**Chapter Three - Torah Publications**

The 1950s witnessed the intensive activity of Hever HaRabbanim on a variety of national issues.  In addition, Hever HaRabbanim during this period can be characterized as a significant organization in deciding essential questions concerning the character of the state. As mentioned, in Rabbi Tchorsh's opening speech at the first conference, he outlined the activity of Hever HaRabbanim mainly within the movement itself.  The premise of this research is not a claim that during the first decade of the state, the rabbinical group did not work within the movement. During this period, Hever HaRabbanim dealt with diverse issues both within the movement and outside of it. At the same time, there is a clearly identifiable trend, which saw the rabbis during this period turning to engage chiefly with national issues, leading the efforts that should have been led by the Chief Rabbinate of Israel, as its role was perceived by religious Zionism.

The establishment of the State of Israel posed challenges for relations between the halacha and the state, and added a very important dimension to the relations between the religious and political leadership. It was argued that the halacha in its traditional form is not equipped to deal with the problems arising from the reality of a modern Jewish state and that the religious leaders are not interested or able to deal with such problems, which require an innovative and out-of-the-ordinary approach. Those who made this argument believed that there would be a widening gap between the reality of the state and the halacha and its representatives, which would severely damage the status of halacha and of the religious leadership.[[1]](#footnote-1)

Asher Cohen examined the problems that faced the movement and its goal of realizing the religious Zionist vision. Cohen contends that in order to realize this vision, the movement had to decide between its Orthodox religious commitment and its modern-day commitment. Since the movement was committed to both values, its leadership chose not to decide but rather to settle for limited demands that were expressed in specific religious areas in the life of the state.[[2]](#footnote-2)

To what extent the halacha is compatible with the reality of a modern Jewish state was at the center of the Leibowitz polemic in the first years of statehood. In his polemic, Yeshayahu Leibowitz sharply attacked the religious Zionist leadership for presuming to turn the State of Israel into a state of halacha, although this is not realistic and in his view, also impossible. He believed that various religious commandments and laws were given only under certain defined conditions of reality and not as absolute imperatives that are valid in all possible situations. In any case, he rejected the attempt to create Jewish state laws. Rabbi Moshe Zvi Neria put forward the counter-argument that Jewish state laws are implementable and that the reason why it is not possible to implement a detailed plan for a Torah state is a demographic reason, that is, there is a secular majority in the state.[[3]](#footnote-3)

The most prominent enterprise that was founded shortly after the establishment of the state and was designed to deal with the adaptation of the halacha to the new circumstances of a sovereign Jewish state was the 'Torah UMedina” [Torah and State) compilations This idea was raised already at the first convention of Hever HaRabbanim and it was implemented shortly after its establishment and as part of it.



The task of editing the Torah UMedina compilations was assigned to Rabbi Shaul Yisraeli, one of the most prominent leaders of Hever HaRabbanim, and later one of the most prominent among the rabbis of religious Zionism in the last decades of the twentieth century until his death.[[4]](#footnote-4)   Rabbi Yisraeli was born in 1909 in the city of Slutsk in Russia. His father was the rabbi of the city of Kuidnov. Rabbi Yisraeli studied in various yeshivot in Russia until he decided to emigrate. Since it was not possible to leave Russia legally, he and two of his friends tried to escape from Russia clandestinely. On the way they were caught and imprisoned but finally managed to obtain permits to leave Russia with the help of Rabbi Avraham Yitzchak HaCohen Kook who was the Chief Rabbi of Israel. In 1933 Rabbi Yisraeli immigrated to Eretz Yisrael, and in 1938 he was appointed rabbi of Kfar HaRoeh, a moshav of Hapoel HaMizrachi. Years later in 1965, Rabbi Israeli was appointed a judge at the Great Rabbinical Court in Jerusalem and after the death of Rabbi Zvi Yehuda HaCohen Kook, he served, together with Rabbi Avraham Shapira, as head of Yeshivat Merkaz HaRav. He died in 1995.[[5]](#footnote-5)

 

       ***Rabbi Shaul Yisraeli***

In an interview with "HaTzofe, Rabbi Yisraeli noted two main reasons behind the concept of ​​these compilations. The first reason relates to the innovativeness that underlies any discussion of halachic issues dealing with state affairs:

