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**UNION OF ORTHODOX JEWISH  
CONGREGATIONS OF AMERICA**

**Institute for Public Affairs**

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nation's largest Orthodox Jewish  
umbrella organization founded  
in 1898.*

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To the Honorable Justices of the  
Supreme Court of Israel  
Sitting as a Civil Court of Appeals (BaGatz)

In Re: Disposition of Batei Knesset (Synagogues) Located in Gaza

We write on behalf of the Union of Orthodox Jewish Congregations of America to express our deeply held view that the synagogues located in Gaza must not be razed. To destroy these Jewish houses of worship would not only contravene the requirements of *halakha* as determined by the Chief Rabbinate, but set a terrible precedent with regard to Jewish communities and their synagogues around the world, as well as other religious communities and their holy sites around the world.

The Chief Rabbinate has determined that *halakha* requires that the evacuated communities' synagogues must either be dismantled for relocation to other places in Israel or left intact. This requirement is rooted in our most ancient legal texts. The *Mishna* in *Masechet Megilah* (Ch. 3; Para. 3) states that a synagogue retains its sanctity even after abandonment. This principle stands and ought to be respected today and we respectfully suggest that on a matter such as the issue presented here, this Court ought to take judicial notice and give great deference to the view of the Chief Rabbinate of the State of Israel.

It is critical that this Court consider the terrible precedent which would be set by a ruling allowing the destruction of the synagogues – by Jewish military or police personnel – for synagogues around the world. There are, regrettably, many locales in which a once thriving Jewish population have been diminished or are now non-existent; yet, synagogues remain standing in those locales. For the Jewish State to choose to destroy, rather than even dismantle, synagogues because the Jews who have used these synagogues no longer reside in their area would be tantamount to granting permission to any government around the world to destroy synagogues which lack a Jewish population of sufficient size to sustain them.





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Destroying these synagogues would also set a precedent for other religious groups and their houses of worship in locales where their respective population has been reduced. Churches, mosques, temples and all other houses of worship – not matter how historic or iconic -- would be vulnerable to a government decree of destruction.

On behalf of the thousands of congregations of *chutz la'aretz* which we represent, and the many more which are similarly situated around the globe, we respectfully urge this honorable Court to recognize and enforce the ruling of the Chief Rabbinate and direct the Government to either dismantle the synagogues of Gaza for relocation elsewhere or negotiate a suitable arrangement with the Palestinian Authority to ensure their intact preservation.

Respectfully submitted,

  
Stephen Savitsky

   
Rabbi T.H. Weinreb      Mark Bane

Yitzchak Fund

  
Nathan J. Diament, Esq.