The Monopoly on Judaism in Israel: Limits to Achieving Jewish Pluralism

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The State of Israel was founded as a refuge for all Jews. Since the establishment of Israel in 1948, the nation has absorbed millions of Jewish immigrants from across the world. As part of Nelly Elias and Julia Lerner's on-going research on post-Soviet immigrant religiosity, the authors conducted thirty-eight in depth interviews with Russian immigrant youth ages twelve to eighteen. These young people all live in Israel yet are not considered to be Jewish according to *halakha* (Jewish law).[1] One of these interviewees, a twelve-year-old female who had lived in Israel for two years, told the researchers, "Once I read an interview with a very important religious person in Israel. He said that immigrants from Russia are not Jewish and that we should not be accepted. I try not to pay attention. But who gives him the right to determine who is a real Jew and who is not? [. . . .] I don't understand this. It bothers me very much and makes me feel like a guest."[2] At only the age of twelve this young Russian girl identifies feelings of alienation in Israel, feelings which are similarly felt by millions of other immigrants in Israel, stemming from the ruling by the Orthodox Rabbinical Agency that determine one's identity as a Jew. According to Orthodox Jewish law, for an individual to be considered a Jew, the mother of the child must be a Jew. This being said, "Israel's 'Law of Return' gives foreign-born Jews, or anyone with one Jewish parent, grandparent or spouse, the automatic right to claim Israeli citizenship."[3] Through this it becomes possible for an individual to not have a Jewish mother and become a citizen in Israel, the position which many Russian Jews who emigrated to Israel have found themselves. These individuals, in turn, have less rights to live as they wish within the country where they are citizens. Through this paper, I hope to grapple with the factors and

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[1] Nelly Elias and Julia Lerner, "Post-Soviet Immigrant Religiosity: Beyond the Israeli National Religion," in *The New Jewish Diaspora: Russian-Speaking Immigrants in the United States, Israel, and Germany*, ed. Zvi Gitelman (Ithaca, NY: Rutgers University Press, 2016): 221.
[2] Elias and Lerner, 221.
[3] Patrick Kingsley, "Israeli Court Says Converts to Non-Orthodox Judaism Can Claim Citizenship," *New York Times*, March 1, 2021, https://www.nytimes.com/2021/03/01/world/middleeast/israel-jewish-converts-citizenship.html.

institutions which have led Israel to this current situation, in which it lacks true religious pluralism and limits the ability of *all* individuals who identify as Jewish to be able to live as they hope in the land for all Jews.

Today, as a result of certain laws ushered in by what is called the "status-quo agreement," between the first prime minister, David Ben-Gurion, and the religious establishment, as well as political concessions made by politicians to gain ultra-Orthodox support, Orthodox Jews have effectively been able to impose their lifestyle on mainstream society. Although the ultra-Orthodox are Israeli citizens and deserve the ability to live how they want, many of Israel's laws force non-ultra-Orthodox individuals to indirectly live under laws tailored to Orthodox needs. The strictly Orthodox Chief Rabbinate and its rabbinical courts control certain institutions critical to Jewish life and personal status issues in Israel. Control over these institutions, such as conversion and marriage, functions to ostracize many Israelis who have embraced societal secular[4] developments and practice a non-Orthodox form of Judaism. Because of this, the ultra-Orthodox have essentially formed a monopoly on Judaism in Israel relating to aspects of personal identity. The Orthodox stronghold on institutions that regulate Judaism in Israel has effectively limited the pluralistic goals of the Israeli state, as expressed in the declaration of independence in 1948, which aspires for Israel to be a place where all Jews can have sovereignty over his or her Judaism. Further, by looking at the struggles and experiences of immigrants from the former Soviet Union to Israel, especially relating to the institutions of conversion and marriage, this lack of ability to feel autonomy over one's Jewish identity can be best identified. Thus, the ultra-Orthodox monopoly on Judaism in Israel must be broken down in order to

[4] Miriam-Webster Dictionary defines secular as, "Of or relating to the worldly or temporal; not overtly or specifically religious."

develop a more pluralistic nation where all Jews will feel respected and comfortable in the Jewish homeland of Israel.