*The questions that arose in terms of halacha with the establishment of the state were new in form although not in their inner essence. These problems, because they did not actually pertain to life in the diaspora and were not sufficiently clarified by the primary sources of the Oral Law and remained obscure even afterwards, because the Rishonim and Aharonim did not deal with them, The Responsa works of our great rabbis throughout the generations mainly discussed what they were asked, and these were questions that applied to their times. In general, there were no questions about a state in Eretz Israel, since these were within the scope of laws pertaining to the era of the Messiah. Therefore, with the establishment of the state, when the slogan of religious Judaism "a Torah state " also required proposing an actual program and a clear image for the Torah state that called for, a sense of embarrassment was felt.[[6]](#footnote-6)*

Rabbi Yisraeli spoke of the need felt in religious Judaism with the establishment of the state to formulate a practical program for the vision of a Torah state. He was obliquely critical of the Chief Rabbinate, which did not do enough to promote the idea. The halachic issues that were dealt with until the establishment of the state did not relate to the situation of a sovereign state, which requires a clarification of the laws that would link the state and the halacha. Rabbi Yisraeli saw this as a central reason behind the concept of ​​the Torah UMedina compilations. These compilations are supposed to answer the need for a practical halachic formulation for the vision of the Torah state.

The second reason that Rabbi Yisraeli saw for justifying the publication of the Torah UMedina compilations implies a criticism of those who think that there is no point in discussing the issue of state laws at all:

*Sometimes it seems even to those who base themselves on the Torah, that there are no laws of state and society in the Torah at all, and that in this regard, there is freedom to determine law with total personal discretion, and to be content with the fact that the general course of things will be according to the spirit of the Torah. Therefore, it was necessary to clarify that this is not the case, that any attempt to establish laws based on personal judgment, even in the area of ​​political life, violates the principles of the Torah no less than this kind of attempt in other areas of life.*

 It seems that most of Rabbi Yisraeli's work was addressed to religious people who think that matter of state are outside the scope of halacha, and that in these matters one can be satisfied with "personal judgment”. It should be noted, as mentioned, that it was during this period that the Leibowitz polemic took place. Yeshayahu Leibowitz attacked the approach whereby a plan for a Torah state can be formulated, without halachic innovations. In addition to this, bold approaches were being developed in religious Zionism, especially in the religious kibbutz movement, approaches that were perceived as deviations from the legitimate boundaries of Orthodoxy. Thus, for example, in a speech delivered by Rabbi Yisraeli at the ninth convention of Hever HaRabbanim in Shvat 5558 [Winter, 1968] he called the religious kibbutz movement “uncontrolled undergrowth sprouting outside the camp.”[[7]](#footnote-7)

For this reason, Rabbi Yisraeli considered it important that there be halachic clarifications on the subject of the state, which clearly tie the state matters to the Torah, with a Zionist approach that that does not deviate beyond halachic boundaries. According to the typology proposed by Yeshayahu Liebman, Rabbi Yisraeli advocated the "expansion and takeover" approach, that is, a perception of every subject through the lens of religious tradition. On the other hand, Yeshayahu Leibowitz is the clear representative of the "compartmentalized" approach, which sees some areas of life as neutral in terms of a religious perspective, and therefore it is legitimate to have them subject to different views and directions of development.  The position of the religious kibbutz movement exemplifies the "adaptation" approach, which gives tradition a new interpretation, including those aspects of halacha that seemingly contradict modern values.[[8]](#footnote-8)

 In answer to the question of what is the approach to the halachic inquiries in these compilations, Rabbi Yisraeli positioned his approach, and that of the compilations between two opposing approaches "but united at the point of departure.” On the one hand, the approach that sees the state as conflicting with halacha and thus denies giving religion control in the life of the state a priori, and which sees the coming of the Messiah as the only possibility for having a "Torah state". This is actually the approach of the ultra-Orthodox who see the country as "precipitately forcing the issue” [trying to force the Redemption before its due time]. The second approach puts the emphasis on the state and believes that the values ​​of the halacha must be waived, because halacha was given as a foundation only for individual life and not for public life.

