

Bechukotai

June 4, 2016

This Week's Text

אם-בְּחֻקֹּתַי, תֵּלְכוּ; וְאֶת-מִצְוֹתַי תִּשְׁמְרוּ, וְעֲשִׂיתֶם אֹתָם. וְנָתַתִּי גִשְׁמִיכֶם, בְּעֵתָם; וְנָתַתָּה הָאָרֶץ יְבוּלָהּ, וְעֵץ הַשָּׂדֶה יִתֵּן פְּרִיָּו.

Leviticus 26:3-4 *If you walk in My statutes, and keep My commandments, and do them; then I will give you rains in their season, and the land shall yield its produce, and the trees of the field shall yield its fruit.*

Linking Our Text to Modern Israel

The portion of this week deals with rewards and punishment - if the Israelites keep the commandments prescribed in the Torah, they will be rewarded with prosperity and peace. However, if they transgress and ignore the many statutes commanded by G-d, terrible calamities will plague them, enemies will prevail over them, and they will find themselves exiled from the promised land.

The Torah offers directives for just and ethical behavior that evolved out of necessity for an emerging people. One can assume that the rewards and punishments outlined in this week's portion spoke to the people. Rains that would produce healthy crops necessary to sustain life, for example, would appeal to a fledgling agrarian society. Punishments involved desolation of the land and brutal enemies chasing the Israelites into exile, horrors from which they had only recently escaped.

In 1948, it was clear that Modern Israel would require statutes beyond those from ancient scripture.

From 1948 - 1950, debates raged as leaders struggled to outline the content of a constitution for the newly established State of Israel. In the end, the leadership did not adopt one. However, the First Knesset compromised. Sponsored by Knesset member Yizhar Harari a proposal, called the "[Harari Resolution](#)," stipulated that instead of a single document, the "constitution" of Israel would be composed of a series of Basic Laws. The Basic Laws would evolve under the oversight of a special law committees and require approval from the sitting Knesset.

Resolution, adopted on June 13, 1950 stated, "The First Knesset instructs the Constitution, Law and Justice Committee to prepare a draft State Constitution. The constitution will be built chapter by chapter, in such a way that each will constitute a separate Basic Law. The chapters shall be presented to the Knesset when the



Additional References:

[Israel's Documented Story](#) - The English-language blog of the Israel State Archives (ISA)

Israel's Ministry of Foreign Affairs, [Basic Laws](#)

committee completes its work, and all the chapters together shall comprise the Constitution of the State.”

The Knesset began to craft the first set of laws to outline and define government behavior and guide policies on society, population, and the economy. The first chapter of this constitution became the “Basic Law: The Knesset.” It outlines the rules and functions of the Knesset, the duties of its members, election procedures, and eligibility. It also established Jerusalem as the seat of the Knesset and set the number of ministers at 120. Since its adoption in 1958, the Basic Law: Knesset has been subject to ten amendments. Amendment 9, passed on July 31, 1985 prohibited a political party from participating in an election if it incites racism, denies the existence of the State of Israel as the state of the Jewish people, or denies the democratic nature of the state. Israel established [13 Basic Laws](#) from February 1958 through March 2014.

Israel’s recognition that modern laws are necessary to state function demonstrates that Israel identifies as any other normative country. Obeying the law or breaking the law leads to reward or punishment, perhaps not on a biblical scale, but certainly having an impact on individuals and on the community at large. The Basic Laws, while not a constitution in the exact sense, give a structure for the governance of Israel, enabling the state and its citizens to continue evolving with justice and order.

Discussion Questions:

1. What might be the reasoning behind Israel’s failure to create a constitution? [Consider the context in which the state was first established: the British Mandate presided over pre-state Israel, Britain has Parliamentary proceedings rather than a constitution, and War ensued immediately after the state was declared and may have delayed the efforts to create one.]
2. Can the [Basic Laws of Israel](#) carry the same weight as a constitution? Why or Why not?