



1. “Capitalism and the Jews” - Milton Friedman

...two traditions were at work in Israel: an ancient one, going back nearly two thousand years, of finding ways around governmental restrictions; a modern one, going back a century, of belief in “democratic socialism” and “central planning.” Fortunately for Israel, the first tradition has proved far more potent than the second.

2. Rambam, Laws of Gifts to the Poor 9:1

In every city where Jews live, they are obligated to appoint faithful men of renown as trustees of a charitable fund. They should circulate among the people from Friday to Friday and take from each person what is appropriate for him to give and the assessment made upon him. They then allocate the money...

3. Rabbi Shlomo Ephraim Luntshitz, Keli Yakar to Shemot 23:5

This is an answer to some of the poor among our people who cast themselves on the community and refuse to do any work, even if they are able to engage in certain work or in some other endeavor that will bring food to the table, and they complain if they are not given whatever they are lacking. For G-d did not command this, but rather, “You shall surely unload it *with him*,” and “you shall surely *help him* to lift them up again” (*Devarim* 22:4). For the needy person must do whatever is in his power to do, and if, despite all his efforts, he fails to earn a living, then every man in Israel is obligated to support and strengthen him, and to provide him with whatever he is lacking, and unload even a hundred times.

4. Rabbi Aharon Lichtenstein, “The Responsibilities of the Recipient of Charity”

The degree of recognition depends in no small measure on the idea of free will. This is why the halakhist will be inclined to adopt an ambivalent attitude towards the struggle over welfare budgets across the Western world today, between conservative politicians who are “stingy” and social workers who are “generous.” On the one hand, Halakha’s excessive valuation of *chesed* and of society’s responsibility toward the needy brings him to support the expansion of aid. But on the other hand, the more that this demand is based on the argument that aid must be expanded because psycho-social circumstances fetter the needy and prevent them from joining the work force, it clashes with the emphasis that Judaism places upon free will.

5. Rambam, Laws of Repentance 5:1

Free will is granted to all men. If one desires to turn himself to the path of good and be righteous, the choice is his. Should he desire to turn to the path of evil and be wicked, the choice is his. This is [the intent of] the Torah's statement (*Genesis* 3:22): "Behold, man has become unique as ourselves, knowing good and evil," i.e., the human species became singular in the world with no other species resembling it in the following quality: that man can, on his own initiative, with his knowledge and thought, know good and evil, and do what he desires.

6. Numbers of Laws Passed by Knesset: A) 3rd 1955-1959: 13. B) 18th 2009-2013: 500. C) Current – Attempted: 1500. Rejected for discussion by Minister Ayelet Shaked: 1100+

- **Shaked:** Legislation in Israel has “reached a dangerous level”. “The freedom of a citizen in Israel is deeply harmed by this competition between Knesset members, from this excessive intervention in their lives.”

7. **Rabbi Yuval Sherlow**, when asked about the slippery slope concerns with gender choosing set out the final principles to consider based on Jewish law:

- a. The likelihood of the undesired result (based on the law that limits decrees to common issues)
- b. How negative the result would be (based on the law that we don’t set up decrees to protect decrees, unless it is really stringent)
- c. Cost in quality of life to parent (based on exceptions made in cases of extreme loss)

8. Eric Cohen: The Spirit of Jewish Conservatism

In his 1998 Hayek lecture, Jonathan Sacks, the former chief rabbi of the United Kingdom, took up the challenge of articulating such a Jewish view. Why, he asked, is there so great an affinity between Jewish ideas and practices and free-market ideas and practices? His answer includes such touchstones as biblical respect for the idea of property rights; biblical appreciation for productive labor; the biblical understanding of man as a creative being; the rabbinic belief that parents must teach their children a useful trade; and the affirmative Jewish attitude toward wealth. In general, Sacks concludes, the talmudic rabbis “favored the free market”—a point reinforced by the example of how they treated competition among scholars and teachers: An established teacher could not object to a rival setting up in competition. The reason they gave for this ruling illustrates the general approach. They said simply, “Jealousy among scholars increases wisdom.” Competition, even in the most elevated realm

