

Resolution on the Right to Marry in Israel

Adopted by the Board of Rabbis of Southern California

March 2014

We love the State of Israel. We want it to succeed in every way possible. This includes, of course, its security and economic prosperity, but it also includes its ability to live up to its own stated values.

Israel's Declaration of Independence ensures freedom of religion and conscience to all. This does and should affect many aspects of life in Israel, but the specific concern of this resolution is the right to marry.

The overwhelming majority of Israeli Jews – 80% according to a recent poll -- support freedom of choice in marriage. In this Israelis are in accord with the rest of the world's democracies, all of which make marriage possible through the alternatives of civil or various religious options for marriage.

At the moment, though, in the State of Israel the only avenue for legal marriage is religious. Civil marriage is not available to anyone, whether Jewish or non-Jewish. Furthermore, Jewish marriages are legally recognized in Israel only if the officiant is an Orthodox rabbi approved by the Chief Rabbinate and only if conducted by Orthodox interpretations of Jewish tradition.

As a result, hundreds of thousands of Israeli citizens are denied the right of marriage solely for religious reasons – these include:

- 1) Approximately 350,000 Israeli citizens (who gained citizenship under Law of Return) from the Former Soviet Union whose mother or grandmother is not halakhically Jewish;
- 2) All Conservative, Reform and Reconstructionist Jews-by-Choice who are eligible to obtain Israeli citizenship under the Law of Return but are, nevertheless, not recognized as Jews by the Chief Rabbinate and, therefore, cannot marry;
- 3) Any couple in which the bride is a divorcee and the groom's name is derived from the traditional priestly caste (e. Cohen, Katz;, Kaplan, Azoulay, etc.);
- 4) Individuals who have been declared mamzerim (illegitimate by a Religious court, such as children born from a second relationship after the first marriage was not terminated by a halachic get (writ of divorce);

As a consequence, every year, thousands of Israeli couples who wish to have the status of being legally married, choose to leave Israel to marry civilly.

Moreover, there is a dramatic rise in couples cohabiting without marriage, whether because the Rabbinate will not marry them or because the couples are unwilling to subject themselves to Orthodox, non-egalitarian strictures.

Finally, the failure of Israel to provide for civil marriage and to recognize Jewish marriages under the auspices of rabbis from the other streams of Judaism has alienated many Diaspora Jews to the State of Israel precisely at the time when all Jews everywhere must unite in supporting the State of Israel against efforts to undermine its existence militarily and economically and to question its character as a democratic state.

Therefore, be it resolved that we, the Board of Rabbis of Southern California, committed to the spirit of respect for democratic values and civil liberties articulated in Israel's own Declaration of Independence and in many of its laws, urge the government of the State of Israel to take immediate measures to create a mechanism for civil marriage in Israel and to recognize Jewish marriages within Israel by rabbis of all streams of Judaism. These measures will not only deepen respect for Jewish religious diversity and enhance the principles of democracy in Israel; they will also strengthen the ties between Israel and world Jewry.