bad faith or gross negligence.
- d. A Personnel Committee which shall be chaired by the President-Elect or a Vice President and consist of no less than five (5) members of the Board. It shall be responsible for the establishment and review of a the employee handbook covering Temple's employment policies, subject to approval by the Board, and develop proposed contracts for the Senior Rabbi and Executive Director and other staff as appropriate, which shall be subject to the approval of the Executive Committee. It shall also assist the Board with performance evaluations of the Senior Rabbi and Executive Director.
- e. A Worship Committee which in consultation with the Senior Rabbi, shall establish standards for the conduct of services, rituals and observances of the Temple.
- f. An Executive Committee as provided for in ARTICLE VII of these Bylaws.g. A Nominating Committee as provided for in ARTICLE VIII of these Bylaws.

#### **ARTICLE XIV • AUXILIARIES**

Section 1. Auxiliaries of the Temple are the Men of Reform Judaism , Women of Reform Judaism, Senior Youth Group, and others hereinafter approved by the Board.

Section 2. Organization of additional auxiliaries to engage in Congregational activities shall be permitted if approved by the Board.

Section 3. Bylaws of auxiliaries shall be consistent with these Bylaws and a current copy shall be on file in the Temple office.

Section 4. Each auxiliary's fiscal year and assumption of office shall be the same as that of the Congregation.

Section 5. Each auxiliary's fund raising other than membership dues shall be as approved by the Board.

Section 6. Each auxiliary's annual financial statement shall be filed with the Treasurer of the Congregation.

#### **ARTICLE XV • SENIOR RABBI**

Section 1. The employment of the Senior Rabbi shall be by a majority vote of the members in good standing present and voting at a meeting of the Congregation upon recommendation of the Board.

Section 2. The termination of employment of the Senior Rabbi shall be by not less than two thirds (2/3) affirmative vote of the members in good standing present and voting at a meeting of the Congregation upon recommendation of the Board which shall be by a two thirds (2/3) vote of those present and voting.

Section 3. The Senior Rabbi shall be responsible for maintaining records of Births, Bar Mitzvahs, Bat Mitzvahs, Confirmations, Marriages, Deaths and Conversions, which shall be the property of the Congregation.

Section 4. The responsibilities of the Senior Rabbi shall be defined by the Board.

Section 5. The Senior Rabbi shall be notified of and have the right to attend all meetings of the Board, Executive Committee, Standing Committees and the Congregation, except when requested by the body for some special reason to absent himself. The Senior Rabbi shall be an ex-officio member of all Standing Committees without vote.

#### **ARTICLE XVI • EXECUTIVE DIRECTOR**

Section 1. The Executive Director shall be employed by the Board and responsible to it.

Section 2. The responsibilities of the Executive Director shall be defined by the Board.

Section 3. The Executive Director shall be notified of and have the right to attend all meetings of the Board, Executive Committee, Standing Committees and the Congregation, except when requested by the body for some special reason to absent him/herself. He/she shall be an ex-officio of all Standing Committees without vote.

#### **ARTICLE XVII • INDEMNIFICATION**

Section 1. Right to Indemnification: Temple shall indemnify and hold each of its officers and Trustees harmless against any and all loss except for losses arising out of, (a) the officer's or Trustee's acts or omissions finally adjudged to be intentional misconduct or a knowing violation of law, or (b) any transaction in which it is finally adjudged that the officer or Trustee personally received a benefit in money, property or services to which the officer or Trustee was not legally entitled. In addition the Temple may indemnify an individual-if:

- (a) The individual acted in good faith; and
- (b) The individual reasonably believed:
  - (i) In the case of conduct in the individual's official capacity with the Temple, that the individual's conduct was in its best interests; and
  - (ii) In all other cases, that the individual's conduct was at least not opposed to its best interests; and
- (c) In the case of any criminal proceeding, the individual had no reasonable cause to believe the individual's conduct was unlawful.

If, after the effective date of this Article, the Washington Nonprofit Corporation Act is amended to authorize further indemnification of Trustees or officers, then Trustees and officers of the Temple shall be indemnified to the fullest extent permitted by the Washington Nonprofit Corporation Act, as so amended. The Temple may similarly indemnify an employee or Temple member if first approved by a two-thirds (2/3) vote of the Board present and voting.

Section 2. Expenses incurred in defense of such claim may be paid by the Temple in advance of the final disposition of such claim by a two-thirds (2/3) vote of the Board present and voting.

#### **ARTICLE XVIII • DISSOLUTION**

In the event of dissolution of the Congregation, the Board, after making provisions for the payment of all obligations and liabilities, shall dispose of the remaining assets of the Congregation to such Jewish charitable, educational, religious or scientific organizations as the Board may select that qualify as tax exempt organizations.

#### **ARTICLE XIX • PARLIAMENTARY AUTHORITY**

The rules contained in Robert's Rules of Order, Newly Revised, Current Edition, shall govern this Congregation in all cases to which they are applicable and in which they are not inconsistent with these Bylaws.

**ARTICLE XX • AMENDMENTS**

These Bylaws may be amended at any meeting of the Congregation by a two-thirds (2/3) vote of the members in good standing present and voting, provided that the amendment has been approved by the Board and provided the membership has received fifteen (15) days prior written notice of each proposed amendment.

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**RSS FEEDS & NEWS**

**Ten Minutes of Torah**

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**RSS Feeds Page**

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**JTA News**

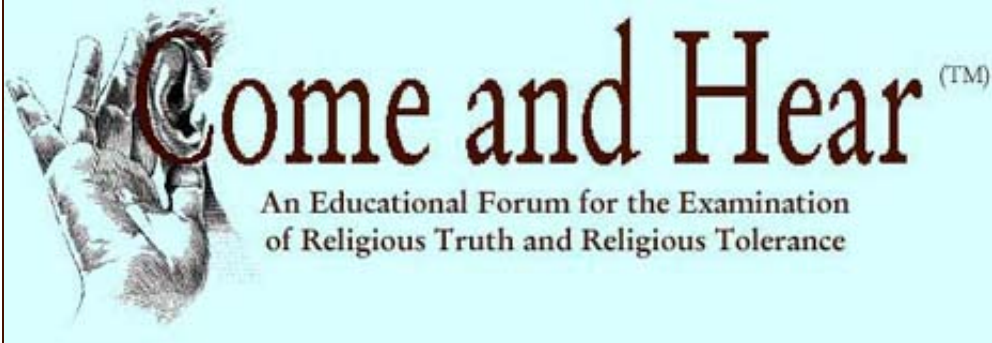
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**News From and About Israel**



**DECLARATION OF CAROL DECOURSEY IN SUPPORT OF MOTION TO  
STRIKE ALLEGED ATTORNEY CLIENT INFORMATION AND MATERIALS**

**J**



## *America Under the Talmud: Will It Work for US?*

by [Carol A. Valentine](#)



[Howdy!](#)



[The Roadmap](#)



[Censorship](#)



[Death Penalty](#)



[Blood Ritual](#)



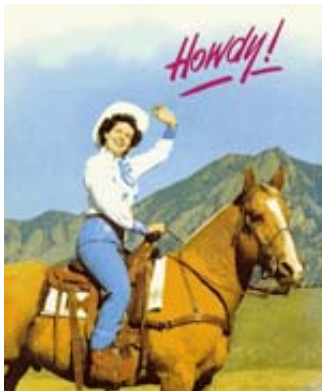
[New America](#)

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These essays are best if read in sequence.

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### *Howdy!*



Carol Valentine look-alike

**Let's read the Talmud together: By finding out about each others' faiths, Jews and non-Jews can build bridges to understanding.**

1. [What We're About](#) — The Very Reverend the Chief Rabbi of the United Hebrew Congregations of the British Commonwealth, Professor Jonathan Sacks, has made a brilliant suggestion that we most heartily applaud. Let us learn about each others' faiths.
2. [We're ADL Compatible](#) — Some people may feel that by inquiring about or commenting upon the Jewish religion, they may give offense to a widely persecuted group. At Come and Hear™, there are no grounds for those concerns.
3. [Nomenclature of Come-and-Hear™](#) — How we use the words *Jew* and *Jewish*.

### *The Roadmap*

**Let the Rabbis tell us about the Talmud. Why is this fundamental book of Judaism unknown to most Americans?**

1. [What is the Talmud?](#) — Quoting Rabbi Michael L. Rodkinson,



"The Talmud ... is the written form of that which, in the time of Jesus, was called the Traditions of the Elders, and to which he makes frequent allusions."

2. [Structure of the Talmud Files](#) — How these Talmud files work.
3. [Critical Words of Talmud Study](#) — The Talmud's internal logic and vocabulary, explained by the rabbis. Why was the Talmud inaccessible to Western Man for so long? Subjects covered: **Exegesis, Pharisee, Pentateuch, Midrash, Torah, Idolater, Divine Law, and Halachah / Halakha.**
4. [More Critical Words of Talmud Study](#) — Continuing with Critical Words, this section discusses **Oral Law, Mishnah, When Was the Talmud Put in Writing, Haggadah, and Gemara**, and includes some history of these terms. The sidebar carries a short pictorial of the history of Judaism.  
[Appendix](#): Moses in Heaven
5. [Israel's "One Indigenous Science"](#) — Exegesis is the process of discovering the implications of Scripture. In the words of *The Jewish Encyclopedia*, "... exegesis in the largest sense of the word is in a way the one indigenous science which Israel has created and developed." Watch as the Sages work through *one* derivation of the Noahide Laws, this one from the story of the Garden of Eden.  
[Appendix](#): Practical Kabbalah, "A Veritable Storehouse for Magicians ..."
6. [Is Talmud Law in Order or Disorder?](#) — Rabbis disagree on the Talmud, showing that an honest difference of opinion concerning the Talmud is not necessarily a sign of anti-Semitism.
7. [The Talmud Lives for Jews](#) — The Talmud is more central to Jewish life than most know. "The Talmud is the world's oldest continuously practiced legal code." (Rabbi Yitzchok Adlerstein)  
[Appendix](#): The Lanner Case
8. [What About Gentiles?](#) — Do Jews hold Gentiles in contempt? ADL denials are compared with Talmud doctrines, as seen through the writings of Judaic scholars.

## Censoring the Talmud



**Censorship damages inter-religious and inter-cultural understanding — no matter who does it.**

1. [Do Not Censor the Talmud, Please](#) — The world's religions have been stepping on each other and burning each other's books for millennia. It is time for everyone to put their books on the table. Let's read them exactly as they are written.  
[Appendix A](#): ADL Takes Talmud Quotes Out of Context  
[Appendix B](#): Rabbi Rodkinson's Censored Talmud

2. **Jesus' Membrum in the Talmud** — What did the Jewish priests think of Jesus? This information will supplement Matthew, Mark, Luke, and John — a must-read for serious Christians.

**Appendix:** Deborah Lipstadt Finds Anti-Semitism in the New Testament

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## Death Penalty



**Talmud advocates tell the Supreme Court the Talmud has a better way. Let's check it out.**

1. **Sentence and Execution** — Can the Talmud death penalty philosophy work in the US? A Supreme Court brief examines the question. Advocates say the ancient rabbis can teach us what we need to know.
  2. **Accusation and Trial** — Due process, level of proof, formal and informal executions, death penalty for tribes, towns, and cities. — What crimes warrant the death penalty? What of the Quality of Mercy?
  3. **Abuse of Context** — How retired Israeli Supreme Court Judge Rabbi Menachem Elon and American lawyer Nathan Lewin misled the US Supreme Court by quoting the Talmud out of context.
  4. **US v. Talmud Law** — The Talmud does not intend Equal Justice Under Law and does not provide it. What then is the system? Here is a fascinating aspect of Jewish law.  
**Appendix:** Talmud Slavery Laws
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## Blood Ritual



**Blood ritual is fundamental to Judaism. Some blood sanctifies, some defiles. Let's see what the Talmud doctrines are.**

1. **Holy Atrocities and Judaism** — The spilling of human blood in the name of religion ("blood sacrifice") has been part of the fabric of Judaism from the beginning. *"Multitudes are decapitated ... R. Simeon said: The Holy One, blessed be He, declared, If ye execute judgment upon the seduced city, I will ascribe merit to you as though ye had sacrificed to me a whole offering."* (Sanhedrin 111b).  
**Appendix A:** Mishnah of Sanhedrin 2a  
**Appendix B:** Mishnah of Sanhedrin 111b

See also: **In His Own Image** — The Talmud often cites precedents from the Old Testament. Following the research trail, we found that LORD God orders holocausts: ethnic cleansings and annihilation of cultures. He also orders the murder of family members, the slaughter of women and

children, and the crippling of animals. In reading this anthology, we invite the reader to consider: Is Jehovah really the Father of Jesus? [The Jefferson Bible](#) provides points of comparison.

2. [Animal Sacrifice and the Third Temple](#) — He-goats of the new moon are slaughtered in the north, blood is ritually sprinkled and smeared on the altar. "On completing the flaying, he tore out the heart and squeezed out the blood in it ..." The priests "were all standing in a row with the limbs in their hands." (Tamid 31a) What to expect on the Temple Mount in Jerusalem when Muslim shrines are removed to make way for the Third Temple. *In the days of the Second Temple, the blood poured out in streams from the altar to the Brook of Kidron ...*

**Appendix:** Mishnah of Tamid Chapter IV

See also: [Was Jesus a Jew?](#) — Jesus struck at the heart of the animal sacrifice system just before Passover, and in less than a week, He was crucified. The Temple incident was not His only attack on rabbinical and Mosaic Law. In a number of passages, Jesus shows clearly He does not support the church of his day.

3. [Human Sacrifice, the Talmud, and the Moloch Problem](#) — The old "blood libel" claimed that Jews sacrificed Christian children. The Talmud says nothing of this. But what of Jews sacrificing Jewish children? The Talmud says it's OK if done correctly. Dropping the child-sacrifice doctrine could improve Judaism's image.

**Appendix:** Extract from Sanhedrin 64a and 64b

4. [Circumcision, Talmud Style](#) — After the *mohel* cuts the foreskin, he must put his mouth on the child's penis and suck blood from the wound. He must and he does, and the practice has spread deadly diseases. Ask your politicians to take a stand on this public health issue.

## New America



**The Talmud comes to America, and our country is changing. Some people may be happy with the changes, some unhappy. Let's go direct to the Talmud to see how its laws will affect our lives and culture.**

1. [America's New Government Church](#) — Finally, a solution to doctrinal diversity. The rabbis have designed a one-size-fits-all religion for Gentiles: we bring you news of the Noahide Laws. Those who proclaim Jesus is their Savior will be put to death for idolatry. Congress has already begun putting the foundation in place.

**Appendix:** Why Christianity Makes Jews Uncomfortable

See also: [Israel's "One Indigenous Science"](#) A detailed examination of *one* derivation of the Noahide laws; this one from the story of the Garden of Eden.

2. **Sex with Children by Talmud Rules** — Using young children for sex (including homosexual sex) is not forbidden by the Talmud Sages - provided the child is young enough. If older, they may defile the adult. Meanwhile, Dr. Laura Schlessinger, a well-known Orthodox Jew, speaks out against pederasty.  
**Appendix:** The Rights of the Child — Italian Case
  3. **Talmud Laws of Menstruation** — A woman's menstruation is everybody's business: During her period, she defiles everyone and everything she touches. It is an offense for husband and wife to have intercourse during this time. Daughters of Israel insert testing rags into the vagina to confirm fitness for marital duty. Neighborhood Watch makes the system work.  
**Appendix:** Niddah 14a Excerpt
  4. **Jewish harems in Talmud Law** — Though a medieval synod discouraged polygamy because it upset Christians, some still do it in Israel. The Word of God in the Talmud provides laws for handling a harem. Up to 48 wives are permitted, perhaps.  
**Appendix A:** *The Jewish Encyclopedia* on Polygamy  
**Appendix B:** Polygamy and the Slave Hagar
  5. **Really, Really Kosher Sex** — Tips from the Talmud Sages help you improve your sex life. Things you never thought of ...
  6. **Talmud Daughters Become Talmud Wives** — Under Talmud law, the acquisition of a wife is much like the acquisition of any other property. Curiously, in 50 years of feminism, none of our Jewish feminists have made an issue of the sexual inequalities in the Talmud.
  7. **And So a Talmud Marriage Ends** — The marriage belongs to the man. He may divorce his wife at will. To avoid paying a settlement, he can claim she has bad breath, moles, her breasts are too far apart, etc. The sidebar continues with the issues of modern feminism.
- 
8. **Life under the Rabbis** — Special guest appearance by Rabbi Dr. Isidore Epstein, editor of the Soncino Talmud.

According to the Chief Rabbi of the British Empire, the Very Reverend the late Dr. Joseph H. Hertz, the goal of Judaism is to regulate absolutely everything, public and private: "Religion in the Talmud attempts to penetrate the whole of human life with the sense of law and right. Nothing human is in its eyes mean or trivial; everything is regulated and sanctified by religion. Religious precept and duty accompany man from his earliest years to the grave and beyond it. They guide his desires and actions at every moment. Food and sleep, civic duty and family life — all are under discipline of the Torah, a discipline accepted freely and joyfully. While every religion attempts such regulation, the Talmudic system represents this striving of the religious idea in its perfection. 'In our eyes,' says Arsène Darmsteter, 'this is its greatest title to the respect and consideration of thinkers. In Judaism we have thus the completest, and consequently the most perfect, expression of the religious idea.'" — Rabbi Dr.

Joseph H. Hertz, from his Foreword to the Soncino Talmud.

Law brings order, and order brings peace. Rabbi Dr. Isidore Epstein gives us a view of everyday life when the Talmud is the law of the land.

Title: *America under the Talmud*

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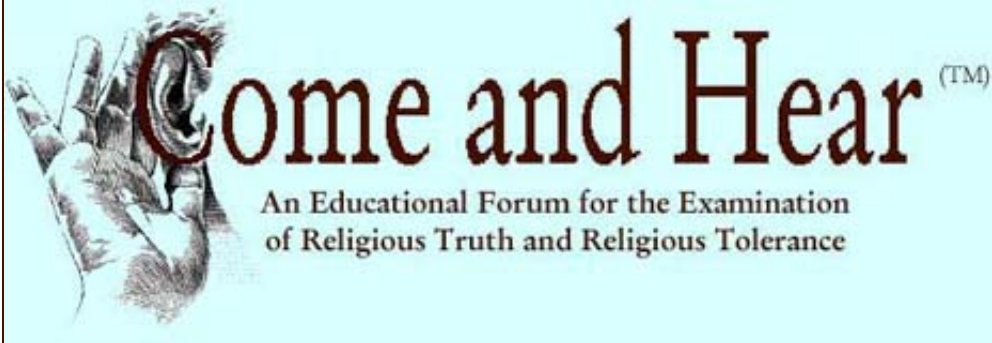


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## *The Roadmap*

### *7. The Talmud Lives for Jews*



**The Roadmap** — Let the Rabbis tell us about the Talmud. Why is this fundamental book of Judaism unknown to most Americans?

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When confronted with thought-provoking or controversial quotes from the Talmud, some people respond as follows:

"Jews don't pay attention to the Talmud. It's only for the ultra-Orthodox. It has no relevance to the lives of most Jews, and can hold no legitimate interest for Gentiles."

According to the experts, however, the Talmud is more central to Jewish life and to Israel than the Bible is to most Americans.

#### *Secular Jews Turn To Talmud*

The reputation of the Talmud among liberal and secular Jews, especially in the United States, has undergone a big change in the direction of a highly favorable attitude in the past quarter-century ...

The Talmud has become a coffee-table book for suburban Jewish America! And perhaps a few hundred of such bourgeois purchasers may have perused a few of its difficult talismanic pages. Meanwhile, the proliferation of Judaic studies programs on American campuses disseminated well-informed overviews of the Talmud among thousands of American Jews of the younger generation.

— Norman F. Cantor [\(1\)](#)

This change must have been in the making for a while. See this statement from Rabbi Michael Rodkinson, who died a century ago:

The colleges for the study of the Talmud are increasing almost in every place where Israel dwells, especially in this country where millions are gathered for the funds of the two great colleges, the Hebrew Union College of Cincinnati and the Jewish Theological Seminary of America in New York, in which the chief study is the Talmud and its post-talmudical literature.

— Rabbi Michael Rodkinson [\(2\)](#)



"**Samuel G. Freedman** is an award-winning writer and professor. A former reporter for The New York Times, he is the author of the four acclaimed books, most recently *Jew vs. Jew: The Struggle for the Soul of American Jewry*" [\(19\)](#)

"In the struggle for the soul of American Jewry, the Orthodox model has triumphed." — Samuel G. Freedman [\(5\)](#)



**Dayan (judge) HaRav Gavriel Cohen**

"The Rabbinical Court of California and the West

## ***New Translations Of The Talmud***

The growing movement towards Talmudism is reflected by the publication of new English translations of the Talmud. Read news of the Schottenstein English translation.

These new volumes have been prepared by a team of accomplished scholars who distill the essence of the classic sources and commentators. Acclaimed by a broad spectrum of scholars and laymen, this series fills the need of those who wish to study the Talmud in the classic manner — without over simplification, extraneous material, or unnecessary turgidity.

— Mesorah Publications, Ltd [\(6\)](#)

Read the news of the Steinsaltz English translation:

The famous Steinsaltz Talmud of Rabbi Adin Steinsaltz is published by The Israeli Institute for Talmudic Publications - Sifrei Milta. It is the only Talmud translated to Hebrew, fully punctuated and incorporating sentence and paragraph breaks. It includes the famous Beur of Rabbi Adin Steinsaltz which serves both as an introductory commentary, and an illustrated dictionary of the Talmud.

— Avi Kehat [\(7\)](#)

## ***Reform Jews Draw Closer To Talmud***

In describing the difference between Reformed and Orthodox Jews, Reform Rabbi Amy Scheinerman states:

For Orthodox Jews, the Hebrew Scriptures are divinely authored and therefore every commandment contained therein must be obeyed. The Mishnah and Talmud are considered to have virtually the same status and are called Oral Torah.

— Rabbi Amy Scheinerman [\(3\)](#)

But Rabbi Scheinerman does not speak to another aspect of contemporary Judaism: The shift of liberal and Reform Jews towards orthodoxy.

## ***Reform Judaism's Conservative Shift***

### **Leaders of Most Liberal Branch To Toughen Conversion Rules**

Leaders of Reform Judaism will adopt stricter guidelines for religious conversion today, embracing more traditional rites that American Judaism's not progressive and popular branch has historically rejected.

Reform Jewish rabbis said they expect to adopt standards at their annual meeting in Monterey, Calif., that suggest converts commit to keeping a Jewish home, an effort that includes following Jewish dietary laws. Women will be asked to immerse themselves in a ritual bath — known as a *mikveh* — and men will be asked to undergo circumcisions.

Coast, headed by HaRav Gavriel Cohen is authorized to handle all matters of Jewish religious law, and is designated by the State of Israel to serve the western United States, Canada, Mexico and the Far East in matters of Halacha (Jewish law)." — The West Coast Rabbinical Court (21)

"... designated by the State of Israel ..." How long will it be before the State of Israel gives rabbinical courts jurisdiction over non-Jews in this country? Recall the Congressional declaration concerning the Noahide Laws — see [America's New Government Religion](#).

"The validity of decisions and decrees of the Beit Din have been upheld by the Supreme Court in Jerusalem, and are recognized by both Ashkenazi and Sephardic leaders." — The West Coast Rabbinical Court (21)

We might wonder how a California court case becomes a concern of the Israeli Supreme Court?



**President Ronald Reagan** meeting with Dayan HaRav Gavriel Cohen and the Chief Sephardic Rabbi of Israel. (21)

The change is, in one respect, an extraordinary reversal for a movement that was founded in 1885 to allow Jews to blend into American life by explicitly rejecting many distinctly Jewish practices as 'entirely foreign' ...

The new conversion guidelines are part of a shift in direction unveiled two years ago, when Reform rabbis revised their 'Statement of Principles' to place greater emphasis on *mitzvot*, the religious laws that govern Jews' daily lives.

— The Washington Post (4)

### ***Orthodox Jews Have Triumphed***

In his recent book, *Jew vs. Jew — The Struggle For The Soul Of American Jewry*, Columbia University Journalism Professor Samuel G. Freedman wrote about the power struggle between Orthodox and liberal Jews between 1960 to 1999. Freedman put it this way:

In the struggle for the soul of American Jewry, the Orthodox model has triumphed.

— Samuel G. Freedman (5)

### ***Beth Dins Function World Wide***

**Beth Din.** (Lit., 'house of law or judgment'; a gathering place of three or more learned men acting as a Jewish court of law. ([Glossary of Soncino Talmud](#)))

Further evidence of the Talmud's prominent place in modern Jewish life is the activity of traditional Talmudic courts, called "Beth Din," sometimes spelled "Bais Din" or "Beit Din." An Internet search on these terms will reveal dozens of functioning institutions that proclaim they dispense justice as proscribed by the Talmud.

### ***Beth Din of America***

The Beth Din of America has been recognized as one of the nation's pre-eminent rabbinic courts for nearly four decades. It serves the Jewish community in the United States as a forum for obtaining Jewish divorces, confirming personal status, and adjudicating commercial disputes stemming from divorce, business and community issues.

Firmly anchored in the principles of halakha (Jewish law), the Beth Din has earned a reputation for conducting its affairs with **competence, integrity and fairness.**

— The Beth Din of America (8)

According to the statement, the Beth Din of America has been functioning for more than forty years.

### ***Beth Din Verdicts Enforceable***

According to the Beth Din of America:



**You can help** in the battle for Truth, Justice, and the American Way! Fight the forces of censorship and suppression of the Talmud, and bring about understanding between peoples of different faiths.

**Download** this site to your desktop computer. **Make CDs** and distribute them to friends, neighbors, ministers, and community leaders. **Email** your favorite essay to your email list. **Post** your favorite essay to discussion forums. **Print** your favorite essays and give them to those not on the Internet. **Flyers** advertising Come-and-Hear.com can be distributed throughout your community.



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Because the Beth Din conducts its cases in a manner consistent with the requirements of secular arbitration law, its rulings are legally binding and enforceable in the secular court system.

— The Beth Din of America (9)

## ***Jews Must Use Jewish Courts***

The London Beth Din affirms that Jews *must* use Jewish Courts:

In Jewish Law, Jewish parties are forbidden to take their civil disputes to a secular court and are required to have those disputes adjudicated by a Beth Din. The LBD [London Beth Din] sits as an arbitral tribunal in respect of civil disputes and the parties to any such dispute are required to sign an Arbitration Agreement prior to a Hearing taking place. The effect of this is that the award given by the Beth Din has the full force of an Arbitration Award and may be enforced (with prior permission of the Beth Din) by the civil courts.

— JewishPeople.Net (14)

According to the Alliance for Authentic Judaism, Jews may not sue fellow Jews in Gentile courts, or even call the police on another Jew. The Alliance cites a number of authoritative sources, including the *Shulchan Aruch*, the compilation of Jewish law written by sixteenth century rabbinic scholar Joseph Caro. See "A Stern Warning." (10) Notice the use of the word *moser* in the last paragraph.

No Jew or Jewess, wherever he may be, is allowed to go to a non-Jewish court, or to their offices or officers, without exception. If there should be any disagreement between Jews, they should turn to a Jewish Beis Din for their legal proceedings according to Jewish law ...

It is not permissible under any circumstances, to summon a fellow Jew to a non-Jewish court prior to summoning him to a Jewish Beis Din ...

No Jew, even if he is a rabbi or leader, is allowed to permit other Jews to go to non-Jewish court before summoning the other party to Beis Din ...

A Jew or Jewess who says that they will take a fellow Jew to the non-Jewish courts, and they were warned of their sin and didn't listen, *mitzva laha'rog otam*, and whoever acts first is worthy, as is the case of a *rodeif* (one who chasing a person to kill him). (Shulchan Aruch, Choshen Mishpat ibid.) ...

**A Jewish man or woman who calls the police on the other, is included in the classification of *moser* ...**

— Alliance for Authentic Judaism (10) (emphasis added)

## ***Informers May Be Murdered***

A *moser* is a Jew who brings the unlawful activities of another Jew to



**Rabbi Avraham Union**, rabbinic administrator and judge for the Los Angeles Beis Din (Beth din)

"Overall, I would characterize Beis Din proceedings as much less formal than typical civil, or secular, court proceedings," he says. He also notes that compared to their secular counterparts, the rabbis who judge tend to be more actively involved in the presentation of cases. (30)

Does loss of formality involve less rigorous examination of fact? Hearsay evidence, for example, is accepted with the same validity as written documents. (26) There is also a concern that a judge who became "more actively involved in the presentation of cases" would be less impartial.

the attention of Gentile authorities. According to the Talmud, such "informers" can be thrown into a pit and not brought out, i.e., murdered. (11)

Rabbis Jonathan Rosenblatt and Gidon Rothstein of the Riverdale Jewish Center in New York explain the Jewish law pertaining to *mosers* (pl. *mosrim*):

*Mosrim*, to digress for a moment, were people who betrayed Jews to governments that would take their money and/or lives **for no good reason**. In such circumstances — a corrupt government that judged Jews differently from others and capriciously — such informants were seen as a grave danger to the community, and could be killed if necessary. Even when the rabbinic authorities in a town decided not to kill a *moser*, or any other kind of evildoer, — *u-viarta* was seen as providing warrant to expel such a person from the community. This example, **while not directly applicable to the US or Israel**, nonetheless shows that *u-viarta* as a *halakhic* concept **is still seen as being in full force**.

— Rabbis Rosenblatt and Rothstein (12) (emphasis added)

"Informing" is generally understood to be a notification to the authorities that someone has violated the law of the land. It implies that the subject of the informing, who is a Jew, is living in a Gentile nation and is violating the law. We must suspect that the "informer" is actually a whistleblower. Rabbi Rosenblatt and Rothstein tell us that the doctrine concerning murdering informers is still in force, but not directly applicable to the US.



Rabbi Rosenblatt is the rabbi of the Riverdale Jewish Center in Riverdale New York, an upscale suburb. Rabbi Rothstein is his associate. They are not "loose cannons" or members of a fringe group.

On October 19, 2001, Rabbi Michael J. Broyde (former director of Beth Din of America and a professor at Emory University) delivered a lecture to The Orthodox Caucus on this subject that included a survey of rabbinical opinions. Not all the rabbis agreed with Rabbis Rosenblatt and Rothstein. One responds, "All rules of informing are applicable even currently." (32) The *moser* doctrines are discussed further in Haim Cohen's *Dangerous Halakhah*. (35)

The following may have some relevance here:

**Misprision of felony.** ... Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, is guilty of the federal crime of misprision of felony. 18 U.S.C.A. § 4.

— Black's Law Dictionary *s.v.* "Misprision of felony," pages 902-903

### ***Long-Standing Policy on Informers***



A **Jewish Court** might not be suitable for non-Jews, however.

*MISHNAH. ... where an ox belonging to an Israelite has gored an ox belonging to a Canaanite, there is no liability, whereas where an ox belonging to a Canaanite gores an ox belonging to an Israelite, whether while tam or mu'ad, the compensation is to be made in full. — [Baba Kamma 37b](#)*

Citing this passage, the *Jewish Encyclopedia* states, "The Mishnah, bearing such facts in mind, therefore declares that if a Gentile sue an Israelite, the verdict is for the defendant; if the Israelite is the plaintiff, he obtains full damages ([B.K. iv. 3](#))." — *Jewish Encyclopedia* ([25](#)) *Where a suit arises between an Israelite and a heathen, if you can justify the former according to the laws of Israel, justify him and say: 'This is our law'; so also if you can justify him by the laws of the heathens justify him and say [to the other party:] 'This is your law'; but if this can not be done, we use subterfuges to circumvent him. — [Baba Kamma 113a](#)*

It seems the Informer policy has a long history. It was so well-enforced, even LORD God was hesitant to inform on miscreants to enforce His own ordinances. In a discussion of [Joshua 7:10-11](#), the Talmud relates:

**GEMARA.** ... As it is written, The Lord said unto Joshua, Get thee up, wherefore, now, art thou fallen upon thy face? Israel hath sinned ... 'Master of the Universe,' asked Joshua, 'who are the sinners?' 'Am I an informer?' replied God. 'Go and cast lots [to find out].'

— Babylonian Talmud, [Tractate Sanhedrin 11a](#) (ellipsis in original)  
Soncino 1961 Edition, page 45

### ***The Lanner Case***

In light of the prohibitions on turning a Jew over to Gentile authorities, how can the Rabbi Lanner case be explained? It may seem to be an exception, but we examine the details of that case in the [Appendix: The Lanner Case](#).

### ***A People Apart***

The Alliance for Authentic Judaism warns that:

Whoever is awarded money by a non-Jewish court, whether it be from business dealings, or alimony or child support, in an instance when it is not entitled by the laws of the Torah, such money is considered stolen ("*gezel*"). If we have the opportunity to help the one whose money was taken through the non-Jewish court, we should do so ...

It is a *mitzva* to publicize the names and addresses of Jewish *mosrim* and their supporters, in order for Jews to know from whom to stay away. Whoever knows of a *moser* that hasn't repented, it is forbidden to assist him in any way until he repents.

Women who turn to a non-Jewish court to force their husbands to divorce them, or to receive money not in accordance with the *halacha*, such a *get* is invalid and the money is stolen, and it is forbidden to marry these women. If the woman remarried with this *get*, children born from the marriage are *mamzeirim* [bastards] ...

Women who summon their husbands to a non-Jewish court, it is forbidden to marry them, for they are considered wicked ("*reshaim*") who descend to *Gehenom* and forfeit their share in *Olam Haba*, and therefore they should remain unmarried for the rest of their lives ...

