



PROTECTING DEMOCRACY IN AMERICA AND
ENHANCING CIVIL POLITICAL DISCOURSE
A NEW COMMANDMENT FOR OUR TIMES

September 6, 2023

Introduction

History teaches us, time and again, that when Jews live under tyrants, dictators, extremists, or autocrats, we suffer. We are often made to be scapegoats by these despots and the consequences can be lethal. It is not surprising, therefore, that the growth of antisemitic hate crimes and sentiment in the United States has occurred at the very time that our democracy and our democratic institutions are threatened. The Jewish community, a small minority in the United States, requires a democratic form of government, one which protects and enhances the rights of all minorities, to continue to flourish and indeed, to survive. Traditionally, democratic governments are better at protecting minorities.

The Jewish Community Relations Council of Greater Washington (JCRC) recognizes that fighting to protect American democracy is no less than a fight for Jewish security and prosperity in the United States. A More Perfect Union (AMPU)¹ in its 2022 paper, “*The Jewish Imperative to Protect and Strengthen American Democracy*,” put this bluntly: “As Jews, we have a vested—indeed, existential—interest in the preservation of American democracy, and we ignore the warning signs of its decline at our peril.”²

We recognize that this is not, however, just a concern for the Jewish community. Every minority is threatened when democracy is threatened. But it is not just minorities who need to be concerned. The very fabric of our way of life for all Americans is tied to our democratic institutions. Protecting democracy is a necessity that is not limited to any race, religion, ethnicity or minority.

Of equal concern to us, and a sign of the stress on our democracy, is our ever-increasing political polarization. The Merriam-Webster Dictionary defines “polarization” as

¹ A More Perfect Union is a network of Jewish institutions committing and collaborating to protect and strengthen American democracy, according to its website, jewishdemocracy.org/about.

² A More Perfect Union. *The Jewish Imperative to Protect and Strengthen Democracy*, February 2022. <https://jewishdemocracy.org/whitepaper> (hereinafter, “*A More Perfect Union*”).

division into two sharply distinct opposites, especially a state in which the opinions, beliefs, or interests of a group or society no longer range along a continuum but become concentrated at opposing extremes.³

Congressional gridlock is a manifestation of this, but polarization does not start with Congress, it starts with our electorate, with Americans unable or unwilling to engage in civil political discourse and to find compromise. The process known as gerrymandering, manipulating congressional and state legislative district lines to the advantage of the party in power, takes full advantage of this divide. Gerrymandered districts favor extreme candidates, who only need to worry about having primary opponents that are even more to the right or left, depending on the party involved. As a result, legislators have very little reason to compromise with the other side.

As aptly said recently by Rabbi David Wolpe,

[We've] become a culture in which the way you respond [to different political beliefs] is by attacking the person. I also want to say that, in my experience, most of the political diatribes that we hear change nobody's mind. Instead, they make your team feel good. And the other team doesn't even listen to you.⁴

As discussed below in greater detail, JCRC believes strongly in the following principles:

- There are substantial threats to democracy that must be addressed and overcome.
- The right to vote is sacred to democracy and unwarranted impediments to exercising that right must be opposed.
- Maintaining and enhancing voter confidence in the integrity of elections is critical.
- JCRC will advocate for legislation that is intended to promote free and fair elections and will oppose legislation and other initiatives intended to subvert those elections.
- JCRC, as it always has, will work with other groups devoted to maintaining and enhancing our democratic institutions and traditions.

As we describe in this paper, the threats to democracy in our time ultimately derive from social and political polarization, which stem, in turn, from a breakdown of civil behavior and civil discourse. Our tradition addresses such divisive conflict and offers a wise corrective. A passage in the Talmud narrates that for several years, the two major theological parties (Beit Hillel and Beit Shammai) each claimed that its own understanding of the law was correct and should be followed. The passage then narrates that, "Ultimately, a Divine Voice emerged and proclaimed" that, although both the protagonists expressed "the words of the living G-d," the law follows the opinion of Beit Hillel. The Talmud then asks why that party's opinions were chosen when both were the words of the living G-d? The answer is that the members of Beit Hillel were gracious and modest, taught the opinions of both parties when deciding a dispute, and even stated the other party's opinions first when reaching a decision.⁵ Were we to follow the Talmud's wisdom,

³ <https://www.merriam-webster.com/dictionary/polarization>.

