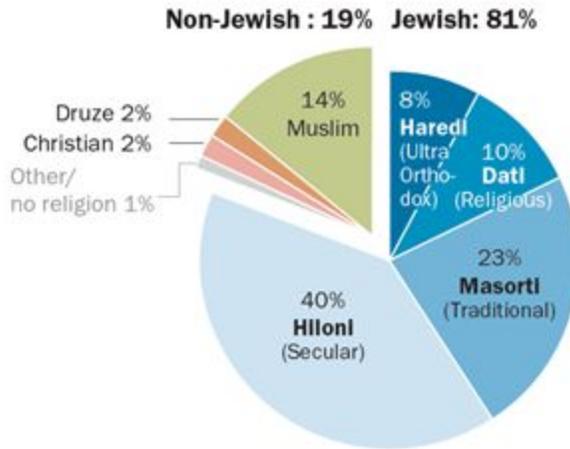


# IS THE MODERN STATE OF ISRAEL “KOSHER”?

## Mishna Keilim 1:6

There are ten degrees of holiness. The land of Israel is holier than any other land.

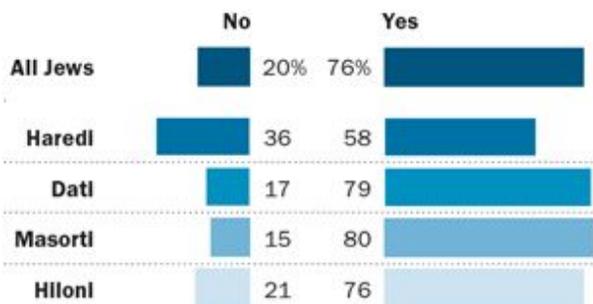
עֶשֶׂר קְדוּשׁוֹת הֵן, אֶרֶץ יִשְׂרָאֵל מְקַדְּשֶׁת מִכָּל הָאֲרָצוֹת.



Source: Survey conducted October 2014-May 2015. A small proportion of Jewish respondents (<0.5%) did not specify their subgroup.

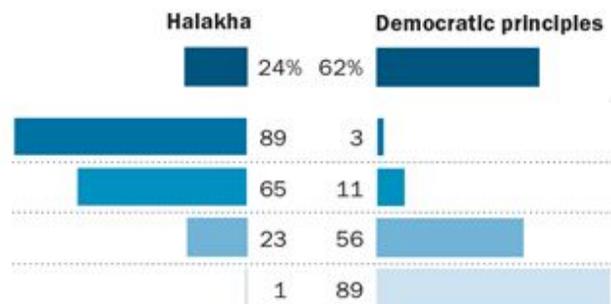
### Israeli Jews see democracy as compatible with Jewish state ...

*% of Israeli Jews who say Israel can be both a democracy and a Jewish state*



### ... but are divided on whether democratic principles or religious law should take priority

*% of Israeli Jews who say ... should be given preference if there is a contradiction between the two*



Source: Survey conducted October 2014-May 2015. Neither/Both/Don't know/refused responses not shown.

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## A. Separation of Powers

### 1. Rambam Mishna Torah Hilchot Melachim 4:10 - Justice

For the entire purpose of appointing a king is to execute justice and wage wars as <u>I Samuel 8:20</u> states: 'Our king shall judge us, go out before us, and wage our wars.'	שאינן ממליכין מלך תחלה אלא לעשות משפט ומלחמות שנאמר ושפטנו מלכנו ויצא לפנינו ונלחם את מלחמותינו:
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### 2. Rambam Mishna Torah Hilchot Melachim 5:1 - Defense

A king should not wage other wars before a <i>milchemet mitzvah</i> . What is considered as <i>milchemet mitzvah</i> ? The war against the seven nations who occupied <i>Eretz Yisrael</i> , the war against Amalek, and a war fought to assist Israel from an enemy which attacks them.	אין המלך נלחם תחלה אלא מלחמת מצוה ואי זו היא מלחמת מצוה זו מלחמת שבעה עממים ומלחמת עמלק ועזרת ישראל מיד צר שבא עליהם
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### 3. Talmud Bavli Berachot 3b - Economy

<b>Once dawn arrived, the Sages of Israel entered to advise him with regard to the various concerns of the nation and the economy. They said to him: Our master, the king, your nation requires sustenance. He said: Go and sustain one another, provide each other with whatever is lacking. The Sages of Israel responded to him with a parable: A single handful of food does not satisfy a lion, and a pit will not be filled merely from the rain that falls directly into its mouth, but other water must be piped in (<i>ge'onim</i>). So too, the nation cannot sustain itself using its own resources. King David told them: Go and take up arms with the troops in battle in order to expand our borders and provide our people with the opportunity to earn a livelihood.</b>	כיון שעלה עמוד השחר נכנסו חכמי ישראל אצלו אמרו לו אדונינו המלך עמך ישראל צריכין פרנסה אמר להם לכו והתפרנסו זה מזה אמרו לו אין הקומץ משביע את הארי ואין הבור מתמלא מחוליתו אמר להם לכו ופשטו ידיכם בגדוד
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### 4. Sefer Hamitzvot L'Rambam Mitzva Aseh 173 - Gathering of Exiles