— Alliance for Authentic Judaism ([10](#))

### ***Shunning***

The Alliance for Authentic Judaism states that rabbis who advise



**Rav Michael Broyde** is Associate Professor of Law at Emory University School of Law. He clerked for Judge Leonard I. Garth of the United States Court of Appeals. Rabbi Broyde is a member (dayan) of the Beth Din of America, the largest Jewish Law Court in America, where he served as director during the 1997-98 academic year. [\(22\)](#)

Apparently, Orthodox Jews are not forbidden to officiate in Gentile courts or teach in Gentile law schools. However, Orthodox Jews are not permitted to use Gentile courts for their own disputes.

"No Jew or Jewess, wherever he may be, is allowed to go to a non-Jewish court, or to their offices or officers, without exception. If there should be any disagreement between Jews, they should turn to a Jewish Beis Din for their legal proceedings according to Jewish law ..."  
— Alliance for Authentic Judaism [\(10\)](#)

Jews to go to Gentile courts are leading the public to sin, and their names should be publicized.

No Jew, even if he is a rabbi or leader, is allowed to permit other Jews to go to non-Jewish court before summoning the other party to Beis Din, without following the procedure as described above (paragraph 2). Just as no rabbi or leader can allow the worship of *avoda zora* or the desecration of *Shabbos*, likewise permitting Jews to go to non-Jewish court is prohibited. If one did so, he is considered a "*machtei es horabim*" (one who causes other to sin) and is required to be excommunicated.

— Alliance for Authentic Judaism [\(10\)](#)

### ***US Beth Din Designated by State of Israel***

According to The West Coast Rabbinical Court - Beth Din of Beverly Hills:

The Rabbinical Court of California and the West Coast, headed by HaRav Gavriel Cohen is authorized to handle all matters of Jewish religious law, and is **designated by the State of Israel** to serve the western United States, Canada, Mexico and the Far East in matters of Halacha (Jewish law).

All traditional services of the Beit Din are available from competent and compassionate legal authorities. The validity of decisions and decrees of the Beit Din have been upheld by the Supreme Court in Jerusalem, and are recognized by both Ashkenazi and Sephardic leaders.

— The West Coast Rabbinical Court - Beth Din of Beverly Hills [\(21\)](#)  
(emphasis added)

### ***Non-Jews under Beth Din Jurisdiction***

According to the *Los Angeles Business Journal*, another rabbinical court — the Rabbinical Council of California, which, despite Israel's designation, seems to operate in the same jurisdiction as the Rabbinical Court of California — is being used by Jews and non-Jews alike.

But the Beit Din isn't just for Orthodox Jews. Driven largely by the increased appeal of arbitration, it has become a popular option for both non-Orthodox Jews and non-Jews attracted to its practical benefits.

*"It's a huge time difference and much more economical,"* Isaacs said. *"But perhaps the most unique feature is that most of the time, litigants come out feeling they were dealt with fairly."* ...

In secular court, hearsay or evidence admitted out of court is not admitted into testimonies, but under Jewish law, oral transactions or agreements carry as much weight in court as do those that are written, he said.

Rabbi Broyde has recently lamented to the *Jerusalem Post* that "Orthodoxy has become like the Wild West ... Might makes right, because there's no sheriff around. There's no system of justice ... There is no religious court system with the ability to govern the Orthodox community ... because the community is not cohesive and participation in religious life is voluntary." — Rabbi Broyde, quoted in the *Jerusalem Post* (23)

On October 19, 2001, Rabbi Michael J. Broyde delivered a lecture to The Orthodox Caucus on Judaism's policy on *mosers*, that is, Jews who brings the unlawful activities of another Jew to the attention of Gentile authorities. According to Talmud law, such "informers" can and should be killed. Rabbi Broyde's presentation included a survey of rabbinical opinions on the applicability of the law to modern day. (32)

Further, Jewish law does not recognize the statute of limitations, and adjudications are kept private.

— Los Angeles Business Journal (26)

### *Attitude to Gentiles*

We wonder if the Rabbinical Council of California tells its non-Jewish clients that under Jewish law, Jews are favored over Gentiles.

**MISHNAH.** ... WHERE AN OX BELONGING TO AN ISRAELITE HAS GORED AN OX BELONGING TO A CANAANITE, THERE IS NO LIABILITY, (6) WHEREAS WHERE AN OX BELONGING TO A CANAANITE GORES AN OX BELONGING TO AN ISRAELITE, WHETHER WHILE TAM OR MU'AD, THE COMPENSATION IS TO BE MADE IN FULL.

— Babylonian Talmud, [Tractate Baba Kamma 37b](#)  
Soncino 1961 Edition, page 211

See the Soncino Talmud glossary for the definitions of [tam](#) and [mu'ad](#). The Talmud translator, Dr. E. W. Kirzner, expands the text with a footnote:

6. As Canaanites did not recognise the laws of social justice, they did not impose any liability for damage done by cattle. They could consequently not claim to be protected by a law they neither recognised nor respected, cf. J. T. a.l. and Maim. *Yad, Niz. Mam.* VIII, 5. [In ancient Israel as in the modern state the legislation regulating the protection of life and property of the stranger was, as Guttman. M. (*HUCA*. III 1 ff.) has shown, on the basis of reciprocity. Where such reciprocity was not recognised, the stranger could not claim to enjoy the same protection of the law as the citizen.]

— Dr. E. W. Kirzner

Citing the above Mishnah (Baba Kamma, Chapter IV, Mishnah 3), the *Jewish Encyclopedia* states:

The Mishnah, bearing such facts in mind, therefore declares that if a Gentile sue an Israelite, the verdict is for the defendant; if the Israelite is the plaintiff, he obtains full damages ([B.K. iv. 3](#)).

— Jewish Encyclopedia (25)

The following passage from the Gemara is often cited as an example of unequal treatment accorded Jew and Gentile by Jewish judges in civil court cases, and more generally, as an example of anti-Gentile doctrines among Jews.

**GEMARA.** ... To [escape] murderers or robbers or





**Rabbi Yitzchok Adlerstein** calls the Talmud, "the world's oldest continuously-practiced legal code ... the backbone of Jewish law for the last two millennia." [\(20\)](#)



**Beth Din - Brooklyn, New York**

"Because the Beth Din conducts its cases in a manner consistent with the requirements of secular arbitration law, its rulings are legally binding and enforceable in the secular court system." — The Beth Din of America [\(9\)](#)

A surprising number of standard contracts in the US now mandate the use of

customs-collectors one may confirm by a vow a statement that [e.g.] the grain is terumah or belongs to the Royal Court, though it was not terumah and though it did not belong to the Royal Court. But [why should] to customs-collectors [not] apply the statement made by Samuel that the law of the State has the force of law? R. Hanina b. Kahana said that a customs-collector who is bound by no limit [is surely not acting lawfully]. At the school of R. Jannai it was stated that we were dealing here with a customs-collector who acted on his own authority. But R. Ashi said: We suppose the customs-collector here to be a heathen publican as it was taught: 'Where a suit arises between an Israelite and a heathen, if you can justify the former according to the laws of Israel, justify him and say: 'This is our law'; so also if you can justify him by the laws of the heathens justify him and say [to the other party:] 'This is your law'; but if this can not be done, we use subterfuges to circumvent him. This is the view of R. Ishmael, but R. Akiba said that we should not attempt to circumvent him on account of the sanctification of the Name. Now according to R. Akiba the whole reason [appears to be,] because of the sanctification of the Name, but were there no infringement of the sanctification of the Name, we could circumvent him!

— Babylonian Talmud, [Tractate Baba Kamma 113a](#)  
Soncino 1961 Edition, page 664

In rebuttal, it is said that this passage refers only to the obligations of a Jew to tax collectors from occupying governments, such as the Romans. In a discussion of the treatment accorded to tax collectors, it seems that R. Ashi cites a general rule. We invite the reader to study the text, here in the extract and in the context of the whole chapter and tractate (which we are delighted to make available at Come and Hear™), to determine for himself which is the best interpretation.

A further perspective in traditional Jewish laws and attitudes concerning Gentiles is contained in [What About Gentiles? \(33\)](#) Of particular interest is the modern study by Rabbi David Bar-Chayim, the head of the Makhon Ben Yishai Institute for Torah Research. Israel National Radio calls Rabbi Bar-Chayim "one of Israel's Leading Torah Scholars." [\(36\)](#) Rabbi Bar-Chayim's essay, [The Jews Are Called "Man,"](#) offers a definitive statement of the doctrines concerning Gentiles, with extensive references to many Jewish Scriptures. [\(37\)](#)

### ***Gentile Property Belongs to Jews***

The *Jewish Encyclopedia* brings up another important issue: LORD God transferred the property rights of Gentiles to Jews.

The barbarian Gentiles who could not be prevailed upon to observe law and order were not to be benefited by the Jewish civil laws,

alternative dispute resolution, or arbitration, to handle disputes. You may, for example, find such a provision in a standard credit card agreement. All Gentiles bound by such agreements should be wary of the firm, the arbitrators, and the standards of law that will be used to decide the case.

*"The Lord came from Sinai, and rose up from Seir unto them; he shined forth from Mount Paran (Deut. xxxiii, 2), indicates that the Almighty offered the Torah to the Gentile nations also, but, since they refused to accept it, He withdrew His 'shining' legal protection from them, and transferred their property rights to Israel, who observed His Law." — Jewish Encyclopedia (25)*



**Rabbi Baruch Lanner**, an official with the Union of Orthodox Jewish Congregations of America ("Orthodox Union" or OU), was arrested and sentenced for criminal sexual conduct with female students under his care.

Speaking to a *New York Times* reporter in July 2002, Rabbi Lanner said, "Emphatically,

framed to regulate a stable and orderly society, and based on reciprocity. The passage in Moses' farewell address: "The Lord came from Sinai, and rose up from Seir unto them; he shined forth from Mount Paran" ([Deut. xxxiii. 2](#)), indicates that the Almighty offered the Torah to the Gentile nations also, but, since they refused to accept it, He withdrew His "shining" legal protection from them, and **transferred their property rights to Israel**, who observed His Law. A passage of Habakkuk is quoted as confirming this claim: "God came from Teman, and the Holy One from Mount Paran ... He stood, and measured the earth; he beheld, and drove asunder the nations" (Hab. iii. 3-6); the Talmud adds that He had observed how the Gentile nations steadfastly refused to obey the seven moral Noahian precepts, and hence had decided to outlaw them ([B. K. 38a](#)).

— Jewish Encyclopedia ([25](#)) (emphasis added)

### ***Consumer Alert***

Organizations such as the Anti-Defamation League of B'nai B'rith deny that any discriminatory doctrines ever existed in "normative" (i.e., mainstream) Judaism (see [What About Gentiles? \(33\)](#)). We have just reviewed several of the Talmud's anti-Gentile laws (above). Despite the ADL's assurances, Rabbi Yitzchok Adlerstein, professor of Jewish Law and Ethics at Loyola Law School and director of Project Next Step of the Simon Wiesenthal Center, calls the Talmud, "the world's oldest continuously-practiced legal code." ([20](#)) Note that Rabbi Adlerstein says *continuously-practiced*. Be aware, also, that Jewish leadership is actively promoting the highly discriminatory anti-Gentile Noahide Laws (see [America's New Government Religion \[34\]](#)).

A surprising number of standard contracts in the US now mandate the use of alternative dispute resolution, or arbitration, to handle disputes. You may, for example, find such a provision in a standard credit card agreement. Many courts have ruled that clauses concerning arbitration and alternative dispute resolution are binding, and that the arbitrator's decision is final. All persons bound by such agreements should be wary of the firm, the arbitrators, and the standards of law that will be used to decide the case. Are the firm and arbitrators committed to the principle that Jews and Gentiles should receive equal justice? What evidence can the firm provide for that? Find out more about alternative dispute resolution at the *Law Research* "Arbitration & Mediation" page. ([29](#))

### ***Some Judges Require Alternate Dispute Resolution***

The Los Angeles Business Journal quotes Rabbi Yitzchok Adlerstein:

"There are judges around who will not listen to a case unless some attempt has been made to use some kind of alternative dispute resolution," said Rabbi Yitzchok Adlerstein, a professor of Jewish law at Loyola Law School. "The Beit Din happens to be one that works particularly well."

— Los Angeles Business Journal ([26](#))

emphatically, emphatically it did not happen. This is a kid that came from a troubled background. I took her in and raised the tuition money for her to attend that school, and bus money, and this is the payback I receive?" — as told by the Jewish News of Greater Phoenix [\(38\)](#)

Rabbi Lanner was convicted, and on October 8, 2002 was sentenced to a 7-year prison term.

"The rabbi, 52, was taken away in handcuffs Friday from the Monmouth County courtroom in Freehold, N.J., after delivering an emotional plea for mercy that invoked the Holocaust, God and his young grandchild.

"The room was so quiet you could hear the click of the handcuffs," said an observer who was in the courtroom.

'I am not a monster,' Rabbi Lanner declared, according to published reports.

He admitted to having poor judgment but stopped short of apologizing to the two victims." — The Jewish Week [\(40\)](#)

## *Competing Beth Dins*

The situation of competing Beth dins worries Rabbi Michael Broyde, former director of Beth Din of America and a professor at Emory University. We met Rabbi Broyde above in discussion of the *moser* policies in Judaism that authorize the murder of informants.

"Orthodoxy has become like the Wild West," alleged Michael Broyde at a conference in New York sponsored by the Modern Orthodox group Edah.

"Might makes right, because there's no sheriff around. There's no system of justice."

There is no religious court system with the ability to govern the Orthodox community, claimed the lecturer at the Emory University Law School in Atlanta, because the community is not cohesive and participation in religious life is voluntary...

...Broyde's notion of a "sheriff" for the Orthodox "Wild West" is a national beit din that would restore law and order.

— The Jerusalem Post [\(27\)](#)

## *Beth Din of America To Rule on 9-11 Widows*

According to an article that appeared on November 2, 2001 in the Israeli newspaper *Haaretz*, a representative of the Beth Din of America ("the supreme *halakhic* court for Orthodox Jewry in the US") was in Israel collecting rabbinical opinions on the eight cases of men missing in the World Trade Center disaster. [\(13\)](#)

The Beth Din of America and the Israeli rabbis would certainly have consulted the Talmud tractates on women and marriage contained in the Seder Nashim, which you will find at this website.

## *Talmud Courts in History*

Between 1935 and 1948, Soncino published the complete Talmud in English. The dust jacket of the 1961 printing carried this endorsement from the Dayan (judge) of the Beth Din in London:

... this translation of the Talmud will open up for the English speaking readers the most varied and indispensable index to the collective wisdom of the post-Biblical Hebrew mind, and afford direct knowledge of the ordinances **which have governed and continue to govern** the religious institutions and social polity of the Jewish people.

— *The late Rabbi Dr. A. Feldman, Dayan of the Beth Din, London.*

— Soncino Talmud, dust jacket (emphasis added)

Notice the phrase Rabbi Feldman used: "... which have governed and continue to govern ..."

In the article "Gentile," *The Jewish Encyclopedia* gives a history of

the treatment of Gentiles under Talmudic law courts. Writing about the treatment of Gentiles after the destruction of the Second Temple (70 A.D.):

After the destruction of Jerusalem the condition of the Gentiles in general was somewhat improved by the establishment of Roman courts of justice; but the laws of the latter, borrowed from the Persians and modified by feudalism, never attained the high standard of Jewish jurisprudence. Even under the Roman supremacy the Jews were permitted to decide their civil and criminal cases in accordance with their own code of laws, just as in countries like Turkey, China, and Morocco extra-territorial rights are granted by treaty to the consular courts of foreign nations. In a mixed trial where the suitors were respectively Jew and Gentile, the Jew had to abide by the harsh and illogical laws of the Gentiles; and for this the Jew retaliated whenever occasion arose.

— The Jewish Encyclopedia [\(37\)](#)

The London Beth Din gives a history of rabbinical courts in England, from the time of William the Conqueror to the present day. [\(15\)](#)

Talmudic courts have also functioned in Europe. In Poland, under Boleslav the Pious in 1264, and Casimir the Great in 1334, Jews were granted the right to maintain their own courts. Under King Stephen Bathory (1575-86), Jews were also granted their own Parliament and the right to levy taxes on their co-religionists.

— [\(16\)](#)

Max Dimont, author of *The Indestructible Jew*, states:

Jews ran international Talmudic courts in the Middle Ages; in Napoleonic France, Jews also ran their own courts.

— [\(17\)](#)

In their Introduction to the Soncino Talmud's Tractate Baba Bathra, Rabbis Slotki and Simon state:

Like the other two 'Gates' [Baba Kamma and Bab Mezi'a], Baba Bathra shows us the Palestinian and Babylonian Rabbis in the role not of religious guides but of secular judges and administrators, regulating the purely worldly affairs of the Jewish people, and deciding their business disputes.

— Rabbi I.W. Slotki and Maurice Simon [\(18\)](#)

### ***Jewish Court System in Action***

How does the Jewish justice system function in a totally Jewish environment without the interference of Gentiles? For one answer, see [And So a Talmud Marriage Ends](#): "Talmud Divorce in Israel."

Thank you for your consideration of the above,

*Carol A. Valentine*, Ear at come-and-hear dot com  
 July 14, 2003 ( This article is on line at <http://www.come-and-hear.com/editor/talives.html> )

**NEXT: [The Roadmap 8: What About Gentiles?](#)**

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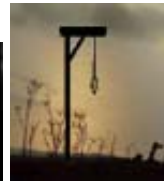
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### ***Appendix: The Lanner Case***

In light of the prohibitions on turning a Jew over to Gentile authorities, how can the Rabbi Lanner case be explained? It may seem to be an exception, but the details of the case show that it is not.

At the time he was arrested, Rabbi Baruch Lanner was a prominent staff member of the Orthodox Union, serving as the director of its youth group, the National Conference of Synagogue Youth (NCSY). In the past Rabbi Lanner served as the principal of the Hillel Yeshiva High School in Deal, New Jersey.

Over the course of decades, Rabbi Lanner's students and their parents complained that he sexually abused youngsters in his care. A *Beth din* was convened to hear charges against him in 1989. He was found guilty of three of the six charges brought against him, but they took no action to curtail his involvement as a youth leader.

The complainants, their parents, and supporters, formed a network and over the years worked to find a way to block Rabbi Lanner's access to children. The network eventually gathered momentum within the Jewish community.

In June, 2000, the Jewish Week publicly reported complaints against Lanner. The Jewish Bulletin News of Northern California gives this perspective:

The Lanner case not only stirred a rare public airing of the issue in the Jewish community, it also provoked intense debate in the community because Lanner allegedly abused scores of teenagers during a 30-year period.

The scandal surfaced in June 2000 when the New York Jewish Week first reported the complaints against Lanner.

As public reaction swelled, the union appointed the NCSY Special Commission on the Lanner case, and in December 2000 the panel released part of a scathing 332-page report blaming O.U. leaders for ignoring reports of Lanner's abuse and urging major organizational reforms.

In at least four instances, NCSY and union officials were "put on direct and specific notice of serious sexual misconduct" by Lanner but failed to heed such "red flags," the report said.

— Jewish Bulletin News of Northern California [\(39\)](#)

In March 2001, a grand jury indicted Rabbi Baruch Lanner on six criminal charges. Mark Fliedner, assistant prosecutor in Monmouth County, New Jersey, spoke to the press about Lanner's prosecution.

Fliedner told The Jewish Week the investigation, conducted by the prosecutor's office and the Ocean Township, N.J., Police Department, was "lengthy and exhaustive," and originated with The Jewish Week report of last June. Two women, now adults, who were minors at the time of the alleged abuse by Lanner, came forward to the authorities, who convened a grand jury that met over a period of several weeks.

Lanner, who has refused past efforts by The Jewish Week to be interviewed, denied the allegations to a New York Times reporter last July. He was quoted as saying, "Emphatically, emphatically, emphatically it did not happen. This is a kid that came from a troubled background. I took her in and raised the tuition money for her to attend that school, and bus money, and this is the payback I receive?"

— Jewish News of Greater Phoenix [\(38\)](#)

Rabbi Lanner was convicted, and on October 8, 2002 was sentenced to a 7-year prison term.

The rabbi, 52, was taken away in handcuffs Friday from the Monmouth County courtroom in Freehold, N.J., after delivering an emotional plea for mercy that invoked the Holocaust, God and his young grandchild.

"The room was so quiet you could hear the click of the handcuffs," said an observer who was in the courtroom.

"I am not a monster," Rabbi Lanner declared, according to published reports.

He admitted to having poor judgment but stopped short of apologizing to the two victims ...

Rabbi Lanner could have received up to 20 years, according to Monmouth County Prosecutor Peter Boser.

— The Jewish Week [\(40\)](#)

Did those complaining about Rabbi Lanner "inform" on him by taking him to Gentile authorities? Not quite. Rabbi Lanner was disciplined by Jews: Jews in the victims' network, Jews at the Jewish Week, and the Jewish-surnamed Monmouth Counter Prosecutor, Peter Boser. [\(41\)](#)

The words of apology from the members of the 1989 Beth din are moving, but their careful mix of encouragement and caution confirms the doctrine: A Jew must not report a Jew to secular authorities, except in certain complex and undefined circumstances.

Let us look to the future. We must do everything in our power to protect potential victims from abuse. This includes reporting accusations of abuse to Jewish and, at times, to secular authorities. When a potential victim of abuse faces imminent danger, there should be no doubt that the principle of *lo ta'amod al dam rei'akha*, "Do not stand idly by as the blood of your neighbor is shed" (Leviticus 19:6), overrides other *halakhic* concerns, and one should immediately report the allegations to the secular authorities. **In this brief statement, it is impossible to summarize the intricate *halakhot* of when to report abuse to secular authorities.** We hope, however, that soon one or more of us will address the public on this question.

— Public statement of apology issued by original Beth din, edited and published by TorahWeb.org ([42](#)) (emphasis added)

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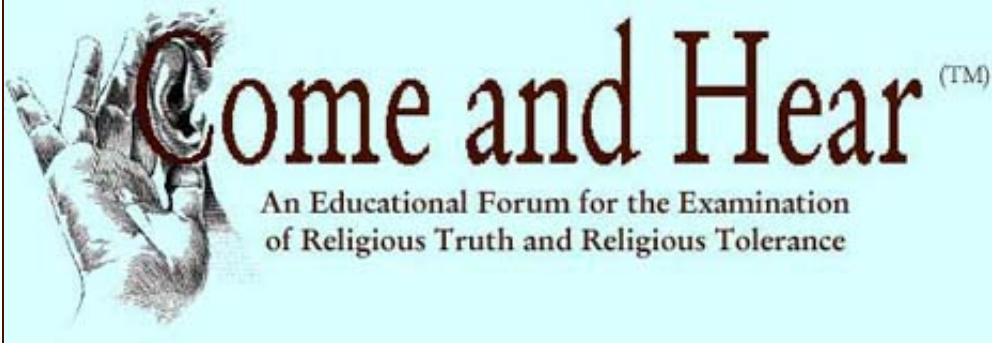
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***For Jews, the belief that God can be human is the ultimate heresy.***

— Rabbi Shmuley Boteach, on Christianity [\(7\)](#)

***Minuth — Heresy, the belief in more than one Power, especially Judeo-Christianity.***

— [Soncino Talmud Glossary](#)

Unbeknownst to most Americans, the US Congress has been gradually changing the fundamentals of American law. The movement for change started as early as 1975, when Congress passed a resolution honoring the birthday of a prominent rabbi, Rabbi Menachem Mendel Schneerson, ("the Rebbe") of the Chabad Lubavitch sect (sometimes this sect is called "ultra-Orthodox"). The movement ratcheted forward in 1991, when Congress coupled Rabbi Schneerson's happy birthday message with a declaration that the United States of America was founded on the seven Noahide Laws. [\(1\)](#)

The Noahide Laws promise deadly consequences for Christians. We shall understand why a little later.

What are the seven Noahide Laws? In brief: LORD God told the Jews they must obey 613 commandments [\(72\)](#) in order to have everlasting life (i.e., "a portion in the-world-to-come"), but decreed that the rest of mankind must obey only seven commandments. Those seven commandments are the Noahide Laws. Furthermore, LORD God tasked the Jews to enforce the seven Noahide Commandments, and to enforce them with liberal use of the death penalty.

While we read of LORD God writing the Ten Commandments on stone tablets with his finger and giving them to Moses ([Exodus 31:18](#), [34:28](#)), there is no parallel Biblical statement of LORD God writing the



**Rabbi Menachem Mendel Schneerson**, (2) the Lubavitcher Rebbe, 1902-1994. His birthday has been regularly recognized by special Congressional declarations. These were effected by declaring his birthday "Education Day." The proclamations go as far back as 1976. Rabbi Schneerson's name appears in every bill and the date moves about on the Julian calendar to follow the wandering cycles of the Babylonian lunar calendar used by Judaism. In 1991, Congress coupled Rabbi Schneerson's birthday recognition with a declaration stating that the Talmud Noahide Laws are "the basis of civilized society and upon which our great Nation was founded". — US Congress (1)

The package on the Rebbe's forehead is a *tephillin* (or phylactery) which, as described by Reverend Dr. Abraham Cohen, "consists of two small leather cases with straps attached, in each of which is inserted parchment inscribed with four Biblical passages: [Exod. xiii. 1-10, 11-16](#); [Deut. vi. 4-9, xi. 13-21](#). That is the traditional method of fulfilling the

Noahide Laws on stone tablets and giving them to anybody. Jews believe that the Noahide Laws were either passed down orally (see [More Critical Words of Talmud Study](#), Oral Law), or derived by rabbis (see [Israel's "One Indigenous Science" \[50\]](#)). The authority of the Noahide Laws is not questioned, however. (37)

Here is an excerpt from the 1991 Congressional declaration concerning the Noahide Laws:

Whereas Congress recognizes the historical tradition of ethical values and principles which are the basis of civilized society and upon which our great Nation was founded;

Whereas these ethical values and principles have been the bedrock of society from the dawn of civilization, when they were known as the Seven Noahide Laws;

...

Whereas the Lubavitch movement has fostered and promoted these ethical values and principles throughout the world;

Whereas Rabbi Menachem Mendel Schneerson, leader of the Lubavitch movement, is universally respected and revered and his eighty-ninth birthday falls on March 26, 1991;

Whereas in tribute to this great spiritual leader, 'the rebbe', this, his ninetieth year will be seen as one of 'education and giving', the year in which we turn to education and charity to return the world to the moral and ethical values contained in the Seven Noahide Laws; and

Whereas this will be reflected in an international scroll of honor signed by the President of the United States and other heads of state: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 26, 1991, the start of the ninetieth year of Rabbi Menachem Schneerson, leader of the worldwide Lubavitch movement, is designated as 'Education Day, U.S.A.'. The President is requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities.*

— US Congress, HR 104 Public Law 102-14 (1)

Despite this Congressional declaration, many Americans are still not aware that their country was founded on Talmudic laws. (70) It is still widely believed that America was founded on the principles contained in the Declaration of Independence, the Bill of Rights, the Constitution, and Anglo-Saxon law generally. Some of the Founding Fathers even thought they had been influenced by the writings of John Locke, a Scot. Help clear up this misunderstanding. A copy of that 1991 resolution, Joint House Resolution 104 Public Law 102-14, and prior Congressional

law: 'Thou shalt bind them for a sign upon thine hand, and they shall be for frontlets between thine eyes.' ([Deut. vi. 8](#))" — Reverend Dr. Cohen ([3](#))



**Antonin Scalia**, Supreme Court judge, is said to be a devout Catholic with a fascination for Jewish law. Under circumstances that are not explained, Justice Scalia developed a correspondence with Rabbi Noson Gurary (a disciple of the late Rabbi Schneerson). During this exchange, Scalia mentioned his "fascination with Jewish law." That prompted Rabbi Garary to found the National Institute for Judaic Law (NIJL). ([45](#)) The Institute promotes courses on Talmud-based law in American law schools and otherwise injects Talmud-based law into American society.

The founding of NIJL was celebrated by a gala kosher dinner on November 5, 2002. Justice Scalia and two other Supreme Court judges were among 200 dinner guests. Where was the dinner held? In the Supreme Court building.

Schneerson birthday resolutions are available for easy download and study. ([1](#))



**Congressional Gold Medal** (brass replica) awarded posthumously to Rabbi Schneerson in August 1994. The legend on the obverse reads "Benevolence Ethics Leadership Scholarship" in English, and "To improve the home" in Hebrew.

To see how one of Judaism's most prominent and charming spokesmen is currently promoting the Noahide Laws, study the May 8, 2001 speech of the Very Reverend the Chief Rabbi of the United Hebrew Congregations of the British Commonwealth, Professor Jonathan Sacks. The speech is entitled *Jewish Identity — The Concept of a Chosen People*. ([42](#))

### *A Description of the Noahide Laws*

The Noahide Laws are defined in the Talmud, largely in Chapter VII of Tractate Sanhedrin, particularly: [56a](#), [56b](#), and [57a](#).

*(Note: When excerpting quotations from the Talmud, we sometimes omit non-germane text and footnotes. An omission of text is indicated by an ellipsis (...). To see the full text and footnotes, follow the hot link at the end of the excerpt. It is our pleasure to make available on line a number of Talmud tractates, so that excerpts used in these Come and Hear™ articles and Elizabeth's Dilling's [The Jewish Religion: Its Influence Today](#) can be seen in full context. We indicate unprintable Hebrew characters, words, and phrases with the symbol [H].)*

**GEMARA.** ... Our Rabbis taught: seven precepts were the sons of Noah commanded: social laws; to refrain from blasphemy, idolatry; adultery; bloodshed; robbery; and eating flesh cut from a living animal ...

— Babylonian Talmud, [Tractate Sanhedrin 56a](#)  
Soncino 1961 Edition, pages 381-382

A contemporary promoter of the Noahide Laws, Rabbi Shmuley Boteach, is a Hasidic Jew, a Kabbalist, ([43](#)) and a disciple of the late Rabbi Schneerson. ([58](#)) Rabbi Boteach expresses the Noahide Laws in this language:



Site of Kosher Banquet

The American public first learned of the Supreme Court kosher dinner by reading the news in *The Jerusalem Post*, November 9, 2002. (45) This remarkable event was not reported contemporaneously by either *The Washington Post* or *The Washington Times*. Missing from *The Jerusalem Post* coverage was the role Scalia may have played in securing the use of the Supreme Court building as a banquet hall for Rabbi Gurary.

Why a devout Catholic like Justice Scalia would promote Talmud-based law is not clear. The Talmud classifies Christians as idolaters, and the Noahide regulations require that idolaters — devout Catholics, for example, people exactly like Justice Scalia — be put to death. Could it be that Rabbi Gurary did not tell Justice Scalia about the Noahide provisions to execute people like Scalia?

Justice Scalia has demonstrated a soft spot for Judaism in other ways. He was the first judge to use the word *chutzpah* in a Supreme Court decision. (41)

According to an article in *Jewish Law*, "... Justice Scalia ... has repeatedly called for more expressions of tradition and religion in

The Jews have the 613 commandments of the Torah to observe. Non-Jews have the Noahide commandments, included within which are prohibitions against idolatry, theft, murder, adultery and incest, cruelty to animals, blasphemy and the responsibility to establish and maintain courts of justice in a just society.

— Rabbi Boteach (9)

### *Jewish Law Enforced on Non-Jews*

In the following Talmud excerpt, we see that Jews have Divine authority to enforce the Noahide Laws on non-Jews.

**GEMARA.** ... If a heathen [son of Noah] blasphemed, employing substitutes of the ineffable Name, he is in the opinion of the Sages punishable by death. Why so? — Because it is written, *as well the stranger, as he that is born in the land [when he blasphemeth the name of the Lord, shall be put to death].*

— Babylonian Talmud, [Tractate Sanhedrin 56a](#)  
Soncino 1961 Edition, page 381

### *One Witness — Death for Gentile*

Rabbi Yitzchok Adlerstein is the director of Project Next Step of the Simon Wiesenthal Center in Los Angeles and a professor of Jewish Law and Ethics at Loyola Law School. Rabbi Adlerstein presents the basic principle of equal protection under Jewish law.

For a Jew to be convicted by a Jewish court, two eyewitnesses must have seen the perpetrator about to commit the crime and warned him of the potential penalty. The murderer must verbally answer that he chooses to proceed anyway. (For a non-Jew, only one witness is required and no verbal warning.)

— Rabbi Adlerstein, as told to Naomi Pfefferman (57)

So then, Jewish law is not based on "Equal Justice for All." Different standards are used to judge Jews and non-Jews. To convict a Gentile, all that is needed is one accuser. See [US v. Talmud Law](#) for further discussion. (66) Thus, it is very easy to convict a Gentile, but much more difficult to convict a Jew.

Now the Talmud Sages tell us that a single judge decides a Gentile's fate. There is no provision for a jury in Talmud law.

**GEMARA.** ... R. Jacob b. Aha found it written in the scholars' Book of Aggada: A heathen is executed on the ruling of one judge, on the testimony of one witness, without a formal warning, on the evidence of a man, but not of a woman, even if he [the witness] be a relation. On the authority of R. Ishmael it was said: [He is executed] even for the murder of an embryo. Whence do we know all this? — Rab Judah answered: The Bible saith, And



American society. The use of the word *chutzpah*, with its historical roots and association with Judaism, may fulfill such a role. It also comports with his legal philosophy. He favors the 'nonpreferentialist' view, which posits that government may support religion in general but not in a way that prefers any particular religion. For Justice Scalia to use a term of a Jewish cultural language in a Supreme Court decision could be viewed as in keeping with the nonpreferentialist legal doctrine." — Jewish Law [\(54\)](#)

The word *chutzpah* is not a religious word, nor is it a traditional American word. It is a Yiddish word meaning, roughly, "unmitigated gall." It is surprising that *Jewish Law* would attach such significance to the incidental use of a Yiddish word.

