



THE BIG READ

September 26, 2009

”What to Learn from Bernie”

An old Jewish maxim goes *Kol Yisrael arevim zeh la zeh*, “All Jews are bound one to another.” Whether one is observant of mitzvot or barely aware of them, news about Jews around the world strikes a chord in each of us. We all instinctively react when we hear a news story about someone with a Jewish name. Sometimes it is just to note the occurrence, sometimes to bask in reflected glory of a good event, sometimes to wonder “Is this good for the Jews?”

The Torah clearly states that each person’s mitzvot or their sins affect that person’s life for good or ill. It is up to each person to avoid sinning, but if he or she does sin, that person receives their own punishment and must make their own atonement. Only rarely, such as in the incident of the Golden Calf, is the entire community deemed to be responsible for the sins of some of them and subjected to communal punishment. Punishment arises when the community could have prevented the sin, but did not.

What then, asks J.J. Goldberg in the following article*, is the proper response to the Madoff scandal:

- **Were we Jews in some way responsible for his acts?**
- **Could the Jewish community have done something to prevent the state of mind that would lead a Madoff to his crime?**
- **If we all feel personally elevated by a Jewish Nobel laureate, should we not all feel personally reduced by a Madoff?**

Remember that on Yom Kippur, we are each called on to atone for our own sins and for the sins of the whole community.

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In the months since Bernard Madoff’s December 2008 arrest, American Jews have tried in countless public forums and private conversations to understand what the affair might mean to the Jewish community. He has been denounced and renounced; pronounced a sociopath and a monster and a traitor to the community. We’ve been told repeatedly that his misdeeds have

nothing to teach the Jewish community. Yet we keep on searching. We're sure there is an answer in there somewhere, if we can just figure out the questions. Or, perhaps, we sense the questions, but we're afraid to speak them aloud. It's time, I think, to step back and reframe the issue. To understand the Madoff problem —Bernie: myth and reality — we must first understand the Yom Kippur problem.

Yom Kippur, the holy day of atonement, is the time Jews come together to confess our sins and atone. We are not content, we often remind ourselves, simply to confess our own personal misdeeds. It is the community's sins that we stand and recite in unison in our congregations: We have done wrong. We have betrayed. We have stolen. We have spoken falsely. We have been, as the Torah calls our people, stiff-necked.

Unlike so many other faith communities we claim our community's deeds as our own, for better and worse. All Israel, tradition teaches, is responsible for one another. So we like to tell ourselves. In reality, we take no such responsibility. Indeed, we reject the very idea of community responsibility. To the contrary, we insist that our community could not be responsible for any misdeeds, because it is incapable of doing wrong. Anyone who says otherwise — who suggests that we Jews have done wrong — is a bigot. And anyone who raises a hand against us must necessarily be acting not in anger but in madness or evil.

Oh yes, individual Jews are capable of doing wrong, but that can have nothing to do with us or with our shared heritage. They are strays, bad apples who somehow never spoil the bunch. Their deeds teach us nothing about the soil from which they sprang, about Judaism or the Jewish people. Curious: Our Nobel Prize winners reflect well on all of us, but our gangsters cast neither light nor shadow. They form no part of our self-image or self-understanding. We cast them out of our communities and out of our memories. We can name the Jews in Major League Baseball but not the Jews on death row.

But wait: Haven't we learned that it's wrong to tar groups with the negative characteristics of a few? Well, yes, but many of us do it anyway, and perhaps it can't be avoided. We can recite many flaws in Arab and Muslim culture that lead to stagnation, frustration and violent rage. We have plenty of choice things to say about the French. But of the Jews? That would be anti-Semitism. How, then, can we begin to ask what went wrong?

The Village Voice publishes an annual investigative feature listing New York's "Ten Worst Landlords." The author once told me that the liberal weekly went to great lengths every year to include at least a few gentiles on the list, so as to avoid the appearance of anti-Semitism. No, Jewish landlords are not worse than other landlords. But Jews are a dominant presence in New York real estate, much as they are in Hollywood and toy manufacturing and designer jeans. Or, for that matter, as Koreans are in New York dry cleaning. That surely has an impact on how business is done. When people of similar background come together, whether for business or celebration, their behavior will inevitably reflect elements of their shared subculture — both good and bad.

But we Jews prefer not to examine these things. And we'd prefer that others not talk about it, either, which they mostly don't, at least not when we're around. When we examine Jewish behavior, we usually focus narrowly on how closely Jews adhere to the community's ideals. We survey Jewish ritual behavior, but not Jewish economic behavior. We're afraid that would lead to anti-Semitic stereotyping.

Accordingly, Jewish discussions of Madoff include endless talk about how Judaism expects Jews to behave, but we never get around to discussing why Bernie Madoff — or others who have acted egregiously — behaved differently. And so when an incident blows up, we are caught flat-footed, groping for a way to understand. What do those "Worst Landlords" do that

gets them on the list? Not much, really. They try to squeeze a few extra dollars out of buildings they own in neighborhoods most of us would never visit. They save a little on heating and maintenance. They pay bottom dollar to their janitors and repairmen. They look for a deal on elevator parts. It's their property, and they're entitled to make a living. Besides, we remind ourselves each time a scandal erupts, all this has nothing to do with Judaism. Society may hound these individuals, but we sit next to them on Monday and Thursday mornings and we know their piety. We see the care with which they wrap their tefillin and observe the Sabbath. We know their concern for the community, their generosity in renovating the social hall, in funding day school scholarships, in supporting widows and orphans in Jerusalem. You keep down your elevator repair costs in the Bronx, you can support a lot of widows and orphans in Jerusalem.

We know them as good and pious Jews. How they make their living is nobody's business. What does it have to do with Judaism? The answer to that is embarrassingly obvious. The Torah spends much more time on economic justice and the rights of the poor — including various required transfers of wealth from the rich to the poor — than on kosher food. Exploitative or fraudulent business practices should carry as much of a stigma in Jewish public life as any other moral failing. But who dares to point a finger at the offender? Those who should be the community's voices of moral conscience are on the payroll of the wealthy.

A voluntary community is utterly dependent on the generosity of its donors, and vulnerable to their whims. Jewish communal organizations, lacking any power of taxation, can operate only when donors choose to donate. In a way, the character of the donors becomes the character of the community.

During the course of the 20th Century, and especially in the sixty years since the birth of Israel, our community has faced and overcome monumental challenges. To do so, we have built vast networks of institutions requiring constant, massive infusions of donations. Accordingly, we carefully cultivate big donors, rewarding them, honoring them and flattering them. And the more they donate, the more the community's institutions grow, and the greater becomes the dependence. And so we flatter them some more. We put them onto our governing boards and we call them leaders. We should not be surprised when they expect to be followed. Wealth is too often confused with wisdom.

From these simple truths flow many ills. A charitable institution whose leadership is made up of wealthy donors may tend to overlook the rules of fiscal prudence and diligence that those leaders follow in their business lives. Accomplished in their various, unrelated fields, and flattered by their philanthropic advisors that they are the heirs to generations of Jewish wisdom, they settle into their leadership chairs and make amateurish decisions. And because they assume that Jewry can do no wrong, they often disregard the most basic safeguards, like diversifying investment portfolios, maintaining transparency in reporting or avoiding conflicts of interest. Besides, their charitable involvement is a voluntary, leisure-time activity, as much a social engagement as a sacred mission. They don't want it to be too unpleasant.

A genuine examination of the Madoff scandal could teach us a lot about ourselves, if we really wanted to look. It's a lot safer and easier, though, to call him a monster and leave it at that. Yom Kippur is hard enough to get through as it is. ■