⁴ Jewish Telegraphic Agency, "*Rabbi David Wolpe, stepping down from a top pulpit, wants you to stop arguing and start listening*" July 2, 2023.

⁵ Babylonian Talmud, Eruvin 13b.

we would ourselves be more gracious in arguing and civil discourse would be much improved.

What is Democracy?

There is no one definition of democracy, but its characteristics typically include “freedom of assembly, association, property rights, freedom of religion and speech, citizenship, consent of the governed, voting rights, freedom from unwarranted governmental deprivation of the right to life and liberty, and minority rights.”⁶

“It is this democratic system and the processes it enshrines, not the outcomes it produces, that protect minorities like the Jewish community and enable this country to pursue the never-ending work of becoming a more perfect union.”⁷

What Are the Threats to Democracy?

On January 6, 2021, in a stunning and frightening scene, thousands of people, including many extremists, stormed the US Capitol grounds. Many of them entered the building looking to disrupt the processing of the Electoral College voting and some sought to hang the vice president of the United States. As a result, hundreds of perpetrators have been charged and convicted of serious felonies, including seditious conspiracy.

The Encyclopedia Britannica defines an “insurrection” as an “organized and usually violent act of revolt or rebellion against an established government or governing authority of a nation-state or other political entity by a group of its citizens or subjects.”⁸ [Emphasis added]. What happened on January 6th was an insurrection. The fact that many elected leaders, including Members of Congress and candidates for office, either deny that an insurrection took place or defend the perpetrators is itself terrifying and provides ample evidence that our democracy is in peril.

The organization Protect Democracy⁹ has reviewed the threat level to democracy in the United States and a number of other countries along several metrics, including treatment of the media, constraints on executive power, elections, civil liberties, civil violence and political rhetoric. On a scale of one-to-five (with five being the most severe—total dictatorship), Protect Democracy assessed a “significant threat” (a score of 2.2) to democracy in the United States.¹⁰ For comparison, the US score is higher (i.e., a more significant threat) than Canada’s and Germany’s, lower than India’s and roughly equivalent to that of Poland and the United Kingdom, demonstrating that autocratic backsliding is not confined to the United States.¹¹ The organization viewed some political rhetoric (i.e., engaging in outright lies and disinformation) and some election integrity measures (i.e., maintaining a façade or democratic elections while at the same time tilting the rules against opponents) as the two most serious of the threats assessed.

⁶ Wikipedia, “*Democracy*.”

⁷ *A More Perfect Union*, p. 4.

⁸ <https://www.britannica.com/topic/insurrection-politics>.

⁹ According to its website, Protect Democracy, with over 90 staff people, including conservatives, moderates and progressives, identifies itself as a “cross-ideological nonprofit group dedicated to defeating the authoritarian threat, building more resilient democratic institutions, and protecting our freedom and liberal democracy.”

[Protectdemocracy.org/about/](https://protectdemocracy.org/about/).

¹⁰ [Protectdemocracy.org/threat-index](https://protectdemocracy.org/threat-index).

¹¹ *Ibid*.

Election Subversion. According to Protect Democracy, through the 2021 and 2022 state legislative sessions, 56 legislative proposals in 26 states were enacted that could make election subversion more likely.¹² Another organization, the Voting Rights Lab,¹³ tracks legislation affecting voter access in all 50 states.¹⁴ It is following almost 400 legislative proposals introduced in state legislatures that restrict voter access or election administration, according to a July 3, 2023 weekly email update.¹⁵ It cites 23 legislative proposals restricting voter access that were introduced in Virginia and six in Maryland, although none have passed this year.

According to A More Perfect Union, “there is growing consensus across the academy and public policy spheres that American democracy is under significant threats from several directions.”¹⁶ AMPU focuses on two issues: threats to elections and the declining democratic culture in America.¹⁷ AMPU breaks down the threats to elections into three categories. First is the “co-opting of power over election outcomes by partisan state legislatures”,

In 2021, state legislatures in 41 states introduced more than 180 bills to consolidate election authority in their own hands. Included in these bills are provisions to limit the ability of local election officials to serve the needs of voters, give partisan actors like state congresspeople more power over election outcomes, provide state legislatures power to directly intervene in election-related lawsuits and, in some cases, require unnecessary and highly partisan audits of county-level voting results.¹⁸

Second, AMPU cites the political targeting of nonpartisan election administration roles and workers. Recently enacted bills in several states impose significant fines on election workers for minor infractions of election rules.