If given a judicial opportunity, will Justice Scalia rule in favor of the Noahide Laws? He could describe them as "nonpreferentialist," in the much the same way that Congress described them as "the bedrock of society from the dawn of civilization." That sounds most "nonpreferentialist," provided one does not mention death sentences for Christians.



### Equal Justice Under Law

Talmud law also provides that Jews and non-Jews be judged by dramatically different standards. For

surely your blood of your lives will I require; this shows that even one judge [may try a heathen].

— Babylonian Talmud, [Tractate Sanhedrin 57b](#)  
Soncino 1961 Edition, page 390

## *Gentiles Executed for Violating Noahide Laws*

Here the rabbis argue and decide that heathens are put to death for idolatry, and any other violation of the Seven Laws, as well:

**GEMARA.** ... With respect to idolatry, such acts for which a Jewish court decrees sentence of death [on Jewish delinquents] are forbidden to the heathen. This implies that they are merely forbidden, but their violation is not punished by death! - R. Nahman b. Isaac answered: Their prohibition is their death sentence. (1)

R. Huna, Rab Judah, and all the disciples of Rab maintained: A heathen is executed for the violation of the seven Noachian laws; the Divine Law having revealed this of one [murder], it applies to all.

— Babylonian Talmud, [Tractate Sanhedrin 57a](#)  
Soncino 1961 Edition, pages 387-388

The translator, Rabbi Dr. H. Freedman, amplifies the text in a footnote:

1. I.e., in speaking of heathens, when the Tanna teaches that they are forbidden to do something, he *ipso facto* teaches that it is punishable by death; for only in speaking of Jews is it necessary to distinguish between prohibition and punishment.

— Rabbi Dr. H. Freedman

## *Death Sentence Endorsed Today*

It would be a mistake to believe that contemporary promoters of the Noahide Laws have abandoned the Talmud doctrine that idolaters (i.e., Christians) be put to death for practicing their religion. The *Noah's Covenant* web site calls for the banning of Christmas and other Christian holidays, and endorses the call for the death sentence for Christians. *Noah's Covenant* quotes Rabbi Schneerson from Volume VIII of *Likkutei Sichos*, an anthology of the Schneerson's works. [\(71\)](#) Rabbi Schneerson in turn quotes Maimonides (the Rambam).

... according to the known Jewish ruling that Christians are idol worshippers.

— Maimonides, quoted by Rabbi Schneerson [\(63\)](#)

A gentile ... is liable for the death penalty ... if he has invented a

example, in capital cases, 23 judges must sit in judgment on a Jew; two eyewitnesses must have witnessed the offense, and warned him of the potential penalty. In contrast, a Gentile gets one judge, and is convicted on the testimony of one eyewitness with no warnings. See [US v. Talmud Law](#) for more details on capital cases. See [The Talmud Lives for Jews](#) for details on civil cases.

Justice Scalia has sworn an oath to uphold the US Constitution and the Bill of Rights. Given that the words Equal Justice Under Law are emblazoned over the cornice of the very building that houses Scalia's office, Justice Scalia is one Very Interesting Person.



**Neatly separating head from shoulders with a single blow of the axe ...**

"... in speaking of heathens, when the Tanna teaches that they are forbidden to do something, he *ipso facto* teaches that it is punishable by death; for only in speaking of Jews is it necessary to distinguish between prohibition and punishment." — Rabbi Dr.

religious holiday for himself ... The general principle is we do not allow them to make new religious rituals and to make 'mitzvahs' for themselves by their own devices. Rather they may either become a Ger Tzeddek and accept all the Mitvahs; or [t]he (the Noahide) should stand fast in his Torah (the seven Noahide Laws) without adding or diminishing ... and if he does make some new 'mitzvah,' we lash him, punish him, and inform him that he is obligated with the death penalty for this ...

— Maimonides (the Rambam) (64)

### *Gentiles vs. the Beasts of the Field*

In Tractate Sanhedrin 57b (cited above), we learned that a "heathen" is executed on the ruling of *one* judge. Let's compare that rule with the treatment of Jews and oxen accused of capital crimes. (Footnotes, except for footnote 7, have been omitted from this excerpt. To read the footnotes and the full context of the tractate, follow the hot link on the cite.)

**MISHNAH.** ... CAPITAL CASES ARE ADJUDICATED BY TWENTY-THREE. THE PERSON OR BEAST CHARGED WITH UNNATURAL INTERCOURSE, BY TWENTY-THREE, AS IT IS WRITTEN, THOU SHALT KILL THE WOMAN AND THE BEAST, AND ALSO, AND YE SHALL SLAY THE BEAST.

THE OX TO BE STONED (7) IS TRIED BY TWENTY-THREE, AS IT IS WRITTEN, THE OX SHALL BE STONED AND ITS OWNER SHALL BE PUT TO DEATH (8) — AS THE DEATH OF THE OWNER, SO THAT OF THE OX, CAN BE DECIDED ONLY BY TWENTY-THREE.

THE DEATH SENTENCE ON THE WOLF OR THE LION OR THE BEAR OR THE LEOPARD OR THE HYENA OR THE SERPENT IS TO BE PASSED BY TWENTY-THREE. (9) R. ELIEZER SAYS: WHOEVER IS FIRST TO KILL THEM [WITHOUT TRIAL], ACQUIRES MERIT, R. AKIBA, HOWEVER, HOLDS THAT THEIR DEATH IS TO BE DECIDED BY TWENTY-THREE.

— Babylonian Talmud, [Tractate Sanhedrin 2a](#)  
Soncino 1961 Edition, page 2

Rabbinical scholar and translator, Jacob Shachter, amplifies the text with these footnotes.

7. If he gored a person. Ex. XXI, 28.
8. Ex. XXI, 29.
9. Which has killed a human being.

— Jacob Shachter

A further perspective in traditional Jewish laws and attitudes concerning Gentiles is contained in [What About Gentiles?](#) (67) See also [US v. Talmud Law.](#) (66)

Freedman

"... every death penalty decreed for the sons of Noah is only by decapitation." — [Sanhedrin 56a](#)



**Rabbi Yitzchok Adlerstein** is the director of Project Next Step of the Simon Wiesenthal Center in Los Angeles and a professor of Jewish Law and Ethics at Loyola Law School. Rabbi Adlerstein calls the Talmud, "the world's oldest continuously-practiced legal code." [\(55\)](#)

"For a Jew to be convicted by a Jewish court, two eyewitnesses must have seen the perpetrator about to commit the crime and warned him of the potential penalty. The murderer must verbally answer that he chooses to proceed anyway. (For a non-Jew, only one witness is required and no verbal warning.)" [\(57\)](#)

We can see why a Jew on trial for his life might prefer a Jewish court — but why would a non-Jew? What

## *Noahides Killed by Decapitation*

In this passage, we see that heathens (or "sons of Noah") must be killed by decapitation.

**GEMARA.** ... Our Rabbis taught: [*Any man that curseth his God, shall bear his sin.* (3) It would have been sufficient to say], 'A man, etc.:' What is taught by the expression *any man*? (4) The inclusion of heathens, to whom blasphemy is prohibited just as to Israelites, and they are executed by decapitation; for every death penalty decreed for the sons of Noah is only by decapitation.(5)

— Babylonian Talmud, [Tractate Sanhedrin 56a](#)  
Soncino 1961 Edition, page

The translator, Rabbi Dr. H. Freedman, explains in a footnote that the expression "sons of Noah" means non-Israelites.

3. Leviticus XXIV, 15
4. Lit., 'A man, a man', Heb. *ish ish*, [H] [H]
5. The only place where death is explicitly decreed for non-Israelites is in Gen. IX, 6: *Whoso sheddeth man's blood, by man shall his blood be shed.* It is a general law, applicable to all, having been given in the pre-Abrahamic era; his blood shall be shed must refer to the sword, the only death whereby blood is shed.

— Rabbi Dr. Freedman

The Sages consider decapitation to be the most hideous way to die because it so disfigures the corpse. In contrast, Jews who commit idolatry are stoned. [\(23\)](#) To see footnotes, please follow link at the bottom of the excerpt.

**MISHNAH.** EXECUTION BY THE SWORD WAS PERFORMED THUS: THE CONDEMNED MAN WAS DECAPITATED BY THE SWORD, AS IS DONE BY THE CIVIL AUTHORITIES. R. JUDAH SAID: THIS IS A HIDEOUS DISFIGUREMENT; BUT HIS HEAD WAS LAID ON A BLOCK AND SEVERED WITH AN AXE. THEY REPLIED, NO DEATH IS MORE DISFIGURING THAN THIS.

— Babylonian Talmud, [Tractate Sanhedrin 52b](#)  
Soncino 1961 Edition, page 380

Axe or sword, the end result is the same.

## *"Grunts" Push for Decapitation*

If it seems fantastic that decapitations might be carried out in the US,

would Talmud-based law have to offer that is better than trial by a jury of peers, the Bill of Rights, and Equal Justice Under Law?



**The National Menorah** is now an annual feature on the Ellipse, adjacent to the White House in Washington, DC — it is part of the government-sponsored Christmas/ Hanukkah/ Winter Solstice/ Kwanzaa festivities.



*The Washington Times*, Monday, December 12, 2002, carried a front-page picture and story above the fold of the lighting of the National Menorah. The caption reads: "From left, Rabbi Abraham Shemtov, Rabbi Levi Shemtov, and Undersecretary of Defense Dov Zakheim lit the National Menorah on the Ellipse from a cherry picker to mark the third night of Hanukkah, last night." All three men are Friends of Lubavitch. Other friends of Chabad Lubavitch include former Press Secretary to President Bush Ari Fleischer, and Senator Joseph Lieberman, (D-CT), a possible candidate for the

the reader's attention is called to the July 26, 2003 edition of *Defense Watch* ("The Voice of the Grunt"). In an article entitled "Anti-Terror Weapon: Off With Their Heads," Robert G. Williscroft argues that the US military decapitate "terrorists."

We should have beheaded Saddam's monster sons, and placed their pigskin-draped heads atop long poles in the center of Baghdad. Then, one by one, as we capture other high-ranking members of the old regime, their pigskin-draped heads should join the rotting heads of the Hussein brothers.

— Robert G. Williscroft (73)

Of course, all of the "terrorists" so far are Gentiles. And once decapitation is used by American officials on Iraqi Gentiles, the precedent is established. Decapitation becomes an American practice, and may be used other Gentiles as well.

*Defense Watch* ("The Voice of the Grunt") is published by Soldiers For The Truth (SFTT), which claims to be "a grass-roots educational organization started by a small group of concerned veterans and citizens to inform the public, the Congress, and the media on the decline in readiness of our armed forces ... SFTT is headed by retired Army Colonel David H. Hackworth." (74)

### ***Jesus Led Israel to Apostasy***

Should Christians be particularly concerned about all this? As we learned in [Jesus' Membrum in the Talmud](#), (34) and Elizabeth Dilling's [The Jewish Religion: Its Influence Today, Chapter III](#), Jewish teaching holds that Jesus of Nazareth ("Balaam," "Ben Stada," etc.) was a false god. He was the bastard son of a woman who played the harlot with carpenters, He worshipped a brick, performed magic with his sex organ, had sexual intercourse with his donkey, and attempted to seduce women. He was a sorcerer who led Israel to apostasy.

**GEMARA.** ... On the eve of the Passover Yeshu (6) was hanged. For forty days before the execution took place, a herald went forth and cried, 'He is going forth to be stoned because he has practised sorcery and enticed Israel to apostasy. Any one who can say anything in his favour, let him come forward and plead on his behalf.' But since nothing was brought forward in his favour he was hanged on the eve of the Passover!

— Babylonian Talmud, [Tractate Sanhedrin 43a](#)  
Soncino 1961 Edition, page 281

The translator, Rabbi Dr. H. Freedman amplifies the text in a footnote, citing the Munich codex of the Talmud (the identity of Jesus is clarified by calling him "the Nazarean"):

5. [Ms M. adds 'the Nazarean'.]

US presidency.



*The Washington Times*,  
Monday, December 12,  
2002, (detail).

The box carrying the men reads, "Hanukkah - Friends of Lubavitch." As careful as the White House is in their public relations of all matters religious, this seems to be a clear message to the nation: of the three rabbis, all are Orthodox.

"In the struggle for the soul of American Jewry, the Orthodox model has triumphed." — Samuel G. Freedman ([52](#))

Dov Zakheim is Comptroller of the Pentagon, and an ordained Orthodox rabbi. He is also the Department of Defense "point man" in charge of "rebuilding a terrorist-free Afghanistan" for the Muslim Afghans. — AFIS ([68](#))

— Rabbi Dr. Freedman

Certainly, Jewish views of Jesus and His mother are allowable under the Bill of Rights. Christians have their opinions about other religions, too. However, the present-day Jewish view of Christianity has consequences in a way that the present-day Christian view of Judaism does not. Under Judaism, what happens to those who worship a false god?

**MISHNAH.** HE WHO ENGAGES IN IDOL-WORSHIP [IS EXECUTED]. IT IS ALL ONE WHETHER HE SERVE IT, SACRIFICE, OFFER INCENSE, MAKE LIBATIONS, PROSTRATE HIMSELF, ACCEPT IT AS A GOD, OR SAY TO IT, 'THOU ART MY GOD' ...

— Babylonian Talmud, [Tractate Sanhedrin 60b](#)  
Soncino 1961 Edition, page 410

### ***Min, Minim, Minuth***

In the Talmud, Christians are specifically described as "Judeo-Christians" or "min" (plural "minim"). The following definition of "*minuth*" in the Glossary for the Soncino Talmud makes the Talmudic attitude to Christianity clear:

**Minuth** — Heresy, the belief in more than one Power, especially Judeo-Christianity.

— [Soncino Talmud Glossary](#)

### ***Idolater — Word Covers Many People***

Some may assume that "idolatry" refers to the worship of idols. While that definition is correct, the word takes on metaphorical application, and may refer to anyone whose theology differs from that of the Pharisees. For example, Jews who reject the Talmud and wish to base their law and practices on the Old Testament only, have in the past, been labeled "idolaters" by the Pharisaic (Talmud) Jews. See the information on Sadducees and Karaites in [Critical Words of Talmud Study](#).

### ***Personal Virtue vs. Enforcement***

Before taking up the next point, let us consider some aspects of religion. There is one aspect of religion that intends the betterment of the individual through prayer, meditation, right action, faith, hope, charity, etc. Let us call this aspect of religion the "religion of personal virtue."

There is, however, a second aspect of religion. This aspect requires one person to use force against his fellow, either individually, or more often, through the power of the state. Let us call this aspect of religion the "religion of enforcement."

### ***Personal Virtue Religion***

None of the teachings of Jesus require men to use force against one



### US President George W.

**Bush** "sent greetings and applauded the institute for promoting an 'understanding of Judaism's rich tradition of legal thought. As we face new challenges and welcome new opportunities, our society must continue to promote good character and strong values. Through the study and teaching of Jewish law and philosophy you are contributing to a growing culture of service, citizenship, and responsibility in America,' Bush wrote."

The occasion was a kosher dinner held at the US Supreme Court Building in Washington, DC by the National Institute of Judaic Law to celebrate the occasion of the Institute's founding. According to the Jerusalem Post, the purpose of the Institute is to teach Judaic law to US law students and jurists, and to file legal opinions in US courts. [\(44\)](#)

another; instead, Jesus directed the individual to acquire personal virtue. Among many other things, he said:

3. Blessed are the poor in spirit: for theirs is the kingdom of heaven.
4. Blessed are they that mourn: for they shall be comforted.
5. Blessed are the meek: for they shall inherit the earth.
6. Blessed are they which do hunger and thirst after righteousness: for they shall be filled.
7. Blessed are the merciful: for they shall obtain mercy.
8. Blessed are the pure in heart: for they shall see God.
9. Blessed are the peacemakers: for they shall be called the children of God.
10. Blessed are they which are persecuted for righteousness' sake: for theirs is the kingdom of heaven.
11. Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake.

— [Matthew 5:3-11](#)

This writer knows of not one case of a government attempting to enforce any of the Beatitudes. Nor do we find Jesus of Nazareth directing His followers to convert others at the point of a sword, or to kill others because they do not follow His way. [\(61\)](#)

### ***Enforcement Religion***

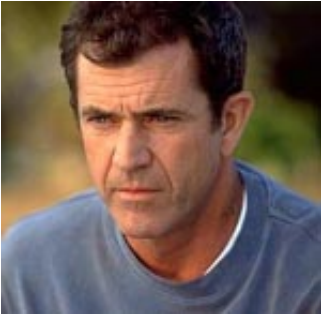
In contrast, many of the commands in the Old Testament contain enforcement clauses. For example, this commandment —

**18. Thou shalt not suffer a witch to live.**

— [Exodus 22:18](#)

That commandment requires the force of the state to carry out the death sentence on a "witch." The following passage from Deuteronomy 13 *requires* Old Testament believers to kill unapproved prophets, miracle workers, and anyone who preaches another religion.

1. **If there arise among you a prophet, or a dreamer of dreams, and giveth thee a sign or a wonder,**
2. **And the sign or the wonder come to pass, whereof he spake unto thee, saying, Let us go after other gods, which thou hast not known, and let us serve them;**



**Mel Gibson** is a practicing Roman Catholic Christian. Gibson is currently making a movie about the last day in the life of Jesus.

On March 24, 3003, Abraham Foxman, the National Director of the Anti-Defamation League, wrote Gibson a letter, issuing a thinly veiled demand that Gibson submit his script or a precise for ADL approval. "... we have serious concerns ... and would like to be assured ... Passion plays have an infamous history of leading to hatred, violence, and even death of Jews."[\(62\)](#)

On the other hand, the ADL publishes a speech given by the First Lady of New York,



**Mrs. George (Libby) Pataki.** Mrs. Pataki gave her speech upon the acceptance of an award given to her by the ADL for her unwavering support of Israel. In her speech, Mrs.

3. **Thou shalt not hearken unto the words of that prophet, or that dreamer of dreams: for the LORD your God proveth you, to know whether ye love the LORD your God with all your heart and with all your soul.**
4. **Ye shall walk after the LORD your God, and fear him, and keep his commandments, and obey his voice, and ye shall serve him, and cleave unto him.**
5. **And that prophet, or that dreamer of dreams, shall be put to death; because he hath spoken to turn you away from the LORD your God, which brought you out of the land of Egypt, and redeemed you out of the house of bondage, to thrust thee out of the way which the LORD thy God commanded thee to walk in. So shalt thou put the evil away from the midst of thee.**
6. **If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers;**
7. **Namely, of the gods of the people which are round about you, nigh unto thee, or far off from thee, from the one end of the earth even unto the other end of the earth;**
8. **Thou shalt not consent unto him, nor hearken unto him; neither shall thine eye pity him, neither shalt thou spare, neither shalt thou conceal him:**
9. **But thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people.**
10. **And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from the LORD thy God, which brought thee out of the land of Egypt, from the house of bondage.**
11. **And all Israel shall hear, and fear, and shall do no more any such wickedness as this is among you.**

— [Deuteronomy 13:1-11](#) (KJV)

There are many similar injunctions in the Old Testament. In the history of Christendom, we can see when the Old Testament doctrines dominated the minds of Christian leadership. When Christendom neglected Old Testament enforcement doctrines, religious freedom

Pataki denounced the Koran and those who practice the Islamic religion. She identified Islam with terrorism, saying in part:

"It leaves us at war with an enemy that has no conscience. They do not deal in reality with statistics and facts. They deal in rhetoric filled with hatred and founded in ignorance. They praise murderers as martyrs. The speak peace and buy illegal weapons ... They TARGET women and children for death ...

" The fight is not just about Israel. It is about all people that hate terror and love peace. It is about freedom and the right to live one's life without fear. Under the Taliban in Afghanistan, women were forbidden to hold jobs, drive cars, own land, be educated, and for that matter, show their face. They were forbidden from doing things by the Koran, which ironically they are not even allowed to read. If their husband dies they have no way to feed their children. Sometimes, the women beg for enough money to buy stale bread, which they mix with water and feed to their children. In other families the women were forced into prostitution and then charged and executed for the same offense. If any of you have seen Saira Shaw's 'Beneath the Veil,' you know what I am talking about." (65)

Does the ADL worry that First Lady Pataki's message might lead to the "hatred, violence, and even death"

blossomed. Each man looked to the perfection of his own soul, and left his neighbor's soul to the care of his neighbor.

But now, with the rise of Judaism in the halls of power, we are looking at a return to Old Testament state-religion. Particularly, given the strain of Orthodox Judaism in ascendance, we are looking toward a re-unification of church and state, with priestly enforcement of Old Testament and Talmudic commandments.

### **America Is Rapidly Becoming Talmudized**

In 1999, the Supreme Court agreed to consider an *amicus* brief based wholly on Talmudic law (see [Sentence and Execution](#)).

In November 2002, the American Orthodox Jewish community held a kosher dinner in the Supreme Court building to celebrate the establishment of the National Institute for Judaic Law. (44) The dinner was attended by 200 people, including three Supreme Court Justices. The purpose of the Institute is to introduce Talmudic laws into the US legal system and law schools.

It is thus the clear civic duty of every American to become intimately acquainted with the Talmud. Read articles at:

Death Penalty: [http://www.come-and-hear.com/editor/capunish\\_1.html](http://www.come-and-hear.com/editor/capunish_1.html)

Kosher Dinner: <http://www.come-and-hear.com/editor/cp-jp-11-09-2002> and <http://www.come-and-hear.com/editor/cp-jw-01-08-03>

### ***The Planners***

We have already met Rabbi Shmuley Boteach (above), a disciple of the late Rabbi Schneerson and promoter of the Noahide Laws. In *Judaism for Everyone* published in 2002, Rabbi Boteach begins by stating:

This book is written in the belief that the next thousand years will be a Jewish millennium. For the first time in its long and trying history, the world's oldest monotheistic faith is going mainstream.

— Rabbi Boteach (11)

Rabbi Boteach explains in his own words why Jews should be in the position of control during this millennium. In the following, be aware that the word "Torah" is used to denote "Talmud" (see [Critical Words of Talmud Study](#)). (49)

The world cannot be run at human whim. It needs an ultimate plan and a regulator who can determine whether it is progressing or regressing. This is the role of the Torah, the divine law, which puts each contribution into perspective. It organizes all human actions so



of Muslims? We are left with the following alternatives. Either:

- a) The ADL is publicizing Mrs. Pataki's speech to incite "hatred, violence, and even death" against Muslim Americans — or
- b) The ADL is entirely cynical about the consequences of so-called hate speech.



**Abraham H. Foxman** is the National Director of the Anti-Defamation League (ADL). The ADL web page carries these words from Mrs. Pataki:

"As a premier civil rights and human relations agency, ADL combats anti-Semitism and racism against all peoples, regardless of background." (65)

We're puzzled. As far as we know, the ADL did not send a letter of protest to Congress when it declared the Talmud's Noahide Laws were the basis "upon which our great Nation was founded." Noahide Law regulations call for the decapitation of practicing Christians — people like Mel Gibson.

that they coalesce into one supremely redeeming blueprint ...

... There had to be one people whose supreme purpose was to reveal this master plan to the world. History required a nation whose entire purpose was to teach the world Godly ethics and the contribution the nation could make toward the perfection of the earth ...

... The task of the Jews is to be a light unto the nations. Light is an apt metaphor because it shows the way and provides guidance. It allows us to clean the room and arrange the furniture so that the home becomes fit for human habitation. God, too, desires to reside among man. But we must first make the earth fit to be a royal residence.

— Rabbi Boteach (12)

Rabbi Boteach goes on to remind us of the two-track system: Jews are governed by 613 commandments, Noahides by seven. (12) Curiously, Rabbi Boteach does not mention the landmark 1991 Congressional declaration concerning the Noahide Laws on the occasion of his own mentor's birthday (Rabbi "The Rebbe" Schneerson). Nor does he mention that Noahides found in violation of the Noahide Laws are sentenced to death under a one-witness, one-judge, fast-track justice system. That is quite an oversight!

We are now at the beginning of the Jewish Millennium. What will life bring in a decade or two? Possibly, things will be quite all right, in light of Rabbi Boteach's following statement.

### ***Rabbi Boteach: Judaism Teaches Tolerance***

On page 393 of *Judaism for Everyone*, Rabbi Boteach praises tolerance.

Tolerance is an important lesson that Judaism can teach all world religions. Despite Judaism's being the world's oldest monotheistic faith, the Jews have never insisted that their beliefs are superior to others ... Coercion is as foreign to Judaism as Christmas.

— Rabbi Boteach (18)

### ***Rabbi Boteach: Tolerance Is "Repugnant"***

Now let us turn to page 280 of *Judaism for Everyone* and read as Rabbi Boteach condemns tolerance.

In today's society people pride themselves on their *tolerance*. They believe they have progressed beyond the prejudices of the past. They have learned to allow those opinions that do not necessarily accord with their own to be voiced. But is this progress?

I find this definition of tolerance repugnant. Rather than find enrichment or redemption in another's differences, one *tolerates*, or *stomachs*, their differences. One swallows hard, one suffers — tolerates — another's right to be different. This is hardly recognizing the virtue than [sic] can be extracted from another party's distinctiveness. This is a philosophy of segregation rather than



**Redacted Gephardt**, Missouri District 3, served as Democratic Leader of the U.S. House of Representatives, Majority Leader of the House, and as one of the nation's leading Democrats for much of the last two decades.

On March 05, 1991, Rep. Gephardt co-sponsored H.J. Res. 104, which reads in part as follows:

"Whereas Congress recognizes the historical tradition of ethical values and principles which are the basis of civilized society and upon which our great Nation was founded; Whereas these ethical values and principles have been the bedrock of society from the dawn of civilization, when they were known as the **Seven Noahide Laws** ..." — US Congress [\(1\)](#)

multicultural enrichment. Tolerating another person implies that though one allows his opinions or differences today, if tomorrow he were to disappear from the face of the earth, one would hardly notice his absence. There is nothing to be learned from his conflicting opinion or uniqueness, and his absence in no way compromises or impairs one's own state of completion. Promoting or defending the modern definition of tolerance is really a license to indifference. It is not a call to harmony or multicultural enrichment.

— Rabbi Boteach [\(8\)](#)

This may be a little worrisome. It seems Rabbi Boteach does not know his own mind. Or does he?

### ***Christians Make Jews Uncomfortable***

Toward the conclusion of *Judaism for Everyone*, Rabbi Boteach tells us "why Jews are uncomfortable with Christianity." [\(13\)](#) Christians make Jews "uncomfortable" in ten ways summarized in the [Appendix: Why Christianity Makes Jews Uncomfortable](#). Since Jews will have the power of life and death over Christians in the upcoming Jewish millennium, Jewish uncomfortable-ness matters.

### ***Christianity Is the Ultimate Heresy***

Now let us turn to page 401 of *Judaism for Everyone* and read as Rabbi Boteach says that Jews condemn Christianity as the Ultimate Heresy.

Certain beliefs have been deeply engrained into the Jewish psyche for so many thousands of years, that even the most secular and disinterested of Jews accept them as axiomatic. Foremost among these is the simple belief that no man could ever be God. ... Man is free, but his liberty cannot be taken for license.

— Rabbi Boteach [\(6\)](#)

The idea that a man could be God is anathema to everything that Judaism stands for and everything that Judaism came into this world to accomplish.

— Rabbi Boteach [\(57\)](#)

For Jews the Belief That God Can Be Human Is the Ultimate Heresy ... The belief that God could have been born of a human womb, or could once have walked the earth, is so foreign to Judaism that it is rejected even by the most assimilated Jews. ... Christianity, however, sees in Jesus the incarnation and embodiment of the Second Person of the Trinity, the Son.

— Rabbi Boteach [\(15\)](#)

What answer does Judaism have for the Bible literalist, who can point to the many human manifestations of God recorded in the Bible? [\(31\)](#)

The ancient Rabbis were at pains to emphasize that the various anthropomorphic descriptions of the Creator in the Bible — the face of God, His outstretched hand, His back — were nothing more than



**Congressman Robert Michel** (R-Ill.) was first elected in 1956 to the 85th Congress from the 18th congressional district in Illinois. He served from his election in 1956 until his retirement in 1994. He was Minority Whip from the 94th Congress through the 96th. He served as Minority Leader, though he preferred the title Republican Leader, from the 97th through the 103rd Congress.

Rep. Michel was co-sponsor of the 1991 declaration concerning the Noahide Laws, along with Rep. Gephardt.



**Anthony Romero**, executive director of the American Civil Liberties Union, is quoted in *The Washington Post* caption to this picture, "At the most personal level, I love this

allegorical language designed to make the Creator accessible to the human mind.

— Rabbi Boteach [\(20\)](#)

On other issues, however, Judaism accepts the Bible literally:

In Egypt, God manifested strict justice toward the wicked Egyptians, destroying their lives and property through ten plagues. At the splitting of the Red Sea, He showed Himself to be a warrior who effortlessly decimated Pharaoh's legions, and simultaneously as a caring Father who rescued the forlorn Israelites who were plunged in the Red Sea. At Sinai He was a lawgiver ...

— Rabbi Boteach [\(21\)](#)

### *Can We Know God's Mind?*

Rabbi Boteach tells us this about Judaism:

Judaism accepts the idea that there can be no positive description of God. We cannot say what God *is*, only what He *is not*. His being completely transcends human apprehension.

— Rabbi Boteach [\(21\)](#)

If this is true, and God transcends human apprehension, how can Judaism be so certain He would never want to take human form, or could not do so if He wanted to? Christians may be puzzled by this.

### *Is God Man, or Is Man God?*

The concept that God cannot take on *man* characteristics is an interesting one — Rabbis believe man can take on *God* characteristics. That belief is illustrated in the following passages. In the first passage, we learn that Raba says it is possible for man to create, and we learn that Rabbah created a man. We also learn two other rabbis created a calf and ate it.

**GEMARA.** ... Raba said: If the righteous desired it, they could [by living a life of absolute purity] be creators, for it is written, *But your iniquities have distinguished between etc.* (7) Rabbah created a man, (8) and sent him to R. Zera. R. Zera spoke to him, but received no answer. Thereupon he said unto him: 'Thou art a creature of the magicians. Return to thy dust.'

R. Hanina and R. Oshaia spent every Sabbath eve in studying the 'Book of Creation', (9) by means of which they created a third-grown calf (10) and ate it.

— Babylonian Talmud, [Tractate Sanhedrin 65b](#)  
Soncino 1961 Edition, page 446

Talmud translator Rabbi Dr. H. Freedman amplifies the text with footnotes.

country like nothing else."

The ACLU has concerned itself with First Amendment issues in America for almost a century. An advanced search of the ACLU site with google.com reveals 776 references to the Ten Commandments. For example:

"The ACLU opposes the display of the Ten Commandments in public schools, classrooms, and in other public institutions on the ground that such displays violate the First Amendment."

However, a Google search of the ACLU site does not reveal a single mention of the Noahide/ Noachide/ Noachian Laws.

Explanations vary for this singular disinterest. One commentator suggested, "The ACLU concerns itself with Freedom of Speech issues; in contrast, the Noahide Laws involve the freedom to breathe, and that falls outside the ACLU's special interest."



Do you know the difference between *Talmud* and *Torah* as those words are used by religious Jews? The terms are confusing and if they are confused, no one will understand what is being said. Find out from [Critical Words of Talmud Study](#). (49)



7. Isa. LIX, 2.
8. Ibid. Raba understands *mabadilim* in the sense of 'draw a distinction'. But for their iniquities, their power would equal God's, and they could create a world.
9. By means of the *Sefer Yezirah*, Book of Creation. V. next note.
10. The Book of Creation, Heb. *Sefer Yezirah*, is the title of two esoteric books. The older, referred to here, was a thaumaturgical work popular in the Talmudic period. It was also known as *Hilkoth Yezirah* (Laws of Creation), and is so called in the same story quoted on [\[Sanhedrin\] 67b](#). Rashi there states that the creation was performed by means of mystic combinations of the Divine Name, which does not come under the ban of witchcraft. Its basic idea is that the Creation was accomplished by means of the power inherent in those letters (Cf. Rab's saying: 'Bezalel knew how to combine the letters by which heaven and earth were created'. [Ber. 55a](#). Cf. also Enoch LXI, 3 *et seq.*; Prayer of Manasseh: Ecc. R. III, 11 on the magic power of the letters of the Divine Name), and that this same power could be utilised in further creation. The work was ascribed to Abraham, which fact indicates an old tradition, and the possible antiquity of the book itself. It has affinities with Babylonian, Egyptian, and Hellenic mysticism and its origin has been placed in the second century B.C.E., when such a combination of influences might be expected. It is noteworthy that Raba's statement above, though not mentioning the *Sefer Yezirah*, insists on freedom from sin as a prerequisite of creation by man, v. J.E., XII, 602.
11. (I.e., a calf that has reached one third of its full growth; others interpret: (i) in its third year; (ii) third born, fat].

— Rabbi Dr. Freedman

Note Rabbi Dr. Freedman's mention of [Sefer Yezirah](#), a translation of which is on line at Come and Hear™. (59) The reader may also be interested in [Elizabeth Dilling's comments on the Sefer Yezirah](#). (60) This account of the rabbis creating a calf and eating it is repeated in [Tractate Sanhedrin 67b](#).

