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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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March 16, 2017
18 Adar 5777

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Dear Friends,

Might there be progress in resolving elements of the *agunah* issue in Israel? Might the government put its weight behind a *halakhic* solution that will benefit Israeli couples, women, and world Jewry? Might Israel be moving toward modernist solutions to practice issues in Jewish life that are acceptable to the majority of world Jewry? Only time will tell, but two articles in this week's newsletter, one in English and one in Hebrew, indicate what many might feel is surprising support from Israel's Justice Minister, Ayelet Shaked.

The new initiative is not entirely new. Remember the 1953 Lieberman clause to the Conservative ketubah, passed by the RA, to wit:

In effort against 'chained' wives, justice minister urges prenups

The Times of Israel, March 9, 2017

[Click HERE for the full article](#)

Ayelet Shaked touts new agreement, developed by Tzohar rabbis group, based on 'Jewish ideals of love, equality and human goodness'

Justice Minister Ayelet Shaked on Thursday called on Israeli Jewish couples getting married to sign prenuptial agreements to ensure that husbands will not withhold a get, or Jewish writ of divorce, from their wives.

At an event with leaders of Tzohar, a relatively liberal group of Zionist Orthodox rabbis, Shaked touted a prenup agreement developed by the organization together with legal experts, saying the document “is inspired by love between a husband and wife with the awareness that true love comes with the understanding that we cannot foresee potential problems ahead but we must do what is necessary to avoid them.

“The concept behind this initiative is based upon Jewish ideals of love, equality and human goodness. I call all couples to sign the agreement,” she added.

_____, the groom, and _____, the bride, further agreed that should either contemplate dissolution of the marriage, or following the dissolution of their marriage in the civil courts, each may summon the other to the Bet Din of the Rabbinical Assembly and the Jewish Theological Seminary, or its representative, and that each will abide by its instructions so that throughout life each will be able to live according to the laws of the Torah.

The Tzohar rabbis are proposing a financial move to make the party in the marriage who is being recalcitrant about the divorce to feel economically compelled to comply with the wishes of the spouse. Rabbi Stav admits it's not a perfect solution. But the fact that Minister Shaked spoke favorably regarding the move indicates support for a positive change in halakhah perhaps enabling the government to help resolve pressing social/religious issues.

Notice, also, the negative development of a rise in

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In Israel, where all divorces are subject to religious law, the norm has left thousands of women in legal limbo due to husbands who refuse to grant divorces. The phenomenon has received a lot of attention in recent years as rabbis try to battle husbands who are "get-refusers."

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"מרכז צדק לנשים" לזוגות המתחתנים: תיזהרו מההסכם של ארגון צהר

משה מאירסודורף, כיפה, June 23, 2016

[Click HERE for the full article](#)

ביקורת על 'הסכם מאהבה' של צהר טוענת שההסכם מחליש את האשה ולעיתים אף לא יעיל. הרב סתיו: "אנחנו לא עוסקים בפושעים אלא בזוגות נורמטיביים שהם 95% מהמקרים"

בשבועיים האחרונים עלה קמפיין של ארגון רבני צהר שנועד לקדם ולעודד בני זוג לחתום על הסכם קדם נישואין שנקרא 'הסכם מאהבה'. הקמפיין המלווה בסרטונים הומוריסטיים מציג את עו"ד יונה רוט- ויילר המרצה בפני תלמידיו, את ה'סכנות' שבהסכם לפרנסתם העתידית, ובכך, בהפוך על הפוך, מציג בעצם את היתרונות לבני הזוג: חיסכון של זמן, כסף ובעיקר ביטול נושא הגט כקלף מיקוח ועיכוב הנושאים במחלוקת.

