

# BEFORE THE AZM TRIBUNAL

**Case: 6/2025**

**Eretz Hakodesh & ZOA, Complainants**

**v.**

**ARZA, Respondent**

## **Case Background**

On April 21, 2025, Rabbi Pesach Lerner, joined by the Eretz HaKodesh slate and thereafter by the ZOA Coalition (hereafter “Complainants”), filed a Complaint with the AZM Tribunal against the US Area Election Committee (“AEC”) as an Appeal from the April 18, 2015 decision of the AEC Chairs declining to find that the ARZA slate had violated election rules. The Complainants had alleged that ARZA had “purposefully and fraudulently [misled] the voting public into believing that one could vote in the WZO elections if one merely ‘self-identifies’ as Jewish,” in contrast “to the actual voting rules which state that one must ‘be Jewish.’” In rejecting the Complaint, the AEC Chairs had relied on the fact that irrespective of “the terminology used by some ARZA promoters to encourage people to register and vote, the ultimate responsibility falls on the voter himself or herself, who must certify on the registration portal, that they are Jewish and don’t subscribe to another religion, irrespective of how they ‘identify.’” ARZA responded to the Complaint/Appeal on May 13, 2025, by a) referencing, as did the AEC Chairs, the certification requirements and b) arguing that the phrase “self-identify,” as used by ARZA, provided “context to potential voters that they are not required to submit documentary evidence of their Jewish ancestry or choice to become Jewish by conversion.” In response to the point made both by the AZM Chairs and ARZA that what is legally significant in terms of establishing a voter’s Jewishness is the certification of eligibility and not how they “self-identify,” counsel for the Complainants, at oral argument on May 22, 2025, asserted that any such certification would be tainted by the misleading statements regarding “self-identification.”

## **Decision**

**After a lengthy discussion of both the written submissions and of the points made during oral argument, by a vote of 10-1, the AZM Tribunal members decided that the Complaint should be dismissed and that the ruling of the AEC Chairs should be upheld.**

Issued on May 28, 2025, by Tribunal Members Adam Berner, Isaac Blachor, Arnold Bressler, Morris Harary, Larry Lerner, Daniel Oppenheimer, Elisha Prero, Sara Rubenstein, Robert Sidi, and Michael Young.

Tribunal Member Michael Shepsis dissents