According to Rabbi Yisraeli, these two approaches, despite the contrasts between them, in effect negate the possibility of actually establishing a state according to the Torah.  Rabbi Yisraeli perceived the state as "a manifestation of God's grace, as the beginning of the complete redemption.” This is the actual importance that Rabbi Yisraeli sees in the Torah UMedina compilations, whose role it is to create an intermediate way, which places the integration between the Torah and the state as a practical integration that can be turned into a detailed and clear program, while being committed to halacha in the Orthodox sense and not in the style of the religious kibbutz. Rabbi Yisraeli saw these compilations as only the first step in a long process whose goal is to create a state according to halacha: "For now we are nothing but stonemasons; the builders will come later.” [[9]](#footnote-9)It is possible that Rabbi Yisraeli thought that there was room for maturation over the years that would turn the articles into a more detailed program.

Even in the words of Rabbi Yisraeli in his introduction to the first compilation, one can appreciate the magnitude of the innovation led by the rabbis. Rabbi Yisraeli refers to "the fearful ones" who look suspiciously at halachic inquiries into state issues. He treated this with some cynicism and wrote that "the problem does not cease to exist even when it is ignored.” Therefore, Rabbi Yisraeli said that "the danger of spiritual destruction that threatens us now should overcome these concerns and reject them". Thus, Rabbi Yisraeli attacks those who fear the ultra-Orthodox camp and the "adapters" and "compartmentalizers" such as Leibowitz and the religious kibbutz.[[10]](#footnote-10)

A year later, in the month of Iyar 5710, the second compilation was published; in the introduction to the compilation , Rabbi Yisraeli criticized the ultra-Orthodox approach that opposes the clarification of laws pertaining to the state: "We see this as a punishment from heaven for our generation, which did not merit to see its offspring go before it and show it the way.”[[11]](#footnote-11)    It is possible to see the clear approach of Rabbi Yisraeli who positively regards the practice of state laws, as expressed in the compilations Torah UMedina.

In addition to the halachic discussions, the Torah and Medina compilations were a platform for elevating the state's religious status.  For example, at the beginning of the fourth compilation in Elul 5712 (Fall, 1952), Rabbi Yisraeli reviewed the religious struggles in the country surrounding the issues of Shabbat, education, and the recruitment of girls into the IDF:

*The end of this year is marked by the sharpening of the struggle by the secular public in Israel for a distinctly secular image of the state. Because of the unrelenting and destructive propaganda, the minimal measure of respect for what is sacred to Jews is gradually fading from one generation to the next. The storm that arose around the restrictions on public transportation has not yet subsided, which was indirectly meant to grant some traditional Jewish character to the Sabbath in the public space in the State of Israel. And now we are faced with far-reaching decisions in the fields of state education and recruitment of girls. The public of the Torah VeAvoda movement,, which stands for the observance of the Torah and mitzvot sees along with this the positive value of the state, being a necessary instrument for expanding the canvas of the Torah of Life, will have to delineate and fight for its special way. This entails providing a shoulder to help lift the burden of the state now being brought back to life, and at the same time to keep it from causing, G-d forbid, damage to all that is held sacred by the Jewish people.[[12]](#footnote-12)*

A few years later, Rabbi Yisraeli seemed to demonstrate a more optimistic view of the state of religious life in the country and the contribution of the rabbinic world to shaping its image.. "Slowly, in a struggle that is restrained yet persistent and confident in the righteousness of its cause, the prototype of a distinctive *talmid hacham* is taking shape - the image of the *talmid hacham* in Eretz Yisrael, who was much praised by the Sages," wrote Rabbi Yisraeli . "Even today there is still a lot of misunderstanding, even today there are still many who look suspiciously at a rabbi who is also a member of the Torah VeAvoda movement.  However, one can feel generally that the attitude is changing.”[[13]](#footnote-13)

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For close to 11 years, the 'Torah UMedina' compilations were the most prominent enterprise of Hever HaRabbanim. Thirteen compilations were published, from the year 5709 to 5722 [1949-1962]. This enterprise more than anything symbolizes the commanding Torah influence of the rabbis, who initiated the publication of a halachic collection that was revolutionary in its time.[[14]](#footnote-14)  The enterprise, which was apparently supposed to be an initiative of the Chief Rabbinate, did not initially elicit abundant enthusiasm, but its success is evident to this day.  In 1951, in light of the demand, a second edition of the main articles in this compilation was released under the name "BeTzomet HaTorah VeHaMedina" [At the Crossroads of Torah and State". The 'Tehumin' compilations, published once a year from 5740 [1980] until today, are a clear continuation of the historical Torah Umedina compilations.

