

# Democracy and Corruption

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One of the main concerns of political theorists is corruption. Generally speaking, corruption refers to the inappropriate, illegitimate use of force by a person in a governmental position of authority. An example is when an official or judge takes advantage of his position to seek financial, sexual, or other favors from subordinates or people who need his services, or when he makes a bureaucratic or political appointment on inappropriate grounds (a relative, someone who does favors for him, etc.). Corruption can threaten the survival of the administration and the state. It prevents the administration from properly fulfilling its most vital functions, such as providing security, law enforcement, educational services, and health care.

In principle, there are two ways of dealing with corruption. The first is to make sure that officials are ethical people. “And you shall seek out from among all the people capable men who fear God, men of truth who despise ill-gotten gain, and set these over them as chiefs of thousands, of hundreds, of fifties, and of tens” (Exodus 18:21). The rules governing rabbinical court cases, too, are meant to ensure that neither side is given improper preference over the other. Thus, according to the Shulhan Arukh, a judge must regard both litigants as guilty until the end of the trial and not show either of them respect, regardless of their status. *Sefer Hasidim* says a judge is not even allowed to look at the litigants (see *Hoshen Mishpat*, section 17, and *Shach ad loc.*).

The second way assumes that it is impossible to rely on the rectitude of officials. The assumption is that if people in power have the opportunity to abuse their power they are liable to do so. Therefore, it focuses on practical deterrence of corruption—exposing it and replacing the bad eggs. It’s not that the people who take this approach believe that there are no men of truth who despise ill-gotten gain, but that we human beings cannot identify them. We do not know who will turn out to be a scoundrel and who will prove to have integrity. “The hidden things are for the Lord our God” (Deuteronomy 29:28). This method’s weapons are exposure and replacement of corrupt people. In other words, the method uses the tools of democracy to fight corruption: It uses the free media to expose acts of corruption and free elections to replace the perpetrators, and if necessary it also takes legal action against them.

The two methods are not mutually exclusive. The ideal is a combination of moral integrity and judicious institutional measures to prevent corruption.

Ostensibly, the democratic system of government based on free choice, freedom of expression, and replacement of the government through elections offers a much more effective means of fighting corruption than does dictatorship. (Note the fate of the Communist societies in the last decades of the twentieth century.)

It is therefore hard to understand why some people believe that corruption is caused by democracy. Why is the discovery of corruption and suspicion of corruption in Israel perceived as undermining democracy? Why are people now despairing of democracy? And why are people apparently avoiding political commitment and involvement?

It seems to me that the reason people are despairing of democracy has to do not with corruption but with the ability of the Israeli political system to meet the challenges that face the country. Can the

state provide solutions to problems of foreign affairs and security? In other words, can it give its citizens security without a protracted armed conflict with its neighbors? After the collapse of the Oslo peace process, the second intifada, the disengagement, and the second war in Lebanon, the answer to this question is by no means simple.

Furthermore, can the state guarantee economic growth and prosperity as well as an equitable division of resources to the entire population? As the middle class shrinks and the ends of the socioeconomic spectrum grow (more poor people and more rich people), and when 25% of seventh-graders have trouble reading, the answers are definitely not simple.

What, then, is the solution? Is it a “strong leader,” as some of our politicians are suggesting? In my opinion, a strong leader who does not permit transparency and criticism would plunge us deeper into the morass of corruption and dysfunction, of abuse of power and lack of accountability.

The secret of democracy is not individual leaders but “collective intelligence.” True, there have been great democratic leaders, but the secret of success of democratic leadership is not the leader’s personality but the method itself—mobilization of the intelligence of all of society for the sake of a successful society.

A democratic society is an “open society” whose core consists of suggesting solutions, considering them, and trying them out. Thus the solutions to problems of foreign affairs and domestic problems come not from the “brilliant mind” of a leader or his advisors but from society as a whole. We find one ramification of this in the concept of the *beit midrash* in Judaism. Jewish law is never laid down by one person—as R. Yohanan said when grieving over the death of Resh Lakish, who would bring up 24 objections to R. Yohanan’s statements, thereby leading to a better understanding of the issue (BT *Bava Metzia* 84a). The solution is always found together. Thus the Rosh rules in chapter 4 of the tractate *Sanhedrin* that disagreeing with previous halakhic authorities is permissible if the sages of the present generation agree. In other words, it is not the product of one intelligence but of the halakhic give and take of all the sages of the present generation together.

Thus the solution to corruption and the other problems facing Israel is not disengagement from democracy or a search for a strong leader but open participation that exposes flaws and proposes solutions.