Coupled with an increase in frivolous lawsuits and information requests, local and state election bodies are reaching a crisis point with thousands of experienced election staff and volunteers expected to resign or retire....¹⁹

Third, AMPU focuses on the tangible threat of politically motivated violence between citizens or by the state. They cite numerous instances of physical threats and harassment against officials in government that have occurred since the 2020 presidential election.²⁰ None is as infamous as the January 6th insurrection. We would be naïve to think it cannot happen again. Citing a Newsweek poll, AMPU notes that 62% of Americans fear violence surrounding the next presidential election.²¹

¹² [Protectdemocracy.org/work/democracy-crisis-in-the-making/](https://protectdemocracy.org/work/democracy-crisis-in-the-making/).

¹³ The Voting Rights Lab identifies itself as “a nonpartisan organization accelerating the movement for free and fair elections through expert analysis, research, and innovations.” [Votingrightslab.org](https://votingrightslab.org).

¹⁴ [Votingrightslab.org](https://votingrightslab.org).

¹⁵ Email from Liz Avore, Voting Rights Lab, entitled “The Markup: Weekly election Legislation Update.”

¹⁶ *A More Perfect Union*, p. 5.

¹⁷ *Ibid*.

¹⁸ *A More Perfect Union*, p.9, citing the Voting Rights Lab.

¹⁹ *Ibid*, p. 10.

²⁰ *Ibid*, p.11.

²¹ *Newsweek*, January 9, 2022.

Protect Democracy states that the subversion threat is “very much still alive,” focusing on pending legislation in five categories:

- Usurping control over election results by state legislators or other state officials,
- Requiring partisan or unprofessional election audits,
- Transferring power over election responsibilities from nonpartisan professional election administrators to partisan actors in the state legislature,
- Creating unworkable practical burdens on election administration, such as requiring ballots to be counted by hand, and
- Imposing disproportionate criminal or other penalties on election administrators for inadvertent mistakes.²²

We note that the findings by AMPU and Protect Democracy are quite consistent with each other.

However, Protect Democracy sets forth some hopeful signs, particularly the attention that election subversion has drawn:

During the 2022 midterm elections, the future of nonpartisan election administration was a campaign issue...Exit polling showed that ‘democracy’ was a top concern for voters. That election came and went without major crises, and the accurate results were ultimately certified on time and in accordance with the law.²³

Moreover, the Voting Rights Lab is tracking almost 900 bills nationally that would improve voter access and election administration, including two bills in DC that have already been enacted, 19 bills in Maryland (four of which have been enacted) and ten bills in Virginia (two of which have been enacted).²⁴ We applaud the DC, Maryland and Virginia legislatures, the mayor of DC and the governors of Maryland and Virginia for working to enact these items of legislation.

JCRC understands that maintaining and enhancing voter confidence in the integrity of elections is critical. Policies must balance the need to encourage voter participation and the necessity to ensure that our elections are free and fair. As importantly, it is critical that our election processes and laws are perceived by the public as unequivocally free and fair. We must avoid the violence and threats of violence that have been directed at election officials by those who employ incendiary language and make false accusations that election outcomes are tainted and false. While there has been a good deal of legislation introduced at the state level by election deniers, there are also many legislative proposals that, if enacted, would support our election processes. JCRC will oppose the former and support the latter.

Declining Culture of Democracy in America. AMPU notes certain norms that are the hallmarks of democracy have been challenged in recent years. Included in these norms is the concept of “concession, whereby the losing party gracefully acknowledges defeat, which they do because they ‘value the institution of the government more than

²² Protect Democracy, *A Democracy Crisis in the Making*, June 2023.

²³ *Ibid.*

²⁴ [Tracker.votingrightslab.org/pending](https://tracker.votingrightslab.org/pending).

they value control of the government.”²⁵ AMPU goes on to note that another norm is “mutual toleration, whereby members of each party treat each other with civility and recognize one another as legitimate opponents.”²⁶ Mutual toleration is, or at least should be, a Jewish value as well. JCRC can find numerous examples where these norms have been violated in recent years, to the point that the norms no longer look like norms.

