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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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### Introduction

October 27, 2016  
25 Tishrei 5777

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Friends,

I hope the holy days went well for you, and you feel renewed, or at least not exhausted.

We've been sending our Rabbis for Religious Freedom and Equality in Israel (RRFEI) newsletter weekly for many months, and have decided to make a slight change. Beginning with this edition we will alternate weeks with the Hiddush newsletter. You'll be receiving information weekly, but from two sources. Also, please do take a look periodically at our websites:

[www.rrfei.org](http://www.rrfei.org), [Hiddush.org](http://Hiddush.org); as well as the [Facebook page for both Hiddush](#) and the [Facebook group for Rabbis for Religious Freedom and Equality in Israel](#). All past newsletter

### Common-Law Marriage in Israel

Tzvi Szajnbrum, Attorney at Law

[Click HERE for the full article](#)

#### ***“A man and a woman living life together in a common household”***

Our society is dynamic and constantly in flux. Because of this common-law marriage has become a part of our lives.

In this article I will attempt to explain how a couple is defined as common-law and what rights each one will have in case of separation or death.

Unlike other aspects of family law, this specific subject is the fruit of many legal judgments, resolutions and per curium opinion. **There is no actual law defining who is considered a common-law partner and their respective rights.**

The legal definition of common-law marriage is that the “common-law partner is the same as a spouse”. This is the core of the problem, as the law has not defined what a “common-law partner” is. To understand this, one must understand that the Hebrew definition is “yedua b'tzibur c'ishto” (therefore we have to define who is a “yedua”, who is “tzibur” and then who is “ishto”).

articles are available on our website.

In particular, look on the Hiddush FB page for the [articles from Ushpezin](#). The original perspectives are not only helpful, but good sermon material!

We've been reporting on the Israel's rise in marriage outside of the official rabbinate. You've seen articles about Haredi rabbis officiating at interfaith marriages in exchange for high fees for those who have been prevented from converting to Judaism by the official conversion courts. You've seen articles about Reform and Conservative wedding ceremonies. Take a look at our colleague, Yoni Regev's, [Rosh HaShanah sermon](#) in which he discusses his sister's 3 weddings to the same man.

In addition, Israel's rate of living together without marriage is rising rapidly. In today's edition you will find an explanation of common-law-marriage in Israel, which makes it easier to enjoy the legal benefits of marriage without registering a marriage with Israel's religious authorities. Clearly Israelis are largely fed up with the hijinks of the official Rabbinate and find their own solutions.

In addition, you'll see more on the emerging story of

It is possible that a married person, who also has a common-law partner (as will be defined in the following paragraphs), will be obligated to give the common-law partner some rights even though he is married.

Click [HERE](#) for more on:

*Basic Conditions (without them there will be no recognition of Common-Law Marriage)*

*Main Definitions of a Common-Law Marriage*

*Social laws and National Insurance*

*The Right of Alimony*

*Children's Rights*

*The Right of Property  
(when there is no pre-agreement between them)*

*Other Rights*

*Miscellaneous*

*Conclusions and Recommendations*

## Opinion // Counting Slices of Bread

Nehemia Shtrasler, *Haaretz*, Oct. 18, 2016

[Click HERE for the full article](#)

### ***Why do those brave enough to leave the ultra-Orthodox world find themselves abused by the state?***

What can one say about someone who sees gold bullion on the ground and doesn't even bother bending down to pick it up? That's exactly the story involving a number of ultra-Orthodox Israeli Jews who leave their lives of strict religious observance – “hozrim b'sh'ela” as they are known in Hebrew – or as I would prefer to call them, people opting for freedom.

About 1,200 young people from the ultra-Orthodox community leave the community every year for various reasons. Some are married, some divorced and some single. They are generally outstanding people who want to start new, independent lives, want to acquire knowledge, to work, to serve in the army, who are characterized by their uncommon courage.

the plight of those who choose to leave the Haredi world and deal with their struggles to live with modernity and today's Israel without a modern education or a government structure willing to help.

May Cheshvan treat you well, and your days become simpler than they have been,

Kol tuv,

Mark

Rabbi Mark H. Levin  
RRFEI Editor in Chief

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I recently met with several of them. Their stories are shocking, particularly the women. They have experienced horrible marriages and abuse on their husbands' part. They have been shunned by their families and ignored by the police; have obtained court orders that were never enforced; have been totally cut off from their children, facing daily denunciation, humiliation and contempt from the ultra-Orthodox community, only over their desire to leave the community.

Now they are alone. One of the women has six children, but her family will not let her see them despite court orders. Another woman has managed to hold onto her son, but has been struggling daily to put food on the table and provide him with an education. She told me that every morning she counts how many slices of bread she has. Her mother, who refuses to talk to her, has said: "Better that she had died. Then at least she would have stopped sinning."

I am not claiming here that this conduct is typical of the ultra-Orthodox community, but it is widespread, particularly in the extremist, so-called Lithuanian, Ashkenazi ultra-Orthodox community.

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## Resources

- [Vision of Hiddush and Rabbis for Religious Freedom](#)
- [Hiddush resources](#)
- [Courts - religious & secular](#)
- [Conversion](#)
- [Death & burial - ancient & now](#)
- [Diaspora-Israel](#)
- [Diversity & inclusivity among Jews](#)
- [Diversity & inclusivity in relations with non-Jews](#)
- [Economic opportunity](#)
- [Education](#)
- [Gender](#)
- [Kashrut](#)
- [Marriage & divorce](#)
- [Mikvaot](#)

## Posters in Mea Shearim ask women to avoid main street

Yael Freidson, *Ynet*, Oct. 15, 2016

[Click HERE for the original article](#)

***After the High Court of Justice banned the use of partitions on public streets of the ultra-Orthodox Jerusalem neighborhood, pashkevils were posted telling women to not walk its main street during the upcoming days of the Sukkot holiday.***

Following a High Court of Justice (HCJ) decision to prohibit the use of partitions on public streets, thus not allowing a separation of male and female pedestrians on the sidewalks of Mea Shearim, Pashkevils (posters hung in public places in ultra-Orthodox Jewish neighborhoods) announcing that women must not walk on the main street of the ultra-Orthodox Jerusalem neighborhood during the intermediate days of the Sukkot holiday were hung up.

- [Shabbat transportation for poor & inform](#)
- [Western Wall](#)
- [Women](#)

## Contact us

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Partitions were be placed on the street in the past, but the HCJ ruled against the practice six years ago, putting an end to it. The HCJ also prohibited placing "modesty ushers" in the area.

"And a special request to the women – residents of the area as well as passersby – try to minimize as much as possible crossings of the main street of Mea Shearim in Chol Hamoed night times, and only go through side streets, and in general minimize visits in the (Mea Shearim) neighborhood in those hours," one of the posters said.

Following the pashkevil's hanging, the Hiddush organization, which advocates separation of religion from state, sent an inquiry to the Jerusalem municipality's legal council, as well as to the one of the deputies of the attorney general. "It cannot be that in the main street of a city, even in an ultra-Orthodox neighborhood, women will find themselves outcast from the public square," said Hiddush CEO Rabbi Uri Regev.

The Jerusalem municipality responded to this story, stating that the inquiry reached its offices shortly before the start of the Yom Kippur holiday, and that, "It will be taken care of by the city's enforcement and policing department, in accordance with the law."

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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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