

# A Statement on Gambling

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*This paper was adopted on May 28, 1981 by a vote of 12-0-2. Members voting in favor: Rabbis Kassel Abelson, Ephraim L. Bennett, Ben Zion Bokser, David H. Lincoln, Mayer E. Rabinowitz, Joel Roth, Alexander M. Shapiro, Morris M. Shapiro, Phillip Sigal, Israel N. Silverman, Harry Z. Sky and Henry A. Sosland. Members abstaining: Rabbis David M. Feldman and Edward M. Gershfield.*

The recent widespread experience of synagogues with the problem of gambling has led to a reappraisal of the subject by the Committee on Jewish Law and Standards. Central to the present concern about games of chance are the long-range consequences for the sanctity and tenor of the synagogue, along with its negative "educational" effect on the membership of the congregation.

Rabbis Ben Zion Bokser, Sanford D. Shanblatt and David Novak wrote responsa on the subject in 1978.<sup>1</sup> All of them pointed out the harm of regular gambling within the synagogue as undermining the role of the congregation as the "custodian of moral and spiritual values (with the mission...to summon man to a higher level of life"(Bokser). All of them are unalterably opposed to such games of chance in the synagogue as a "form of *hillul Hashem*." (Novak). Shanblatt counters many of the rationalizations for bingo. He challenges the claim that the real motive for attendance is amusement rather than making money, noting that there are innumerable other pleasant activities which synagogues might "wisely sponsor," and that when such games are held for fiscal reasons, "the time spent in soliciting volunteers could be better used in seeking other methods of fundraising."

It is well to remember that the Committee overwhelmingly approved a teshuvah by Rabbi Phillip Sigal in 1957, which concluded that although no halakhic basis could be given to bar games of chance used for fundraising in the synagogue, "the spirit of the age and of our land may be such as to dictate an evolving halakhic position, or what we call 'spiritual standards,' which is part of the approach of this Committee."<sup>2</sup> Basing the prohibition on the need to establish such standards, the Committee clearly opposed any "games of chance or skill involving stakes."

While in 1967 the majority of the Committee concurred with Rabbi Fink's responsum on games of chance that "it is incumbent upon the

leadership of our movement to concern itself with the needs of less affluent congregations,"<sup>3</sup> a minority sided with Rabbi Aaron Blumenthal's demurrals "that full permission to sponsor bingo can be disastrous to proper fiscal policies and to the moral integrity of the synagogue."<sup>4</sup>

Rabbi Novak is quite helpful in his analysis of Jewish law on the subject. The rabbis of talmudic times were obviously men of unusual insight and ethical sensitivity. They went far beyond the simple legality of the problem of gambling. Rav Sheshet's statement that gamblers are not engaged in socially useful activity (*yishuvo shel olam*) goes beyond the matter of whether the professional gambler is qualified to become a witness (*Sanhedrin* 24b). Novak draws attention to the implication "that the gambler makes a negative contribution to society" and that the "overall social consequences" are the real issue here.

The responsa submitted to the Committee in 1978 tended to focus on the view of Rav Sheshet as it specifically applies to what we might call the sphere of influence of the synagogue, as if the synagogue itself, and everything that is done there, or that is affected by what is done there, needs to be considered separately from the secular world. If we then deal with what we might call *yishuvo shel olam shel beit hakenesset*, the problem becomes more circumscribed. When the hours spent by synagogue members in supervising or playing at regular gambling activities become the major pursuit of those congregants within the congregation, we must be very concerned at how socially useful such hours may be or may not be for the synagogue community and for those affected by the presence of the synagogue in the area. The proceeds alone from these fundraising activities can hardly be used to justify the results of such long periods of time concentrated on games of chance (diverting so much potentially constructive energy)!

According to Rashi<sup>5</sup> and Maimonides,<sup>6</sup> it is the moral atmosphere that our rabbis must have had in mind when they included the results of gambling as some of the rabbinically prohibited forms of robbery (*gezeleh derabbanan* and *gezel medivreiheim*). Further, Maimonides defined undignified behavior in the synagogue (*sehok vehitul*) with the very same words he used to decry gambling, as Novak notes.<sup>7</sup>

The "proliferating increase of gambling in our society" (Bokser) and in the synagogue makes it obvious today that bingo, for example, is not limited to urban areas or to synagogues with serious budgetary problems (which was the main thrust of Fink's teshuvah). Suburban congregations have often come to adopt games of chance as a solution for their financial situations because they have wearied of exploring more imaginative programs. Further, bingo is no longer primarily of interest to senior citizens, or even to the members of our congregations. Depending on the community, gambling may bring in mostly outsiders of various ages,

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whose contact with the synagogue may be limited to this one activity each week. That such forms of gambling may occur in other religious institutions is irrelevant. In our secular society, we Jews cannot afford any rationalization which would permit us to ignore the sanctity of the synagogue.

## **CONCLUSION**

In conclusion, the Committee on Jewish Law and Standards urges all members of the Rabbinical Assembly to be alert to the evils of gambling in general, and to oppose not only the more obvious problems of involvement with individuals or groups making a profession of gambling within the synagogue, but even more so the subtle and decidedly unwholesome consequences of gambling as a mainstay of synagogue fiscal management.

## **NOTES**

1. Ben Zion Bokser, "Regarding Gambling," RALA III, pp. 663-665; Sanford D. Shanblatt, "Bingo: Degradation in Our Midst," RALA #090678; David Novak, "Gambling in the Synagogue," RALA III, pp. 651-662 ( July 1978) (all unpublished responsa).
2. Phillip Sigal, "Games of Chance on Synagogue Premises," RALA W, pp. 286-290 (and III, pp. 666-670), 1958, an unpublished responsum.
3. Leon B. Fink, "Games of Chance," Proceedings of the Rabbinical Assembly XXXI (1967), pp. 209-218.
4. Aaron H. Blumenthal, "Bingo in Conservative Congregations," *Proceedings of the Rabbinical Assembly XXXI* (1967), pp. 219-221.
5. See *Shabbat* 149b, s.v. "*mishum*"; *Rosh Hashanah* 22a, s.v. "*bekubya*"; *Shevuot* 47a, s.v. "*mesahek*".
6. See *Gezelah* 6:10 and *Edut* 10:4.
7. *Tefillah* 11:6

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*Editor's Note:* While the portion of Rabbi Fink's paper (See Note 3 above) which is cited above implies that he sanctions games of chance, the conclusion of his paper reads as follows:

...although bingo is halakhically permissible, we reaffirm that it is not an ideal or even desirable form of fundraising. However, for the above-stated reasons, we view with extreme disapproval the singling

out of bingo as grounds for expulsion of a synagogue from the fellowship of our movement. The United Synagogue should now begin to develop a comprehensive set of synagogue standards which affect *all* congregations equally, regardless of their financial status.

**VIII.**

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**INTERMARRIAGE**