This paper will be broken down into five main sections. The first will focus on the background surrounding how the social and political control over Judaism, which the Orthodox currently hold, came to be in Israel. Here, we look at the ramifications of the status-quo agreement. Following an overview of the early history, I will delve into the change in Israel's character away from the secular, socialist and universalistic tendencies of early Israel and explore how the religious character of Israel has come to be what it is today. I will then move into the specific institutions and personal status issues that ultra-Orthodox leaders and the Chief Rabbinate effectively control within Israel. I also discuss the military exemption granted to the Orthodox. I then break down the strictly Orthodox Chief Rabbinate's control over conversion—an institution that negatively harms many who have emigrated or hope to emigrate to Israel—and marriage, which harms all non-Orthodox in Israel and inherently limits the actualization of all Jews in Israel's ability to live as they desire within a Jewish nation. I will then explore how the experience of Jews who immigrated from the former Soviet Union serves as a uniquely effective illustration for the harmful impact that the ultra-Orthodox control over these specific institutions has on certain groups of the Israeli population. Finally, I contend that although change to the current system may take years, even decades, over time, the ultra-Orthodox monopoly on Judaism in Israel must erode and only then will the words of the Declaration of Independence finally be realized as all Jews will be able to live a Jewish life as they desire.

Compromise in Early Israel and the Status-Quo Agreement:

On May 14th, 1948, the Jewish People's Council, led by Israel's first Prime Minister David Ben-Gurion, approved the Declaration of Independence establishing the state of Israel. In doing this, Ben-Gurion hoped to solve the historical problem of anti-Semitism by "re-establishing in Eretz-Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully privileged member of the comity of nations."[5] The goal of the creation of Israel was to develop a country where all Jews, regardless of how one practices his or her Judaism, would be able to "be masters of their own fate, like all other nations, in their own sovereign State."[6] To fully create a state where all individuals have autonomy over their lives was an ideal that many of Israel's early leaders held for the state. Yet, before this could be achieved, Ben-Gurion and other leaders had to ensure that the immigrants flocking to Israel from around the world, who represented a diversity of identities and religious beliefs, would be able to develop a common perception of nationhood within the newly established Israeli State.

Israel's leaders understood that Judaism could operate as a unifying force, yet not all Jews understood their Judaism in the same way. The main aspect which differentiates various members of the Jewish community is how strictly one follows God's commandments and the Torah. In "Varieties of Religious Identification," David Greenberg and Eliezer Witztum break down the various sects of Judaism present in contemporary Israeli society. The authors note that "Religious orthodoxy in Judaism is measured by two yardsticks: the extent to which adherents view traditional religious laws and practices as God-given and holy, unchangeable and inherent,

[5] "Declaration of Independence," *M.knesset.gov.il*, https://m.knesset.gov.il/en/about/pages/ declaration.aspx, 2.
[6] "Declaration of Independence," 3.

and the degree of their immersion in the values and activities of the nonreligious world."[7] These two elements result in a spectrum of Jewish practices within Israel. This spans from secular Jews who "consider themselves Jewish by birth alone [and] assign no religious significance to their Jewishness" all the way to ultra-Orthodox Haredim who strictly follow the Torah and "hold its values as rigid and unchangeable."[8] When the country began, most Jews who arrived in Israel to work the land and live in socialist kibbutzim were secular Jews. Simultaneously there were a small number of Orthodox Jews from Eastern Europe who were significantly more religious than the masses immigrating to Israel and the early leaders of the state. Thus, Israel's early leaders, led by David Ben-Gurion, were tasked with finding some way to unify a diversity of religious observance to ensure that both the secular Jews and Orthodox were able to find autonomy and success within the state meant for *all* Jews.[9]

Those who chose to continue this isolationist approach to society, known today as ultra-Orthodox (Haredim in Hebrew), worked to retain a Judaism of the past, one minimally affected by the tides of modernity and its social, political, and cultural changes. In "The Hasidic Ethos and the Schisms of Jewish Society," Naftali Loewenthal explains that "[d]uring the nineteenth century, the Enlightenment and Reformist movements provoked strong traditionalist reactions