We are commanded to appoint over ourselves a Jewish king to unite us and lead us.	היא שצונו למנות עלינו מלך יקבץ כל אומתנו וינהיגנו.
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## B. A Light Among Nations

### 1. Kol Dodi Dofek - Rabbi Yosef Soloveitchik - Summarized by Rabbi Chaim Jachter<sup>1</sup>

In his classic essay entitled Kol Dodi Dofek, Rav Yosef Dov Soloveitchik, zt"l, explains why the establishment of the State of Israel constitutes a profound Kiddush Hashem. The six reasons that he gave when delivering this speech in Yeshiva University's Lampport Auditorium on Yom Haatzmaut 5716 (1956) are still relevant today:
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<sup>1</sup> <http://www.koltorah.org/ravj/halachicisrael.htm>

**First**, the fact that the United Nations voted for the establishment of the State of Israel is virtually miraculous. One may add that the same applies to the Balfour Declaration. Hashem's Guiding Hand is evident to those who carefully study the circumstances surrounding these two watershed events.

**Second** is the miracle of the military victory of the tiny and poorly equipped Israel Defense Forces in the 1948 War of Independence. Indeed, one may add that the fact that Israel has emerged as one of the world's great military powers only decades after the Holocaust is nothing short of miraculous. Moreover, Israel's continued existence despite its many enemies constitutes a great miracle.

**Third**, the existence of the State of Israel disproves the Christian belief that the Jews are doomed to wander the earth for eternity because of their rejection of Christianity. One may add that the fact that there are more Christian missionaries in Israel than in the rest of Asia demonstrates how the existence of Medinat Yisrael constitutes a major theological problem for Christians.

**Fourth**, the establishment of the State of Israel has slowed the rate of assimilation of Diaspora Jewry. One may add that many consider a year of study in, or even a trip to, Israel as a potent antidote to assimilation. Many people have become observant or have seriously upgraded their level of observance because of positive experiences in Israel. Furthermore, compared to Diaspora Jewish communities, Israel is blessed with the highest percentage of observant Jews.

**Fifth**, "Jewish blood" is no longer "Hefker." Jew-haters cannot attack us in Israel without fear of reprisal. One may add that although there exist profound differences over the direction and nature of the "peace process," undoubtedly the leaders of Israel are acting in what they believe to be the best interest of the country.

**The final reason** is that a Jew from a country in distress can find safe haven in Medinat Yisrael. One may add that Israel today is the only country in which the Jewish population is growing. Moreover, the majority of the Jewish People is projected to be residing in Israel within a few decades. This will be the first time since before the destruction of the First Temple that such a happy situation will exist. This past year [1999] was the first year that the majority of Jewish children under the age of five resided in Israel.

## C. Hassidim in Helmets

### 1. Mishna Sota 8:2 - Universal Conscription

But in a war commanded [by the Torah] all go out, even a bridegroom from his room and a bride from her canopy. Rabbi Yehudah says: to what does this apply? To a war commanded by the Torah, but in an obligatory war all go out, even a bridegroom from his chamber and a bride from her canopy.

אבל במלחמת מצוה, הכל יוצאין, אפלו חתן מחדרו וכלה מחפתה. אמר רבי יהודה, במה דברים אמורים, במלחמת מצוה. אבל במלחמת חובה, הכל יוצאין, אפלו חתן מחדרו וכלה מחפתה:

### 2. Bamidbar 1:49 - 4-F

Do not on any account enroll the tribe of Levi or take a census of them with the Israelites.