In the following passage, someone called Jannai changes a woman into an ass and rides her. He is apparently embarrassed when someone else breaks his spell, the woman becomes human again, and he is seen "riding upon a woman in public."



**Rabbi Shmuley Boteach**, a Kabbalist, is a disciple of the late Rabbi Menachem Mendel Schneerson. He is friends with Uri Geller, Madonna, and Michael Jackson. According to ABC News, "Boteach's ... rabbinical answer to Dr. Ruth began with the 1999 publication of *Kosher Sex*, a best seller that shook the Orthodox Jewish community for stressing, among other things, that oral sex can be very good for a marriage." — ABC [\(75\)](#)

Rabbi Boteach is quoted on the dust jacket of his book, *Judaism for Everyone*, saying, "Sex is the holiest human experience, the highest form of knowledge."

In *Judaism for Everyone*, Rabbi Boteach says that Judaism views Christianity as the "Ultimate Heresy" and says he finds tolerance "repugnant."

"From the outset Judaism aimed to destroy the idols and false Gods that ancient man was wont to worship. Therefore, no visual images can ever be employed in prayer and religious

**GEMARA.** ... Jannai came to an inn. He said to them, 'Give me a drink of water,' and they offered him *shattitha*. Seeing the lips of the woman [who brought him this] moving, he [covertly] spilled a little thereof, which turned to snakes. Then he said, 'As I have drunk of yours, now do you come and drink of mine.' So he gave her to drink, and she was turned into an ass. He then rode upon her into the market. But her friend came and broke the charm [changing her back into a human being], and so he was seen riding upon a woman in public.

— Babylonian Talmud, [Tractate Sanhedrin 67b](#)  
Soncino 1961 Edition, pages 460-461

### ***Tripartite God Is Illogical, Unacceptable***

Leaving aside the question of whether God could take human form if He wanted to, Judaism teaches that God cannot manifest himself in three aspects

*Judaism Conceives of God as an Absolute Unity* ... Christianity, however, maintains a divine Trinity of three Persons, the Father, the Son, and the Holy Spirit, which together form the *mysterium tremendum* (overwhelming mystery) of Christian beliefs ... Christianity thus affirms a belief in a tripartite God, which to Judaism is illogical and unacceptable.

— Rabbi Boteach [\(7\)](#)

### ***Bi-partite, Poly-partite God is Logical, Acceptable***

While repudiating the idea that God can manifest in three aspects, Judaism sidesteps the "Ultimate Unity" to assert that God can easily manifest in numbers other than three. For example, God can assume Male and Female emanations. It's time to meet the Shechinah, the female emanation of God (some say Her name is pronounced "Shock 'N Awe"). Rabbi Boteach introduces Her in *Judaism for Everyone*:

The idea of a woman reflecting a female component in the Godhead is a central idea of the Kabbalah. The woman is the Shekhinah, the Divine Presence, commanding increased respect. The *Zohar*, the key work of Jewish mysticism, in a famous passage, says:

It is incumbent on a man to be ever "male and female" [married] in order that his faith may be firm, and that the Shekhinah may never depart from him. What, then, will you say, of a man who goes on a journey and, being absent from his wife, is no longer "male and female"? His remedy is to pray to God before he starts his journey, while he is still "male and female," in order to draw to himself the presence of his Maker. When he has offered his prayer and thanksgiving and the Shekhinah rests on him, then he can depart, for through his union with the Shekhinah he has

devotions." — Rabbi Boteach (16)



**The Bamayan Buddhas** in Afghanistan were destroyed in February 2001, allegedly by the Taliban. It is alleged this statuary was destroyed because Muslims do not like idols. There is room to doubt the allegation, however: Egypt has been occupied by Muslims for more than a thousand years, yet the extensive heathen statuary of ancient Egypt has never been attacked by an Egyptian government.

**Emperor Leo III** of the Byzantine ruled from 717 to 741. Following the second Mosaic Commandment forbidding "graven images," Leo instituted a campaign that destroyed much of the arts of that day in Easter Europe.

become "male and female" in the country as he was "male and female" in the town ... When he does return home again, it is his duty to give his wife pleasure, because it was she who acquired for him his heavenly partner. (*Zohar*, Genesis, 49b-50a)

— Rabbi Boteach (14)

In his Foreword to the Soncino Talmud (1935), the Very Reverend the Chief Rabbi of the British Empire, the late Dr. Joseph H. Hertz, quotes the Talmud Sage Rab to the effect that God (male) and the Shechinah (female) can be feeling and doing different things simultaneously, as though they were separate entities:

‘Since the Exile,’ he declares, ‘the Shechinah mourns, and God prays: Be it My will that in My dealings with My children My mercy overcome My justice.’

— Rabbi Dr. Hertz (51)

The Shechinah appears in the Talmud. She is mentioned seventy times in the 1952 General Index, and once again under an alternate spelling, "Shekinah."

Shechinah, Ber. 191, Shab. 141, 152, 257, 298, 319, 411f, 415, 'Er. 444, Pes. 32, 279, Yom. 11, 95, 102, 121, 421, Suk. 15, 210, Meg. 132, 157, 175, MK. 48, 156, 192, Hag. 98, 100, Yeb. 304, 320, 412f, Sot. 11, 18f, 43f, 52, 63, 65, 68, 197 et passim, Kid. 150, 153, BK. 471, BB. 124f, 127, 233, San. 27f, 46, 83, 85, 121, 230, 245, 249f, 271, 304, 652, 659f, 664, 700, 702, 705f, 720, 733, 755f, Ab. 30f, Zeb. 489, 577, Tam. 8, 22, Nid. 87. See also Shekinah. — qualifications for reception of, Shab. 441, Pes. 599f.

...  
Shekinah, AZ. 69. See also Shechinah.

— Soncino Talmud [General Index](#)  
Soncino 1961 Edition, page 376, 377

To learn about the Shechinah in the Talmud, use the [Come and Hear™ Search page](#).

Rabbi Boteach also describes other manifestations of the Godhead (En-Sof), including the ten *sefirot*, or mystic spheres, or colors, or



**Crucifix** by Giotto di Bondone's 1292 in Florence. [\(38\)](#)

Rabbi Boteach says that the religious images of Christianity are in violation of fundamental tenets of Judaism. In particular, the rabbi names the crucifix as objectionable. This causes some concern about the safety of Christian artifacts in the upcoming Jewish Millennium. "From the outset Judaism aimed to destroy the idols ..." — Rabbi Boteach [\(16\)](#)

"Therefore, **no visual images** ..."



emotions. [\(22\)](#)

The relationship between God's essence, referred to by the Kabbalists as the En Sof (literally, "there is no end"), and the ten *sefirot* is analogous to clear water being placed into ten glasses, each of different color. Red would represent God's anger, blue His compassion, green His splendor, and so on. Viewed from the outside, the water will invariably appear red, blue, green, or yellow, depending on the color of glass into which it is placed. In reality, however, the water has not changed color at all and only appears this way to the outside observer.

— Rabbi Boteach [\(20\)](#)

So then, Rabbi Boteach tells us that some people are on the outside of God, and some are on the inside. He also identifies two other manifestations of the Ein-Sof: the Tetragrammaton (YHWH) and Elokim. YHWH is the attribute of Mercy, and Elokim the attribute of Justice.

Elizabeth Dilling, the Protestant Christian author of *The Jewish Religion: Its influence Today*, believes that Judaism is not monotheistic. For further information, see [Chapter VI](#), *Judaism Not Monotheistic*, [Chapter VII](#), *Judaism and Paganism*, and [Chapter VIII](#), *Demonology of the Pharisees*. [\(35\)](#)

What is the truth, then? Can God manifest Himself as three, or more than a dozen? It is beyond the scope of Come and Hear™ to settle these issues. We mention them simply to help achieve Rabbi Sachs' goal: that we find out about each other's faiths (see [What We're About \(36\)](#)).

### ***No Original Sin***

In the following, be aware that the word "Torah" is often used to denote Talmud. See [Critical Words of Talmud Study. \(49\)](#) The following statements were excerpted from three contiguous pages — the ellipses (...) indicate omitted text, following a thread in Rabbi Boteach's thinking.

*Jews Do Not Believe in Original Sin and the Fall of Man, a Cornerstone of Christian Faith.* ... Judaism does not promote the idea that people are born either meritorious or sinful. Rather the individual is born innocent ... The Torah does speak of Adam's sin. But it teaches that man can rise above it. Righteousness may be challenging, but it was for this treason that God gave humankind the Torah.

— Rabbi Boteach [\(17\)](#)

Original Sin is a critical point of departure between Christians and Jews. Many Christians believe Original Sin prevents man from attaining perfection, and that political power must be limited for fear of doing evil on a grand scale. Without the Original Sin doctrine, men have no inhibition about the concentration of political power.

### ***Jews Focus on This World, Christians the Next***

To understand the import of the following, be aware that the word "Torah" is most commonly used to denote the Talmud. See [Critical](#)

Words of Talmud Study. (49)

"... can ever be employed ..."



"... in prayer and religious devotions." — Rabbi Boteach (16)



**MISHNAH.** *He who engages in idol-worship [is executed]. It is all one whether he serve it, sacrifice, offer incense, make libations, prostrate himself, accept it as a god, or say to it, 'thou art my God' ...* — Babylonian Talmud, [Tractate Sanhedrin 60b](#)

Christianity Is Oriented Toward the Next World, Judaism Toward This World. Christianity posits that the purpose of man is to achieve the salvation of his soul and to attain everlasting life in Paradise ... Judaism is oriented toward this world and steadfastly promotes the idea that **man's purpose is to perfect the world** and bring godliness into an otherwise un-Godly planet.

— Rabbi Boteach, (10) (emphasis added)

So then, we understand that since Judaism introduces God into this un-Godly heathen world, Jews have a special mission. They must assume authority over all mankind, lest un-Godliness prevail. Jews remember what Jesus said:

36. My Kingdom is not of this world.

— Jesus of Nazareth, as quoted in [John 18:36](#) (KJV)

But the Jews know their kingdom *is* of this world. Talmud Law assumes authority over all mankind, not just those who agree with it; Just as explorers in the New World lay claim to lands that are new to them, and lay claim to the native populations, the Jews lay claim to this world, and all its native populations.

We now understand Rabbi Boteach's interest in the distinction — those who believe in "this world" will rule over those who believe in the "next world."

Rabbi Jacob Neusner, writing in 1995, expresses the same thought in almost the same words.

The Talmud is a public, political, anonymous, collective, social statement; its compilers intended to define the life of the public polity by forming the kingdom of God in the here and now ...

— Rabbi Dr. Neusner (46)

A kingdom of God in the here and now, based on the Talmud.

### ***Judaism Is the Universal Religion***

In the Jewish Millennium, there is no need for a religion other than Judaism.

Christianity is a supremely proselytizing faith. Since Christianity affirms that none shall come unto the Father except through the Son, it takes the view that there is only one road to truth, one path to salvation.

Judaism, however, is a supremely universalist religion, teaching that there are several paths to the one, true God. A non-Jew does not enhance his existence by becoming Jewish, and indeed a righteous Gentile who leads a godly and moral life will inherit the same place in the world-to-come as a Jew.





**Dennis Prager** wrote of Rabbi Boteach's book, *Judaism for Everyone*:

"A major achievement. Few books on Judaism convey its essence as clearly, as interestingly, as humanly as *Judaism for Everyone*."  
— Dennis Prager

According to Dennis Prager's web page, "Dennis Prager has engaged in interfaith dialogue with Catholics at the Vatican, Muslims in the Persian Gulf, Hindus in India, and Protestants at Christian seminaries throughout America. For ten years, he conducted a weekly interfaith dialogue on radio, with representatives of virtually every religion in the world. New York's Jewish Week described Dennis Prager as 'one of the three most interesting minds in American Jewish Life.'" [\(53\)](#)



**Rabbi Daniel Lapin** is author of *America's Real*

Nine hundred years ago, Maimonides wrote that non-Jews who live by the seven Noahide commandments would inherit the same place in heaven as a Jew.

— Rabbi Boteach [\(19\)](#)

But in reality, the "several" paths to Heaven are just one for each: Rabbinical Judaism for Jews, and rabbinical Noahidism for Gentiles. With a death penalty for people who stray from the path, it's a simple, workable system.

### *Judaism and Tolerance*

Before we go on to meet our next guest, Rabbi Daniel Lapin, let us review some facets of Jewish law concerning the treatment of those who will not conform to the Jewish religion. We have already read Deuteronomy 13:1-11, wherein we learn that if our brother, our son, our daughter, or our wife strays from the path of Judaism, we must kill them — without hesitation.

1. **If there arise among you a prophet, or a dreamer of dreams, and giveth thee a sign or a wonder,**
2. **And the sign or the wonder come to pass, whereof he spake unto thee, saying, Let us go after other gods, which thou hast not known, and let us serve them;**
3. **Thou shalt not hearken unto the words of that prophet, or that dreamer of dreams: for the LORD your God proveth you, to know whether ye love the LORD your God with all your heart and with all your soul.**
4. **Ye shall walk after the LORD your God, and fear him, and keep his commandments, and obey his voice, and ye shall serve him, and cleave unto him.**
5. **And that prophet, or that dreamer of dreams, shall be put to death; because he hath spoken to turn you away from the LORD your God, which brought you out of the land of Egypt, and redeemed you out of the house of bondage, to thrust thee out of the way which the LORD thy God commanded thee to walk in. So shalt thou put the evil away from the midst of thee.**
6. **If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers;**

*War*. He presents himself as a friend of the Christian right, and is a favorite speaker of organizations such as Concerned Women for America.

"As an Orthodox rabbi, I will make a compelling case for America as a Christian nation and the need for our nation to be based on Judeo-Christian ethic in order to survive."  
— Rabbi Daniel Lapin

In his book, Rabbi Lapin promotes the Noahide Laws, but fails to tell his Christian readership that the Noahide system requires Christians to be put to death for practicing Christianity.



### The Stumbling Block

Rabbi Lapin also mentions the Jewish prohibition against putting a "stumbling block before the blind" — that is, deriving benefit from information deliberately withheld from another. "Thus we see that part of the Jewish contribution to the world has always

- 7. Namely, of the gods of the people which are round about you, nigh unto thee, or far off from thee, from the one end of the earth even unto the other end of the earth;**
- 8. Thou shalt not consent unto him, nor hearken unto him; neither shall thine eye pity him, neither shalt thou spare, neither shalt thou conceal him:**
- 9. But thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people.**
- 10. And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from the LORD thy God, which brought thee out of the land of Egypt, from the house of bondage.**
- 11. And all Israel shall hear, and fear, and shall do no more any such wickedness as this is among you.**

— [Deuteronomy 13:1-11](#) (KJV)

It's different from what we're used to, yes. Among Christians, Protestant and Catholics sometimes marry and one party consents to the religion of the other. Even if one family might regard the in-laws' religion as heresy, people try to get along without killing each other.

Building on the work of other researchers, we have collected some references showing Jewish tolerance for other religious faiths and cultures. See [In His Own Image \(32\)](#) and [What About Gentiles? \(67\)](#)

The second half of Deuteronomy 13 deals with the treatment of whole towns and tribes that fall into idolatry, and as we shall see in a moment, it is the subject of particular attention by the Talmud Scribes.

- 12. If thou shalt hear say in one of thy cities, which the LORD thy God hath given thee to dwell there, saying,**
- 13. Certain men, the children of Belial, are gone out from among you, and have withdrawn the inhabitants of their city, saying, Let us go and serve other gods, which ye have not known;**
- 14. Then shalt thou enquire, and make search, and ask diligently; and, behold, if it be truth, and the thing certain, that such abomination is wrought among you;**
- 15. Thou shalt surely smite the inhabitants of that city with the edge of the sword, destroying it utterly, and all that is therein, and the cattle thereof, with the edge of the sword.**

included 'filling in the blanks.'" — Rabbi Lapin(29)

Selling the world on Noahide Laws and not mentioning the penalty clause — that sounds kind of like a stumbling block, doesn't it?

Don't you wish Rabbi Lapin would "fill in the blanks"?



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**16. And thou shalt gather all the spoil of it into the midst of the street thereof, and shalt burn with fire the city, and all the spoil thereof every whit, for the LORD thy God: and it shall be an heap for ever; it shall not be built again.**

**17. And there shall cleave nought of the cursed thing to thine hand: that the LORD may turn from the fierceness of his anger, and shew thee mercy, and have compassion upon thee, and multiply thee, as he hath sworn unto thy fathers;**

**18. When thou shalt hearken to the voice of the LORD thy God, to keep all his commandments which I command thee this day, to do that which is right in the eyes of the LORD thy God.**

— [Deuteronomy 13:11-18](#) (KJV)

The Talmud implements this Biblical passage as Judaic law in the Mishnah for Sanhedrin 111b, with some details and modifications. (33) The Jewish state must exterminate "false prophets" and entire tribes and cities who have fallen into idolatry. (For further discussion on this point, see [Holy Atrocities and Judaism](#).) Sanhedrin 2a lays down some regulations. (*Ellipses indicate we have omitted text. To see the full text and the footnotes, follow the link at the end of the excerpt.*)

**MISHNAH.** ... A TRIBE, A FALSE PROPHET AND A HIGH PRIEST CAN ONLY BE TRIED BY A COURT OF SEVENTY-ONE ...[text omitted]... SMALL SANHEDRINS FOR THE TRIBES CAN BE INSTITUTED ONLY BY A COURT OF SEVENTY-ONE ...[text omitted]... NO CITY CAN BE DECLARED CONDEMNED SAVE BY A DECREE OF A COURT OF SEVENTY-ONE. A FRONTIER TOWN CANNOT BE CONDEMNED NOR THREE CITIES AT A TIME, BUT ONLY ONE OR TWO.

— Babylonian Talmud, [Tractate Sanhedrin 2a](#)  
Soncino 1961 Edition, pages 1-2

We wonder how the Simon Wiesenthal Center's Museum of Tolerance would address these matters. (24)

### ***No Images or Icons, Ever***

It seems that not only are Jews uncomfortable with Christianity, they are *very* uncomfortable with Christianity. Now Rabbi Boteach expands. He says from the beginning of their history, Jews have sought to destroy the religious artifacts of non-Jewish religions. Notice that he says Judaism forbids the use of visual images in any religion, ever.

Images and icons — the image of the crucifix foremost among them — are absolutely central to Catholicism and figure prominently in



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### Research Windfall.

The recurring Congressional resolutions honoring Rabbi Schneerson and recognizing the Noahide laws as the basis of our great Nation have been gathered. This collection is a must if you would like to discuss it with your neighbors and be a part of the process. [\(1\)](#)



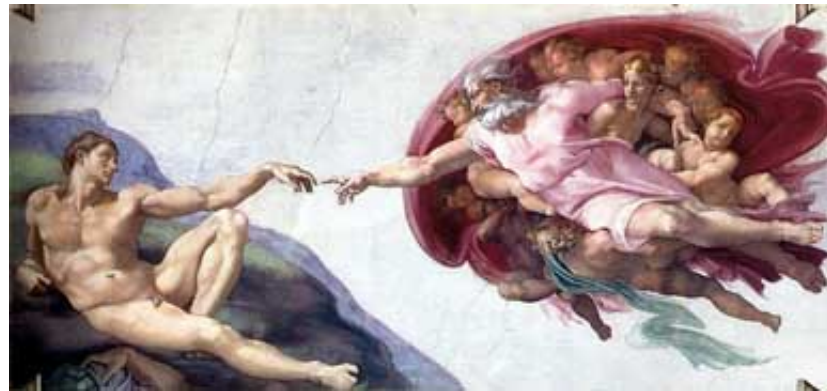
**Max Dimont**, author of several books popularizing Jewish history and culture writes in *The Indestructible Jews*, that:

"Jewish history consists of

Protestantism as well ... From the outset Judaism aimed to destroy the idols and false Gods that ancient man was wont to worship. Therefore, no visual images can ever be employed in prayer and religious devotions.

— Rabbi Boteach [\(16\)](#)

One wonders what will happen to the great works of art produced by the West — the ceiling of the Sistine chapel, the Madonnas of the Italian masters, the religious statuary — during the Jewish millennium? Will Judaism destroy those works of art, those "idols"? Though Rabbi Boteach is silent on the issue, the implication is worrisome.



*Creation of Man* by Michelangelo di Lodovico Buonarroti Simoni, 1508-12, Fresco, Cappella Sistina, Vatican.

We need to understand that Rabbi Boteach is well positioned and not at all a "loose cannon." *Judaism for Everyone* was published by Basic Books, and his *Kosher Sex* was published by Doubleday. The flyleaf of *Judaism for Everyone* indicates thirteen published works by Rabbi Boteach. According to the dust jacket, "In 2000, he became the first Rabbi ever to win the highly prestigious *London Times* Preacher of the Year Award, garnering more points than anyone in the competition's history."

### *Rabbi Lapin Loves Christianity*

Rabbi Daniel Lapin is a radio talk show host, lecturer, President of Toward Tradition, and the author of *America's Real War* (published in 1999). Rabbi Lapin says he is an ally of the Christian right, and he is a favorite speaker of organizations such as Concerned Women for America.

In *America's Real War*, Rabbi Lapin says there is a real war is between those who want a secular nation and those who stand for "a spiritual America." [\(25\)](#) Rabbi Lapin's book is clearly intended to be read by right-wing Christians. Here, Rabbi Lapin states that he is deeply puzzled by Jewish organizations that engage in anti-Christian bigotry.

Although many of them were founded explicitly to fight bigotry, and for many years did just that, today the shrill rhetoric and hate-filled propaganda found in their direct mail is discriminatory and divisive ... God's blueprint clearly included the emergence of Christianity. After all, Christianity has brought monotheism to more people than any other force during the past two millennia.

a unique series of events — accidental or purposive — which have had the practical effect of preserving the Jews ... to fulfill their avowed mission of ushering in a brotherhood of man.

"Whether this mission was initiated by God or retroactively attributed to God by the Jews themselves in no way alters our thesis of a Jewish manifest destiny." (47)

Dimont also quotes Prime Minister Ben Gurion:

"My concept of the messianic idea is not a metaphysical but a social-cultural one ... I believe in our moral and intellectual superiority, in our capacity to serve as a model for the redemption of the human race ... The glory of the Divine Presence is within us, in our hearts, and not outside us." (47)



**Rabbi Noson Gurary** is a Chabad Lubavitch rabbi, Director of Chabad of Buffalo, New York, and founder of the National Institute for Judaic Law. The Institute is intended to

— Rabbi Lapin (page 12) (26)

As an Orthodox rabbi, I will make a compelling case for America as a Christian nation and the need for our nation to be based on Judeo-Christian ethic in order to survive.

— Rabbi Lapin (page 14) (26)

Rabbi Lapin entitles Chapter Six of *America's Real War*, "The Curious Rise of Anti-Christianism." He informs his readers that the American Jewish Committee (AJC) and the Anti-defamation League (ADL) have attacked the Christian Right because the Christian right attacks homosexuality. He makes common cause:

"For over three thousand years, Jewish tradition and Jewish law have been unambiguous about homosexuality. It is a sin." This is not quite true — Judaism permits homosexuality provided the passive partner is under nine years of age. Consenting adults are given the death penalty. See [Sex with Children by Talmud Rules](#)

According to his own words, Rabbi Lapin spent "many years of study at the theological academy (or yeshiva) of Kfar Hassidim in Israel." (39) He comes from a family of rabbis. His two brothers are rabbis. His father was a rabbi, his uncles and cousins taught Talmud at the Gateshead Talmudic Academy in England; (28) he is a disciple of his great uncle Rabbi Eliyahu Lopian, whose works are in the Chabad Lubavitch library in Brooklyn, New York. (40) See the biography of Rabbi Eliyahu Lopian at the Union of Orthodox Jewish Congregations of America ("Orthodox Union") web site. (69)

In light of his background, Rabbi Lapin must know the Talmud is anti-Christian. The rise of anti-Christianism could not be "curious" to him. See, for example, the Jewish attitudes and laws concerning Gentiles discussed in [What About Gentiles?](#) (67)

In Chapter Thirty-Two, "Sex Is Everyone's Business," Rabbi Lapin mentions the Noahide Laws:

Known collectively as the Seven Laws of the Sons of Noah, these laws are indispensable for the survival of any human society. One of the seven establishes courts of law. Another rejects homosexuality as a valid lifestyle.

— Rabbi Lapin (27)

We have already seen the Soncino Talmud translation of the Noahide Laws, and there is no mention of homosexuality.

**GEMARA.** ... Our Rabbis taught: seven precepts were the sons of Noah commanded: social laws; to refrain from blasphemy, idolatry; adultery; bloodshed; robbery; and eating flesh cut from a living animal ...

— Babylonian Talmud, [Tractate Sanhedrin 56a](#)  
Soncino 1961 Edition, pages 381-382

We wonder which of these Rabbi Lapin is interpreting as a

bring Talmudic law to the attention of US judges and law students. According to Jewish Week:

"It will be an eye opener for judges, scholars and law students,' he told The Jewish Week. 'Before you know where you're going, you have to know where you came from. And Jewish law is the basis of our legal system in America.' Gurary said that the idea for the institute came in an exchange of letters in which Supreme Court Justice Antonin Scalia, one of the most conservative Justices, expressed his 'fascination with Jewish law.' 'And as a teacher of Judaic studies, I began to see the excitement of students who were being exposed to Jewish law for the first time, who now had a better understanding of where Western law come from,' Gurary said.

"Gurary, who teaches at the University of Buffalo law school, said his target audience includes judges around the country and law students, not politicians and lawmakers." (45)

prohibition of homosexual lifestyle. Could he have arrived at the prohibition through exegesis? (See [Israel's "One Indigenous Science"](#).)

Like Rabbi Boteach, Rabbi Lapin does not mention the landmark 1991 Congressional declaration concerning the Noahide Laws, and he does not mention every Christian who practices his faith will suffer the death penalty.

If Rabbi Lapin sincerely wants Christianity to survive, we cannot help but notice:

1. Rabbi Lapin is a heretic to Judaism, and
2. Rabbi Lapin is overwhelmingly negligent: he promotes the Noahide laws when he should be warning Christian that the Noahide system will spell the end of Christianity.

### ***A Stumbling Block***

Rabbi Lapin mentions the Jewish prohibition against putting a stumbling block before the blind:

... this law simply prohibits us from deriving economic benefit from information that we have deliberately withheld for another. In other words, do not "trip" up someone economically after you have made him "blind" — Feeling assured that your colleague is not concealing material information from you certainly makes it more likely that you would trade with him. Thus we see that part of the Jewish contribution to the world has always included "filling in the blanks."

— Rabbi Lapin(29)

We cannot explain why Rabbis Boteach and Lapin have omitted the vital information about the enforcement of the Noahide Laws while promoting them as a panacea to humankind. The enforcement clause of any set of laws is essential to their workability, and is always vitally interesting to anyone studying them. Failing to provide that vital data about enforcement the Noahide Laws may well qualify as putting "a stumbling block before the blind."

It may be that the rabbis are embarrassed about the Talmud prescribing decapitation for recalcitrant Noahides — decapitation is, after all, old fashioned. If, however, Jewish leadership has other plans for the punishment of Christians, it would be best to disclose them. We clearly prefer the principles of openness and full disclosure that Rabbi A. James Rudin, Senior Interreligious Advisor recommends to the Vatican. On the Vatican's decision to partially open its wartime archives, Rabbi Rudin states:

... one thing is clear. Partial, incomplete or pre-selected archival records will not be enough in a world where transparency and full disclosure is now the norm if an institution — whether political, financial or spiritual — is to maintain its integrity. What is needed now is for the Vatican to fully open its World War II records.

— Rabbi Rudin (41)

But even more importantly, the omission of vital information about

the death penalty provisions of the Noahide Laws prevents us from learning about each others' faiths. Recall that this website was inspired by the Very Rev. the Chief Rabbi of United Hebrew Congregations, Jonathan Sachs. Rabbi Sachs' declared goal is to improve religious tolerance worldwide.

Rather than find fault with the efforts of Rabbis Boteach and Lapin to teach the public about the Noahide Laws, let us help them to fill in the information gaps. Print out a copy of this article and give it to your Christian friends, your ministers, and anyone of good faith who sincerely loves the Bill of Rights. Download a copy of this web site to your own disc, make CDs, and put them in the hands of responsible organizations throughout the country.

Further distribution suggestions are to be found on the [Download](#) page. [\(5\)](#)

For more information on the Noahide Law popularizers and advocates, see [Merry Christmas, and Off with Your Head! \(37\)](#) and *The Noah's Covenant Web Site* [\(48\)](#) An Internet search engine will bring up many other references as well, using all the alternate spellings.

Thank you for your consideration of the above,  
*Carol A. Valentine*, Ear at come-and-hear dot com  
 July 14, 2003 ( This article is on line at [http://www.come-and-hear.com/editor/america\\_1.html](http://www.come-and-hear.com/editor/america_1.html) )

### **Postscript:**

See also Congressional support for religious school in the amount of \$500,000.

*Forward*, December 19, 2003: [Congress To Aid Lakewood Yeshiva](http://www.forward.com/issues/2003/03.12.19/news4b.html)  
<http://www.forward.com/issues/2003/03.12.19/news4b.html>

**NEXT:** [\*New America 2: Sex with Children by Talmud Rules\*](#)

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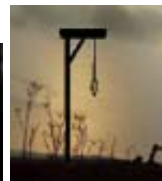
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### ***Appendix: Why Christianity Makes Jews Uncomfortable***

Here are the "Ten Essential Differences" that make Jews uncomfortable about Christianity, according to Rabbi Shmuley Boteach (see *Judaism for Everyone*, pages 403 through 412). In *Judaism for Everyone*, each point is followed by a short essay explaining the issue. The point headings are copied verbatim from the book and appear in *italics*. The supporting comments are summarized in the Come and Hear™ editor's own words, or in a phrase excerpted from the essay.

1. *Judaism Conceives of God as an Absolute Unity.* (No Father, Son, and



- Holy Ghost.)
2. *For Jews, the Belief That God Can Be Human Is the Ultimate Heresy.* (No Jesus, no icons, no Crucifix.)
  3. *Jews Do Not Believe in Original Sin and the Fall of Man, a Cornerstone of Christian Faith.* (Judaism believes man is born innocent.)
  4. *In Judaism, the Messiah Has a Political and Physical Role, Not a Spiritual One.* (The real Messiah establishes Jewish political autonomy, restores the Jewish monarchy, gathers the Jewish exiles from the Diaspora, and rebuilds the Temple.)
  5. *To Christians, Jesus Was the Messiah, or Christ, Predicted by the Prophets of the Bible and Awaited by the Jews.* (The Messiah will not be the Son of God, but human.)
  6. *Jews Believe the Covenant Between God and the People of Israel Embodied in the Hebrew Scriptures to Be Eternally Valid.* (The land of Canaan belongs to the Jews. New Testament teachings are unacceptable.)
  7. *Christianity is Oriented Toward the Next World, Judaism toward This World.* ("Judaism is oriented towards this world and steadfastly promotes the idea that that man's purpose is to perfect the world and bring Godliness to an otherwise un-Godly planet.")
  8. *In Contrast to Judaism, Christianity Advocates an Intermediary between God and Man.* (Rabbi Boteach does not explain the role of the Talmudic Sages who reveal the very Word of God. See [Critical Words](#) [More Critical Words](#). Nor does he explain the role of Moses, the prophets of the Old Testament, or the rabbis who interpret the Talmud/Torah. In Judaism, intermediaries happen.)
  9. *Historically, Jews have Been the Objects of Christian Missionary Activities.* (See [The 613 Commandments](#), numbers 37 through 41, which command Jews "Not to love the missionary," "Not to cease hating the missionary," "Not to save the missionary," "Not to say anything in his defense," "Not to refrain from incriminating him.")
  10. *Judaism is based on God's revelation to and Covenant with the People.* ("Judaism is predicated on the belief of a collective divine revelation at the foot of Mount Sinai to the entire assembled House of Israel ... Christianity, in contrast, is predicated on the teachings of a single man/deity as revealed to the apostles." Of course, God spoke only to *Moses* on Mt. Sinai, and the conversations at the *foot* of Mount Sinai were between *Moses* and "the entire assembled House of Israel;" and Jesus spoke not just to the apostles, but to everyone who would listen ...)

Title: *America's New Government Church*


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**Footnotes:** Full specifics for each of the printed sources are provided in the [Bibliography](#). Outside URLs were valid at the time this article was written. However, be mindful that URLs do change.

