

Handout 5a: The Law of Return

Law of Return 5710-1950

<i>Right of aliyah**</i>	1. Every Jew has the right to come to this country as an oleh.**
<i>Oleh's visa</i>	2. (a) Aliyah shall be by an oleh's visa. (b) An oleh's visa shall be granted to every Jew who has expressed his desire to settle in Israel , unless the Minister of Immigration is satisfied that the applicant- (1) is engaged in an activity directed against the Jewish people; or (2) is likely to endanger public health or the security of the State.
<i>Oleh's certificate</i>	3. (a) A Jew who has come to Israel and subsequent to his arrival has expressed his desire to settle in Israel may, while still in Israel, receive an oleh's certificate. (b) The restrictions specified in section 2(b) shall apply also to the grant of an oleh's certificate, but a person shall not be regarded as endangering public health on account of an illness contracted after his arrival in Israel.
<i>Residents and persons born in this country</i>	4. Every Jew who has immigrated into this country before the coming into force of this Law, and every Jew who was born in this country, whether before or after the coming into force of this Law, shall be deemed to be a person who has come to this country as an oleh under this Law.
<i>Implementation and regulations</i>	5. The Minister of Immigration is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation and also as to the grant of oleh's visas and oleh's certificates to minors up to the age of 18 years.
**Aliyah means immigration of Jews, and oleh (plural: olim) means a Jew immigrating to Israel.	

Initial Discussion Questions

(As we discuss the following questions, please jot down pertinent notes.)

- 1) Why was the Law of Return passed in 1950? Do you think it was necessary?

- 2) How does the Law of Return actually work?

- 3) Do you think comparable laws exist in other countries? Why or why not?

- 4) Are there any ways in which this law appears to contradict or conflict with the democratic nature of the Jewish state?

Notice how the Law only says “Jew” without defining the term very clearly. How would you define this term when deciding who should be covered by the Law? This is also important to consider when trying to figure out precisely what the Jewish in “Jewish and democratic state” actually means. Write down your response to the question before we discuss it together.