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[7] David Greenberg and Eliezer Witztum, "5 Varieties of Religious Identification," in *Sanity and Sanctity: Mental Health Work Among the Ultra-Orthodox in Jerusalem* (New Haven: Yale University Press, 2001), 22.
[8] Greenberg and Witztum, 22.
[9] In 70 CE, Jews were forced from Palestine and out into various parts of the world. As a result of this, many were forced to grapple with conflicts between their Jewish identity and the local national identity. Different groups of Jews chose different ways to be Jewish when in the diaspora. Although some Jews chose to assimilate into the local culture, other Jews chose to retain their Jewish identity by taking a so-called isolationist approach to society, fencing themselves off from society by living in shtetls and tightly knit Jewish communities. As there exists different levels of observance in all religions, Judaism has four main groups that individuals identify with on the basis of how strictly one feels the need to observe the 613 mitzvot, or laws, as expressed within the Torah. Ranging from least strict to most strict, the four main groups are Reform (commonly known as liberal Judaism in Israel), Conservative (known as Masorti in Israel), modern-Orthodox (national-religious in Israel), and ultra-Orthodox (Haredim in Israel). Today in Israel national-religious and Haredim vastly outnumber the Reform and Conservative movements. Still, there exists a diversity of beliefs and practices within these groups, these umbrella terms allow for an individual to identify with a general set of ideas from which to then practice or believe how they want.

which eventually led to the contemporary ultra-Orthodox enclave. The Haredi Jew consciously seeks to live in a separate society with an invisible wall protecting the holiness within and keeping at bay the profane world outside."[10] Not only did the ultra-Orthodox retain their identities through a strict observance of Jewish law, but the community extended certain Jewish customs and laws to more stringent observances to ensure the upkeep of Jewish law and general way of life. As Lowenthal puts it, "The preservationist, traditionalist, and general exclusivist stance of the Haredim was expressed and reinforced precisely by preserving and even extending the observance of halakhic details."[11] While this form of Jewish practice was effective in retaining Judaism within the diaspora during the Middle Ages and into the late nineteenth century, societal shifts beginning in the twentieth century ushered in a wave of secular tendencies which effectively pushed religion into a separate sphere, especially in America where religion has become largely privatized. This shift, according to Lowenthal, "openly threatened the survival of traditional Judaism, with its ancient store of subtle knowledge, its spirituality, and its ideals. The result was the erection of invisible ghetto walls in order to keep out the 'transgressors,' their books, and their profanity."[12] Faced with a societal shift which valued secularism and the privatization of religious belief, the Orthodox community chose to close themselves off from mainstream society.

On the other hand, secularism had a drastically different effect on non-Orthodox Jews, especially those outside of Israel, as many became more comfortable with the private practice of their faith. This general societal shift towards secularism, combined with their willingness to privatize their religious beliefs and practices, allowed for a significant number of Jews to be

[10] Naftali Loewenthal, "The Hasidic Ethos and the Schisms of Jewish Society," *Jewish History* 27, no. 2/4 (2013): 377, http://www.jstor.org/stable/24709802.
[11] Lowenthal, 378.
[12] Lowenthal, 397.

more comfortable with identifying as both a Jew and a member of their respective nation. As members of the new nation of Israel, these Jews who embraced secularism were bound to present a contrast to the more traditionalist ultra-Orthodox. Ben-Gurion was thus forced to strike a balance between the various forms of Jewish observance since, on the one hand, Israel had a high number of secular Jews living both in cities and in community-centered Kibbutzim, and, on the other hand, there was a group of ultra-Orthodox Jews who feared that life in a nation-state such as Israel, even if it was a "Jewish State", would limit their ability to retain their form of strict Jewish observance. Ultimately, when Israel was founded in 1948, the secular-leaning government had to compromise with ultra-Orthodox.

The task of creating a unified nation from millions of immigrants brought the spectrum of Jewish beliefs and practices to the forefront of Israeli policy as leaders worked to mitigate potential divisions based on Judaism. Consequently, "Ben-Gurion's vision of the state gradually became pluralistic in terms of ideology and pragmatic in terms of policy…[thus], at the beginning of 1951, Ben-Gurion stated that Israel must adopt a regime of compromise."[13] Although Ben-Gurion himself lived a rather secular life, he still accepted Judaism "as a social and political focus... and he was well aware of the centrality of religion and religious symbols in the lives of many of the citizens."[14] Because of this, Israel's early leaders made a conscious effort to position Judaism as a force of common identity. Still, compromise would prove necessary to define exactly what form of Judaism would function as an effective unifying force.