1. Joint House Resolution 104 Public Law 102-14, Final Version: <http://thomas.loc.gov/cgi-bin/bdquery/z?>

[d102:HJ00104:ITOM:/bss/d102query.html](http://d102:HJ00104:ITOM:/bss/d102query.html) cached at <http://www.come-and-hear.com/editor/pl-102-14-1991> . See also "Bill Summary and Status" at <http://thomas.loc.gov/cgi-bin/bdquery/z?d102:HJ00104:@@L&summ2=m&> cached at <http://www.come-and-hear.com/editor/pl-102-14-1991/summary-and-cosponsors.html> . History of similar bills passed in the US Congress since 1975 available at <http://www.Come-and-Hear.com/supplement/noahide>, researched by Linda Abrams. See also footnote (4)

2. Image: *Ukrainian Archive*: <http://www.ukar.org/gore10.shtml>
3. *Everyman's Talmud*, page 153
4. Readers interested in researching the Noahide Laws should note the word "Noahide" is spelled variously as "Noahide," "Noachide," "Noachian," "Noachite," and in other ways as the Hebrew is freely transliterated. A detailed examination of the Noahide Laws can be found at <http://www.public-action.com/christmas.html>
5. Download page: <http://www.come-and-hear.c./download.html>
6. *Judaism for Everyone*, page 401
7. Ibid, pages 403-404
8. Ibid, page 280
9. Ibid, pages 284-285
10. Ibid, page 410
11. Ibid, page 1
12. Ibid, page 284
13. Ibid, page 400
14. Ibid, page 182
15. Ibid, pages 404-405
16. Ibid, page 405
17. Ibid, page 406
18. Ibid, page 393
19. Ibid, page 411
20. Ibid, page 93
21. Ibid, page 92
22. Ibid, pages 92-93
23. *Babylonian Talmud*, Tractate Sanhedrin 53a, page 359 available in Come and Hear™ hypertext at [Sanhedrin 53a](#)
24. "About the Museum of Tolerance," *A Simon Wiesenthal Center Museum, SWC Family of Web Sites*, <http://www.museumoftolerance.com/mot/about/index.cfm>
25. *America's Real War*, dust jacket
26. Ibid, pages 12-14
27. Ibid, page 201
28. Ibid, page 11
29. Ibid, page 129
30. Ibid, page 402
31.  To a Biblical literalist, Rabbi Boteach's position ("the Belief That God Can Be Human Is the Ultimate Heresy") may raise some eyebrows: Didn't God appear as a "flame of fire out of the midst of a bush" (Exodus 3:2), didn't he "walk" in the Garden (Genesis 3:8), sit on a "throne" (Psalm 47:8), use a "footstool" (Psalm 99:5), write with a "finger" (Exodus 31:18), wrestle all night with Jacob as "a man" (Genesis 32:24), come "face to face" with Jacob (Genesis 32:30), help people with "a mighty hand" (Deuteronomy 7:19), stretch out his "arm" (Deuteronomy 5:15), listen with "ears" to Samuel (1 Samuel 8:21), "smell the sweet savour" of burnt offerings (Genesis 8:21), open his "lips" (Job 11:5) and speak with a "voice" (Genesis 3:8) and a "mouth" (1 Kings 13:21)? Didn't God create Man "in his own image" (Genesis 1:27)? If these statements are true, taking on the form of a man would not be impossible.
32.
  - o *Amaleks*, <http://www.jewishtribalreview.org/amalek.htm> cached at <http://www.come-and-hear.com/supplement/br-amalek.html>
  - o *In His Own Image* <http://www.come-and-hear.com/supplement/ot-select.html>
33. See [Holy Atrocities and Judaism](#) "Appendix B: Mishnah of Sanhedrin 111b" at [http://www.come-and-hear.com/editor/br\\_1.html#appendix\\_b](http://www.come-and-hear.com/editor/br_1.html#appendix_b) or in context with footnotes at [http://www.come-and-hear.com/sanhedrin/sanhedrin\\_11.html#111b](http://www.come-and-hear.com/sanhedrin/sanhedrin_11.html#111b)
34. *Jesus' Membrum in the Talmud* is available at [http://www.come-and-hear.com/editor/censorship\\_2.html](http://www.come-and-hear.com/editor/censorship_2.html)
35. *The Jewish Religion: Its Influence Today* by Elizabeth Dilling is available on-line at <http://www.come-and-hear.com/dilling>
36. *What We're About* is available at <http://www.come-and-hear.com/editor/about.html>
37. For more information on the Noahide Laws, see [Merry Christmas, And Off With Your Head!](#) available at <http://www.Public-Action.com/christmas.html>
38. Giotto di Bondone 1266-1337 Crucifix 18ft 11in x 6ft 7in tempera on panel Santa Maria Novella, Florence about 1292
39. We were unable to locate a *yeshiva* or theological seminary in or called "Kfar Hassidim," or mention thereof in any

publication on the Internet. We were, however, able to find Kfar Chabad, the Chabad-Lubavitcher village in the Lod Valley that contains a school for boys. ([http://www.chabadnews.us/gallery/Page\\_0006/0006.htm](http://www.chabadnews.us/gallery/Page_0006/0006.htm)) Perhaps a curious reader will have better luck.

40. *Chabad-Lubavitch Library* of Brooklyn N. Y.: "volume no: 4053, location: 2-L, Lev Eliyahu, A Collection of Talks, by: Lopian, Eliyahu, Jerusalem ,1975, 8. xli, 330 p." <http://www.chabadlibrary.org/ecatalog/EC04/EC04053.HTM>
41. "While the Messiah Tarries," by Rabbi A. James Rudin, *Forward*, February 22, 2002: <http://www.forward.com/issues/2002/02.02.22/oped2.html> cached at: <http://www.come-and-hear.com/editor/forward>.
42. "Jewish Identity - The concept of a chosen people - 8 May 2001 [Unedited verbatim transcript]," *The Website of the Chief Rabbi*, <http://www.chief Rabbi.org/faith/identity.html> cached at <http://www.come-and-hear.com/editor/na-sacks-noahide>
43. Explanation of Kabbalah, see *The Lurianic Kabbalah, Ein-Sof*: <http://www.newkabbalah.com/einsof.html> cached at <http://www.come-and-hear.com/editor/cp-ein-sof>
44. "Jewish law institute launched in DC," *Jerusalem Post*, November 9, 2002, <http://www.jpost.com/servlet/Satellite?pagename=JPost/A/JPArticle/ShowFull&cid=1036830287246>, now moved to <http://pqasb.pqarchiver.com/jpost/index.html?ts=1042784008> cached at <http://www.come-and-hear.com/editor/cp-jp-11-09-2002>  
See also footnote 45
45. "Jewish Law Comes to D.C.," *The Jewish Week*, 12/06/2002, <http://www.thejewishweek.com/news/newscontent.php3?artid=7074%20> cached at <http://www.come-and-hear.com/editor/cp-jw-01-08-03>
46. "Foreword," *Everyman's Talmud*, page xvii
47. *The Indestructible Jews* by Max Dimont. The Dimont quote is printed on the dust jacket. Ben Gurion is quoted on page 337
48. *Merry Christmas, and Off with Your Head!* is found at <http://www.Public-Action.com/christmas.html>  
*Jews and Hasidic Gentiles — United to Save America* is found at <http://www.noahide.com/>  
and the seven Laws (*The Seven Universal Laws*) are found at <http://www.noahide.com/7laws.htm>
49. *Critical Words of Talmud Study* is available at [http://www.come-and-hear.com/editor/critwords\\_1.html](http://www.come-and-hear.com/editor/critwords_1.html)
50. *Israel's "One Indigenous Science"* is available at <http://www.come-and-hear.com/editor/exegesis.html>
51. *Babylonian Talmud*, "Foreword," Seder Nezikin, **Vol. I, page xxii** available at [http://www.come-and-hear.com/talmud/nezikin\\_h.html#xxii](http://www.come-and-hear.com/talmud/nezikin_h.html#xxii)
52. *Jew vs. Jew*, page 338.
53. "Dennis Prager," *Dennis Prager*, <http://www.dennisprager.com>
54. "The Supreme Chutzpah," by Jack Achiezer Guggenheim, *Jewish Law*, <http://www.jlaw.com/Commentary/SupremeChutzpah.html> cached at <http://www.come-and-hear.com/editor/na-chutzpah>
55. "Jewish Law and the Supreme Court: Happy Millennium From an Ancient Legal Tradition," *Project Next Step* by Rabbi Yitzchok Adlerstein, <http://projectnextstep.org/adlerstein-articles/jewish-law-supreme-court.htm> cached at <http://www.come-and-hear.com/editor/cp-adlerstein2>
56. URL of this article: [http://www.come-and-hear.com/editor/america\\_1.html](http://www.come-and-hear.com/editor/america_1.html)
57. "Jews and the Death Penalty," *The Jewish Journal*, by Rabbi Yitzchok Adlerstein, director of the Jewish Studies Institute of Yeshiva of Los Angeles and chair of Jewish Law and Ethics at Loyola Law School: <http://www.jewishjournal.com/old/deathpenalty2.3.10.0.htm> cached at <http://www.come-and-hear.com/editor/cp-adlerstein>
58. Rabbi Boteach tells of a meeting he had with Rabbi Schneerson. "When I emerged from his office I felt filled with hope for the first time in my life. That very night, I decided to leave my Jewish day school and enter a rabbinical seminary." *Judaism for Everyone*, Preface, page xii
59. *Sefer Yezirah* is on line at Come and Hear™ at <http://www.come-and-hear.com/supplement/sephir.html>
60. Elizabeth Dilling's comments on the *Sefer Yezirah* in *The Jewish Religion: Its Influence Today* are available at [http://www.come-and-hear.com/dilling/chapt06.html#Sefer\\_Yetzirah](http://www.come-and-hear.com/dilling/chapt06.html#Sefer_Yetzirah)
61. Jesus is reported to have said that he came to uphold the Law ([Matthew 5:17-20](#)). However, a review of [In His Own Image](#) and [Holy Atrocities and Judaism](#) provokes a question: What were those Old Testament Laws that Jesus came to uphold? ("In His Own Image" is available at <http://www.come-and-hear.com/supplement/ot-select.html>, and Holy Atrocities and Judaism at [http://www.come-and-hear.com/editor/br\\_1.html](http://www.come-and-hear.com/editor/br_1.html))

Some have suggested the Old Testament and the New Testament are not of the same tradition. See [Was Jesus a Jew?](#) at <http://www.come-and-hear.com/editor/jesus.html> and [The 45 Questions Most Frequently Asked About the Jews](#) at <http://www.come-and-hear.com/supplement/pelley.html>

See also the Jeffersonian Bible at <http://www.angelfire.com/co/JeffersonBible/> cached at <http://www.come-and-hear.com/supplement/jefferson>

62. "ADL Letter to Mel Gibson," *Anti-Defamation League* <http://www.adl.org/media%5Fwatch/letter%5Fmel%5Fgibson.asp> cached at <http://www.come-and-hear.com/editor/sr->

[adl-gibson](#)

63. *Likkutei Sichos* 37:198, quoted on *Campaign to abolish X-mas celebration by gentiles*, <http://www.noahide.com/xmas.htm> cached at <http://www.come-and-hear.com/editor/sr-xmas>
64. *Mishne Torah* — Hilchos Melachim 10:9, as quoted on *Campaign to abolish X-mas celebration by gentiles*, <http://www.noahide.com/xmas.htm> cached at <http://www.come-and-hear.com/editor/sr-xmas>
65. "Libby Pataki Honored by ADL for Her 'Strong and Unwavering' Support of the State of Israel" *Anti-Defamation League, New York* <http://www.adl.org/ny/nyro%5Fpr%5Fpataki.asp> cached at <http://www.come-and-hear.com/editor/adl>
66. [US v. Talmud Law](#) is available at [http://www.come-and-hear.com/editor/capunish\\_4.html](http://www.come-and-hear.com/editor/capunish_4.html)
67. [What About Gentiles?](#) is available at <http://www.come-and-hear.com/editor/gentile.html>
68. "Zakheim Speaks of U.S. Support for Afghan Reconstruction Plan," *Defense Link: American Forces Information Service*, Nov. 27, 2002 [http://www.dod.gov/news/Nov2002/n11272002\\_200211274.html](http://www.dod.gov/news/Nov2002/n11272002_200211274.html)
69. "Great Leaders of our People - Rabbi Eliyahu Lopian (1876-1976)," Union of Orthodox Jewish Congregations of America, <http://www.ou.org/about/judaism/rabbis/liopian.htm> cached at <http://www.come-and-hear.com/editor/na-rabbi-liopian>
70. Jews often call the Talmud "the Torah." According to many Rabbinical experts, the Talmud is the Word of God, the basic book of Jewish law, and the foundation of Jewish culture. See [What Come-and-Hear™ Is About](#), [Critical Words of Talmud Study](#), and [More Critical Words of Talmud Study](#) at <http://www.come-and-hear.com/editor/about.html> [http://www.come-and-hear.com/editor/critwords\\_1.html](http://www.come-and-hear.com/editor/critwords_1.html) and [http://www.come-and-hear.com/editor/critwords\\_2.html](http://www.come-and-hear.com/editor/critwords_2.html) respectively.
71. *Likkutei Sichos - An Anthology of Talks*, by The Lubavitcher Rebbe, Rabbi Menachem M. Schneerson translated by Rabbi Eliyahu Touger, publisher not cited, <http://www.eichlers.com/826605079.html> cached at <http://www.come-and-hear.com/editor/na-likkutei-sichos/> see also <http://www.bookhq.com/compare/082660501X.html>
72. "The 613 Commandments," *Aish HaTorah* [http://aish.com/holidays/Shavuot/The\\_613\\_Commandments.asp](http://aish.com/holidays/Shavuot/The_613_Commandments.asp) cached at [http://www.come-and-hear.com/supplement/the\\_613\\_commandments/](http://www.come-and-hear.com/supplement/the_613_commandments/) For further discussion of the 613 commandments, see [What About Gentiles?](#) available at <http://www.come-and-hear.com/editor/gentile.html>
73. "Anti-Terror Weapon: Off With Their Heads," by Robert G. Williscroft, *Defense Watch "The Voice of the Grunt"*, <http://www.sftt.org/cgi-bin/csNews/csNews.cgi?database=DefenseWatch.db&command=viewone&op=t&id=147&md=25.65647288741485> cached at <http://www.come-and-hear.com/editor/na-decapitation/>
74. "About," *Soldiers for The Truth Foundation*, <http://www.sftt.org/about.html>
75. "Jacko the Child Healer," *ABC News*, <http://abcnews.go.com/sections/us/WolffFiles/wolffiles87.html>

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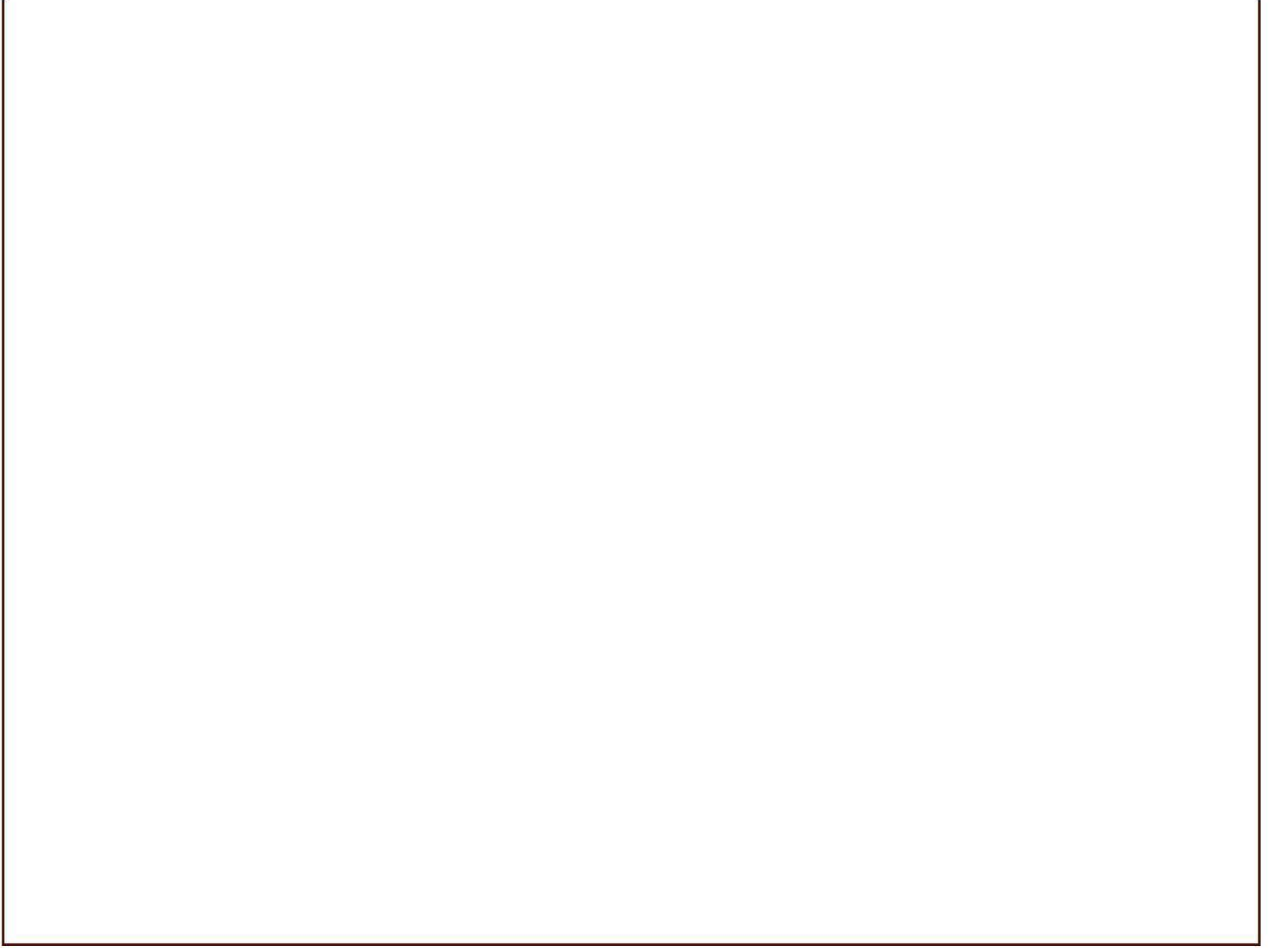
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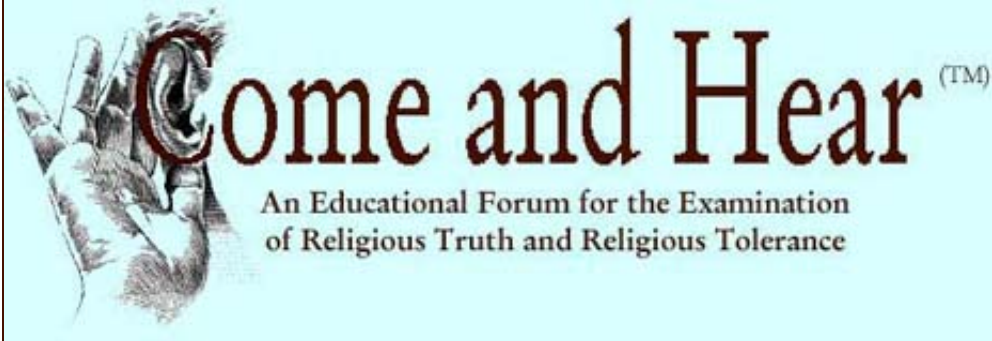
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**M**



## *Death Penalty and Talmud Law*

### *4. US v. Talmud Law*



In 1999, the US Supreme Court accepted a death penalty brief based wholly on Talmud law. The advocates say the Talmud has a better way. Does it?

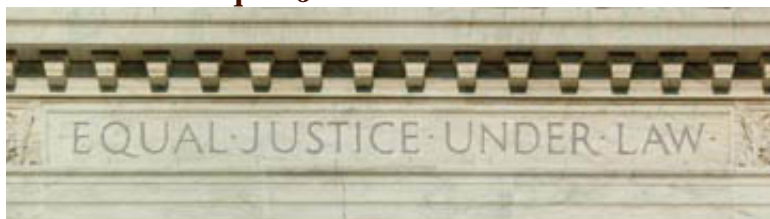
*This is the fourth in a [4-part series](#) on the Death Penalty and Talmud Law.*

In [Sentence and Execution](#) (Part 1 of "Death Penalty and Talmud Law") we watched the US Supreme Court create a precedent by accepting for consideration a brief based wholly on Talmud law. We watched as Israeli and American legal experts recommended that, on the issue of humanitarianism and the death penalty, that the US should use Talmud law as the exemplar.

What was missing from this presentation? The Orthodox Jewish advocates failed to mention that US and Talmud law are fundamentally incompatible.

Over the cornice of the Supreme Court building are etched these words:

#### **Equal Justice Under Law.**



In contrast, Talmud law insists on unequal justice under law. Talmudic law holds there is one law for Jews, and one for Gentiles. This is not inconsistent with the Old Testament, in which LORD God decrees that Jews should not enslave other Jews: Gentiles are the proper slaves of Jews.

**44. Both thy bondmen, and thy bondmaids, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bondmen and bondmaids.**

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**Rabbi Noson Gurary** founded The National Institute for Judaic Law to educate American jurists and laws students about Judaic law. He is quoted in the *Jerusalem Post*:

"By demonstrating the philosophy of Jewish law and its moral values, we can bring a little beacon of light to this world." (1)

Rabbi Gurary is quoted by *The Jewish Week*: "Before you know where you're going, you have to know where you came from. And Jewish law is the basis of our legal system in America." (2)

In 1991, Congress declared the Talmud's Noahide Laws were the basis "upon which our great Nation was founded." Noahide Law regulations require that idolaters (such as Christians) be put to death. The 1991 declaration marked the 89th birthday of Rabbi Gurary's mentor, the Lubavitcher Rebbe, Rabbi Schneerson. See [America's New Government Church](#).

- 45. Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land: and they shall be your possession.**
- 46. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever: but over your brethren the children of Israel, ye shall not rule one over another with rigour.**

— [Leviticus 25:44-46](#)

Laws concerning slaves — bondmen, bondmaid, bondwomen, handmaids, etc. — are found throughout the Talmud in almost every tractate. A sampling of such laws is included in the [Appendix: Talmud Slavery Laws](#).

### ***Gentiles Easy To Convict***

Under Jewish law, Gentiles are easy to convict for capital crimes; but it is difficult to convict Jews. The standards of proof are different.

For a Jew to be convicted by a Jewish court, two eyewitnesses must have seen the perpetrator about to commit the crime and warned him of the potential penalty. The murderer must verbally answer that he chooses to proceed anyway. (For a non-Jew, only one witness is required and no verbal warning.)

— Rabbi Adlerstein, as told to Naomi Pfefferman (5)

Rabbi Adlerstein's statement is confirmed by the Talmud.

*(When excerpting the Talmud, we sometimes omit footnotes and non-germane text. The omission of text is indicated by an ellipsis (...). The full text and footnotes may be found by following the hot link at the end of the excerpt. It is our pleasure to make available the text of the complete tractates cited in this article, so you may read the Talmud in full context.)*

**GEMARA.** ... R. Jacob b. Aha found it written in the scholars' Book of Aggada: A heathen is executed on the ruling of one judge, on the testimony of one witness, without a formal warning, on the evidence of a man, but not of a woman, even if he [the witness] be a relation.

— Babylonian Talmud, [Tractate Sanhedrin 57b](#)  
Soncino 1961 Edition, page 390

Rabbi Adlerstein's statement is also confirmed by Talmud scholar and translator, Rabbi Dr. H. Freedman. In the following quotes, "Noahide" means a non-Jew. Rabbi Dr. Freedman tells us twenty-three judges must sit on a court that hears a capital case against a Jew; when a Gentile is tried on a capital charge, one (Jewish) judge is required.





**Thomas Jefferson**, author of the Declaration of Independence.

Writing to Charles Thomson, January 9, 1816, Jefferson refers to his anthology of the teachings of Jesus:

"A more beautiful or precious morsel of ethics I have never seen; it is a document in proof that **I am a real Christian**, that is to say, a disciple of the doctrines of Jesus ... the great reformer of the vicious ethics and deism of the Jews." [\(14\)](#)

Jefferson wrote in the syllabus to the Jefferson Bible:

## II. Jews.

1. *Their system was Deism; that is, the belief in only one God. But their ideas of him and of his attributes were degrading and injurious.*

2. *Their Ethics were not only imperfect, but often irreconcilable with the sound dictates of reason and morality, as they respect intercourse with those around us; and repulsive and anti-social,*

5. A Noachide is tried by one judge, and on the testimony of one witness only, and is executed even if no formal admonition preceded his offence; a Jew is tried by a court of twenty-three, on the testimony of at least two, and only after formal admonition. Moreover, a gentile is decapitated, whereas a Jew is stoned.

— Rabbi Dr. Freedman [\(6\)](#)

## *Laws Different for Jew and Gentile*

Not only are the court procedures and the standards of evidence different from one class to the other, the very laws are different. For example, if a Jew murders a Gentile, there is no death penalty.

**GEMARA.** ... 'For murder, whether of a Cuthean by a Cuthean, or of an Israelite by a Cuthean, punishment is incurred; but of a Cuthean by an Israelite, there is no death penalty'

— Babylonian Talmud, [Tractate Sanhedrin 57a](#)  
Soncino 1961 Edition, page 388

But if a Gentile strikes a Jew, "he is worthy of death."

**GEMARA.** ... R. Hanina said: If a heathen smites a Jew, he is worthy of death, for it is written, *And he looked this way and that way, and when he saw that there was no man, he slew the Egyptian*. R. Hanina also said: He who smites an Israelite on the jaw, is as though he had thus assaulted the Divine Presence; for it is written, *one who smiteth man [i.e. an Israelite] attacketh the Holy One*.

— Babylonian Talmud, [Tractate Sanhedrin 58b](#)  
Soncino 1961 Edition, page 398

## *No Jury of Peers under Talmud Law*

Talmud law does not provide for the accused to be tried by a jury of his peers. In Talmud law, the accused is tried by rabbis.

## *Ox Gets 23 Judges*

In case there were any doubt about the place of the Gentile in Talmud law, the following excerpt from Sanhedrin 2a settles the question. Recall that a capital case against a Gentile is heard by one judge. According to Sanhedrin 2a, a capital case against an ox, a hyena, or a serpent is tried by 23 judges.

**MISHNAH.** ... CAPITAL CASES ARE ADJUDICATED BY TWENTY-THREE. THE PERSON OR BEAST CHARGED WITH UNNATURAL INTERCOURSE, BY TWENTY-THREE, AS IT IS

as respecting other nations. They needed reformation, therefore, in an eminent degree.

### III. Jesus.

In this state of things among the Jews, Jesus appeared. His parentage was obscure; his condition poor; his education null; his natural endowments great; his life correct and innocent: he was meek, benevolent, patient, firm, disinterested, and of the sublimest eloquence. (15)

A recent book, *The Jefferson-Hemings Myth*, debunks the story that Jefferson fathered children by his slave, Sally Hemings. The book addresses "How these attacks on Jefferson are also used to undermine the principles he stood for and on which the American republic was founded." (16)

For a biography of Jefferson by one of his contemporaries, see *Life of Thomas Jefferson* by B. L. Rayner. (17)



**Babylonian Marriage Market** by Edwin Long, 1875 (detail) (note ironic title)

Old Testament and Talmud law endorse and regulate slavery. For example,

WRITTEN, THOU SHALT KILL THE WOMAN AND THE BEAST, AND ALSO, AND YE SHALL SLAY THE BEAST.

THE OX TO BE STONED IS TRIED BY TWENTY-THREE, AS IT IS WRITTEN, THE OX SHALL BE STONED AND ITS OWNER SHALL BE PUT TO DEATH — AS THE DEATH OF THE OWNER, SO THAT OF THE OX, CAN BE DECIDED ONLY BY TWENTY-THREE.

THE DEATH SENTENCE ON THE WOLF OR THE LION OR THE BEAR OR THE LEOPARD OR THE HYENA OR THE SERPENT IS TO BE PASSED BY TWENTY-THREE. R. ELIEZER SAYS: WHOEVER IS FIRST TO KILL THEM [WITHOUT TRIAL], ACQUIRES MERIT, R. AKIBA, HOWEVER, HOLDS THAT THEIR DEATH IS TO BE DECIDED BY TWENTY-THREE.

— Babylonian Talmud, [Tractate Sanhedrin 2a](#)  
Soncino 1961 Edition, page 2

## **Perspective on Gentiles**

A further perspective in traditional Jewish laws and attitudes concerning Gentiles is contained in [What About Gentiles? \(18\)](#) Of particular interest is the modern study by Rabbi David Bar-Chayim, the head of the Makhon Ben Yishai Institute for Torah Research. Israel National Radio calls Rabbi Bar-Chayim "one of Israel's Leading Torah Scholars." (19) Rabbi Bar-Chayim's essay, [The Jews Are Called "Man,"](#) offers a definitive statement of the doctrines concerning Gentiles, with extensive references to many Jewish Scriptures. (20)

## **US Supreme Court Warms to the Talmud**

Approximately three years after Nathan and Alyza Lewin filed the *Bryan v. Moore amicus curiae* brief — a notable event in itself — another notable event took place. A kosher dinner was held to honor the establishment of the National Institute for Judaic Law (NIJL). The dinner was attended by 200 people, including Supreme Court Justices Ruth Bader Ginsberg, Stephen Breyer, Antonin Scalia. Nathan and Alyza Lewin also attended.

The site of the dinner? The United States Supreme Court Building in Washington, DC. The Jewish Week reported the event in this manner:

What does the Talmud have to say about legal and moral controversies in modern America?

Plenty, according to the creators of the new Washington-based National Institute for Judaic Law, which opened with a lavish Supreme Court dinner last month.

Some Orthodox activists say they can't figure out exactly the point of the whole thing. But Noson Gurary, a Lubavitch rabbi who came up with the idea and won backing from some top Jewish legal experts,

Mosaic Law endorses hereditary slavery:

*Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land: and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever. — [Leviticus 25:44-46](#)*

Using slaves for sex and having children by them is of course exemplified by Abraham's use of Hagar ([Genesis 16:1-7](#) and [Genesis 21:9-16](#)).

Entries under the words *slave, slaves, and slavery* in the General Index of the Soncino Talmud fill almost two pages. See [Appendix](#) for some relevant Talmud passages, or use the [Come and Hear™ Search Engine](#) with words such as *slave, bondwoman, bondman, manservant, maidservant*, etc.



**Justice Antonin Scalia.**  
Along with Justices

harbors no doubts.

— Jewish Week [\(2\)](#)

Noson Gurary is an ordained rabbi of the Chabad Lubavitch sect, and follower of late Rabbi Menachem Mendel Schneerson. Chabad Lubavitch is a movement within the Hasidic (sometimes spelled "Chasidic") branch of Judaism. Rabbi Gurary is the executive director of Chabad of Buffalo, New York. [\(3\)](#) He is co-author of several books on Hasidic and Chabad Lubavitch philosophy. [\(7\)](#) Hasidism embraces a Kabbalistic concept of God, the *Ein-Sof*, [\(8\)](#), a power reminiscent of "The Force" in George Lucas' *Star Wars*.

### ***Coming from Where We've Never Been***

The Jewish Week explains more of the NIJL project. In the following paragraph, *macher* is a Yiddish word meaning "big shot," a person with access to authorities. [\(10\)](#)

According to Gurary, the group, which has hired two researchers to compile reports, will focus initially on the issue of business ethics. Eventually, the goal is to compile a library and database in Washington that will offer Jewish law insights into a host of contemporary issues and to help create courses on the subject at law schools nationwide. The institute will also inaugurate a monthly lunch series for legal *machers* in Washington.

— Jewish Week [\(2\)](#)

The Jewish Week continues:

"It will be an eye opener for judges, scholars and law students," he told The Jewish Week. "Before you know where you're going, you have to know where you came from. And Jewish law is the basis of our legal system in America." ...

Gurary, who teaches at the University of Buffalo law school, said his target audience includes judges around the country and law students, not politicians and lawmakers.

"And as a teacher of Judaic studies, I began to see the excitement of students who were being exposed to Jewish law for the first time, who now had a better understanding of where Western law come from," Gurary said.

— Jewish Week [\(2\)](#)

It is a safe bet that all of Rabbi Gurary's students had been exposed to the Ten Commandments before, and none were encountering them "for the first time" in his classroom. Hence, Rabbi Gurary's term "Jewish law" must refer to Talmud law rather than Biblical law. Thus, Rabbi Gurary's statement reads that Western law "came from" Talmud law — and that is patently false. The sources for law in Europe and America include Roman law, Anglo-Saxon law, and the Western philosophers of Liberty. Neither American nor European law has ever institutionalized legal superiority of Jew over Gentile.

Ginsburg and Breyer, Justice Scalia attended the Kosher dinner held at the Supreme Court building on November 5, 2002, to mark the founding of the Washington-based National Institute for Judaic Law.

In 1993 a death penalty case (*Herrera v. Collins*) Scalia wrote that a condemned man awaiting execution did not have a right to another trial even if new evidence showed he was actually innocent of the crime. Scalia reasoned that because the condemned man's original trial had been free from procedural error, he'd have to die anyway, guilty or not.

"There is no basis in text, tradition, or even in contemporary practice (if that were enough) for finding in the Constitution a right to demand judicial consideration of newly discovered evidence of innocence brought forward after conviction."



**Leonel Torres Herrera** [\(9\)](#)

At the very moment Justice Scalia was writing those words, the Supreme Court was giving prisoner

## ***Bush Approves Talmudization of America***

*The Jerusalem Post* reported the November 2002 kosher dinner as follows:

Jewish legal experts have created a new institute that will educate jurists and others about 2,000 years of Jewish law and promote the application of the teachings to contemporary legal disputes and other modern-day issues ...

US President George W. Bush sent greetings and applauded the institute for promoting an "understanding of Judaism's rich tradition of legal thought."

"As we face new challenges and welcome new opportunities, our society must continue to promote good character and strong values. Through the study and teaching of Jewish law and philosophy you are contributing to a growing culture of service, citizenship, and responsibility in America," Bush wrote.

— The Jerusalem Post [\(1\)](#)

## ***Justice Scalia Is a Key Player***

*The Jerusalem Post* reports that Justice Antonin Scalia has high praise for Jewish law.

Scalia, in a letter to the institute's founder, Noson Gurary, wrote that "Jewish law is certainly one of the oldest and most highly developed systems" and explained why the comparative study of legal traditions was beneficial.

