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## Rabbis for Religious Freedom & Equality in Israel



“The State of Israel... will guarantee freedom of religion and conscience...”  
Israel's Declaration of Independence (May 1948)

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### Editorial

February 15, 2016

Dear Friends

A few years ago a friend from the congregation called to say that Israel had become a regular topic in her home since her daughter's birthright trip, and the experience reenergized her intermarried family's Judaism. I told her how delighted I was, and then asked, "You know I speak about Israel regularly from the pulpit. Why the change now?" She said, "Oh, Mark, as soon as I hear the word Israel I stop listening."

Personal experience touched their souls and drew them closer to amcha. But what happens when our people discover that they cannot marry in Israel, that funerals may be difficult to arrange depending on personal status, that weddings must be by Orthodox rabbis if they are

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## Supreme Court's ruling on allowing non-Orthodox converts to freely use mikva'ot in Israel

### MK Rabbi Moshe Gafni's reaction

***"The Supreme Court declared war on the Torah. It will not cease and will not rest until it destroys and decimates Judaism in the country such that, God forbid, nothing will be left. We will put up a battle and fight against it."***



This is just another example of the reality that for the Haredi politicians who play such a prominent role in the government coalition, basic democratic principles such as the rule of law and equality mean nothing. Their perception is that a civil judiciary symbolized by the Supreme Court is an anathema, which should be squashed and castrated. Their demonization of the Court, as if its intention is to undermine Judaism and erode Torah, tells more about their true intentions to maintain their hold on Jewish practice and safeguard their privileges in the State of Israel than the intentions of the Court, which they disparage.

even possible, or that a couple would need to live together outside the law or travel abroad to get married?

The much acclaimed recent success of the efforts of Women of the Wall after 25 years is a symbolic victory demonstrating the opinion of the vast majority of Israelis: Jews should be able to practice Judaism however they want and receive basic civil rights, like marrying as they choose. The Chief Rabbinate ought not control private lives.

We are witnessing Israelis who are fed up with the status quo and circumventing the rabbanut, even as the Chief Rabbinate further attempts to tighten controls. Once the new egalitarian section is established at the kotel, women will not longer be permitted to wear tallit and tefillin at the women's section of the Kotel. It's reported that there are new efforts to arbitrarily investigate individuals' halakhic status, even when they are not seeking a wedding or another life cycle event. An ordinary Israeli citizen may now simply be called and asked to appear before a rabbinic court to authenticate their Jewish lineage; and if they refuse, it may affect their personal status in the

## Rabbi Uri Regev's analysis of the ruling

This unanimous ruling of the Supreme Court is an additional link in a chain of rulings over the years that uphold the principles of religious freedom & equality. Its importance is obvious and it includes a number of statements that are both relevant to the matter at hand, but also of general value for future litigation over matters of religious freedom and equality.



On the other hand, a close look at the ruling reveals a number of elements of a mixed nature, which we need to be aware of, as they too will weigh on future litigation involving the clash of religion and state. The media coverage has not necessarily picked up on these, given its natural tendency to point out the precedent setting pronouncements contained in the ruling.

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## Hiddush poll for Valentine's Day

**71% of the Israeli Jewish public: The Chief Rabbinate's and rabbinical courts' monopoly over marriage and divorce distances Jews from Judaism.**

*84% of the Jewish public in Israel believes that every Israeli citizen should have "the right to found a family in Israel with whomever they want, in whatever manner they want, and according to their beliefs." All successive Israeli governments have denied the public the basic rights to freedom of marriage and family. It's time for love and civil liberties to prevail, and for Israeli politicians to heed the public will.*

Not only is the denial of the freedom to marry antithetical to core democratic principles, but it also undermines Jewish interests. **71% of the Israeli Jewish public, including 59% of the Orthodox Jewish Home party's voters, maintain that the Chief Rabbinate's and the rabbinical courts' monopoly over marriage and divorce distances Jews from Judaism.** Only 29% believe it brings Jews closer to their Jewish heritage.

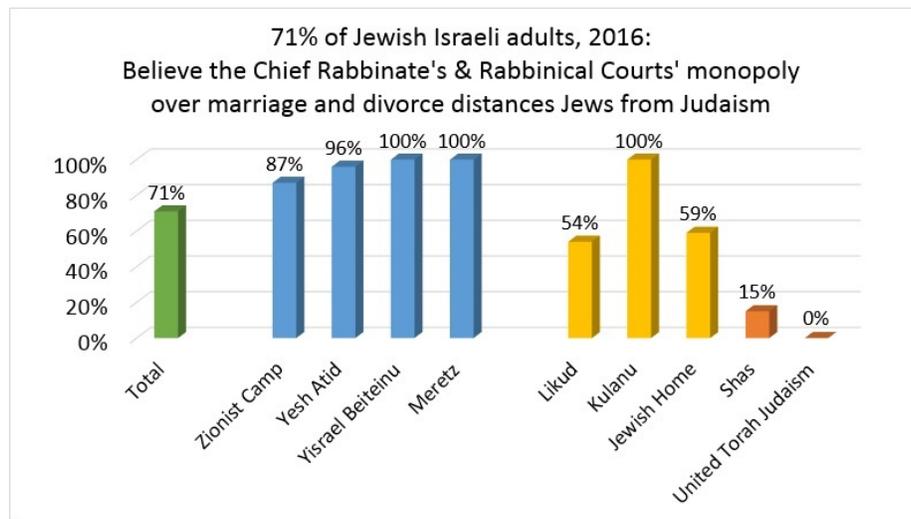
future, as the Rabbanut keeps files on individuals.