Quoting authors Roberto Stefan Foa and Yascha Mounk, writing in the *Journal of Democracy* in 2016, AMPU states that “even as democracy has come to be the only form of government widely viewed as legitimate, it has lost the trust of many citizens who no longer believe that democracy can deliver on their most pressing needs.”²⁷ It is little wonder that in recent years, politicians have increasingly stoked voters’ anger in campaigns. Again, citing Foa and Mounk, AMPU observes that “... Americans-especially young Americans-are less than convinced that they can effectively influence public policy and more open to exploring authoritarian alternatives than at any other time in the last 100 years.”²⁸

Other Factors Causing the Decline in Democracy.

- Lack of civics knowledge. The lack of knowledge of many Americans about the Constitution and how our government works is appalling. Each year since 2006, the Annenberg Public Policy Center of the University of Pennsylvania conducts a Civics Knowledge Survey. Among its most recent findings are that less than half (47% of U.S. adults) could name all three branches of government and less than one in four people (24%) could name freedom of religion as protected by the First Amendment.²⁹ While our educational system is beyond the scope of this paper, educating students and adults about our system of government is critical to preserving our democracy. People will not support what they do not understand. This includes the duty of voters to exercise their rights responsibly and appropriately in accordance with all applicable laws and regulations.

- Gerrymandering. While creating election districts to favor a candidate or party has existed since 1789, technology has made gerrymandering infinitely worse. Gerrymandering enables a dominant party to remain dominant by drawing state and congressional legislative districts which favor that party and which, as pointed out above, provide little incentive for legislators to compromise with the other party. According to the Brennan Center for Justice, most gerrymandering is done using two strategies – cracking and packing.³⁰ In cracking, registered members of political parties or people of a particular color are divided up among several districts. In packing, such voters are all put into one district and are absent or largely absent from others.³¹ According to the Brennan Center for Justice, gerrymandering has gotten worse as

²⁵ *A More Perfect Union*, p. 4, quoting Matthew Germer, “Restoring Losers’ Consent: A Necessary Step to Stabilizing Our Democracy”. *R Street*, volume 240, 2021, p.1.

²⁶ *A More Perfect Union*, p. 4.

²⁷ *A More Perfect Union*, p.5, quoting Foa and Mounk, “*The Danger of Deconsolidation: The Democratic Disconnect*”. *Journal of Democracy*, volume 27, no.3, July 2016, pp.5-17.

²⁸ *Ibid.*, p.6.

²⁹ Annenberg Public Policy Center, University of Pennsylvania, <https://www.annenbergpublicpolicycenter.org/political-communication/civics-knowledge-survey/September> 2022.

³⁰ Gerrymandering Explained,” Julia Kirschenbaum and Michael Li, <https://www.brennancenter.org/our-work/research-reports/gerrymandering-explained>.

³¹ *Ibid.*

intricate computer algorithms and sophisticated data about voters allow map drawers to game redistricting on a massive scale with surgical precision. Where gerrymanderers once had to pick from a few maps drawn by hand, they now can create and pick from thousands of computer-generated maps.³²

- Prolonged recession in democracy. Protect Democracy points out that for the last 20 years, global democracy has “entered a prolonged recession.”³³ The organization’s evaluation is that there is no consensus for what is driving this process, but sets forth several theories:

- The march of technology and globalization has not benefited all equally. While global poverty has been reduced since the late 1980s, middle class wages saw stagnation, undermining devotion to a political system that fails to provide results for their day-to-day quality of life. Like the conclusion stated by Foa and Mounk, Protect Democracy declares that “Anti-system politicians, including many would be authoritarians, have a fertile base of potential support when voters no longer believe democracy can deliver.”³⁴

- When social bonds break down, democracy suffers. Protect Democracy declares,

Americans are simply less closely connected to one another in meaningful ways. Civil society participation is down, feelings of social isolation or loneliness are up, and the physical spaces where Americans can meaningfully encounter and build relationships have significantly receded. Online platforms are no substitute when social media algorithms ensure that users typically see only content with which they agree. This matters for democracy. Practically, the social capital that accompanies robust social engagement and connection facilitates democratic participation... As people become more isolated from one another and less connected to a sense of common purpose, polarization and divides grow. Leaders can exploit these dividing lines to solidify loyalty among supporters, selling a narrative of connection and meaning that pits them against the ‘other side,’ with whom actual encounters are all too rare. Changes in the technology and media landscape accelerate this process.³⁵

- Backlash to demographic and cultural change targets democratic fundamentals. Hierarchies that once gave some Americans privileged status over other groups, such as minorities, have begun to break down due to increasing focus on diversity and equity. However, that has led to resentment, “[t]he very elements of democracy that ensure political inclusion and equal

³² *Ibid.*

³³ [Protectdemocracy.org/work/why-are-democracies-reeling/](https://protectdemocracy.org/work/why-are-democracies-reeling/).