— The Jerusalem Post [\(1\)](#)

In fact, Rabbi Gurary came up with the idea of the Institute as a result of correspondence with Justice Scalia:

Gurary said that the idea for the institute came in an exchange of letters in which Supreme Court Justice Antonin Scalia, one of the most conservative Justices, expressed his "fascination with Jewish law."

— The Jerusalem Post [\(1\)](#)

Justice Scalia has sworn an oath to uphold the Constitution and its Bill of Rights. Yet, by his attendance at this dinner he clearly indicated his support for an antithetical system: Talmud law. How does he reconcile the two? We are not told.

## ***Talmud vs. Old Testament***

Some non-Jews take the position that the Talmud perverted the Old Testament teachings. See, for example, [Chapter I](#) of Elizabeth Dilling's *The Jewish Religion: Its Influence Today*. The question then becomes: If the Talmud perverted Jewish law, what is real, un-perverted Jewish law — the Jewish law of the Old Testament? What was the quality of justice that pervaded the mind-set of the ancient Jews? Should we in America

Herrera's case a "judicial consideration" that Justice Scalia said the man had no "right to demand." At that point, it was less expensive for the nation to save the man's life than to execute him. But Justice Scalia's decision was more a message to the nation than an exercise in justice: Justice Scalia is telling the nation and the world that in American justice, truth is unimportant in the face of procedure.

The Declaration of Independence — which sets forth the very purposes of our Nation — states, in part: "We hold these truths to be self-evident, that all men ... are endowed by their Creator with certain unalienable Rights, that among these are Life ..."

Article V of the Bill of Rights states: "No person shall be ... deprived of life, liberty, or property, without due process of law ..."

Judge Scalia is said to be a devout Catholic "with a fascination for Jewish law." Justice Scalia's curiosity about Jewish Law seems to coexist with his lack of interest in American justice.

emulate that Old Testament sense of justice?

We have prepared a sampling of Old Testament passages in a compendium called [In His Own Image](#). (21) Let us examine an incident described in Genesis 34.

Shechem is a Gentile, a Hivite. Jacob's daughter, Dinah, catches his eye. Under circumstances not fully described, Shechem seduces Dinah. Shechem loves Dinah tenderly and wants her as his wife. He offers to give any dowry asked for her, and suggests to Jacob's family that their two tribes be joined. While harboring vengeance in their hearts, Jacob's sons (the progenitors of the Tribes of Israel) deceitfully agree to the merger, but insist that the Hivite men be circumcised. The Hivites agree. While the Hivite men are recovering from the operation and still in pain, the Hebrews attack the city, kill all the men, and take the women and children as captives — slaves.

1. **And Dinah the daughter of Leah, which she bare unto Jacob, went out to see the daughters of the land.**
2. **And when Shechem the son of Hamor the Hivite, prince of the country, saw her, he took her, and lay with her, and defiled her.**
3. **And his soul clave unto Dinah the daughter of Jacob, and he loved the damsel, and spake kindly unto the damsel.**
4. **And Shechem spake unto his father Hamor, saying, Get me this damsel to wife.**
5. **And Jacob heard that he had defiled Dinah his daughter: now his sons were with his cattle in the field: and Jacob held his peace until they were come.**
6. **And Hamor the father of Shechem went out unto Jacob to commune with him.**
7. **And the sons of Jacob came out of the field when they heard it: and the men were grieved, and they were very wroth, because he had wrought folly in Israel in lying with Jacob's daughter: which thing ought not to be done.**
8. **And Hamor communed with them, saying, The soul of my son Shechem longeth for your daughter: I pray you give her him to wife.**
9. **And make ye marriages with us, and give your daughters unto us, and take our daughters unto you.**
10. **And ye shall dwell with us: and the land shall be before you; dwell and trade ye therein, and get you possessions therein.**
11. **And Shechem said unto her father and unto her brethren, Let me find grace in**



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**your eyes, and what ye shall say unto me I will give.**

- 12. And Shechem said unto her father and unto her brethren, Let me find grace in your eyes, and what ye shall say unto me I will give.**
- 13. Ask me never so much dowry and gift, and I will give according as ye shall say unto me: but give me the damsel to wife.**
- 14. And the sons of Jacob answered Shechem and Hamor his father deceitfully, and said, because he had defiled Dinah their sister:**
- 15. And they said unto them, We cannot do this thing, to give our sister to one that is uncircumcised; for that were a reproach unto us:**
- 16. But in this will we consent unto you: If ye will be as we be, that every male of you be circumcised;**
- 17. Then will we give our daughters unto you, and we will take your daughters to us, and we will dwell with you, and we will become one people.**
- 18. But if ye will not hearken unto us, to be circumcised; then will we take our daughter, and we will be gone.**
- ...
- 24. And unto Hamor and unto Shechem his son hearkened all that went out of the gate of his city; and every male was circumcised, all that went out of the gate of his city.**
- 25. And it came to pass on the third day, when they were sore, that two of the sons of Jacob, Simeon and Levi, Dinah's brethren, took each man his sword, and came upon the city boldly, and slew all the males.**
- 26. And they slew Hamor and Shechem his son with the edge of the sword, and took Dinah out of Shechem's house, and went out.**
- 27. The sons of Jacob came upon the slain, and spoiled the city, because they had defiled their sister.**
- 28. They took their sheep, and their oxen, and their asses, and that which was in the city, and that which was in the field,**
- 29. And all their wealth, and all their little ones, and their wives took they captive, and spoiled even all that was in the house.**
- 30. And Jacob said to Simeon and Levi, Ye**



"US President George W. Bush sent greetings and applauded the institute for promoting an 'understanding of Judaism's rich tradition of legal thought. As we face new challenges and welcome new opportunities, our society must continue to promote good character and strong values. Through the study and teaching of Jewish law and philosophy you are contributing to a growing culture of service, citizenship, and responsibility in America,' Bush wrote."

The occasion was a kosher dinner held at the US Supreme Court Building in Washington, DC by the National Institute for Judaic Law to celebrate the occasion of the Institute's founding. [\(1\)](#)

**have troubled me to make me to stink among the inhabitants of the land, among the Canaanites and the Perizzites: and I being few in number, they shall gather themselves together against me, and slay me; and I shall be destroyed, I and my house.**

**31. And they said, Should he deal with our sister as with an harlot?**

— [Genesis 34:1-18, 24-31](#)

While many religions frown on sex before marriage, most of us understand that unmarried sex happens. If a man — or even the son of the prince — slept with our sister before marriage, few of us would think it appropriate to murder all the other men in the city, loot the fields and buildings, and take the women and children into slavery. Nor is it likely, having done such a thing, that we would find a sympathetic judge or jury to hear our case. In short, what we have here is a very different concept of justice — so different that many of us could not agree it should be called "justice." The Bible passage shows that:

- a. Shechem, a Gentile, is not accused of using force or violence on Dinah
- b. Shechem declared his love for Dinah, and pleaded for her as his bride
- c. Shechem asked Jacob to name any dowry he would like
- d. Shechem expressed his good will toward Jacob's tribe, offering a merger of wealth and fortunes
- e. Jacob's sons responded deceitfully, pretending friendship and planning murder
- f. Jacob's sons slew other men who were not implicated in the seduction
- g. The women and children taken in slavery were blameless victims — of Jacob's sons
- h. Between the time that Shechem came to Jacob and the time that Dinah was taken from Shechem's house, there were approximately three days. During that time, Jacob and his sons knowingly permitted Dinah to be "defiled" without protest. In consideration of the treasure and slaves looted from the city, did not Jacob and his sons "deal with [their] sister as with an harlot?"

Jacob's final statement on the issue is particularly telling: He complained to his sons that they had put him at odds with the local tribes, and they might retaliate. In no other way did Jacob find fault with their actions.

We have examined each of the Soncino Scriptural index entries for Genesis Chapter 34: there are no comments from the Sages on the injustice in this incident. All apparently approve of the actions of their ancestors.

This is the Old Testament tradition, repeated over and over again through many narratives, as cited in [In His Own Image](#). In particular, note the fate of those who do not follow the Hebrew religion — they are put to death. Is this the tradition of law and justice for which we should trade our

Bill of Rights?

## *A Little Beacon of Light*

Many defend the Old Testament because, they say, it contains commandments that regulate human interaction and produce an ordered society. But earlier civilizations had codes of law regulating human society. See, for example, the Code of Hammurabi, who reigned in Babylon between 1795 and 1750 BC. (12) Moses received the Tablets of Stone in 1275 BC. (13) Hammurabi's Code was on public display approximately 500 years before LORD God's conversation with Moses on Mt. Sinai.

In its report of the November, 2002 kosher dinner at the Supreme Court, The Jerusalem Post quotes Rabbi Gurary thus:

By demonstrating the philosophy of Jewish law and its moral values, we can bring a little beacon of light to this world.

— Rabbi Gurary, quoted in The Jerusalem Post (1)

How much light Jewish law and its moral values brought to this world is a subject for open, informed discussion. See also [Was Jesus a Jew?](#)

Thank you for your consideration of the above,  
*Carol A. Valentine*, Ear at come-and-hear dot com  
 July 14, 2003 ( This article is on line at [http://www.come-and-hear.com/editor/capunish\\_4.html](http://www.come-and-hear.com/editor/capunish_4.html) )

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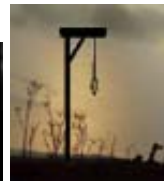
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***Appendix: Talmud Slavery Laws***



***Babylonian Marriage Market** by Edwin Long, 1875  
Of course, people who are bought and sold are normally called "slaves," and the artist's title is ironic.*

### ***Sampling of Slavery Laws and Regulations in the Talmud***

The basis for Jewish slavery, and particularly the enslavement of Gentiles, is found in the Old Testament in [Leviticus 25:44-46](#).

- 44. Both thy bondmen, and thy bondmaids, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bondmen and bondmaids.**
- 45. Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land: and they shall be your possession.**
- 46. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever: but over your brethren the children of Israel, ye shall not rule one over another with rigour.**

— [Leviticus 25:44-46](#)

The Talmud contains detailed regulations concerning slaves and slavery. Use [Search Come and Hear™](#) to search for "slave" in the Talmud tractates on line. Of those approximately 1,500 files, 301 contain slavery regulations. We have selected five for inclusion here, adding emphasis to aid the reader. An ellipsis (...) indicates text omitted by the Come and Hear™ editor. The full text is available through the cite hot link.

***MISHNAH.*** A PRESUMPTIVE TITLE TO HOUSES, PITS, DITCHES AND CAVES, DOVECOTES, BATHS, OLIVE PRESSES, IRRIGATED FIELDS, **SLAVES**, AND ANYTHING WHICH IS CONTINUALLY PRODUCING IS CONFERRED BY THREE YEARS [UNCHALLENGED POSSESSION] FROM DAY TO DAY.

— Babylonian Talmud, [Tractate Baba Bathra 28a](#)  
Soncino 1961 Edition, page 138

***MISHNAH.*** IF A MAN SELLS A TOWN, HE [AUTOMATICALLY INCLUDES THE HOUSES,<sup>7</sup> THE PITS, DITCHES AND CAVES, THE BATHS, THE PIGEON COTES, AND THE IRRIGATED FIELDS [ATTACHED TO IT], BUT NOT MOVABLES. IF, HOWEVER, HE USED THE WORDS 'IT AND ALL ITS CONTENTS', EVEN IF THERE WERE CATTLE AND **SLAVES** IN IT THEY ARE ALL SOLD.

— Babylonian Talmud, [Tractate Baba Bathra 68a](#)  
Soncino 1961 Edition, page 270

***MISHNAH.*** IF A MAN SETS FIRE TO A STACK OF CORN IN WHICH THERE HAPPEN TO BE ARTICLES AND THESE ARE BURNT, R. JUDAH SAYS THAT PAYMENT SHOULD BE MADE FOR ALL THAT WAS THEREIN, WHEREAS THE SAGES SAY THAT NO PAYMENT SHOULD BE MADE EXCEPT FOR A STACK OF WHEAT OR FOR A STACK OF BARLEY. [WHERE FIRE WAS SET TO A BARN TO WHICH] A GOAT HAD BEEN FASTENED AND NEAR WHICH WAS A SLAVE [LOOSE] AND ALL WERE BURNT WITH THE BARN, THERE WOULD BE LIABILITY.<sup>12</sup> IF, HOWEVER, **THE SLAVE HAD BEEN CHAINED TO IT**, AND THE GOAT WAS LOOSE NEAR BY IT, AND ALL WERE BURNT WITH IT, THERE WOULD BE EXEMPTION.

— Babylonian Talmud, [Tractate Baba Kamma 61a](#)  
Soncino 1961 Edition, pages 356-357

***MISHNAH.*** ONE WHO INJURES A FELLOW MAN BECOMES LIABLE TO HIM FOR FIVE ITEMS: FOR DEPRECIATION, FOR PAIN, FOR HEALING, FOR LOSS OF TIME AND FOR DEGRADATION. HOW IS IT WITH 'DEPRECIATION'? IF HE PUT OUT HIS EYE, CUT OFF HIS ARM OR BROKE HIS LEG, THE INJURED PERSON IS CONSIDERED **AS IF HE WERE A SLAVE BEING SOLD IN THE MARKET PLACE**, AND A VALUATION IS MADE AS TO HOW MUCH HE WAS WORTH [PREVIOUSLY]. AND HOW MUCH HE IS WORTH [NOW].

— Babylonian Talmud, [Tractate Baba Kamma 83b](#)  
Soncino 1961 Edition, page 473

**MISHNAH.** [RABBAN GAMALIEL] BATHED ON THE FIRST NIGHT AFTER THE DEATH OF HIS WIFE. HIS DISCIPLES SAID TO HIM: YOU HAVE TAUGHT US, SIR, THAT A MOURNER IS FORBIDDEN TO BATHE. HE REPLIED TO THEM: I AM NOT LIKE OTHER MEN, BEING VERY DELICATE. WHEN TABI **HIS SLAVE DIED** HE ACCEPTED CONDOLENCES FOR HIM. HIS DISCIPLES SAID TO HIM: YOU HAVE TAUGHT US, SIR, THAT **CONDOLENCES ARE NOT ACCEPTED FOR SLAVES?** HE REPLIED TO THEM: MY **SLAVE** TABI WAS NOT LIKE OTHER **SLAVES:** HE WAS A GOOD MAN ...

**GEMARA** ... WHEN TABI HIS SLAVE DIED etc. Our Rabbis taught: For male and female slaves no row [of comforters] is formed, nor is the blessing of mourners said, nor is condolence offered. When the bondwoman of R. Eliezer died, his disciples went in to condole with him. When he saw them he went up to an upper chamber, but they went up after him. He then went into an ante-room and they followed him there. He then went into the dining hall and they followed him there. He said to them: I thought that you would be scalded with warm water; I see you are not scalded even with boiling hot water. Have I not taught you that a row of comforters is not made for **male and female slaves**, and that a blessing of mourners is not said for them, nor is condolence offered for them? What then do they say for them? **The same as they say to a man for his ox and his ass:** 'May the Almighty replenish your loss'. **So for his male and female slave** they say to him: 'May the Almighty replenish your loss'. It has been taught elsewhere: For male and female **slaves** no funeral oration is said. R. Jose said: If he was a good **slave**, they can say over him, Alas for a good and faithful man, who worked for his living! They said to him: If you do that, what do you leave for free-born?

— Babylonian Talmud, [Tractate Berakoth 16b](#) (emphasis added)

Soncino 1961 Edition, pages 96-97

While the United States of America renounced and outlawed slavery with the passage of the Fourteenth Amendment, there is no mechanism in Judaism that *could* vacate or cancel the Old Testament or Talmud slavery laws. And they have not been canceled. Those laws are the Word of God.

Title: *Death Penalty and Talmud Law, Part 4: US v. Talmud Law*

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**Footnotes:** Full specifics for each of the printed sources are provided in the [Bibliography](#). Outside URLs were valid at the time this article was written. However, be mindful that URLs do change.

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Macher \mah-ker\ n [Yiddish/German maker] 1: a big shot 2: a person with access to authorities 3: a person with contacts
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The full study is available through connecting links. The complete Daat Emet presentation is available through the link at <http://www.come-and-hear.com/supplement/index.html#chayim>
21. "In His Own Image" is available at <http://www.come-and-hear.com/supplement/ot-select.html>

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**DECLARATION OF CAROL DECOURSEY IN SUPPORT OF MOTION TO  
STRIKE ALLEGED ATTORNEY CLIENT INFORMATION AND MATERIALS**

**N**



Mark DeCoursey &lt;mhdecoursey@gmail.com&gt;

---

**RE: Last three pages regarding attorney fees**

1 message

**McBride, Ryan P.** <McBrideR@lanepowell.com>

Tue, Feb 8, 2011 at 9:06 AM

To: Carol DeCoursey &lt;cdecoursey@gmail.com&gt;

Cc: Mark DeCoursey &lt;mhdecoursey@gmail.com&gt;, "Degginger, Grant" &lt;DeggingerG@lanepowell.com&gt;, "Gabel, Andrew J." &lt;GabelA@lanepowell.com&gt;

Based on Mark's comments yesterday, I have asked my assistant to prepare the brief for filing.

I am sorry you doubt by aggressiveness, but it is my judgment that including these three pages is not in your best interest. The fact of the matter is, is that attorneys fees are not awarded to the winner in the US as a matter of right. The CPA provides an exception, but it does not sweep up everything. Because of an exception (non-segregation) you were able to recover non-CPA fees in the trial court. That exception no longer holds true in the appeals court. By RAP, the Supreme Court can only award that which the statute allows. The statute only allows fees incurred litigating the CPA claim on appeal. The Supreme Court cannot and would not ignore the statute. Moreover, by asking for relief greater than the Court of Appeals afforded us, we would essentially be attacking the court of appeals or, at a minimum, de facto cross-petitioning for review on the attorneys fees issue, thereby giving Windermere a limited reply which they would not otherwise be afforded. We don't want to do either. It is not a matter of nothing ventured, nothing gained . . . it is a matter of convincing the court to deny the petition as a routine matter. That is our goal.

I know this is frustrating for you. It is for me as well. I'd like to go forward. I'd like to file the brief today.

---

**From:** Carol DeCoursey [mailto:cdecoursey@gmail.com]**Sent:** Tuesday, February 08, 2011 3:20 AM**To:** McBride, Ryan P.**Cc:** Mark DeCoursey**Subject:** Last three pages regarding attorney fees

Ryan--

We have been considering your comments, below.

Allow me to pose a question: Why is it OK for a corporation like Windermere to rip off consumers, and get the courts' help in doing so?

Windermere concocted BS arguments for the Appeals Court on non-CPA issues. You mean to say that with the shared decades of experience between the Reed McClure and Demco attorneys, they did not know what they are doing? Didn't know they were rewing up our legal fees once again? And even if you wish to regard the McClure/Demco attorneys as congenital idiots, incapable of forming intention, we need only look to the \*effect\* of their actions. No need to speculate on motivation. Windermere is making the cost of winning so high for us we won't be winning. Windermere is certainly affecting social policy.

The Supreme Court is concerned with social policy. Access to justice is a social policy issue. And so is litigation by attrition.

"The law" allows what judges say it allows. That's the nature of court decisions. One year slavery is OK. The next year slavery is not OK. One year abortions are a no-no. The next year, abortions are OK.

If lawyers did not have the chutzpah to make new arguments, there would never be precedents.



Please include the three pages we'd like included.

The guys in the black robes sitting on the high stools can say "No," if they want to. So what if they do? We'll not be any worse off.

"Nothing ventured, nothing gained."

Mark would like you to include those pages, too. Please reconsider.

Think "chutzpah."

:-)

Carol

----- Forwarded message -----

From: **McBride, Ryan P.** <[McBrideR@lanepowell.com](mailto:McBrideR@lanepowell.com)>

Date: Mon, Feb 7, 2011 at 10:59 AM

Subject: Slightly Revised Answer to Petition

To: Mark DeCoursey <[mhdecoursey@gmail.com](mailto:mhdecoursey@gmail.com)>

Cc: "Degginger, Grant" <[DeggingerG@lanepowell.com](mailto:DeggingerG@lanepowell.com)>

Mark, thank you for your comments and suggestions. I accepted some, modified a few, and rejected others. I did not accept the three pages you suggested regarding attorneys fees, or the request that the court retroactively award the fees that we did not recover in the Court of Appeal. We will not make those arguments, and we cannot – because the Supreme Court has no such authority and most of your arguments (regarding Windermere's litigation tactics) involve manipulations in the trial court, for which we received an award for all our fees (plus enhancement). The fact remains that we are entitled only to fees on the CPA claim; the Supreme Court, like the Court of Appeals, has no discretion in the matter. I know we want more, but the law does not allow more. Moreover, even putting the law aside, I don't believe these pages further our strategy to convince the Supreme Court to summarily deny the petition. That is what we want.

I feel very very strongly that this brief puts our best case forward. I'd like to have my assistant begin the process of finalizing it. I'd like to file today or tomorrow.

**Ryan P. McBride**

---

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Mark DeCoursey &lt;mhdecoursey@gmail.com&gt;

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Cc: Mark DeCoursey &lt;mhdecoursey@gmail.com&gt;, "Degginger, Grant" &lt;DeggingerG@lanepowell.com&gt;, "Gabel, Andrew J." &lt;GabelA@lanepowell.com&gt;

Based on Mark's comments yesterday, I have asked my assistant to prepare the brief for filing.

I am sorry you doubt by aggressiveness, but it is my judgment that including these three pages is not in your best interest. The fact of the matter is, is that attorneys fees are not awarded to the winner in the US as a matter of right. The CPA provides an exception, but it does not sweep up everything. Because of an exception (non-segregation) you were able to recover non-CPA fees in the trial court. That exception no longer holds true in the appeals court. By RAP, the Supreme Court can only award that which the statute allows. The statute only allows fees incurred litigating the CPA claim on appeal. The Supreme Court cannot and would not ignore the statute. Moreover, by asking for relief greater than the Court of Appeals afforded us, we would essentially be attacking the court of appeals or, at a minimum, de facto cross-petitioning for review on the attorneys fees issue, thereby giving Windermere a limited reply which they would not otherwise be afforded. We don't want to do either. It is not a matter of nothing ventured, nothing gained . . . it is a matter of convincing the court to deny the petition as a routine matter. That is our goal.

I know this is frustrating for you. It is for me as well. I'd like to go forward. I'd like to file the brief today.

---

**From:** Carol DeCoursey [mailto:cdecoursey@gmail.com]**Sent:** Tuesday, February 08, 2011 3:20 AM**To:** McBride, Ryan P.**Cc:** Mark DeCoursey**Subject:** Last three pages regarding attorney fees

Ryan--

We have been considering your comments, below.

Allow me to pose a question: Why is it OK for a corporation like Windermere to rip off consumers, and get the courts' help in doing so?

Windermere concocted BS arguments for the Appeals Court on non-CPA issues. You mean to say that with the shared decades of experience between the Reed McClure and Demco attorneys, they did not know what they are doing? Didn't know they were rewing up our legal fees once again? And even if you wish to regard the McClure/Demco attorneys as congenital idiots, incapable of forming intention, we need only look to the \*effect\* of their actions. No need to speculate on motivation. Windermere is making the cost of winning so high for us we won't be winning. Windermere is certainly affecting social policy.

The Supreme Court is concerned with social policy. Access to justice is a social policy issue. And so is litigation by attrition.

"The law" allows what judges say it allows. That's the nature of court decisions. One year slavery is OK. The next year slavery is not OK. One year abortions are a no-no. The next year, abortions are OK.

If lawyers did not have the chutzpah to make new arguments, there would never be precedents.

Please include the three pages we'd like included.

The guys in the black robes sitting on the high stools can say "No," if they want to. So what if they do? We'll not be any worse off.

"Nothing ventured, nothing gained."

Mark would like you to include those pages, too. Please reconsider.

Think "chutzpah."

:-)

Carol

----- Forwarded message -----

From: **McBride, Ryan P.** <[McBrideR@lanepowell.com](mailto:McBrideR@lanepowell.com)>

Date: Mon, Feb 7, 2011 at 10:59 AM

Subject: Slightly Revised Answer to Petition

To: Mark DeCoursey <[mhdecoursey@gmail.com](mailto:mhdecoursey@gmail.com)>

Cc: "Degginger, Grant" <[DeggingerG@lanepowell.com](mailto:DeggingerG@lanepowell.com)>

Mark, thank you for your comments and suggestions. I accepted some, modified a few, and rejected others. I did not accept the three pages you suggested regarding attorneys fees, or the request that the court retroactively award the fees that we did not recover in the Court of Appeal. We will not make those arguments, and we cannot – because the Supreme Court has no such authority and most of your arguments (regarding Windermere's litigation tactics) involve manipulations in the trial court, for which we received an award for all our fees (plus enhancement). The fact remains that we are entitled only to fees on the CPA claim; the Supreme Court, like the Court of Appeals, has no discretion in the matter. I know we want more, but the law does not allow more. Moreover, even putting the law aside, I don't believe these pages further our strategy to convince the Supreme Court to summarily deny the petition. That is what we want.

I feel very very strongly that this brief puts our best case forward. I'd like to have my assistant begin the process of finalizing it. I'd like to file today or tomorrow.

**Ryan P. McBride**

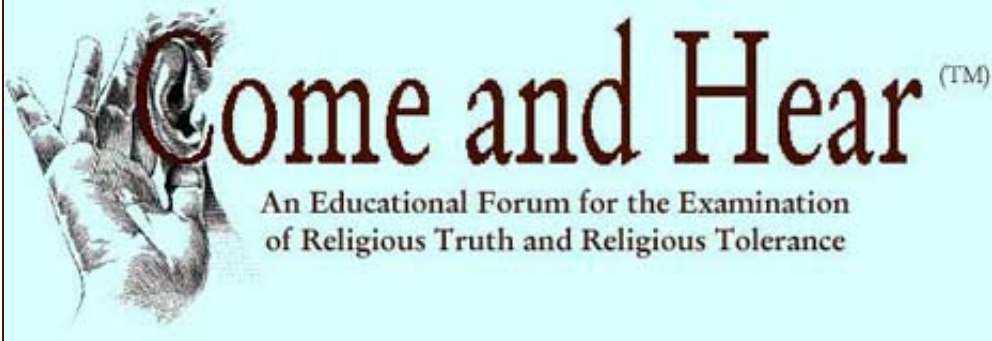
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**DECLARATION OF CAROL DECOURSEY IN SUPPORT OF MOTION TO  
STRIKE ALLEGED ATTORNEY CLIENT INFORMATION AND MATERIALS**

**O**



## *Blood Ritual*

### *1. Holy Atrocities and Judaism*



**Blood Ritual:** — Blood ritual is fundamental to Judaism. Some blood sanctifies, some blood defiles. Let's see what the Talmud doctrines are.

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A dominant theme of both ancient Hebrew and subsequent Jewish culture is the Holy Atrocity. The ancient Hebrews, most often acting upon direct orders from LORD God, exterminated entire ethnic groups, tribes and nationalities. Men, women, children, and livestock were slaughtered, cities burned, and artwork destroyed. Sometimes LORD God directed the Hebrews to massacre each other, and sometimes others attacked LORD God's people. [\(26\)](#)

#### *Advocating Holy Atrocities*

The Holy Atrocity is relevant to today's political situation in the Middle East and the role America will play: The Holy Atrocity is advocated as a political solution. One of the advocates is Washington, DC lawyer Nathan Lewin, who represents Orthodox Jewish interest groups in high-profile legal disputes. In an article published in May 2002 in the opinion magazine *Shma.com*, Lewin called for the massacre of families of Palestinians accused of suicide bombing. He introduces the subject with these words:

What if Israel and the United States announced that henceforth the perpetrators of all suicide attacks would be treated as if they had brought their parents and brothers and sisters with them to the site of the explosion?

— Nathan Lewin [\(8\)](#)

We encountered Lewin before when he submitted an *amicus curiae* brief to the Supreme Court arguing that the US death penalty is cruelly inflicted, and that the US should emulate the humanitarian death penalty principles contained in the Talmud. [\(35\)](#) Lewin also argued that the death penalty was rarely used in Talmud law. We found a number of flaws in Lewin's presentation — for example, he failed to tell the Supreme Court about a Talmud law that mandates the annihilation of entire tribes, towns, and cities in one fell swoop.

(Note: *In the following Talmud excerpts, we sometime omit footnotes*

**(Printer Friendly)**

### The Destroyer Passes Over

12 For I will pass through the land of Egypt this night, and will smite all the firstborn in the land of Egypt, both man and beast; and against all the gods of Egypt I will execute judgment: I am the LORD.

13 And the blood shall be to you for a token upon the houses where ye are: and when I see the blood, I will pass over you, and the plague shall not be upon you to destroy you, when I smite the land of Egypt.

14 And this day shall be unto you for a memorial; and ye shall keep it a feast to the LORD throughout your generations; ye shall keep it a feast by an ordinance for ever.

23 For the LORD will pass through to smite the Egyptians; and when he seeth the blood upon the lintel, and on the two side posts, the LORD will pass over the door, and will not suffer the destroyer to come in unto your houses to

and non-germane text. Omitted text is indicated by an ellipsis (...). The full text and the footnotes are accessible through the link that follows the excerpt, along with the text of the entire tractate. Now, at Come and Hear™, you can judge the Talmud in context.)

**MISHNAH.** ... A TRIBE ... CAN ONLY BE TRIED BY A COURT OF SEVENTY-ONE ... NO CITY CAN BE DECLARED CONDEMNED SAVE BY A DECREE OF A COURT OF SEVENTY-ONE. A FRONTIER TOWN CANNOT BE CONDEMNED NOR THREE CITIES AT A TIME, BUT ONLY ONE OR TWO.

— Babylonian Talmud, [Tractate Sanhedrin 2a](#)  
Soncino 1961 Edition, pages 2-3

For the full text of this Mishnah, see the [Appendix A: Mishnah of Sanhedrin 2a](#).

In his *Shma.com* article, Lewin asks a tough question and answers it.

... Finally, can Jewish law and tradition accept this seeming punishment of innocents? The Torah commanded the total eradication — including woman and children — of certain nations (Amalek being a singular illustration) because of the continuing threat its members presented to the survival of Israel. When there is no other deterrent, self-defense entitles one to take measures that are ordinarily unacceptable.

— Nathan Lewin (8)

### A Weak Rebuttal

So then, innocent men, women, and children would be slaughtered whenever Israel accuses one of their relations of a suicide bombing attack. Along with Lewin's article, *Shma.com* published an opposition piece written by Rabbi Arthur Green, who is a historian of Jewish religion, Professor of Jewish Thought at Brandeis University, and a former dean and president of the Reconstructionist Rabbinical College. Green had the task of explaining why slaughter of the innocent is *not* a Jewish solution. Green grabs the moral high ground, claiming he — not Lewin — is on the side of traditional Judaism.

Although I am not as pious as Nathan Lewin, I still have some pretty old-fashioned Jew-ish instincts. My first desire on reading Lewin's essay was to *rayz kri'ah*, tear my garments, as a sign of mourning on hearing the desecration of God's name. Can we really have come to this? A well-respected spokesman for law, ethics, and Jewish tradition proposes that we (the government of Israel, that is, the one he would like to see operating on Torah-based principles) execute the families of suicide bombers. Devoting all of six words to the struggle of conscience ("This is no easy ethical question ..."), he goes on to justify his proposal by reference to the Torah's command to eradicate Amalek and the Canaanite peoples. I only wonder how long it will take him, by the force of this proof-text, to go all the way and suggest

smite you.

29 And it came to pass, that at midnight the LORD smote all the firstborn in the land of Egypt, from the firstborn of Pharaoh that sat on his throne unto the firstborn of the captive that was in the dungeon; and all the firstborn of cattle.

— [Exodus 12](#)

The massacre of Egyptian firstborn is celebrated annually by Jews all over the world in the Feast of the Passover. Divinely ordained death of non-combatants among the enemy, particularly the killing of children, is a recurrent theme in Judaism. According to Dr. Laura Schlessinger, her father told the family, "I will not be a member of a religion where they celebrate the mass murder of children." [\(12\)](#)



*The Battle of Joshua with Amalekites* by Poussin [\(17\)](#)

"The Torah commanded the total eradication — including woman and children — of certain nations (Amalek being a singular illustration) because of the continuing threat its members presented to the survival of Israel. When there is no other deterrent, self-defense

that the Palestinian nation as a whole has earned the fate of Amalek. After all, "when there is no other deterrent ..."

— Rabbi Green [\(9\)](#)

In arguing that Jewish tradition does not support the massacre of the innocent, Rabbi Green refers to one of Israel's oldest and most celebrated massacres: the annihilation of the Amaleks — men, women, and children. [\(14\)](#) But Rabbi Green's most memorable statement is this:

The Jewish tradition's most essential moral teaching, that every human being is the image of God, must not fall victim to the bleak times through which we are living.

— Rabbi Green [\(9\)](#)

Understandably, Rabbi Green does not refer to the Sanhedrin 2a massacre doctrine when countering Lewin's arguments. Instead, he gives the impression that, according to Jewish tradition, all people have equal worth. But in fact the Talmud Jewish tradition assigns permanent underclass status to non-Jews. We have reviewed these Talmud laws (or traditions, to use Rabbi Green's words) in [Talmud v. US Law](#).

Rabbi Green did not cite his sources, so we cannot examine his references in their original contexts. As we point out in [Critical Words of Talmud Study](#) and [Really, Really Kosher Sex](#), Jewish religious tradition, arising from its Kabbalistic nature, comfortably incorporates contradictions. A polemicist is free to choose whichever teaching suits his target audience and represent it as "Jewish tradition."

