

Religious Zionist rabbis skewer Chief Rabbinate over shmita

Matthew Wagner , THE JERUSALEM POST

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Religious Zionist rabbis attacked the Chief Rabbinate on Sunday for adopting a hard-line haredi stance to the upcoming *shmita* (sabbatical) year instead of showing sensitivity to the needs and interests of Jewish farmers and the majority of Jewish consumers.

"We must put an end to the Chief Rabbinate's monopoly over kosher supervision, because it no longer performs its primary function - providing halachic solutions for the entire Jewish people," said Rabbi Benny Lau, head of the Beit Morasha Institute, which trains rabbis and educators. "I believe a grassroots movement should push to create an alternative rabbinic body that would reinstitute the historical mission of the Chief Rabbinate."

Rabbi Yosef Carmel, head of the Eretz Hemda Institute, which trains rabbinic judges, also called on the rabbinate to be more lenient in its approach to the *shmita* year.

"The Chief Rabbinate has an obligation to find a solution that is good not just for the haredi members of society, but also for secular farmers and consumers," said Carmel.

Rabbi Yehuda Gilad, a former Labor-Meimad MK and a member of the religious Kibbutz Lavi in the Galilee, said that he was in favor of providing haredim with imported fruits and vegetables out of deference to their halachic stringencies.

"But I oppose the idea that haredim should coerce others, whether secular or Modern Orthodox, to adhere to haredi standards of kosher supervision," he said.

Lau, Carmel and Gilad are all opposed to the recent decision by the Chief Rabbinate's governing council to grant full autonomy to rabbis insisting on the most stringent approaches to *shmita*.

Several local rabbis, including the rabbis of Herzliya, Petah Tikva, Bat Yam, Afula and Ashdod, have announced that they will not provide kosher supervision to restaurants, markets and other food-serving venues selling produce grown according to "*heter mechira*" - a controversial legal solution involving the sale of Jewish land to non-Jews. Jerusalem, with a Jewish population of 500,000, is also expected to ban all *heter mechira* produce.

According to Jewish law, Jews must refrain from working the land of Israel every seventh year. During this year, plowing, sowing, planting, trimming and other field chores are forbidden. As a result, no annual crops, such as wheat, corn, tomatoes and cucumbers, can be grown on Jewish-owned land during *shmita*.

Some rabbis have permitted *heter mechira* for farmers with field crops who cannot afford to go an entire year without income. Transferring the land from Jewish to non-Jewish hands abrogates the inherent holiness of the land, thus permitting all types of work.

However, many rabbis argue that the sale is purely fictitious and, therefore, non-binding. As a result, all the annual crops grown on this land during the *shmita* year are forbidden for consumption, enjoyment or profit.

Nevertheless, the Chief Rabbinate has officially supported *heter mechira*. The rabbinate even appointed Rabbi Ze'ev Weitman, chief rabbi of Tnuva, a dairy concern owned by kibbutzim and moshavim, to provide farmers

with the option of *heter mechira*.

Still, although in principle it recognizes *heter mechira* as a legitimate halachic solution, the chief rabbinate's governing body voted two weeks ago that local rabbis who chose to reject *heter mechira* would be allowed to do so.

Rabbi Yehiel Ya'acobovitz, chief rabbi of Herzliya, is one local rabbi who decided to adopt a more stringent position. Ya'acobovitz has refused to provide kosher certificates to any venues selling *heter mechira* vegetables.

On August 21, Asif Yinov, a wholesale produce provider, petitioned the Supreme Court to force Ya'acobovitz and the rabbinate to permit the sale of these vegetables.

The Supreme Court decision is pending. However, Attorney-General Menahem Mazuz has already said that the rabbinate's position on the autonomy of local rabbis is legally untenable. Mazuz said the rabbinate was obligated to provide all Jewish citizens of Israel with *heter mechira* products if they demanded it.

"It's not religious coercion," said Shabatai Markovitz, a manager of Kashrut Le'mehadrin - a kosher supervision outfit under the rabbinic guidance of Rabbi Yosef Yekutiel Efrati, who is himself a disciple of Rabbi Yosef Shalom Elyashiv, the most respected rabbinic authority for Lithuanian haredi Jewry.

"We just want the land of Israel to rest in the *shmita* year, because that is what God wants," Markovitz said Sunday. "If some hotshot economist were to come along and tell secular Israelis that abiding by the rules of *shmita* would make the economy flourish, they would listen. So why is it that when God says so, they don't?"

Local farmers who rely on *heter mechira* are concerned that the ban instituted by some local rabbis will hurt their profits.

Yusta Bleier, Chairman of the Farmer's Association, told *The Jerusalem Post* just over a week ago that the loss of income could amount to some NIS 700 million.

In response, Agriculture Minister Shalom Simhon threatened last week to implement economic sanctions against haredim. Simhon warned that he would block all imported fruits and vegetables - one of the main sources of produce for haredim during the *shmita* year - unless the rabbinate retracted its support for stringent local rabbis.

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