When the Hatam Sofer wrote "Hehadash asur min ha-Torah," no one thought it would become the governing principle for a Jewish state. But here we are.

Much has been written in recent weeks about the inclusion of Diaspora leaders in Israeli decision making. Ken yirbu! If Birthright Jews and the vast majority of Israelis and world Jewry are to renew Judaism for a modern world, it won't be in the Haredi mode. It will be diverse. Israel cannot fulfill her role as the truly Jewish State with the Rabbanut in control. The vast majority of world Jewry believe our cause is just and right, and want to see change.

From the 70s through the 90s, when I brought congregants to Israel, we prayed together in the Kotel Plaza, and people thrilled at the experience. It touched their hearts and souls. Women of the Wall and the others at the table have succeeded in giving us an opportunity for enhanced spirituality. The great question that confronts liberal Judaism is: will we make it real?

In future weeks, look for our program to effect that



In this Hiddush special Valentine's Day poll, held shortly after the Western Wall agreement was signed, 61% of the Israeli Jewish public, nearly two-thirds, expressed support for official State recognition of Reform and Conservative marriages. Only 33% support the current Orthodox rabbinic monopoly over marriage of all Jews in Israel, while 67% want the State to recognize alternatives to the Orthodox monopoly.

Israel prides itself for being an advanced Western democracy, but in regard to the basic human right to marry the person you love, it is closer to those states governed by Sharia law. It is the only Western democracy in the world that denies its citizens marriage freedom. **More than 600,000 citizens are unable to marry in Israel at all, and millions more can only get legally married or divorced in religious ceremonies that are contrary to their religious/secular outlooks and lifestyles.** Rather than strengthening Judaism in the Jewish state, the Chief Rabbinate's monopoly and the unholy alliance of religion and politics only serve to distance Jews from Judaism.

The survey once again highlights the tremendous divide between the public's desire for marriage and divorce freedom, and the political system, which ignores the public's will, empowering and perpetuating the Rabbinate's monopoly over these matters. There's no doubt that **the Rabbinate and the rabbinical courts are the greatest enemies of Judaism in our time. However, all successive Israeli governments are no less culpable for collaborating with the Rabbinate and the religious parties to deny the public its basic right to marriage and love.**

This public opinion survey was conducted by the Rafi Smith Polling Institute for Hiddush - Freedom of Religion in Israel ahead of Valentine's Day (the international holiday of love on February 14th). It was conducted by telephone on February 4th, among 500 adult

change. Let us hear your comments, as we move forward together.

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Kol tuv,

Mark

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## Contact us

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Israelis, a representative sample of the adult Jewish population. This survey was conducted with generous support from IREP - the Israel Religious Expression Platform.

## Additional poll highlights:

**91% of secular Israeli Jews and 81% of immigrants from the former Soviet Union feel that the Rabbinate's and the rabbinical courts' control over marriage and divorce in Israel alienates Jews from Judaism.** On the other hand, 100% of ultra-Orthodox respondents said that the Rabbinate's monopoly brings Jews closer to their Jewish heritage. Among those who believe the monopoly on marriage and divorce distances Jews from Judaism are: **100% of Kulanu, Yisrael Beiteinu and Meretz voters, 96% of Yesh Atid voters, and 87% of voters for the Zionist Camp.** 54% of Likud voters and 59% of Jewish Home voters also agree that Jews are distanced from Judaism by the Chief Rabbinate's control over these basic human rights.

84% of the Israeli Jewish public believes that every resident of Israel should have “the right to start a family in Israel with whomever they wish, in whatever way they prefer, and in whatever manner best suits their beliefs.” Only 16% oppose this. Among those who identify as left-leaning, 100% support the right to choose how one establishes a family. Among those who identify as centrists, 90% support this basic right, as do 70% of right-leaning voters. 93% of secular Israeli Jews support the right to establish a family with one's partner of choice in a way that befits one's beliefs, as do 75% of ultra-Orthodox Jews. The lowest level of support for this human right came from the Zionist Orthodox community - only 61%.

**It's is quite possible that respondents from the ultra-Orthodox and Zionist Orthodox communities interpreted “family” only in relation to Jews, and only in relation to heterosexual marriage.**

Should the language of the law be sharpened to allow for religious intermarriage and same-sex marriage, this might well lower the support among the Israeli Jewish population from 84% to something like 70%, which is the general level of support for marriage freedom in Israel.

67% of the Jewish public in Israel, two-thirds, support the State of Israel allowing young couples to choose alternative wedding ceremonies outside of the Rabbinate. 60% support recognition of civil, Reform and Conservative marriages, in addition to marriages conducted by the Chief Rabbinate.

*1% support only recognizing marriages performed by the*

*liberal religious streams (i.e., support for recognition of Reform and Conservative marriages stands at 61%). 6% support only recognizing civil marriages (i.e. a total of 66% support)*

**Only 33% of the Jewish public support perpetuating the existing legal framework for marriage and divorce**, in which the State of Israel only recognizes marriages conducted under the auspices of the Chief Rabbinate. Among secular Jews, 92% support the creation of marriage alternatives outside of the Rabbinate, as do 88% of immigrants from the former Soviet Union, but 90% of ultra-Orthodox Jews oppose this proposal. 21% of those who identify as “religious” support State recognition of Reform, Conservative and civil marriages.

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Rabbis for Religious Freedom and Equality in Israel represents a broad spectrum of Jewish belief and practice, and champions the values of religious freedom and equality fundamental to World Jewry, in partnership with Hiddush for the realization of these principles in Israel and the Diaspora.

Rabbis for Religious Freedom and Equality in Israel

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