But since, according to so many experts, the Talmud is the Word of God, the basic book of Jewish law, and the foundation of Jewish culture, [\(20\)](#) we will be examining the doctrines of the Talmud; and because the Talmud massacre laws cite Old Testament law, we will review Old Testament law, too.

### *Annihilation of Idolaters*

In the following, a "seduced city" is one where the residents were formerly Jews, but have now taken up another religion.

**MISHNAH.** THE FOLLOWING ARE DECAPITATED: A MURDERER, AND THE INHABITANTS OF A SEDUCED CITY.

— Babylonian Talmud, [Tractate Sanhedrin 76b](#)  
Soncino 1961 Edition, page 518

Recall that, according to Talmud's Jewish tradition, "idolatry" does not necessarily entail worshipping idols. Non-Talmudic Jews have, from time to time, been designated idolaters (see [Critical Words of Talmud Study](#): "Old Testament Believers Labeled Idolaters" [\[39\]](#)). And Christians are certainly considered idolaters (see [America's New Government Church](#) [\[40\]](#)).

The theme of annihilating the residents of a seduced city is picked up again in Sanhedrin 111b, included in full as [Appendix B: Mishnah of Sanhedrin 111b](#). Here is a key excerpt:

entitles one to take measures that are ordinarily unacceptable." — Washington lawyer Nathan Lewin [\(8\)](#)

It is a strange world where mothers and children can mount a threat to "the survival of Israel," either ancient or modern. But once we assume the threat exists, Lewin's solution is as natural as dawn turns to day.



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**MISHNAH.** THE INHABITANTS OF A SEDUCED CITY HAVE NO PORTION IN THE WORLD TO COME, AS IT IS WRITTEN, CERTAIN MEN, THE CHILDREN OF BELIAL, ARE GONE OUT FROM AMONG YOU, AND HAVE WITHDRAWN THE INHABITANTS OF THEIR CITY.

— Babylonian Talmud, [Tractate Sanhedrin 111b](#)  
Soncino 1961 Edition, page 765

Sanhedrin 111b is based on Deuteronomy 13:12-16.

12. If thou shalt hear say in one of thy cities, which the LORD thy God hath given thee to dwell there, saying,
13. Certain men, the children of Belial, are gone out from among you, and have withdrawn the inhabitants of their city, saying, Let us go and serve other gods, which ye have not known;
14. Then shalt thou enquire, and make search, and ask diligently; and, behold, if it be truth, and the thing certain, that such abomination is wrought among you;
15. Thou shalt surely smite the inhabitants of that city with the edge of the sword, destroying it utterly, and all that is therein, and the cattle thereof, with the edge of the sword.
16. And thou shalt gather all the spoil of it into the midst of the street thereof, and shalt burn with fire the city, and all the spoil thereof every whit, for the LORD thy God: and it shall be an heap for ever; it shall not be built again.

— Deuteronomy 13:12-16 (KJV)

Under the Old Testament system of law, there is no freedom of religion. On the other hand, life is simple: worship Yahweh or die.

### *Talmud Revisionism*

The Talmud Sages revise this Old Testament law by admitting of certain exceptions. Sanhedrin 111b continues in this vein:

**MISHNAH.** ... THEY ARE NOT EXECUTED UNLESS THE SEDUCERS ARE OF THAT CITY AND THAT TRIBE, AND THE MAJORITY THEREOF ARE SEDUCED, AND THE SEDUCERS ARE MEN. IF WOMEN OR MINORS SEDUCED IT, IF A





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Nathan Lewin (Debbie Hill)

**Nathan Lewin**, a prominent Washington lawyer who has argued at least 27 cases before the US Supreme Court, has written an immodest proposal to end the "suicide bombings" in Israel. To this practitioner of due process in the United States, the pragmatic approach to this Israeli problem is to slaughter ("execute") the family members of anyone accused of a bombing, without resort to judicial procedure. He would like the US to join with Israel in this policy. (8)

MINORITY WERE SEDUCED, OR IF THE SEDUCERS WERE FROM WITHOUT THE CITY, THEY ARE TREATED AS INDIVIDUALS, AND TWO WITNESSES AND A FORMAL WARNING ARE NECESSARY FOR EACH [OFFENDER].

— Babylonian Talmud, [Tractate Sanhedrin 111b](#)  
Soncino 1961 Edition, pages 765-766

The Mishnah continues with the Deuteronomy hardline and Talmudic revisions. Following the Mishnah, the Gemara continues for many pages, seeking exceptions to the Divine commandment of Deuteronomy, whereby the law would not apply or could not be applied as written.

R. Simeon b. Yochai (38) is identified by name in the latter half of the Mishnah, declaring the holy, sacrificial nature of this atrocity, as follows:

**MISHNAH.** ... MULTITUDES ARE DECAPITATED; HENCE THEIR POSSESSIONS ARE DESTROYED. ... R. SIMEON SAID: THE HOLY ONE, BLESSED BE HE, DECLARED, IF YE EXECUTE JUDGMENT UPON THE SEDUCED CITY, I WILL ASCRIBE MERIT TO YOU AS THOUGH YE HAD SACRIFICED TO ME A WHOLE OFFERING. AND IT SHALL BE A HEAP FOR EVER.

— Babylonian Talmud, [Tractate Sanhedrin 111b](#)  
Soncino 1961 Edition, page 767

### *Rabbi Steinsaltz on Holy Atrocities*

Commenting on Chapter XI of the Sanhedrin (containing folio 111b), Talmud scholar Rabbi Adin Steinsaltz states that Chapter XI fills in the picture of Jewish existence with respect to faith. His concluding remarks may be summarized as follows: An idolatrous city never did happen and never could happen, but if it did, the Sanhedrin 111b response would be correct.

The figures described lived in the past, but in various forms they are eternal types, and they offer a warning for the future.

The laws governing an idolatrous city must be seen in the same light. True the Sages said that an idolatrous city has never existed and will never exist, but the laws governing an idolatrous city constitute a constant warning on how far one must go to preserve the spiritual health of the Jewish Commonwealth, and it shows the rigor with which one must act to prevent degeneration and descent to the low level of entire generations which lost both this world and the World to Come.

Therefore, this chapter complements the picture of the Jewish commonwealth, going beyond matters of individual and law and order and becoming an expression of all Judaism.

— Rabbi Steinsaltz (27)



**Rabbi Arthur Green**, historian of Jewish religion and theologian, is Professor of Jewish Thought at Brandeis University. Rabbi Green wrote an essay in opposition to Nathan Lewin's immodest proposal, beginning his essay with the words, "Although I am not as pious as Nathan Lewin ..." (9) Despite his awesome credentials and the prestigious invitation to represent the opposition in Shma Magazine, Rabbi Green does not base his arguments on Old Testament or Talmud law. In the same essay, Rabbi Green wrote:

"Jewish tradition's most essential moral teaching [is] that every human being is the image of God ..." (9) Whatever Rabbi Green meant by those words, the ideas they convey to the normal American are not borne out by the teachings of the Talmud.

It would be wrong to let that misunderstanding persist. The Talmud of the Jews and the Old Testament of the ancient Hebrews clearly demonstrate that mass exterminations were a way of life; modern ceremonies show that in all the centuries, Judaism has

While denying any historical application, Rabbi Steinsaltz endorses the policy and the principle behind the policy — he endorses the death penalty for non-conforming Jews. Rabbi Steinsaltz is a winner of Israel's prestigious Israel Prize.

### *Old Testament Holy Atrocities*

For some, it is easy to blame the Talmud, but difficult to acknowledge the roots of unpleasant Talmud doctrines in the Old Testament. For example, consider this remark from one contemporary Talmud critic:

"For true Jews there is only one divinely-inspired book, not the Talmud! The Bible liberates, the Talmud enslaves."

While this statement may satisfy some who call themselves Christians, it does not serve the truth. We have just seen that the "Bible" — that is, the Old Testament — threatens death to Jews who adopt another religion. In what sense, then, does the Bible "liberate"?

If the Old Testament is a Divinely-inspired book, one must wonder at the nature of the Divine. Here is a partial list of Holy Atrocities in the Bible, excerpted from [In His Own Image](#). Numbers are for ease of reference only, with no other significance.

1. Offered an alliance of marriage with the royal family of the Hivites, Jacob's sons convince the men of a town to get circumcised. While the men are recovering, Jacob's sons slaughter them, loot the town of goods and cattle, and carry off all the women and children as slaves ([Genesis 34:1-17, 24-31](#)).
2. During the sojourn in Egypt: Despite Egyptian expertise in medicine, Jewish midwives are better and achieve higher live birth rate; Pharaoh fears demographic imbalance. Ignoring that females bear babies, not males, Pharaoh orders midwives to kill newly born Hebrew males ([Exodus 1:15-22](#)). Midwives disobey and make excuses to Pharaoh.

Decades later, LORD God strikes back, allowing Pharaoh to live but killing all the firstborn of Egypt ([Exodus 12:12-14](#)). LORD God orders that His justice be commemorated as "an ordinance for ever." This is Passover.

3. Three thousand naked golden calf worshippers massacred. "Thus saith the LORD God of Israel ... slay every man his brother, and every man his companion, and every man his neighbour." After the event, Moses praises them for killing their own sons and brothers. ([Exodus 32:25-29](#))
4. LORD God opens the earth and swallows up Korah, Dathan, Abiram, and their tents, their wives, and little ones. Another 250 men burned to death. All killed for accusing Moses of taking on airs and graces, and raising questions about the quality of his leadership. ([Numbers 16:1-3, 23-35](#))
5. LORD God Redacted s a plague and kills 14,700 Israelites for blaming Moses and Redacted for their h Redacted g of the *Korah* problem ([Numbers 16:41-49](#)). Plague halted by Redacted burning incense.
6. Balaam prophecies Hebrews will exterminate Moabites, children of Sheth; Edom, Seir; Amalek, Kenites, Asshur, Eber ([Numbers 24:17-25](#))

not repudiated those doctrines.



**Abraham's Sacrifice**, by Rembrandt, 1635

Blood sacrifice has been a recurring theme in Judaism from the beginning.



**Sacrifice of Abraham**, St. Joseph's Basilica, Webster, Mass.

7. LORD God orders, through Moses, the extermination of the male Midianites and their five kings. ([Numbers 31:7-12](#)). Why was extermination ordered? After Hebrew men fornicated with Midianite women, they caught a venereal disease and 24,000 died (Numbers 25). The Midianites had sheltered Moses when he fled from Egypt, and they gave Moses his first wife, Zipporah, who bore him his first son. (Exodus 2:15-22) Were Moses' benefactors and in-laws among those slaughtered?
8. The Midianite women and children are taken captive. Later, Moses orders that they be murdered, but spares the little virgin girls so they can be used as concubines ([Numbers 31:13-18, 32-35](#)). The Talmud Sages use these verses to justify grown men having sexual intercourse with little girls, three years old and younger. See [Sex with Children by Talmud Rules](#).
9. LORD God orders depopulation and destruction of civilization in the Promised Land ([Numbers 33:50-56](#)); religious imagery and art work must also be destroyed.
10. LORD God commands the Hebrews to "utterly destroy" the seven nations that are in the Promised Land, "nor shew mercy unto them." In addition, the Hebrews must "destroy" everything of those cultures ([Deuteronomy 7:1-6](#)).
11. LORD God orders death for the prophet, the dreamer of dreams, and he who performs miracles — if he tries to convert Hebrews to a new faith ([Deuteronomy 13:1-5](#)).
12. LORD God orders every Israelite to kill "thy brother ... or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul" if they stray from LORD God worship. "... Thine hand shall be first upon him to put him to death ..." ([Deuteronomy 13:6-11](#)). Compare to ideas expressed in the Declaration of Independence and the Bill of Rights.
13. LORD God blames "children of Belial" for seducing Israelites to other religions, and orders the massacre of seduced cities ([Deuteronomy 13:12-18](#)).
14. LORD God orders extermination of the Amaleks ([Deuteronomy 25:17-19](#)); "... thou shalt blot out the remembrance of Amalek from under heaven; thou shalt not forget it."
15. LORD God orders Hebrews to exterminate the people of Jericho ([Joshua 6:1-2, 20-24](#)); "And they utterly destroyed all that was in the city, both man and woman, young and old, and ox, and sheep, and ass, with the edge of the sword."
16. LORD God orders extermination the inhabitants of Ai and their king ([Joshua 8:1-2, 18-29](#)); Twelve thousand killed. "And Joshua burnt Ai, and made it an heap for ever, even a desolation unto this day."
17. The Hebrews take captive the five Amorite kings, torture them, and hang their bodies from trees. ([Joshua 10:22-27](#))
18. LORD God orders the Hebrews to attack and utterly destroy a multitude of cities, and kill all the inhabitants. ([Joshua 10:28-43](#)).
19. LORD God orders extermination of Canaanites, Amorites, Hittites, Perizzites, Jebusites, Hivites, and their kings; *horses crippled and left to die* ([Joshua 11:1-9](#))
20. LORD God orders extermination of the Hazorites, the people of



### David (as King) Takes Captives

The Talmudic outlook on the slaughter of non-Jews is again revealed by the Sages as they discuss the worth of the hundreds of foreskins David took from the bodies of Philistines he killed. Recall that David did not kill the Philistines in war — it is not written that they were even men-at-arms. They may have been shepherds, fishermen, or craftsmen. He simply killed them and cut off their foreskins so he could win the hand of King Saul's daughter in marriage. ([1 Samuel 18:20-27](#))

*Wherefore David arose and went, he and his men, and slew of the Philistines two hundred men; and David brought their foreskins, and they gave them in full tale to the king, that he might be the king's son in law. And Saul gave him Michal his daughter to wife. — 1 Samuel 18:27 (KJV)*

In Sanhedrin 19b, the Sages are discussing the worth of the heathen foreskins taken by David. Rabbi Papa is speaking:

**GEMARA.** ... Saul, however, thought that [the hundred foreskins] had no value, while David held that they had value at least as food for dogs and cats. — [Sanhedrin 19b](#)

Goshen and Baalgad, the Anakims ([Joshua 11: 10-23](#)); "And they smote all the souls that were therein with the edge of the sword, utterly destroying them: there was not any left to breathe: and he burnt Hazor with fire."

21. LORD God gives military victory to Jephthah in return for the promise of a human sacrifice. As fate would have it, the victim turns out to be Jephthah's beloved daughter, his only child, but he performs the sacrifice as promised. ([Judges 11:30-40](#))
22. LORD God sends Hebrew tribe of Judah against the Hebrew tribe of Benjamin; Judah loses 22,000 men ([Judges 20:15-21](#))
23. LORD God sends the other Hebrew tribes against the Hebrew tribe of Benjamin; The Hebrews lose 18,000 men ([Judges 20:23-25](#))
24. LORD God continues to send the non-Benjamin Hebrews against the Benjamin Hebrews: the remaining 25,000 Benjamin Hebrew men-at-arms are killed, and all their elders, women, children, and cattle. Only 600 Benjamin Hebrews escape the slaughter. ([Judges 20:28, 35-37, 46-48](#)).
25. The Hebrews regret the slaughter of the Benjamites, and slaughter the people of Jabesh Gilead because they did not participate: they kill all the men, women, children, saving only 400 virgins for surviving Benjamites ([Judges 21:3-12](#)). King James Version dares not call it rape.
26. Not enough brides for Benjamites; Hebrews arrange for rape of the Hebrew daughters of Shiloh ([Judges 21:20-23](#)).
27. LORD God AGAIN orders extermination of Amaleks. The incident to be avenged is the Amalek attack on Moses' expedition, more than 250 years earlier ([1 Samuel 15:1-8, 32-33](#)); "Now go and smite Amalek, and utterly destroy all that they have, and spare them not; but slay both man and woman, infant and suckling, ox and sheep, camel and ass."
28. Though King Saul does LORD God's vengeance against the Amaleks, he fails in the details. He has kept King Agag alive. LORD God is angry and the prophet Samuel is angry. Samuel goes to the battlefield, summons King Agag, and personally cuts him to pieces. ([1 Samuel 15:9-11, 32-33](#))
29. David slaughters Philistines and mutilates the corpses, taking foreskins as trophies ([1 Samuel 18:25-27](#)). This is love, not war — David wanted the king's daughter in marriage.
30. David exterminates the Geshurites, the Gezrites, Amaleks, Jerahmeelites, and Kenites ([1 Samuel 27:8-11](#)).
31. Characterized as a seasonal sport ("at the time that kings go out to battle"), King David and Joab conquer the cities of the Ammon. King David dismembers the captives with blunt instruments ([1 Chronicles 20:1-3](#)) "And he ... cut them with saws, and with harrows of iron, and with axes."
32. LORD God is displeased with the dynasty of Baasha. By way of the Prophet Jehu, LORD God sends word that Baasha's dynasty will be forcefully terminated, and his family will be eaten by dogs and birds. ([1 Kings 16:1-4](#))
33. King Asa, descendent of Baasha, is now king. While he is getting drunk one day, Zimri, a leading military officer, attacks and kills him. Zimri makes himself king and kills all the males in the family of Baasha, doing the work of LORD God. His reign lasts seven days. ([1 Kings 16:8-15](#))



**Rabbi Avraham Yitzhak HaCohen Kook** (1865-1935) was a preeminent Talmudic scholar and a Lurian Cabbalist.

"In his penetrating and poetic style, Rabbi Kook teaches that war can often be a catalyst for redemption, uprooting evil, erasing false doctrines, and uncovering Israel's great righteousness." — Rabbi Kook Books ([24](#))

"When one understands that the Redemption of Israel is the goal of world history, one can discover a new spiritual dimension in all of the world's wars and revolutions." — Rabbi Kook ([25](#))

"Modern Western culture, with all of its immorality and falsehoods, will disappear from the world. The holy culture of Israel will be established in its place." — Rabbi Kook ([25](#))

34. The evil King Ahab is dead but the evil Queen Jezebel yet lives. The new king, anointed of LORD God, arranges to have Queen Jezebel thrown from a window, whereupon he drives his chariot over her. He leaves the body there to be eaten by dogs. Only her skull, her feet, and the palms of her hands remain. ([2 Kings 9:30-37](#))
35. King Jehu requests the elders of Jezreel to kill all 70 of Ahab's sons. It is done, and their heads are transported in baskets and left outside the city gates. Then Jehu kills all that remain of the house of Ahab in Jezreel: all Ahab's men, his kinfolk, and his priests, until none remain. ([2 Kings 10:1-11](#))
36. King Jehu encounters the late King Ahaziah's brothers on the road. He captures them and kills them all in a pit because they are related to the dead king. ([2 Kings 10:12-14](#))
37. King Jehu goes to Samaria and kills all the allies of Ahab and his dynasty, according to LORD God's instructions. Then he makes a public announcement that he will be serving the idol Baal, and calls to him all Baal's prophets and priests. Meanwhile, Jehu plans treachery, for when all the servants of Baal are gathered, Jehu has them killed. ([2 Kings 10:15-25](#))
38. Menahem butchers Tiphshahites and rips open stomachs of pregnant women ([2 Kings 15:14-17](#)) Menahem is bad, but LORD God allows him to rule for ten years without opening up the earth and swallowing him. Ripping open the bellies of pregnant woman is not as offensive to LORD God as murmuring against Moses. See [Numbers 16:1-3, 23-35](#).
39. Mordecai, a prominent Jew in the capital city of the Persian Empire, creates a bad situation by publicly insulting and challenging Haman, Grand Vizier ([Esther 3](#)). Mordecai and his cousin, Queen Esther secretly Jewish, win out in palace politics. As a result, the Jews of the Empire slaughter more than 75,000 powerless Persians in a two-day bloodbath ([Esther 8](#)). See [The Essential Purim](#).
40. LORD God's prophecy: The people of Jerusalem will be massacred: ([Ezekiel 9:4-11](#)) "Slay utterly old and young, both maids, and little children, and women: but come not near any man upon whom is the mark; and begin at my sanctuary."

### *Celebrating Atrocities*

In Exodus 12:12-14, we saw that LORD God ordered the ancient Hebrews to celebrate His slaying of the firstborn of Egypt "forever." Jews commemorate the event as Passover.

Another Biblically reported massacre is the Feast of Purim. An entire tractate of the Talmud, Tractate Megillah, is devoted to prescriptions for its observance. Soncino Talmud translator Maurice Simon explains:

The tractate Megillah, as its name indicates, is concerned primarily with the Book of Esther — its place in the liturgy and its interpretation. It begins by fixing the various days on which the Megillah is to be read in order to commemorate the miracle of Purim.



### A Way of Life in Ancient Israel

Though other tribes took slaves, pillaged, robbed, raped, conquered, and deported, the Hebrews and the Jews took pride in exterminations and depopulations. If the Bible is to be believed, men, women, children, babies, and often livestock were destroyed utterly by the tens and hundreds of thousands. Victims include: The firstborn babies and livestock of Egypt; Hivite men, with women and children taken in slavery; 3,000 idolaters among the Israelites; Korah, his friends, their families, and 250 sympathizers; 14,700 Israelite murmurers; Moabites, Edomites, Seirites, Amaleks, Kenites, Asshurites, and Eberites; The Midianites, with the exception of 32,000 virgin girls who were kept as concubines; Every living creature of the city of Jericho; The people of Ai and their king; The Amorites and their kings; Canaanites, Amorites, Hittites, Perizzites, Jebusites, Hivites, and their kings; The Hazorites, the people of Goshen and Baalgad, the Anakims; 22,000 men of Judah who attacked the Tribe of Benjamin; 18,000 Hebrews who attacked the Tribe of

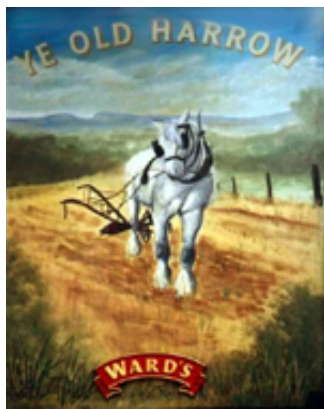
## The Essential Purim

The Purim event is thought to have taken place in 474 B.C. in the Persian Empire. During this time, Jews were scattered among the people of all the other races. Chapters 1 and 2 of the Book of Esther do not mention any problems between Jews and Gentiles in the Empire. We do, however, learn that King Ahasuerus is married to Queen Esther, and that Esther has kept secret from the king the fact that she is Jewish on the instructions of her cousin Mordecai.

Then in Chapter 3, Mordecai violates Persian law by refusing to bow to Haman, the king's Grand Vizier. This was a public insult and a challenge to Haman (Esther 3:4). Given that his cousin was queen of the Persian Empire and a Jew, Mordecai's motives are open to question. Though reminded daily by the royal officials of his duty, Mordecai continues to flout the law and tells them that he is a Jew. By his actions, Mordecai puts the Jews in mortal danger, but he holds a secret trump card — his cousin Queen Esther.

- 1. After these things did king Ahasuerus promote Haman the son of Hammedatha the Agagite, and advanced him, and set his seat above all the princes that were with him.**
- 2. And all the king's servants, that were in the king's gate, bowed, and revered Haman: for the king had so commanded concerning him. But Mordecai bowed not, nor did him reverence.**
- 3. Then the king's servants, which were in the king's gate, said unto Mordecai, Why transgressest thou the king's commandment?**
- 4. Now it came to pass, when they spake daily unto him, and he hearkened not unto them, that they told Haman, to see whether Mordecai's matters would stand: for he had told them that he was a Jew.**
- 5. And when Haman saw that Mordecai bowed not, nor did him reverence, then was Haman full of wrath.**
- 6. And he thought scorn to lay hands on Mordecai alone; for they had shewed him the people of Mordecai: wherefore Haman sought to destroy all the Jews that were throughout the whole kingdom of Ahasuerus, even the people of Mordecai.**
- 7. In the first month, that is, the month Nisan, in the twelfth year of king Ahasuerus, they cast Pur, that is, the lot,**

Benjamin; Almost everyone in the Hebrew tribe of Benjamin — 26,700 men-at-arms and all their wives, elders, children, and livestock; All the people of the Hebrew city of Jabeshgilead, sparing only 400 virgins; The Amaleks: "both man and woman, infant and suckling, ox and sheep, camel and ass"; The Philistines; Geshurites, the Gezrites, and the Amaleks; Jerahmeelites and Kenites; The Tiphsehites, with pregnant women ripped open; The people of Ammon, the captives butchered with blunt instruments; 75,000 Babylonians who would assault the Jews (26)



**Old horse-drawn harrow**  
(from an antique pub sign)

King David took civilians from captured cities and dismembered them with harrows, axes, and saws.

*1. And it came to pass, that after the year was expired, at the time that kings go out to battle, Joab led forth the power of the army, and wasted the country of the children of Ammon, and came and besieged Rabbah. But David tarried*

**before Haman from day to day, and from month to month, to the twelfth month, that is, the month Adar.**

- 8. And Haman said unto king Ahasuerus, There is a certain people scattered abroad and dispersed among the people in all the provinces of thy kingdom; and their laws are diverse from all people; neither keep they the king's laws: therefore it is not for the king's profit to suffer them.**
- 9. If it please the king, let it be written that they may be destroyed: and I will pay ten thousand talents of silver to the hands of those that have the charge of the business, to bring it into the king's treasuries.**

— [Esther 3:1-9](#) (KJV)

In verses 9 and 10, Mordecai asks the king to sign a decree for the destruction of the Jews, and the king agrees.

Let us review what we have learned so far:

1. Prior to the incident, Jews and Gentiles are living peaceably together (previous chapters)
2. The king promotes Haman above all others in the kingdom (verse 1)
3. The king orders all to bow and pay homage to Haman (verse 2)
4. Mordecai refuses to bow and pay homage to Haman (verse 2)
5. The king's servants ask Mordecai why he is disobeying the king's command (verse 3)
6. Day after day, the king's servants ask Mordecai to comply with the law, and he refuses (verse 4)
7. Mordecai tells the royal officers that he is a Jew (verse 4)
8. The king's servants bring the problem to Haman (verse 4)
9. Haman sees for himself Mordecai's defiance, and becomes angry (verse 5)
10. Haman realizes that Mordecai is a member of the politically powerful Jewish population (verse 6)
11. Haman decides the only solution is to get rid of all the Jews at once (verse 6)
12. Haman casts lots to determine the day for action (verse 7)
13. Haman takes the problem to the king, explaining that the Jews will not keep the king's laws, and the king should not permit their rebellion (verse 8)
14. Haman asks the king for a decree that the Jews be destroyed (verse 9)

Sometimes defenders of Mordecai claim that he refused to bow to Haman because Jews do not bow to anyone but LORD God. Even a brief examination of the Old Testament proves this statement wrong. Many G-dly Hebrews bowed to each other and to kings. Our short list includes these:

at Jerusalem. And Joab smote Rabbah, and destroyed it.

2. And David took the crown of their king from off his head, and found it to weigh a talent of gold, and there were precious stones in it; and it was set upon David's head: and he brought also exceeding much spoil out of the city.

3. And he brought out the people that were in it, and cut them with saws, and with harrows of iron, and with axes. Even so dealt David with all the cities of the children of Ammon. And David and all the people returned to Jerusalem. — [1 Chronicles 20:1-3](#)

Not your basic Geneva Convention for the treatment of prisoners of war. But it was a different time, and David was a man of God.



Queen Esther by Italian master Andrea del Castagno (18)

"Before the day set for the slaughter arrived a great number of persons, in order to avoid the impending disaster, became Jewish proselytes, and a great terror of the Jews spread all

- Genesis 23:7 Abraham bows to the people of the land, even to the children of Heth.
- Genesis 33:3-7 Jacob and Leah bow to Esau
- Genesis 42:6 Joseph's brethren bow to Joseph
- 1 Samuel 24:8 David bows to King Saul
- 1 Samuel 20:41 David bows to Jonathan
- 1 Samuel 25:23 Abigail bows to King David
- 1 Samuel 25:41 Abigail bows to King David
- 2 Samuel 14:33 Absalom bows to King David
- 2 Samuel 24:20 Araunah bows to King David
- 1 King 1:23 The Prophet Nathan bows to King David
- 1 King 1:53 Adonijah bows to Solomon
- Ruth 2:10 Ruth bows to Boaz

Sometimes defenders of Mordecai claim that bowing was Haman's whim. Verse 2 clearly indicates that "the king had so commanded." Sometimes defenders of Mordecai claim that only the king's servants were required to bow. Whether Mordecai was a "servant" or a subject of the king is a distinction without a difference: the king's servants clearly understood the king's orders, and it was they, not Haman, who first noticed Mordecai's disobedience and attempted to correct him (verse 3).

Let's keep these points in mind and return to the Purim story.

Mordecai's cousin, Queen Esther, queen of the Persian Empire, is secretly Jewish. Palace intrigue leaves Mordecai and Esther with the upper hand, and Haman is deposed and hanged. The king gives to Esther the estates of Haman (Esther 8:1), and to Mordecai the royal signet ring (Esther 8:2). Mordecai writes a proclamation in the king's name, permitting the Jews in every city to kill anyone who might assault them — and, as usual, to kill the women and children. Mordecai's order authorizes the Jews to plunder the property of the victims (Esther 8:11).

**11. And he wrote in the king Ahasuerus' name, and sealed it with the king's ring, and sent letters by posts on horseback, and riders on mules, camels, and young dromedaries:**

**12. Wherein the king granted the Jews which were in every city to gather themselves together, and to stand for their life, to destroy, to slay and to cause to perish, all the power of the people and province that would assault them, both little ones and women, and to take the spoil of them for a prey, Upon one day in all the provinces of king Ahasuerus, namely, upon the thirteenth day of the twelfth month, which is the month Adar.**

— [Esther 8:10-12](#)



over Persia. The Jews, assisted by the royal officers, who feared the king, were eminently successful in slaying their enemies but refused to avail themselves of their right to plunder. The queen, not content with a single day's slaughter, then requested the king to grant to her people a second day of vengeance, and begged that the bodies of Haman's ten sons, who had been slain in the fray, be hanged on the gibbet." — Jewish Encyclopedia (3)

Esther had a choice. She had a wonderful opportunity to show the true mettle of the Jewish religion and the Jewish people. She could have been magnanimous in victory; but Esther chose to slaughter.



***Punishment of Haman*** by Michelangelo (16)

*Raba said: It is the duty of a man to mellow himself [with wine] on Purim until he cannot tell the difference between 'cursed be Haman' and 'blessed be Mordecai.'* — Megillah 7b

The slaughter goes forward as planned, but inexplicably, the Jews refrain from plunder. *The Jewish Encyclopedia* presents this account:

Before the day set for the slaughter arrived a great number of persons, in order to avoid the impending disaster, became Jewish proselytes, and a great terror of the Jews spread all over Persia.

The Jews, assisted by the royal officers who feared the king, were eminently successful in slaying their enemies but refused to avail themselves of their right to plunder. The queen, not content with a single day's slaughter, then requested the king to grant to her people a second day of vengeance, and begged that the bodies of Haman's ten sons, who had been slain in the fray, be hanged on the gibbet. Esther and Mordecai, acting with 'all authority', then founded the yearly feast of Purim, held on the fourteenth and fifteenth of Adar as a joyous commemoration of the deliverance of their race.

— Jewish Encyclopedia (3)

The Book of Esther ([Esther 9:12](#)) tells us that on the first day of the slaughter 500 men were slain in the capital, and an unstated number in ten other cities. [Esther 9:15-16](#) tells us that, on the second day of slaughter, 300 were killed in the capital and 75,000 were killed in the other cities.

### ***Esther's Choice***

Let us consider Esther's situation. She is the Queen, responsible for the welfare of her subjects; she is not a private citizen. After Haman is deposed, Esther has a choice. She has a wonderful opportunity to show the true mettle of the Jewish religion and the Jewish people. She could be magnanimous in victory; surely no harm could come to the Jewish community, as the King and his army are at her disposal. Here is a chance for the Jews to be truly *a light unto nations*. (see Isaiah 49:6, Isaiah 51:4, Isaiah 60:3)

But Esther could also use her power and position to take revenge on the powerless.

What does Esther do? Esther chooses to take revenge, thereby reinforcing a negative stereotype of the Jewish character.

### ***The Frontier of Fire***

One is reminded of Dr. Abraham Cohen's words, when he wrote so admiringly of the leadership of Ezra, and the "frontier of fire:"

History, which is largely a record of the melting of minorities in majorities, records no instance of the survival of a group not segregated in space or not protected by a burning faith as by a frontier of fire ... If, then, the Jewish nation was to be preserved, it must be ringed round "by a burning faith as by a frontier of fire" ...

The Jew must have a religion which would not only continually distinguish him from the heathen, but would likewise be a constant reminder to him that he was a member of the Jewish race and faith. The Jew was to be demarcated from his neighbors not merely be a



### Symbolic Cannibalism

Celebrants of Purim relish pastries in the shape of Haman's ears, also called *Orejas de Haman* and *Hamantashen*

"At Purim, to celebrate the demise of the hated Haman, the Sephardim make pastries in the shape of his ears and the Ashkenazim make pastries in the shape of his 3-cornered hat. There are different types of dough, including a yeast dough. This biscuity one is meltingly delicious. There are various fillings. The most traditional and most popular is a poppy-seed one. Another is with prunes. ... Roll the dough to a 1/2 inch thickness and cut into 4-inch rounds with a wide glass cookie cutter. Cut each circle in half. Draw the two pointed ends of each half circle together and pinch them to form a small hump in the center which buckles up a little. This piece of dough is now shaped to roughly resemble an ear ..." — Rabbi Robert Steinberg (5)

creed, but by a mode of living. His manner of worship would be different; his home would be different; even in the common acts of daily life there would be distinguishing features which would constantly recall his Jewishness.