The topics discussed in these works can be classified into five categories:

**1. Subjects of law and justice, the monarchy in Israel** : For example: bills of sale according to the current practice, coalition laws, the Sanhedrin laws, the powers of the municipal authorities in light of halacha, honoring the president and honoring the Torah, laws pertaining to the police

**2. The Land of Israel, and especially the issue of shmita:** For example: the sabbatical year in Eretz Israel, prohibition against leaving the country, mitzvot that are dependent on the land.

**3. Laws of war:**For example: problems with the occupation of territory in war, the 'Qibiya incident' in light of halacha, war of three types: obligatory (defensive), authorized, discretionary.

**4 . Marriage laws:** For example: *gitin* laws and ketubah [divorce and marriage], alimony laws, the halachic status of 'Beni Yisrael' from India.

**5 . Other subjects:** For example: Conversion: eeceiving the convert; Circumcision; the law of circumcisiong of male converts; Shabbat: milking on Shabbat.

 The issues discussed in the compilations are characterized by the *mamlachti* approach, whereby in a sovereign Jewish state there is room to discuss newly-arisen halachic issues arising from the existence of renewed sovereignty. From an analysis of the topics of the articles in these compilations , it appears that the subject of the monarchy in Israel,  law and the courts, was the central theme in all the compilations of Torah UMedina and expressed the importance attributed to the issue of renewing the government in the Land of Israel, and the need to examine the issue of 'Torah law' in this reality. The subject of the Land of Israel and the shmita found its place in a significant way in the period close to the years of the shmita, when it was then relevant. The laws of war were given a large place in the first compilations , when the matter was discussed for the first time, and in recent years, perhaps because of the relative calm in the security field, the issue did not come up in the discussions.  Marriage laws were discussed in the last years of the Torah UMedina publications, apparently due to the trend of expanding the most topical religious issues in the country that required discussion. The same is true regarding a range of other topics, which were discussed mainly in the last issues .

One of the well-known articles of Rabbi Yisraeli is about the “Qibya incident”.This was a retaliatory action in the Arab village of Qibiya, after the murder of a Jewish family by the villagers.  Rabbi Yisraeli discusses the issue of retaliatory action in terms of halacha, since it is a question of retribution against people who were not necessarily involved in the actual act of murder, but on the other hand, there may be a factor of deterrence, to prevent harm to Jews in the future. The innovation in dealing with this is the fact that it is a fundamental question in the life of a country fighting for its existence.  Indeed, after an in-depth examination of the subject, Rabbi Yisraeli's conclusion is that there is no halachic problem with such a retaliatory action, as he concluded at the end of the article:

*And the result of all this is that there is room for retaliatory action and revenge against Israel's oppressors, and this action is within the scope of a “milhemet mitzvah” [defensive] war. And regarding any disaster or injury that befalls the rioters and their allies and their children - they are the ones who bear responsibility for that, and they will bear their guilt. Thus, there is no obligation to avoid retaliatory actions out of fear that innocent people will be harmed by it, because we are not the perpetrators; they themselves are and we are guiltless. It is indeed forbidden to harm children deliberately in the first place. Such a thing is not found except in the sin of idolatry, therefore it is appropriate to take heed not to hurt them.[[15]](#footnote-15)*

Rabbi Yisraeli claimed that not only is it permissible to carry out such a retaliatory act but that it is a *milhemet mitzva*. This article was also published in Rabbi Yisraeli's book,  *Amud HaYemini*, and is the basis for halachic discussions on the subject. The article demonstrates, more than anything else, the engagement with topical issues shaping state laws and the approach that underlies them.

