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Reform Movement prayer service at the Western Wall. (Photo: AP)

What's behind the curtain in the Kotel deal?

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What Mr. Sharansky and other advocates of the deal neglect to mention are the trade-offs for this deal and its profound consequences for human rights.

Natan Sharansky wrote movingly last week about the deal the government recently announced to expand egalitarian options already available at Robinson's Arch and give the Reform and Masorti movements official recognition and state funding there, speaking of it as a compromise that would bring peace and unity and do good for Israel and the Jewish people.

If only this were the case.

What Mr. Sharansky and other advocates of the deal neglect to mention are the trade-offs for this deal and its profound consequences for human rights, civil liberties and freedom of conscience in Israel.

This deal would take the national holy site of the Jewish people – the Kotel – and make it formally and officially a haredi synagogue.

Legally, the Kotel is now a national holy site. It is not a synagogue. This status is what has made it possible for women such as myself to press the right of Jewish women, of any and all denominations and no such labels, for full religious expression there, equal to that available to Jewish men since 1967 – rights which the Supreme Court has recognized as legal and a district court has recognized as in accord with the custom of the place.

In exchange for imposing denominational control of Robinson's Arch, the deal would impose official haredi control of the Kotel, making it a preserve from which haredim could legally eject anybody – including the modern Orthodox – whose practices, dress, prayer books, and who knows what else, they find and will find objectionable.

They have already announced that Jewish women's group prayer would be barred there. A

woman who wishes to pray at the Kotel would have to adopt haredi practice: be silent, atomized; barred from donning tallit or tefillin or reading from a Torah scroll – the same restrictions imposed on all Jews until 1967. To do any of these things, she would be banished to Robinson's Arch. If she is Orthodox and does not pray in mixed groups, she would have to reserve walls in advance and construct a pen around herself – one mehitsa (partition) would not suffice. And she would be forced to go to a place with no meaning for her. Coercion, in short.

It is understandable perhaps that this aspect of the deal would not be trumpeted, but the rest of us need to be clear about its ramifications. This deal would vastly empower the same haredi rabbinical establishment which victimizes Israelis every day of the week in marriage, divorce, conversion, and maintenance of highly politicized blacklists of allegedly adulterous women (so charged by husbands in the midst of contentious divorces) and alleged mamzerim, and which is engaged in an unceasing push to expand its reach into our lives. To cite but a few examples: New regulations instruct rabbis to do a “berur yahadut” – a verification of Jewishness – of any couple which married abroad and is seeking to divorce. Men who wish to marry will be required to prove they are not kohanim. Someone whose mother but not whose father was Jewish will need special permission to marry. Inquisition, anyone? Think things were bad enough with intrusion of this rabbinate into your life? Wait.

All of us know full well what the Kotel is.

Disingenuous assertions and mind games with made-up names – “the northern Western Wall” – or calling Robinson's Arch “the Kotel” – deceiving those who do not know the difference – do not alter 2,000 years of Jewish history and Jewish memory.

It is this – the devotion, the hopes, the hurts, the prayers, the yearning of Jews, which have sanctified the Kotel and made it what it is. Robinson's Arch has none of these associations. Perhaps in time, even with no embellishments, since Jews can go there now for egalitarian prayer, it will attain some sanctity, some meaning. But the truth about this deal is clear from the inability to “flip” it: if it's really the same thing – after all, we all know that Robinson's is an extension of the retaining wall of the Second Temple, of which the Kotel is a part – if it's truly equal and not back of the bus – why not a time-sharing deal, with the haredim going to Robinson's half the time? Unimaginable? Why? Why is it unimaginable that the haredi establishment would compromise? Why is that intransigence being enshrined in policy – and lauded like some kind of achievement? Where indeed, is the haredi compromise in all this? Is it that they would have to tolerate recognized space for Jews different than themselves? Don't all of us who are not haredi do that every day of the week? Mr. Sharansky speaks of those who are party to this deal. He knows, as does Avichai Mandelblit, that there was a very relevant party not invited to the negotiations.

They know, because our existence and actions are what prompted the discussions about the deal, in process for years, suddenly to be propelled to conclusion. I and a group of others who are founders and core activists of Women of the Wall filed suit in the Supreme Court this past November to enforce the right of Jewish women to read Torah at the Kotel. Our suit, brought by Susan Weiss of the Center for Women's Justice, is strong, as attested by the speed with which the negotiations were concluded.

Anyone who claims she has spoken or speaks in the name of Jewish women in ceding our place

at the Kotel does not. And all involved in these negotiations knew and know that.

Like Natan Sharansky, a hero to us all, I remember very clearly when we got the Kotel back. I had been to Israel for the first time in 1966 and remember circling the barbed wire of no-man's-land, hoping for a glimpse of the Kotel (obviously, I had no idea about the Old City, but how could I?). I met relatives and survivors of my mother's town for the first time, people who became terribly precious to me.

A year later, all that was threatened with destruction. And then, miraculously, we were not destroyed. Not only that, but we got Jerusalem back; no one would ever be able to deny a Jew access to the Kotel again. So I thought. Normally a very dutiful student, I kept the wires of a transistor radio threaded up my sleeve so I could track news of the war. When I heard the announcement about Jerusalem, I tore out of my classroom to call my sister, meeting an Israeli teacher on the way and shouting to her: kavashnu et yerushalayim! (We've taken Jerusalem!) Later, at an assembly, that teacher spoke of Jewish solidarity and noted that a student had not said, kavshu (They (the IDF) took...), but kavashnu (We took...).

There is unity, and there is domination.

Domination can achieve unity of a kind, about the nature of which I need not lecture Mr. Sharansky. He also knows what integrity and commitment to principle are.

Our suits to enforce all the hard-won rights of Jewish women at the Kotel proceed.

We will not be moved from there.

The author is a founder of Women of the Wall and a plaintiff in a lawsuit before the Supreme Court to enforce the right of Jewish women to read Torah at the Kotel. She is a Jewish historian and award-winning author and lives in Jerusalem.



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