— Rev. Dr. Cohen (7)

Perhaps the Feast of Purim is one such "frontier of fire." Let us see how Jewish leadership has managed this event through the millennia.

### *Life Is What You Make It*

Consider the Purim episode from the Jewish viewpoint. According to the Book of Esther, the Jews and Gentiles were not at odds before Mordecai publicly flouted the king's law, demonstrated a rebellious attitude, and flaunted the word "JEW." After Haman was hanged, King Ahasuerus gave Esther and Mordecai enormous power. If Jews believe King Ahasuerus' actions were righteous, Purim could be a celebration of a Gentile king. Jews could condemn Mordecai's lawlessness and deliberate provocation of Haman — provocation that put the Jews in mortal danger. Instead, they choose to memorialize Haman as the prototypical villainous Gentile of all time, and celebrate Mordecai and Esther as heroes.

They choose to celebrate hatred.

### *The Quality of Celebration*

During Purim festivities, the book of Esther is read and the audience boos, hisses, and uses noisemakers to drown out the name of Haman whenever he is mentioned in the text. There is a lavish feast with plenty of wine. The Talmud Sages encourage Jews to get drunk and to engage in a Bacchanalia:

**GEMARA.** ... Raba said: It is the duty of a man to mellow himself [with wine] on Purim until he cannot tell the difference between 'cursed be Haman' and 'blessed be Mordecai.'

Rabbah and R. Zera joined together in a Purim feast. They became mellow, and Rabbah arose and cut R. Zera's throat. On the next day he prayed on his behalf and revived him. Next year he said, Will your honour come and we will have the Purim feast together. He replied: A miracle does not take place on every occasion.

— Babylonian Talmud, Tractate Megillah 7b  
Soncino 1961 Edition, page 38

Along with memorializing Haman's villainy, Purim celebrates the slaughter of the Persian Gentiles as a joyful event. Some Gentiles who understand the nature of the Purim incident are uncomfortable with this.

### *Symbolic Cannibalism*

Ashkenazi Jews commemorate Purim by eating pastries fashioned to



### Celebration of Purim

"The Purim story has a dreadfully villainous villain called Haman, and everyone in the synagogue boos, hisses, stamps their feet and uses noisemakers (called graggers) and cymbals whenever the name of Haman is mentioned during the service. The purpose of this custom is to blot out the name of Haman. Originally, when Haman's name was read, the congregation would shout 'Cursed be Haman' or 'May the name of the wicked rot!' But nowadays any noise will do." (13)

This cultivation of anger and hatred of an enemy is unknown among the people of American and Christian traditions. Not a single wartime enemy in America's history is ritually annihilated at group ceremonies, nor are the children taught the emotions of warfare until much later in life. It is sobering to remember that Haman's death occurred almost 2,500 years ago, and that Haman — according to the Purim story — killed not a single Jew.

resemble Haman's hat ("hamentashen" in Yiddish). Sephardic Jews eat Haman's ears ("Haman's Ears," "oznei Haman" in Hebrew, or "orejas de haman" in Spanish). Rabbi Robert Sternberg has a recipe for Haman's Ears in his cookbook, *The Sephardic Kitchen: The Healthy Food and Rich Culture of the Mediterranean Jews*.

... At Purim, to celebrate the demise of the hated Haman, the Sephardim make pastries in the shape of his ears and the Ashkenazim make pastries in the shape of his 3-cornered hat. There are different types of dough, including a yeast dough. This biscuity one is meltingly delicious. There are various fillings. The most traditional and most popular is a poppy-seed one. Another is with prunes.

... Roll the dough to a 1/2 inch thickness and cut into 4-inch rounds with a wide glass cookie cutter. Cut each circle in half. Draw the two pointed ends of each half circle together and pinch them to form a small hump in the center which buckles up a little. This piece of dough is now shaped to roughly resemble an ear ...

— Rabbi Steinberg (5)

Most cultures forgive and forget their wars within a century, permitting the spirits of their enemies to evaporate into history and burying the bodies in peace. To this writer's knowledge, none of them eat pastry effigies — whether ears or hats — of an enemy killed thousands of years in the past. None of them celebrate the needless slaughter of others.

### *Hatred "Ticks"*

*The Jerusalem Post* cartoon strip, "Drybones," explained the 1999 Purim celebration with an illustration and text that reads, in part:

Obviously the saving of one Jewish community in ancient Persia is not what makes the joyous Purim holiday so significant. And the characters of "Queen Esther" and "Mordechai the Jew" are NOT what makes the holiday tick.

The tale of Purim is important because it provides us with a view of the archetypical villain, Haman.

And recognizing the sly Haman who wants to destroy us is important, because there seems to be a Haman in every generation. And so on Purim we celebrate our escape from a long line of "Hamans" that stretches down through history and around the world!

— Jerusalem Post (6)

Note the above words: "*And recognizing the sly Haman who wants to destroy us is important, because there seems to be a Haman in every generation.*" It seems very important to Jewish leadership that Jews be hated. Is being hated yet another "frontier of fire" that supplies the cohesion for Jewishness?

### *Rabbi Schneerson and Purim Revisionism*

The Lubavitcher Rebbe, the late Rabbi Menachem M. Schneerson, in



**Deborah Lipstadt** is a professor of modern Jewish and Holocaust studies at Emory University. She also works with the U.S. Holocaust Memorial Museum.

"In truth, that without the anti-Judaism — much of it anti-Semitism — of the New Testament, or at least in the way the New Testament has been interpreted and taught, there would have been no Nazism, and there would have been no Holocaust. I'm not saying that it was inevitable, but it is a direct outgrowth." — Lipstadt [\(36\)](#)

a Purim message to his supporters, echoed Reverend Dr. Cohen's thoughts:

The story of Purim, as related in the Book of Esther, gives us a clear analysis of the 'Jewish problem.'

Being dispersed over 127 provinces and lands, their own still in ruins, the Jews undoubtedly differed from one another in custom, garment, and tongue according to the place of their dispersal, very much in the same way as Jews in different lands differ nowadays. Yet, though there were Jews who would conceal their Jewishness, Haman, the enemy of the Jews, recognized the essential qualities and characteristics of the Jews which made all of them, with or without their consent, into 'one people,' namely, 'their laws are different from those of any other people' (Book of Esther 3:8). ...

Purim teaches us the age-old lesson, which has been verified even most recently, to our sorrow, that no manner of assimilationism, not even such which is extended over several generations, provides an escape from the Hamans and Hitlers; nor can any Jew sever his ties with his people by attempting such an escape.

— Rabbi Schneerson [\(34\)](#)

The Book of Esther and the origin of Purim does perhaps give us a clear analysis of "the Jewish problem," but Rabbi Schneerson misses it. Rabbi Schneerson asserts Haman just picked on the Jews because they were different: "Haman, the enemy of the Jews, recognized the essential qualities and characteristics of the Jews ... 'their laws are different from those of any other people' (Book of Esther 3:8)."

But Rabbi Schneerson blots out the memory of Esther 3:1-6, wherein we learn that Mordecai deliberately disobeyed King Ahasuerus's command, deliberately insulted the Grand Vizier, and ignored the repeated attempts of others to reform his behavior.

In short, Mordecai broke the law of the land and showed contempt for the rulers — and that doesn't fly in anybody's country, regardless of who you are. Mordecai did this while asserting his Jewishness. Rabbi Schneerson would have us forget that Mordecai created a potentially deadly situation for his own people. In short, Rabbi Schneerson would have us remember only the antipathy of the Gentile, but he would have us forget that the antipathy was deliberately provoked by the Jew.

### ***Why Embroider the Tale?***

The Union of Orthodox Jewish Congregations of America ("Orthodox Union") embroiders the Bible story with this version of events: Haman was a Megalomaniac who wanted the Persian throne for himself. Notice the Orthodox Union's delight in describing the fate of Haman, and his presumably innocent sons.

"Haman" — the evil Persian megalomaniac, who saw in the Jewish People and in Mordechai, in particular, the block in his path to the throne of Persia. To get rid of this "obstacle," he formulated a plot,

based on a lottery (a "Pur," in Persian), by which he would effectively exterminate the entire Jewish population. Fortunately, at that time, we were able to assemble enough "zechut," or merit, to convince HaShem that we were still worthy of being saved.

And Haman and his ten sons wound up swinging from the gallows that he had prepared for Mordechai.

— Orthodox Union [\(41\)](#)

This allegation concerning Haman's ambitions is not supported by the Book of Esther, yet the Orthodox Union presents the detail as uncontested fact. What is the purpose of embroidering the tale? Does his death require further justification? Perhaps. On reading closely, we see that Haman was pleading for his life before Queen Esther in Chapter 7, verse 7. In verse 8, we learn that in the process of pleading for his life, Haman (inexplicably) "was fallen upon the bed whereon Esther was." The king chose this very moment to re-enter the banquet hall, and jumped to the conclusion that Haman was assaulting Esther. Sadly, Esther kept her silence and allowed Haman to be hanged on the basis of the false accusation.

- 6. And Esther said, The adversary and enemy is this wicked Haman. Then Haman was afraid before the king and the queen.**
- 7. And the king arising from the banquet of wine in his wrath went into the palace garden: and Haman stood up to make request for his life to Esther the queen; for he saw that there was evil determined against him by the king.**
- 8. Then the king returned out of the palace garden into the place of the banquet of wine; and Haman was fallen upon the bed whereon Esther was. Then said the king, Will he force the queen also before me in the house? As the word went out of the king's mouth, they covered Haman's face.**
- 9. And Harbonah, one of the chamberlains, said before the king, Behold also, the gallows fifty cubits high, which Haman had made for Mordecai, who had spoken good for the king, standeth in the house of Haman. Then the king said, Hang him thereon.**
- 10. So they hanged Haman on the gallows that he had prepared for Mordecai. Then was the king's wrath pacified.**

— [Esther 7:6-10](#) (KJV)

*Children Learn What They Live*

Rabbi Schneerson alludes to the modern Frontier of Fire, the Holocaust. The Holocaust is the leading Article of Faith in contemporary Judaism; it is to the Jews as the Crucifixion is to Christians. In the history of the world, nothing like the Holocaust has ever happened to any other people.

The Holocaust must be viewed as a unique event in human history, an attempt to eradicate the idea of Judaism, as well as the Jews.

— Erich Kulka (29)

Independent researchers ("Holocaust revisionists") who question the official Holocaust story have been vilified, ruined, and imprisoned throughout the world. (37) Jewish leadership cannot allow rank and file Jews to entertain the notion that they are not hated. Jews must be hated. It is part of the mythos. To suggest that Jews are not hated is to express hatred of Jews.

The trap of the Jewish atrocity mythos consists of two sets of beliefs:

1. The belief that Jews are hated because they are different and that those around them have the worst possible motives and character (32)
2. The belief that Jews are entitled to engage in pre-emptive strikes against others who "hate" them, and to hold onto grudges in perpetuity

The Jewish Encyclopedia states:

The vast majority of modern expositors have reached the conclusion that the book [of Esther] is a piece of pure fiction ...

— The Jewish Encyclopedia (4)

Despite this consensus of the "vast majority of modern expositors" (*The Jewish Encyclopedia* was published 1901-1906), the message has not been passed along by the Jewish leadership to the rank and file. Purim is an object lesson — in hostility unto death, and the Holy Atrocity. Having been prepared by Purim celebrations since childhood, the Holocaust is easy to accept.

### ***Jews Not Slaughtered Here***

Attorney Nathan Lewin, who wants the United States to join with Israel in massacring Palestinian families, is assisting Buffalo Law School professor Rabbi Noson Gurary to set up the National Institute for Judaic law. (10) The purpose of the Institute is to inject Talmud law into US courts and US society. In the same month that Lewin called for the massacre of Palestinian families, his colleague Rabbi Gurary gave his daughter away in marriage. Nathan Lewin may well have been a guest at the wedding. An article about the wedding of Devorah Leah Gurary and wedding photos were published the World Wide Web by Rabbi Gurary's organization, Chabad of Buffalo. (11) Rabbi Gurary, not this writer, makes his daughter's wedding a public event.





Rabbi Noson Gurary, father of the bride, leads his daughter in circling around the groom.



Rabbi Gurary's daughter after her wedding.

Rabbi Gurary with his family, and millions of other Jews with their

families, are safe here in America, enjoying the blessings of liberty. That is because the United States, a non-Jewish nation, permitted the Jews to come here and practice their religion openly. To Jew and Gentile alike, we extended our blessings and our principle of "Equal Justice Under law."

In return, what do the Jews plan for us? See [America's New Government Church](#), [Talmud v. US Law](#), and other essays in [America under the Talmud: Will It Work for US?](#)

### ***Why Purim Matters***

As America becomes more Talmudized, it is conceivable that American children will be expected to partake in this celebration of mass murder, and non-Jews may not be comfortable with this.

#### **America Is Rapidly Becoming Talmudized**

In 1991, the US Congress declared the Talmudic Noahide Laws to be the basis "upon which our great Nation was founded" (see [America's New Government Church](#)). Under Noahide Law regulations, idolaters (which includes Christians by definition) are put to death.

In 1999, the Supreme Court agreed to consider an *amicus* brief based wholly on Talmudic law (see [Sentence and Execution](#)).

In November 2002, the American Orthodox Jewish community held a kosher dinner in the Supreme Court building to celebrate the establishment of the National Institute for Judaic Law. [\(10\)](#) The dinner was attended by 200 people, including three Supreme Court Justices. The purpose of the Institute is to introduce Talmudic laws into the US legal system and law schools.

It is thus the clear civic duty of every American to become intimately acquainted with the Talmud. Read articles at:  
 America's New Government Church: [http://www.come-and-hear.com/editor/america\\_1.html](http://www.come-and-hear.com/editor/america_1.html)  
 Death Penalty: [http://www.come-and-hear.com/editor/capunish\\_1.html](http://www.come-and-hear.com/editor/capunish_1.html)  
 Kosher Dinner: <http://www.come-and-hear.com/editor/cp-jp-11-09-2002> and <http://www.come-and-hear.com/editor/cp-jw-01-08-03>

### ***"Only an Internal Revolution ..."***

The reader's eyes fall on the words of Martin Buber, a Jewish philosopher writing to Jews in 1961:



Only an internal revolution can have the power to heal our people of their murderous sickness of causeless hatred. It is bound to bring complete ruin upon us. Only then will the old and young in our land realize how great was our responsibility to those miserable Arab refugees in whose fields we now sow and harvest; the fruit of whose gardens, orchards and vineyards we gather; and in whose cities we robbed, we put up houses of education, charity and prayer while we babble and rave about being the 'people of the book' and the 'light of the nations.'

— Martin Buber ([33](#))

Buber's words apply to America.

\* \* \*

### Further reading:

- *Amaleks*, <http://www.jewishtribalreview.org/amalek.htm> cached at <http://www.come-and-hear.com/supplement/br-amalek.html>
- *In His Own Image* <http://www.come-and-hear.com/supplement/ot-select.html>

Thank you for your consideration of the above,  
*Carol A. Valentine*, Ear at come-and-hear dot com  
 July 14, 2003 ( This article is on line at [http://www.come-and-hear.com/editor/br\\_1.html](http://www.come-and-hear.com/editor/br_1.html) )

### **NEXT:** [Blood Ritual 2: Animal Sacrifice and the Third Temple](#)

#### *Navigate Carol Valentine's America Under the Talmud — Will It Work for US?*



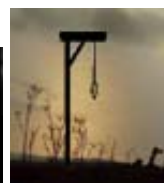
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Search the Talmud <http://www.come-and-hear.com/tindex.html>

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**Appendix A: Mishnah of Sanhedrin 2a**

The complete Mishnah for Babylonian Talmud, [Tractate Sanhedrin 2a](#) should be read in the Soncino original with the translator's footnotes. For those to whom the original is not available, the Mishnah text is reproduced here:

**MISHNAH.** MONETARY CASES [MUST BE ADJUDICATED] BY THREE JUDGES; CASES OF LARCENY AND MAYHEM, BY THREE; CLAIMS FOR FULL OR HALF DAMAGES, THE REPAYMENT OF THE DOUBLE OR FOUR- OR FIVE-FOLD RESTITUTION [OF STOLEN GOODS], BY THREE, AS MUST CASES OF RAPE, SEDUCTION, AND LIBEL; SO SAYS R. MEIR. BUT THE SAGES HOLD THAT A CASE OF LIBEL REQUIRES A

COURT OF TWENTY-THREE SINCE IT MAY INVOLVE A CAPITAL CHARGE.

CASES INVOLVING FLOGGING, BY THREE; IN THE NAME OF R. ISHMAEL IT IS SAID, BY TWENTY-THREE.

THE INTERCALATION OF THE MONTH IS EFFECTED BY A COURT OF THREE; THE INTERCALATION OF THE YEAR, BY THREE: SO R. MEIR. BUT R. SIMEON B. GAMALIEL SAYS THE MATTER IS INITIATED BY THREE, DISCUSSED BY FIVE AND DETERMINED BY SEVEN. IF HOWEVER, IT BE DETERMINED ONLY BY THREE, THE INTERCALATION HOLDS GOOD. THE LAYING OF THE ELDERS' HANDS [ON THE HEAD OF A COMMUNAL SACRIFICE] THE BREAKING OF THE HEIFER'S NECK REQUIRE THE PRESENCE OF THREE: SO SAYS R. SIMEON. ACCORDING TO R. JUDAH, FIVE. THE PERFORMANCE OF *HALIZAH*, AND THE DECISION AS TO *MI'UN* IS MADE BY THREE. THE FOURTH YEAR FRUIT AND THE SECOND TITHE OF UNKNOWN VALUE ARE ASSESSED BY THREE. THE ASSESSMENT OF CONSECRATED OBJECTS FOR REDEMPTION PURPOSES IS MADE BY THREE; VALUATIONS OF MOVABLE PROPERTY BY THREE. ACCORDING TO R. JUDAH ONE OF THEM MUST BE A KOHEN; IN THE CASE OF REAL ESTATE, BY TEN INCLUDING A KOHEN, IN THE CASE OF A PERSON, BY THE SAME NUMBER.

CAPITAL CASES ARE ADJUDICATED BY TWENTY-THREE. THE PERSON OR BEAST CHARGED WITH UNNATURAL INTERCOURSE, BY TWENTY-THREE, AS IT IS WRITTEN, THOU SHALT KILL THE WOMAN AND THE BEAST, AND ALSO, AND YE SHALL SLAY THE BEAST.

THE OX TO BE STONED IS TRIED BY TWENTY-THREE, AS IT IS WRITTEN, THE OX SHALL BE STONED AND ITS OWNER SHALL BE PUT TO DEATH — AS THE DEATH OF THE OWNER, SO THAT OF THE OX, CAN BE DECIDED ONLY BY TWENTY-THREE.

THE DEATH SENTENCE ON THE WOLF OR THE LION OR THE BEAR OR THE LEOPARD OR THE HYENA OR THE SERPENT IS TO BE PASSED BY TWENTY-THREE. R. ELIEZER SAYS: WHOEVER IS FIRST TO KILL THEM [WITHOUT TRIAL], ACQUIRES MERIT, R. AKIBA, HOWEVER, HOLDS THAT THEIR DEATH IS TO BE DECIDED BY TWENTY-THREE.

A TRIBE, A FALSE PROPHET AND A HIGH PRIEST CAN ONLY BE TRIED BY A COURT OF SEVENTY-ONE. WAR OF FREE CHOICE CAN BE WAGED ONLY BY THE AUTHORITY OF A COURT OF SEVENTY-ONE. NO ADDITION TO THE CITY OF JERUSALEM OR THE TEMPLE COURT-YARDS CAN BE

SANCTIONED SAVE BY A COURT OF SEVENTY-ONE.

SMALL SANHEDRINS FOR THE TRIBES CAN BE INSTITUTED ONLY BY A COURT OF SEVENTY-ONE.

NO CITY CAN BE DECLARED CONDEMNED SAVE BY A DECREE OF A COURT OF SEVENTY-ONE. A FRONTIER TOWN CANNOT BE CONDEMNED NOR THREE CITIES AT A TIME, BUT ONLY ONE OR TWO.

THE GREAT SANHEDRIN CONSISTED OF SEVENTY-ONE MEMBERS; THE SMALL SANHEDRIN OF TWENTY-THREE. WHENCE DO WE DEDUCE THAT THE GREAT SANHEDRIN IS OF SEVENTY-ONE? — IT IS SAID, GATHER UNTO ME SEVENTY MEN; WITH MOSES AT THEIR HEAD WE HAVE SEVENTY-ONE. R. JUDAH SAID IT CONSISTED ONLY OF SEVENTY. WHENCE DO WE KNOW THAT THE SMALL SANHEDRIN IS OF ONLY TWENTY-THREE? — IT IS SAID, AND THE 'EDAH SHALL JUDGE ... AND THE 'EDAH SHALL DELIVER. ONE 'EDAH JUDGES, [I.E. CONDEMN] AND THE OTHER MAY DELIVER [I.E. ACQUIT], HENCE WE HAVE TWENTY. BUT HOW DO WE KNOW THAT A CONGREGATION CONSISTS OF NOT LESS THAN TEN? — IT IS WRITTEN, HOW LONG SHALL I BEAR WITH THIS EVIL 'EDAH? EXCLUDING JOSHUA AND CALEB, WE HAVE TEN. AND WHENCE DO WE DERIVE THE ADDITIONAL THREE? — BY THE IMPLICATIONS OF THE TEXT, THOU SHALT NOT FOLLOW A MAJORITY FOR EVIL, I INFER THAT I MAY FOLLOW THEM FOR GOOD; IF SO, WHY IS IT SAID, TO INCLINE AFTER THE MAJORITY? TO TEACH THAT THE MAJORITY TO 'INCLINE AFTER' FOR GOOD [I.E. FOR A FAVOURABLE DECISION] IS NOT THE ONE TO 'INCLINE AFTER' FOR EVIL [I.E. FOR AN ADVERSE DECISION] SINCE FOR GOOD, A MAJORITY OF ONE SUFFICES; WHEREAS FOR EVIL, A MAJORITY OF TWO IS REQUIRED.

AND AS A COURT CANNOT CONSIST OF AN EVEN NUMBER ANOTHER ONE IS ADDED, MAKING A TOTAL OF TWENTY THREE.

WHAT MUST BE THE POPULATION OF A TOWN TO MAKE IT ELIGIBLE FOR A [SMALL] SANHEDRIN? — ONE HUNDRED AND TWENTY. R. NEHEMIA SAYS: TWO HUNDRED AND THIRTY, SO THAT EACH MEMBER SHOULD BE A RULER OF [AT LEAST] TEN.

— Babylonian Talmud, [Tractate Sanhedrin 111b](#)  
Soncino 1961 Edition, pages 1-4

### ***Appendix B: Mishnah of Sanhedrin 111b***

The complete Mishnah for Babylonian Talmud, [Tractate Sanhedrin 111b](#) should be read in the Soncino original with the translator's footnotes. For those to whom the original is not available, the Mishnah text is reproduced here:

***MISHNAH.*** THE INHABITANTS OF A SEDUCED CITY HAVE NO PORTION IN THE WORLD TO COME, AS IT IS WRITTEN, CERTAIN MEN, THE CHILDREN OF BELIAL, ARE GONE OUT FROM AMONG YOU, AND HAVE WITHDRAWN THE INHABITANTS OF THEIR CITY. THEY ARE NOT EXECUTED UNLESS THE SEDUCERS ARE OF THAT CITY AND THAT TRIBE, AND THE MAJORITY THEREOF ARE SEDUCED, AND THE SEDUCERS ARE MEN. IF WOMEN OR MINORS SEDUCED IT, IF A MINORITY WERE SEDUCED, OR IF THE SEDUCERS WERE FROM WITHOUT THE CITY, THEY ARE TREATED AS INDIVIDUALS, AND TWO WITNESSES AND A FORMAL WARNING ARE NECESSARY FOR EACH [OFFENDER]. IN THIS [THE PENALTY OF] INDIVIDUALS IS SEVERER THAN [THAT OF] A MULTITUDE, FOR INDIVIDUALS ARE STONED, THEREFORE THEIR PROPERTY IS SAVED; BUT MULTITUDES ARE DECAPITATED; HENCE THEIR POSSESSIONS ARE DESTROYED.

THOU SHALT SURELY SMITE THE INHABITANTS OF THAT CITY WITH THE EDGE OF THE SWORD. A COMPANY OF ASS-DRIVERS OR CAMEL-DRIVERS PASSING FROM PLACE TO PLACE SAVES IT. DESTROYING IT UTTERLY, AND ALL THAT IS THEREIN, AND THE CATTLE THEREOF: FROM THIS IT WAS DEDUCED THAT THE PROPERTY OF THE RIGHTEOUS, WHICH IS WITHIN [THE CITY] IS DESTROYED, BUT THAT WHICH IS WITHOUT IS SAVED, WHILST THAT OF THE WICKED, WHETHER WITHIN OR WITHOUT, IS DESTROYED. AND THOU SHALT GATHER ALL THE SPOIL THEREOF IN TO THE MIDST OF THE PUBLIC SQUARE THEREOF ETC. IF IT HAD NO PUBLIC SQUARE, ONE IS MADE FOR IT; IF IT WAS [SITUATED] WITHOUT [THE TOWN], IT IS BROUGHT WITHIN IT, AS IT IS SAID, AND THOU SHALT BURN WITH FIRE THE CITY, AND ALL THE SPOIL THEREOF EVERY WHIT, FOR THE LORD THY GOD.

THE SPOIL THEREOF' IMPLIES, BUT NOT THE SPOIL OF HEAVEN. HENCE IT WAS RULED, THE HOLY OBJECTS THEREIN MUST BE REDEEMED; THE TERUMOTH ALLOWED TO ROT; AND THE SECOND TITHE AND THE SACRED WRITINGS HIDDEN. A WHOLE-OFFERING FOR THE LORD THY GOD: R. SIMEON SAID: THE HOLY ONE, BLESSED BE HE, DECLARED, IF YE EXECUTE JUDGMENT UPON THE SEDUCED CITY, I WILL ASCRIBE MERIT TO YOU AS THOUGH YE HAD SACRIFICED TO ME A WHOLE OFFERING. AND IT SHALL BE A HEAP FOR EVER: [HENCE] IT MAY NOT

BE CONVERTED INTO GARDENS AND ORCHARDS: THIS IS THE VIEW OF R. JOSE THE GALILEAN. R. AKIBA MAINTAINED: IT SHALL NOT BE BUILT AGAIN [IMPLIES] THAT IT MAY NOT BE REBUILT AS IT WAS, BUT MAY BE CONVERTED INTO GARDENS AND ORCHARDS. AND THERE SHALL CLEAVE NOUGHT OF THE CURSED THING TO THINE HAND: [THAT THE LORD MAY TURN FROM THE FIERCENESS OF HIS WRATH, AND SHEW THEE MERCY]: AS LONG AS THE WICKED EXIST IN THE WORLD, THERE IS FIERCE ANGER IN THE WORLD; WHEN THE WICKED PERISH FROM THE WORLD, FIERCE ANGER DISAPPEARS FROM THE WORLD.

— Babylonian Talmud, [Tractate Sanhedrin 111b](#)  
Soncino 1961 Edition, pages 765-768

Title: *Holy Atrocities and Judaism*

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Version: August 12, 2010

**Footnotes:** Full specifics for each of the printed sources are provided in the [Bibliography](#). Outside URLs were valid at the time this article was written. However, be mindful that URLs do change.

1. "Purim.com," *The Jewish Web*: <http://www.purim.com/facts.shtml> cached at <http://www.come-and-hear.com/editor/cp-purim>
2. [Babylonian Talmud](#), "Introduction," by Maurice Simon, Tractate Megillah, page v
3. [The Jewish Encyclopedia](#), s.v. "Esther," Vol. V, page 233 available at <http://jewishencyclopedia.com/view.jsp?artid=483&letter=E>
4. Ibid, page 235-236
5. "Hamantashen Recipes," *eLuna.com*: <http://www.eluna.com/holidays/Hamantashen.asp> cached at <http://www.come-and-hear.com/editor/cp-hamans-ear>
6. "Purim 1999," *Jerusalem Post*: <http://info.jpost.com/1999/Drybones/PURIM/> cached at <http://www.come-and-hear.com/editor/cp-queen-esther-jp>
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8. "Deterring Suicide Killers," *Shma.com*, May 2002, <http://www.shma.com/may02/nathan.htm> cached at <http://www.come-and-hear.com/editor/br-lewin-shma>
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Also: "Jewish Law Comes to D.C.," *The Jewish Week*, January 8, 2003, <http://www.thejewishweek.com/news/newscontent.php3?artid=7074> cached as <http://www.come-and-hear.com/editor/cp-jw-01-08-03>
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14. For information on the Amalek genocide of the Old Testament, see *When Victims rule*, Chapter 18 excerpt: <http://www.jewishtribalreview.org/amalek.htm> cached at <http://www.come-and-hear.com/supplement/cp-amalek.html>. Complete work online at <http://www.jewishtribalreview.org/wvr.htm>

15. See <http://www.nationalreview.com/kopel/kopel120502.asp> for historical background, or any number of other sites locatable through an Internet search portal.
16. Detail from *Punishment of Haman* by Michelangelo di Lodovico Buonarroti Simoni, 1511, Cappella Sistina, Vatican. Michelangelo portrayed Haman crucified rather than hanged as is told in the Biblical *Book of Esther*
17. Detail from *The Battle of Joshua with Amalekites*, by Nicolas Poussin. c. 1625. Oil on canvas. The Hermitage, St. Petersburg, Russia
18. *Queen Esther*, by Andrea Del Castagno, Florence, c. 1495
19. [Accusation and Trial](http://www.come-and-hear.com/editor/capunish_2.html#presumption): "Level of Proof" is available at [http://www.come-and-hear.com/editor/capunish\\_2.html#presumption](http://www.come-and-hear.com/editor/capunish_2.html#presumption)
20. See [Critical Words of Talmud Study](#) and [More Critical Words of Talmud Study](#). See also "Jewish Law and the Supreme Court: Happy Millennium From an Ancient Legal Tradition," *Project Next Step* by Rabbi Yitzchok Adlerstein, <http://projectnextstep.org/adlerstein-articles/jewish-law-supreme-court.htm> cached at <http://www.come-and-hear.com/editor/cp-adlerstein2>
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22. *Babylonian Talmud*, Tractate Sanhedrin 71b, page 486, note 5, available in Come and Hear™ hypertext as [Sanhedrin 71b, note 12](#), [http://www.come-and-hear.com/sanhedrin/sanhedrin\\_71.html#71b\\_12](http://www.come-and-hear.com/sanhedrin/sanhedrin_71.html#71b_12)
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26. With the help of some other researchers, we have collected an anthology of illustrative passages from the Bible. See *In His Own Image* at <http://www.come-and-hear.com/supplement/ot-select.html>
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30. Like Evolution prior to the Scopes trial, the subject is out of bounds for legitimate inquiry.
31. *Pentagon RESCUE? Open, Bloody, Questions ...*: "ADL and FBI Are Partners" <http://public-action.com/rescue.html#adl-fbi-partners>
32. To understand the intensity of the Antisemitism Doctrine, a reader might go to the web site of the Anti-Defamation League (<http://www.adl.org>) and enter "hate" in the search window. There will be returned a wealth of articles, most of them to the effect that the Jews of the world are prime targets of hatred from non-Jews. There are many words in English to express the antipathy of one kind of person for another, but only one word tailored for a specific target of hatred — "anti-Semitism." Searching on "anti-Semitism" and "antisemitism" at an Internet search site returns more than a 100,000 entries, and the first few hundred are on Jewish sites. Possibly a convenient entry to the subject is the *Antisemitism Research Resource* <http://ddickerson.igc.org/antisemitism.html>, cached at <http://www.come-and-hear.com/editor/br-dickerson>

In researching the subject, the reader will find that some have subdivided antisemitism into four categories: General Antisemitism, Anti-Zionism, Other Contemporary Antisemitism, and The Holocaust.

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37. The reader may be interested in the following Holocaust Revisionist web sites:
  - *European Foundation For Free Historical Research* <http://www.vho.org/>
  - *The Website of Carlos Whitlock Porter* <http://www.cwporter.com/>
  - *The Barnes Review* <http://www.barnesreview.org/>
  - *Dr. Ingrid Rimland's Zundelsite* <http://www.zundelsite.org>
  - *Committee for the Open Discussion of the Holocaust* <http://www.codoh.com>

- *Institute for Historical Review* <http://www.ihr.org/> and related commentary: *IHR: Is The Ship Sinking?* <http://www.vho.org/GB/c/GR/IHRCrisis.html> and *Is Mark Weber Really A Revisionist Publisher?* <http://www.jfkmontreal.com/weber.htm>
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- *Wilhelm Tell Revisionismus* <http://www.ety.com/tell/revision.htm>

38. For more information on R. Simeon b. Yochai, see our introduction to [The Zohar](#)

39. [Critical Words of Talmud Study](#) is available at [http://www.come-and-hear.com/editor/critwords\\_1.html](http://www.come-and-hear.com/editor/critwords_1.html)

40. [America's New Government Church](#) is available at [http://www.come-and-hear.com/editor/america\\_1.html](http://www.come-and-hear.com/editor/america_1.html)

41. (41)"Judaism 101: A Glossary of Basic Jewish Terms and Concepts: Haman," *Orthodox Union*, <http://www.ou.org/about/judaism/di.htm#haman>


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