It should be noted that the writers in the Torah UMedina compilations came chiefly from religious Zionism, among them: Rabbi Yisraeli, Rabbi Tchorsh, Rabbi Moshe Zvi Neria, Rabbi Haim David Halevi, as well as the chief rabbis of Israel: Rabbi Herzog, Rabbi Unterman, and Rabbi Nissim. The compilations were an expression of support of the Chief Rabbinate, even though their publication was ostensibly the job of the Chief Rabbinate. In addition, the authors of the articles were also from the ultra-Orthodox camp, such as: the head of the Etz Chaim Yeshiva Rabbi Tukachinsky, as well as the dayanim Rabbi Eliezri and Rabbi Waldenberg (author of *Tzitz Eliezer Responsa*). Here is the place for a caveat, because the demarcation between ultra-Orthodox, i.e., haredi and 'Zionist' was not clear-cut, certainly not in the period in question. It is likely that some of the authors of the articles were indeed perceived as haredi, but they actually saw the establishment of the state in a positive light.[[16]](#footnote-16)  In any case, the participation of the ultra-Orthodox in these compilations expressed the view of Rabbi Yisraeli , who saw close cooperation with the haredi camp as a positive thing, something that was clearly expressed in the " Brother and Sister Affair (alternately, "the Case of the Mamzerim"), which will be discussed in detail later.  This case will be one of the reasons for Rabbi Ysraeli's resigning from Hever HaRabbanim in the early seventies.

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The official authority of the Chief Rabbinate of Israel as the authoritative halachic body in the country on the one hand, and the publication of the Torah UMedina publication on the other, raised the question of the interrelationship between the Chief Rabbinate and Hever HaRabbanim. The role of the Chief Rabbinate obliges it, naturally, to prepare a halachic-conceptual infrastructure for a state that will be conducted according to the Torah; it was not the responsibility of Hever HaRabbanim.  This problematic situation is clearly evident in the introductions to the compilations. There, one can identify the discomfort of Hever HaRabbanim, and especially of Rabbi Yisraeli, in that it is Hever HaRabbanim that initiates the publication of halachic compilations . If we go back to Rabbi Tchorsh's first speech at the Founding Convention of Hever HaRabbanim, he also referred to the national issues as one of the areas that Hever HaRabbanim would deal with, and not just activity within the limits of the movement. In his speech at the time, Rabbi Tchorsh said that the issue of 'state laws' had not moved forward, and therefore Hever HaRabbanim has a responsibility to deal with it as well. The Torah UMedina compilations are the most prominent example of this.  However, it appears, as we will see later, that the Hever HaRabbanim constantly emphasized the respect it had for the Chief Rabbinate with no intention of infringing upon its authority.

This trend is indeed most evident already in the introduction to the first anthology of Torah UMedina (Nisan 5709). Rabbi Tchorsh wrote that although this is the role of the chief rabbinate of the Land of Israel, but nevertheless "let us not slacken, within the vibrant element of the Yishuv, in joining the effort and helping discuss these vital questions, in formulating and clarifying them and finding appropriate solutions.” Rabbi Tchorsh noted that the Torah and Medina compilations were only part of intensive activity on the subject of the state and halacha. Later, Rabbi Tchorsh emphasized the place of these compilations in particular and the place of Hever HaRabbanim in general:

*This anthology is not intended to decide legal rulings in practice and to teach practice based on it.   We did not take this task upon ourselves, as it is not within our authority. What appears here comes as a result of halachic examination and study and elucidation of the facts only, and from this a final clarification and ruling of the laws will be made by the Chief Rabbinate of Eretz Israel, who are eminent Torah scholars and the designers of its laws.[[17]](#footnote-17)*

This plainly demonstrates the clear trend of the Torah UMedina compilations : to leave the issue of practical rulings to the Chief Rabbinate and focus on clarifying the halachic issues in theory only. This is in fact also the trend that led Hever HaRabbanim to support the Chief Rabbinate, to help it, and not some out against it. "The Chief Rabbinate of Israel should be the main halachic and moral leadership of all branches of Judaism in Israel and abroad," Rabbi Tchosh stated repeatedly.[[18]](#footnote-18)

It should be noted that at the same time the that the Chief Rabbinate received unqualified support from the Hever HaRabbanim, Hever HaRabbanim emerged in the first decade of its existence as a leading, innovating organization.  The Torah UMedina publications are a clear expression of this, and despite leaving the issue of practical rulings to the Chief Rabbinate, the very fact that the issues in these compilations are brought up for discussion, shows the leadership of the rabbis on various issues that go beyond the activities of the party itself. This is especially significant in light of the fact that we did not see any similar enterprise initiated by the Chief Rabbinate.