³⁴ *Ibid.*

³⁵ *Ibid.*

treatment under law become a source of dissatisfaction,” prompting some leaders to pander to these resentments resulting in increased civil instability.³⁶

Protect Democracy concludes,

As more and more political leaders capitalize on this vulnerability, our political system tilts further and further off balance. At this point, it is wishful thinking to hope that our democracy will self-correct and recover automatically. Without a reinvigoration of the checks and balances of our system, defense of the rule of law, vigilant protection of our elections, and bold thinking for building a democracy that meets the challenges of today and tomorrow, American democracy will struggle to regain its footing.³⁷

To be clear, although toxic partisanship lies behind all these threats, and it arises from across the political spectrum, the issue at hand is not about Democrats or Republicans, it is about the preservation of democracy. It is about our ability to self-govern.

What Can be Done?

JCRC is profoundly concerned about the threats to democracy noted above. These threats endanger the Jewish community, other minority communities and the very fabric of American life. We are dedicated to combatting these trends. The first part of our efforts must be to talk about our concerns and inform our community. We cannot disregard these perils and remain silent. We must act decisively, swiftly and effectively.

AMPU has proposed a “Jewish partnership to focus the community’s power, resources, and support on ensuring that the United States remains an electoral democracy in 2026, when we celebrate the 250th anniversary of the nation’s independence.”³⁸ Religious and community leaders have a role to play in upholding clear election outcomes and rejecting calls for violence, and in encouraging relationship and consensus building across lines of difference. AMPU goes on to state that although protecting electoral democracy is a much larger task than the Jewish community can achieve on its own,

... if properly organized and mobilized, the Jewish community can bring our collective financial resources, vast institutional structures, strong communal ties, business networks, and cultural and political power to influence actors throughout the system to uphold American democracy. We can also coordinate and share knowledge with other faith groups, further amplifying our impact while also fighting polarization and stimulating efforts in other communities.

JCRC strongly supports AMPU in its attempts to mobilize the Jewish community and we look forward to working with AMPU in this collective effort. Indeed, JCRC is perfectly positioned to be part of this endeavor, as it is part of our core mission to work with other faith and ethnic groups to foster mutual understanding and respect. AMPU argues that

³⁶ *Ibid.*.

³⁷ *Ibid.*

³⁸ A More Perfect Union, p.13.

the Jewish community can “exemplify...a shift back toward the civil middle, strengthen the bonds of Jewish peoplehood, and serve as a model for the rest society.”³⁹

On Shabbat, synagogues across America offer a prayer for our country and its government, asking that it be G-d’s will to cause all peoples to dwell in friendship and freedom. That prayer is very helpful in reminding us of the importance of having a government that respects freedom, but it is clear it will take more than prayer to address the threats to democracy that we see.

³⁹ *Ibid.*, p. 15.

Therefore, inspired by Jewish values and our commitment to American democracy, JCRC will utilize its organizational capacity to counter threats to democracy. Specifically, JCRC will:

- Advocate for legislation designed to promote free and fair elections and oppose legislation and other initiatives designed to subvert those elections.
- Support efforts to end partisan gerrymandering on the federal and state level and support efforts to establish truly independent and effective redistricting processes.
- As urged by Protect Democracy, engage in local political debates and interact with state and local government leaders because that is a fundamental role that JCRC has always played and will continue to play.
- Advocate for better civics education in our schools and work with educational organizations to foster better understanding of our government among adults.
- Urge all those in the Jewish community to exercise their right to vote and help with voter education.
- Do our part to combat social isolation by fostering authentic connections through our inter-group and interfaith work.
- As also suggested by Protect Democracy, do our utmost to counter despair, hopelessness, anger, and resentment because democracy depends on hope and possibility.⁴⁰

⁴⁰<https://protectdemocracy.org/about/democracy-playbook/#step-6>.