עיקרו של ההסכם הוא קביעה של בני הזוג כי כל הליך הגירושין ייעשה באמצעות בורר מוסכם על בני הזוג או כזה שימונה על ידי 'צהר' או לשכת עו"ד. הבורר ילווה את הזוג במהלך התהליך, יכוון וידריך אותם כיצד לפעול ובכל מקרה שבו יתרשם שאחד מבני הזוג מעכב את התהליך או את נתינת הגט יוכל להורות לו לשלם חצי ממשכורתו לצד השני, כמנוף לזירוז התהליך.

ב"מרכז צדק לנשים" פרסמה היום חברת צוות הפעולה של המרכז, עו"ד ניצן כספי שילוני מאמר ביקורת על ההסכם ותקפה כמה נקודות עיקריות. היות ועיקר ההסכם הוא כלכלי ונועד לפגוע במי שמעכב את הגט בצורה כלכלית חמורה, טוענת עו"ד שילוני כי זה לא מספיק: "המשמעות היא שלמעשה הפקרנו את כל הנשים שהבעל שלהן עשיר ולכן לא אכפת לו להמשיך לסרב לגט ולשלם; את הנשים שהבעל שלהן פשוט יצפץ על ההתחייבות ולא ישלם ולא ייתן גט; את הנשים שהבעל שלהן נעלם או ירד למחתרת; וגם את הנשים שכן זוגן נכנס לתרדמת חס וחלילה או אינו יכול לתת גט מסיבות נפשיות או רפואיות".

...

government subsidies for Yeshiva students to unprecedented levels. All the advances achieved in the previous government have been more than erased, and even the extraordinary gains in employment among male Haredim over the last decade, reported here months ago, may be threatened.

What do we make of a Haredi Israeli Supreme Court justice who may not even support the supremacy of Israeli law over halakhah, and of a political system that rewards those who refuse to support either the military or Israel's civil laws? Our constituents should know and understand the growing distance between Israeli and American Jewry's visions of the goals of modern Jewish life and the practice of Judaism.

While Israel has achieved the 2,000 year hope for renewed Jewish sovereignty, the unresolved issues of Jewish governance require input from the democratically motivated segments of North American Jewry. לא עליך המלאכה לגמור ולא אתה בן חורין ליבטל ממנה

We look forward to hearing your opinion at: organizers@rrfei.org.

Why can't Israel's PM say 'God Bless Israel'?

Yaakov Katz, The Jerusalem Post, March 9, 2017

[Click HERE for the full article](#)

Politics need to be stripped of religion. When that happens, people will be able to enjoy the basic rights every democracy is meant to provide its citizens.

It all started on the evening of April 30, 1973. The Watergate scandal was at its peak and Richard Nixon decided to address the nation live from the Oval Office. Two top presidential aides, implicated in the scandal, had resigned and Nixon wanted to try to ease the American people's concerns and show that he was still in control.

At the end of his speech, Nixon said that earlier in the day, while still at his Camp David retreat, he had looked at his calendar and noticed that there were 1,361 days left to his term.

"Tonight, I ask for your prayers to help me in everything that I do throughout the days of my presidency," Nixon said. "God bless America and God bless each and every one of you."

...

Now think for a moment, when the last time was that you heard a speech by an Israeli prime minister that ended with "God bless you" or any blessing for that matter.

...

A Haredi Supreme Court judge - what does that really mean?

Uri Regev, The Jerusalem Post, March 7, 2017

[Click HERE for the full article](#)

There is therefore need for further thinking as to the prerequisites for serving in the state's judicial institutions in general, and the Supreme Court in particular.

As the new appointments for the Supreme Court were recently announced, Justice Minister Ayelet Shaked and others announced their desire to see a Haredi (ultra-Orthodox) justice appointed.

B'yedidut,
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They maintain that this is necessary for the Supreme Court to more fully represent the diversity of Israeli society and the multiple views therein. In the past, Minister Shaked was quoted as saying, "It's a disgrace that there is no Haredi justice."

...

Discriminating against Haredim as human beings or as Israeli citizens is totally unacceptable, but the question of appointing a Haredi justice to the Supreme Court raises additional questions that the minister and her colleagues refuse to address.

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