The Torah UMedina compilations continued to be published annually or biannually, a total of 13 publications, with the last one, as mentioned, issued in 1962.  A special compilation in memory of Chief Rabbi Herzog was published at the end of 1959, a few months after his death.[[19]](#footnote-19)

 ***Rabbi Tchorsh with Rabbi Herzog***

In the year 5755, Rabbi Yisraeli was appointed a judge at the Great Rabbinical Court in Jerusalem, and it is possible that his new occupation brought to the end of the publication of Torah UMedina. In the meantime, the Shvilin anthology, which differs in format from Torah UMedina, began its publication.

It can be said that in relation to the great vision of the "Torah state", Torah Umedina had no real impact.  At the same time, its contribution was in the very innovation of dealing with the subject of ' laws of the state'. Rabbi Yisraeli has always been considered an expert in such matters. His book *Ha'Amud HaYemini* also deals with these issues.  And "*Tehumin",* which began publication in 5740, is like a sequel to the Torah UMedina compilations. The revolution is reflected in various books dealing with national issues, such as: the laws of the army and war, the subject of shmita (the sabbatical year), police, settlement, medicine, etc. You can see in historical perspective the innovation led by Rabbi Yisraeli, in his very engagement with the subject of laws of the state. His preoccupation with these topics that deal directly with a sovereign Jewish state are emblematic of his power as a Torah and halachic authority within Hever HaRabbanim in its first decade.

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The year 2017 is the only year in which two anthologies compiled by Hever HaRabbanim were published: ' Torah UMedina' and 'Shvilin'. This was the last anthology of ' TorahUMedina' and the first of 'Shvilin'. Before we discuss the possible reasons for the termination of "Torah UMedina" and the beginning of 'Shvilin' , and the consequences of the replacement of one by the other, we will discuss the differences between the two.

The Torah UMedina compilation consisted of Torah articles written by rabbis, mainly from religious Zionism, which dealt with halachic issues of great import on matters of state. As mentioned above, these topics represented a new conception at the time, putting issues of halacha relating to the state on the agenda. This was a significantly new idea and a milestone for the potential of formulating a detailed program for a Torah state. In addition to these articles, the introductions to the compilations were used as a kind of "platform" to note the activities of Hever HaRabbinim– However, this was secondary in relation to the great importance attributed to the Torah articles. The Shvilin compilations, on the other hand, were intended to be a permanent platform for covering the organizational activities of Hever HaRabbinim. Considerable space was devoted to coverage of the conventions, the decisions of the various assemblies, the topical reflections of the rabbis, and the like. In addition, articles on Torah topics were brought, but they were less dominant than the way they appeared in the Torah UMedina compilations .

As mentioned, the Shvilin collection began to be published in the month of Adar II, 5772. This was before the publication of the last Torah UMedina collection, which was published in the month of Elul of the same year. From this it can be concluded that when the rabbinical group began to publish Shivilin, it was still not clear that Torah UMedina would cease publication. Furthermore: Rabbi Yisraeli, the editor of Torah UMedina was appointed a rabbinical judge at the Great Rabbinical Court in Jerusalem in 1965, and his new position did not allow him the time to publish the compilations. Apparently, no one of stature the likes of Rabbi Yisraeli could be found who would agree to take on the work of editing; only then did it emerge that the Torah UMedina compilations would cease publication. From this it can be clearly concluded that the 'Shvilin' compilation was not originally intended to replace the Torah UMedina but only to add an organizational layer that had been missing in Torah UMedina. This is evident in the opening words of the Shvilin compilation , which were apparently written by Rabbi Tchorsh, who was its editor.:

*Many and varied are the problems in our daily lives. They require clarification and a quick response, so we could no longer be satisfied with the "Torah UMedina" compilation that we publish under our name–Hever HaRabbanim of the Mizrachi and the Hapoel Mizrachi. In Torah UMedina we are engaged in clarifying the halachot and issues in the laws of life, while in this publication presented to you, we will try to discover and clarify problems from everyday life, outline practices, and comment on what is being done and heard in our newly emerging country, while marking landmarks in the spirit of the Torah.[[20]](#footnote-20)*

From his words, it appears that the publication of the new anthology stemmed from the need to respond to topical issues that the movement was facing. The Torah UMedina compilations that were published every few years did not fulfill this requirement. In addition to this, his words explain the difference between the two compilations : Torah UMedina dealt with clarifying the laws, while Shvilin was intended to be a kind of "news bulletin" connecting the rabbis and the party.

It is interesting, because in the last compilation of Torah UMedina, which was published in Elul 5722 of the same year, nothing is mentioned about the 'Shvilin' compilation. This may be due to the failure of enthusiasm for another anthology published by Hever HaRabbanim and it may be merely coincidental. However. in my opinion, one may assume that the appearance of the new compilation 'Shvilin' made it easier to a certain extent to end the publication of Torah UMedina.



So far we have dealt with the narrow aspect of the exchange of one publication for another.  The broader aspect is a clear expression of the transformations that the rabbinical community had undergone. In the previous chapter, we elaborated on the function of the rabbis on Torah issues at the national level. This period was marked by the need to build the halachic infrastructure in the country and the burden placed on the Chief Rabbinate in this regard. For this reason, Hever HaRabbanim worked on various Torah issues, such as composing the Independence Day prayer, the preparations for the shmita year, the adoption of the settlements, and rulings on state laws. Hever HaRabbanim showed pronounced leadership in this aspect. This was expressed mainly in the Torah UMedina compilations, which were the first framework for the clarification of halachot in the State of Israel.

In the meantime, the State of Israel was becoming more solidly established, the rabbinical system in the country was set up, the urgency of dealing with issues at the national level decreased, the first waves of immigration that had posed challenges to the rabbinate at the beginning were over, and the vision of a Torah state declined already in the mid-1950s.

Thus, we can complete the picture sketching the.reasons for the end of Torah UMedina and the beginning of Shvilin, In the 1960s Hever HaRabbanim turned to work in the organizational field, in other words, focusing on the organization of the rabbis, rabbinical appointments, their role in the party, and so on. Although these issues were also present in the 1950s, they were secondary in relation to Torah endeavors at the national level during this period. Now, with the change in the religious situation in Israel, Hever HaRabbanim focused on more "material" issues. The Shvilin compilations express this clearly. These compilations were the organ of the rabbinate for some twenty years, a total of 35 issues . There were published decisions of the Rabbinate, articles by members of the Rabbinate, activities of the Rabbinate, and a reference to contemporary issues. During the sixties at least two compilations were published each year. During the 1970s, the number of publications of 'Shvilin' decreased to one a year until it completely faded away – with the decline of Hever HaRabbanim as an influential body in Israel and within the party – something that thirty years before had seemed improbable. In the 1950s it seemed that Hever HaRabbanim had been establishing itself in the life of religion and the state and even initiating and acting in religious and halachic issues in a way that was to have an influence for many years, as will be shown in more detail in following.

