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THREE PROMINENT RABBIS CRITICIZE REFUSAL OF ORDERS TO DISMANTLE SETTLEMENTS

*Rabbis Lamm, Lichtenstein, and Bakshi-Doron
Condemn "Insubordination" in Israel*

BY ARI FRIDMAN

Yeshiva Chancellor Norman Lamm has released the text of a statement, also signed by two leading rabbis in Israel, condemning "recent calls for insubordination" in Israel that encouraged members of the security services to refuse orders to dismantle Jewish settlements, as part of Prime Minister Ariel Sharon's plan to disengage from Gaza and a small number of West Bank settlements next year.

The open letter warns that should soldiers heed calls for refusal of orders, they would "erode morale and discipline, endanger purposive unity, engender internecine strife, and embolden our enemies." The letter does not take a position on the advisability of disengagement, but asserts that it also is justifiable on halakhic grounds, in that it could potentially enhance the "long-term national security of Israel." That decision, the letter states, is strictly political, and can only be determined by the government of Israel.

Rabbi Lamm told The Commentator that he and his co-signers, Rabbi Aharon Lichtenstein and Rabbi Eliyahu Bakshi-Doron,

"felt very strongly" that actual disobedience on the part of Israeli forces would constitute a chillul Hashem [desecration of God's name] that would haunt us [the Jewish people] for generations." Rabbi Lamm, who is also the head of Yeshiva's rabbinical seminary, insisted that the letter was not politically motivated, but rather an argument on religious grounds that refusal is unacceptable.

The triumvirate's letter comes on the heels of a contentious parliamentary vote in late October that passed the Prime Minister's plan to pull out of Gaza and isolated settlements in the northern West Bank. Prior to the Knesset vote, large numbers in the religious Zionist camp vociferously protested in public against the plan. Their passion had been fueled in the preceding weeks by statements from leading rabbis, including former Chief Rabbi Avraham Shapira, supporting the right of soldiers to refuse orders to carry out the PM's disengagement plan.

Rabbi Shapira's ruling was not unanimously accepted by the entire religious Zionist establishment, but it did draw support from at least 60 rabbis after it was made public. The

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former head of the influential Merkaz HaRav yeshiva in Jerusalem, Rabbi Shapira ruled that soldiers must refuse dismantling orders, and that uprooting Jewish settlers is forbidden by Jewish law, tantamount to desecrating the Sabbath or eating pork.

Rabbi Lamm emphasized that the open letter should not be regarded as expressing the view of Yeshiva as an institution; it reflects the personal, religious sensibilities of the letter's signers.

The debate over the halakhic viability of disengagement recalls a dispute over the Israeli government ceding land in exchange for peace commitments between Rabbi Shapira's predecessor, Rabbi Tzvi Yehuda Kook, and Rabbi Joseph B. Soloveitchik. Rabbi Kook insisted that settling the land of Israel took precedence over any political belief that ceding land would bring about reconciliation with the Arabs. Rabbi Soloveitchik, on the other hand, believed that ceding land was a political decision, and that it could nonetheless be justified on the religious grounds that it could potentially save Jewish lives.

"Yishuv Eretz Yisrael," said Rabbi Lamm, using the Hebrew phrase to describe settling the land of Israel "is not an article of Jewish faith for which one must submit to martyrdom."

Rabbi Lamm also emphasized the importance of expressing another view on insubordination from an Orthodox perspective, particularly since the most vocal Orthodox position hereto-

RABBIS

An Open Letter

Recent calls for insubordination, in the event that Israel Defense Forces be employed to implement a planned withdrawal from the Gush Katif area, are deeply disturbing and dismaying.

If heeded, such calls may potentially undermine Israel's basic interests. They would erode morale and discipline, endanger purposive unity, engender internecine strife, and embolden our enemies.

Moreover, the calls are objectionable on principle. Regardless of one's view of the proposed withdrawal itself, selective insubordination cannot in this case be countenanced on either moral or Halakhic grounds. Policies initiated in the hope of enhancing long-term national security can clearly be sanctioned as *pikuah nefesh*, saving lives. The right and the duty of judgment as to the likelihood that this prospect will indeed be realized, is vested in properly constituted governmental authority.

May the spirit of comity and mutual responsibility prevail so that, with God's help, Israel will be safe and realize its dream of peace both internally and with its neighbors.

Rabbi Norman Lamm

Rabbi Aharon Lichtenstein

Rabbi Eliyahu Bakshi-Doron

fore has been to support soldiers' right to refuse orders.

Rabbi Lamm expressed concern that settlers, relying on the opinion of Rabbi Shapira, would resort to force against Israeli soldiers. He insisted that no matter one's religious or political convictions, there is absolutely no room for encouraging or engaging in physical violence in defense of one's particular political or religious viewpoint; political violence and certainly political assassination, especially by religious Jews, is unthinkable, unconscionable, and intolerable.

Rabbi Lamm also urged the religious community in Israel, especially the rabbinate, to exhibit great care and discretion in matters concerning safety, or risk lives.

Rabbi Lichtenstein, co-head of Yeshivat Har Etzion, has made public comments stating that religious soldiers must follow orders from their superiors. "People in the (Israeli) army have a responsibility to obey orders," he told The Jerusalem Post in late October.

Rabbi Bakshi-Doron served as the Sephardic Chief Rabbi of Israel from 1993-2003. A major halakhic

authority, he publicly supported civil marriage in Israel, saying in July 2004 that Israelis need not be beholden to marriages supervised by the ultra-Orthodox rabbinate. Until now, he has not made public comments regarding the disengagement plan and its halakhic ramifications.

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