of education, promotes human excellence. This affinity between traditional Judaism and market economics may come as a surprise to those who believe that Judaism is most compatible with some form of socialism. That this is not the case is argued exhaustively in Joseph Isaac Lifshitz's careful study of the biblical and rabbinic corpus, *Judaism, Law, and the Free Market*. Consider this from the talmudic tractate Berakhot: "One who benefits from his own labor is greater than one who fears heaven." ... And from Pesahim, in a teaching of Rabbi Akiva to his son: "It is better to make your Sabbath [meals] ordinary than to become dependent on others." One of the deepest insights arising from the Lifshitz study is that the rabbis understood the obligation to help the poor as a matter of righteousness, not of justice...

9. Rabbi Gil Student

However, as Yuval Levin points out in his response to Cohen, Judaism is consistent with capitalism but does not necessarily advocate for it. Yes, the Torah protects property rights and advocates productive labor, but there is more to capitalism than earning a salary and keeping it. What role, then, can Judaism play in economic ideology? Levin seems to think that Judaism has little to teach the world about capitalism. I suggest that while Judaism may not advocate a specific economic theory that developed a dozen centuries after the close of the Talmud, it can teach the world how to properly implement it. This is a particularly timely task because recent events emphasize how desperately capitalism needs direction. It is one thing to wax passionately about free markets in theory. Getting down to the nitty-gritty implementation is quite another. Free markets require regulation to prevent abuse, such as monopolies and corruption.... Jews should be morally invested in the implementation of meaningful economic regulation that requires proper behavior of all parties. Capitalism can only survive if it continues to inspire hope. To do this effectively, it must adhere to basic rules of fairness and right and wrong.

10. Rambam, Laws of Theft 8:20

The court is obligated to appoint police in every city and town to inspect the stores periodically, correct the scales and measures, and set the prices. They are permitted to beat any person who possesses an unjust measure or weight or an improper balance according to his capacity, and to fine him as the court sees fit to enforce the matter. Whenever a person raises prices and sells at a higher price, he may be beaten and compelled to sell at the ordinary market price.

• What is a Jewish Democratic State?

11. <http://www.haaretz.com/israel-news/1.745895>, summarizing article in Hashiloach

Justice Minister Ayelet Shaked has called to promote legislation that will give expression to the Jewish character of Israel. ... Shaked laid out her views concerning her role as justice minister and governability, writing: "The route of the train of Israeli justice must take into account the Jewishness of the state." The legal system must take this Jewishness into account in a real manner: Not just as a symbol, but as a matter that has concrete implications, she wrote. The Jewish identity and democratic identity of Israel do not contradict each other, but in fact strengthen one another, according to Shaked... "For this reason, I believe we must shape the governmental system in such a way that it can provide a proper expression for all these." "I believe we will be a more democratic nation the more Jewish a nation we will be, and we will be a more Jewish nation the more democratic a nation we will be," writes Shaked. "I am unwilling to accept the view that these are such different traditions."

- [R] Shaked contrasts this with Former Chief Justice, Aharon Barak, who had argued that the "Jewish" nature of Israel is reflected in its granting equal rights to all, as "all men are created in the image of G-d." Menachem Elon, the Deputy Chief Justice, responded that Jewish law had to be reflected to truly encapsulate Judaism.

12. Summary from Wikipedia:

- 1–2: detail the principles for which the law was established: "Israel is the homeland of the Jewish people in which the Jewish people fulfill their ambition to self-determination according to their cultural and historical legacy."
- 4 : Hebrew is the only official language of the state of Israel while the Arabic language would be of a "special status".
- 5 establishes the Law of Return as part of Israel's Basic Laws.
- 6–7 deal with the relations between the state of Israel and the Jewish diaspora as well as Israel's responsibility for in-gathering world Jewry.
- 8–9 deal with the state's obligation to preserve the Jewish heritage.
- 10–12 regulate the Hebrew calendar, holidays and memorial days.
- 13: in a case of a laconic phrase in the Israeli law, the court system would use Jewish law as a source of inspiration.
- Section 14 deals with the state's obligation to protect the holy places of all faiths located within the territory of Israel.