1. Don-Yehiya, “Manhigut datit,” 111. [↑](#footnote-ref-1)
2. Cohen, *Hatallit vehadegel*. [↑](#footnote-ref-2)
3. See chapter seven of Cohen, *Hatallit vehadegel.* On the philosophy of Prof. Isaiah Leibowitz, see chapter seven of Hellinger, “Degem hademokratia hayehudit.” On the dilemma of the religious in relation to the state, see Friedman, *“Harabbanut haroshit – dilemma lelo pitaron.”* [↑](#footnote-ref-3)
4. Neria Gutel, “Murkavut yaḥaso shel harav Yisraeli el haẓionut hadatit” [“The Complexity of Rabbi Yisraeli’s Attitude to Religious Zionism.”] In *Sugiot beḥekar haẓionut hadatit: hitpatḥuyot vetimurot ledorotehen*, 145-167. [↑](#footnote-ref-4)
5. Harel, *Ye'erav Siḥi*, 35-47. On Rav Yisraeli's teachings, see: Yitzhak A. Rones, “Ideologia ẓiyonit datit vehilkhot medinah bemishnato shel harav Shaul Yisraeli” [“Religious Zionist Ideology and the Halakha of the State in the Teachings of Rabbi Shaul Yisraeli.”] in *Halakha Ẓionit: Hamashmauyot hahalakhtiyot shel haribunut hayehudit* [Zionist Halacha: The Halachic Meanings of Jewish Sovereignty],Yedidyah Stern and Yair Sheleg, eds., (Jerusalem: Israel Democracy Institute, 2017), 729-748; Avraham Yisrael Sharir, *Harabbanut vehamedinah: asefat maamarim, neumim, siḥot verishimot* [The Rabbinate and the State: A Collection of Essays, Speeches, Conversations and Articles] (Jerusalem, 2001); Yaakov Blidstein, “Torat medinah bemishnat harav Shaul Yisraeli” [“The Torah of the State in the teachings of Rav Shaul Yisraeli”] in *Shnei evrei hagesher* [Two Sides of the Bridge], Tzvi Tzameret and Mordekahi Bar-on, eds., (Jerusalem: Yad Ben Zvi, 2002), 350-363. [↑](#footnote-ref-5)
6. “The editor and the reviewer,” *HaTzofeh*, January 7,1955, 5. [↑](#footnote-ref-6)
7. *Shvilin* 21-22 (1969): 214. [↑](#footnote-ref-7)
8. Liebman, “Hitpatḥuthaneo-masortiut.” [↑](#footnote-ref-8)
9. *HaTorah vehamedinah [The Torah and State],* Iyar, vol. 2 (1950): 6. [↑](#footnote-ref-9)
10. *HaTorah vehamedinah [The Torah and State],* vol. 1 (1950): 11-13. [↑](#footnote-ref-10)
11. *HaTorah vehamedinah [The Torah and State],* vol. 2 (1950): 5-7. [↑](#footnote-ref-11)
12. “Im hakovetz” [“With the compilation”] *HaTorah vehamedinah [The Torah and State]* Elul, vol. 4 (1952): 3 [in Hebrew]. [↑](#footnote-ref-12)
13. “Im hakovetz” [“With the compilation”] *HaTorah vehamedinah [The Torah and State]* vols. 7-8 (1955-1956): 6 [in Hebrew]. [↑](#footnote-ref-13)
14. It should be noted that although the religious academic publication *Yavneh* addressed similar issues before the establishment of the State, it did not deal with the reality of a sovereign state. [↑](#footnote-ref-14)
15. Rabbi Shaul Yisraeli, “Takrit Kibia leor hahalakha” [“The Kibia Incident in the Light of Halakha,”] *Hatorah vehamedinah [The Torah and State]* vols. 5-6 (1953-1954): 113. [↑](#footnote-ref-15)
16. For a prominent example of a positive approach to the establishment of the State see Eliezer Yehuda Waldenberg *Hilkhot medinah [Religious Laws of the State]* (Jerusalem, 1952). [↑](#footnote-ref-16)
17. Katriel Fischel Tchorsh, “Lehofaat hakoveẓ” [“On the appearance of the issue,”] *HaTorah vehamedinah [The Torah and the State]* Nissan vol. 1 (1949): 3-10 [in Hebrew]. [↑](#footnote-ref-17)
18. “All of Jewry, in Israel and in the Diaspora, Must Accept the Orders of the Chief Rabbinate of Israel,” *HaTzofeh,* April 18, 1955, 4. [↑](#footnote-ref-18)
19. “Mishlaḥat ḥever harabanut shel hapoel hamizraḥi bebeit maran harav *Herzog zẓ*”*l* [“The HaPoel HaMizrachi mission to the home of Rabbi Herzog of Blessed Memory,” *HaTzofeh,* October 26, 1959. [↑](#footnote-ref-19)
20. “Im Hagalilon” [with the issue], *Shivlin* vol. 1, Adar Bet (1962): 1 [in Hebrew]. [↑](#footnote-ref-20)