אך את־מטה לוי לא תפקד ואת־ראשם לא תשא בתוך בני ישראל

### 3. Rambam Mishna Torah Hilchot Shemita 13:13 - The Holy Men

<p>Not only the tribe of Levi, but any one of the inhabitants of the world whose spirit generously motivates him and he understands with his wisdom to set himself aside and stand before God to serve Him and minister to Him and to know God, proceeding justly as God made him, removing from his neck the yoke of the many reckonings which people seek, he is sanctified as holy of holies.</p>	<p>ולא שבט לוי בלבד אלא כל איש ואיש מכל באי העולם אשר נדבה רוחו אותו והבינו מדעו להבדל לעמוד לפני יי לשרתו ולעובדו לדעה את יי והלך ישר כמו שעשהו האלהים ופרק מעל צוארו עול החשבונות הרבים אשר בקשו בני האדם הרי זה נתקדש קדש קדשים</p>
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### 4. Talmud Bavli Sota 10a - Forced Labor

<p><b>Rava taught: For what reason was Asa punished in his feet? Because he made Torah scholars perform forced labor [angarya], as it is stated: “Then King Asa made a proclamation unto all Judah; none was exempted; and they carried away the stones of Ramah and the timber thereof, with which Baasa had built, and King Asa built with them Geba of Benjamin and Mizpah” (I Kings 15:22).</b> The superfluous expression “unto all” indicates that the proclamation was issued to <b>everyone, including</b> Torah scholars. The Gemara asks: <b>What is the meaning of the next phrase in the verse: “None was exempted [ein naki]”?</b> <b>Rav Yehuda says that Rav says:</b> This includes <b>even a bridegroom from his chamber and a bride from her canopy</b>, as the verse states with regard to a bridegroom: “He shall be free [naki] for his house one year” (<b>Deuteronomy 24:5</b>).</p>	<p>דרש רבא מפני מה נענש אסא מפני שעשה אנגריא בתלמידי חכמים שנאמר <b>(מלכים א טו.)</b> <b>(בב)</b> והמלך אסא השמיע את כל יהודה אין נקי מאי אין נקי אמר רב יהודה אמר רב אפילו חתן מחדרו וכלה מחופתה</p>
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### 6. Rabbi Aharon Lichtenstein, Tradition, Fall 1985, p. 212. - Arrogance

Finally, even if we grant that the Rambam's statement does imply a categorical dispensation in purely halachic terms, it remains of little practical significance. We have yet to examine just to whom it applies. A levi [sic] is defined genealogically. Those who are equated with him, however, literally or symbolically, are defined by spiritual qualities; and for these the Rambam sets a very high standard indeed. He present an idealized portrait of a selfless, atemporal, almost ethereal person - one whose spirit and intelligence have led him to divest himself of all worldly concerns and who has devoted himself "to stand before God, to serve Him, to worship Him, to know God; and he walks aright as the Lord has made him and he has cast off from his neck the yoke of the many considerations which men have sought." To how large a segment of the Torah community - or, a fortiori, of any community - does this lofty typology apply? To two percent? Five Percent? Can anyone... confront a mirror and tell himself that he ought not to go to the army because he is *kodesh kodashim*, sanctum sanctorum, in the Rambam's terms? Can anyone with even a touch of vanity or a concern for *kavod* contend this? Lest I be misunderstood, let me state clearly that I have no quarrel with economic aspiration or with normal human foibles per se. again, least of all do I wish to single out *b'nei yeshivot* for undeserved moral censure. I do feel, however, that those who would single themselves out for saintliness should examine their credentials by the proper standard

## 7. Shulchan Aruch Yoreh Deah 251:14 - Safety First

The community authorities may use even school-funds if necessary, for the payment of the annual per-capita tax of thirty Peshitim to the commander of the city's troops, because it is a matter of life and death; for if they will not come to terms with him now, many poor people, not having the wherewithal to pay, will be beaten and stripped naked.

יכולים לשנות, אפלו מתלמוד תורה, לצורך שלשים פשיטים להגמון בכל שנה, לפי שהוא הצלת נפשות, שאם לא יתפשרו עמו יש כמה עניים שאין להם לתן, ויכום ויפשיטום ערמים.

## D. Strong Foundations

### 1. Declaration of the State of Israel

ERETZ-ISRAEL (the Land of Israel) was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books. After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom....The catastrophe which recently befell the Jewish people — the massacre of millions of Jews in Europe — was another clear demonstration of the urgency of solving the problem of its homelessness by re-establishing in Eretz-Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully privileged member of the community of nations. ACCORDINGLY WE...HEREBY DECLARE THE ESTABLISHMENT OF A JEWISH STATE IN ERETZ-ISRAEL, TO BE KNOWN AS THE STATE OF ISRAEL... THE STATE OF ISRAEL will be open for Jewish immigration and for the Ingathering of the Exiles; it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions... WE APPEAL to the Jewish people throughout the Diaspora to rally round the Jews of Eretz-Israel in the tasks of immigration and upbuilding and to stand by them in the great struggle for the realization of the age-old dream — the redemption of Israel. PLACING OUR TRUST IN THE ALMIGHTY, WE AFFIX OUR SIGNATURES TO THIS PROCLAMATION...IN THE CITY OF TEL-AVIV, ON THIS SABBATH EVE THE 5TH DAY OF IYAR, 5708 - 14TH MAY, 1948