As Israel has developed as a nation since its creation, so has the relationship between different denominations of Judaism in Israel. David Ben-Gurion pragmatically attempted to

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[13] Nathan Yanai, "Ben-Gurion's Concept of 'Mamlahtiut' and the Forming Reality of the State of Israel," *Jewish Political Studies Review* 1, no. 1/2 (Spring 1989): 171, https://www.jstor.org/stable/25834150.
[14] Nir Kedar, "Ben-Gurion's View of the Place of Judaism in Israel," *Journal of Israeli History* 32, no. 2 (2013): https://doi.org/10.1080/13531042.2013.822728, 165.

mend what he viewed as an inevitable divide between the Orthodox and secular Israelis to achieve his goal of having all Jews feel empowered and accepted in Israel. Nathan Yanai argues that "compromise was Ben-Gurion's principal guideline on the issue of religion. It derived in part from the same reasons as in the economic sphere and led to the concept of the status-quo."[15] The status-quo, "which refers to the status of (Orthodox) Judaism in Israel as a Jewish and democratic state, has its origins in the pre-state period and is symbolized by the arrangements agreed upon by Israel's first prime minister, David Ben-Gurion, and the leadership of the ultra-Orthodox sector."[16] As most European ultra-Orthodox communities were destroyed in the Nazi Holocaust, a few survivors arrived in the pre-state or (later) Israel, such as the great Abraham Isaac Kook (Rav Kook), creating the need to allow the small number of them to recreate their Ultra-Orthodox way of life in Israel.[17] During the process of developing this agreement, "the scope and content of this condition was actually decided, despite its name, through a gradual bargaining process marred by conflict and crisis."[18] To achieve the compromise Ben-Gurion understood that he needed to show strictly Orthodox leaders that he and the state of Israel were committed to respecting their way of life. Because of this, as Nathan Yanai explains:

> Ben-Gurion was prepared to respond, though not in full and not always without crisis, to the ultimate integrative needs of the religious sector of the Israeli population: kosher kitchens in the army, which prevented the need to form two institutionalized sectors in the army; making Sabbath by law the official day of rest from work for the Jews (Sunday for Christians, Friday for Moslems) which prevented discrimination against religious workers; and the exemption of religious women and yeshiva students from military service.[19]

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[15] Yanai, "Ben-Gurion's Concept of 'Mamlahtiut," 171.
[16] Sylvie Fogiel-Bijaoui, "The Spousal Covenant (Brit Hazugiut), or the Covenant with the Status Quo," *Israel Studies Review* 28, no. 2 (2013): 213, http://www.jstor.org/stable/43771871.
[17] Nahshon Perez. "The Limits of Liberal Toleration: The Case of the Ultra-Orthodox in Israel," *Journal of Church and State* 56, no. 2 (2014): 228, http://www.jstor.org/stable/23922642.
[18] Yanai, "Ben-Gurion's Concept of 'Mamlahtiut," 171.
[19] Yanai, 172.

It was the secularist Ben-Gurion who, in his famous "status-quo letter," influenced and guaranteed the passage of laws favorable to the Orthodox religious community.[20]

Almost seventy-five years following the status-quo agreement, the ultra-Orthodox stronghold on institutions and protections granted through the agreement remain. According to Sylvie Fogiel- Bijaoui, a professor in Israel who holds a PhD in Political Sociology, today the status-quo agreement "impinges on people's liberties, allowing Israelis freedom *of* religion but not freedom *from* religion."[21] While an Israeli may be free to choose what kind of religion he or she practices, undeniably religion must still play a role in life as ultra-Orthodox institutions control important these aspects of personal life. Essentially, as Fogiel-Bijaoui argues, the status-quo "affirmed the inherent link between orthodox Judaism, citizenship, and nationhood in the Jewish state."[22] This has created a situation in Israel where, Eli Berman contends, the ultra-Orthodox attempt to "impose religious restrictions through secular law."[23] In this, they have also insisted on a strictly Orthodox definition of Jewishness in Israeli civil law. While one may expect this within a Jewish state, this aspect of control "constitutes an important and emotional issue in Israel and among Jews abroad since Israel's '*Law of Return*' grants any (recognized) Jew citizenship upon arrival."[24] The status-quo agreement between David Ben-Gurion and ultra-Orthodox leaders at the founding of the state appeared to be a moment of compromise between the seemingly secular, socialist focused state and the fearful religious leaders. This being said, overtime the state has changed and slowly developed a more religious- centric character.

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[20] Tsevi Tsameret and Moshe Tlamim, "Judaism in Israel: Ben-Gurion's Private Beliefs and Public Policy," *Israel Studies* 4, no. 2 (1999): 65, 72, https://doi.org/10.1353/is.1999.0016.
[21] Fogiel-Bijaoui, "The Spousal Covenant," 213.
[22] Fogiel-Bijaoui, 213.
[23] Eli Berman, "Sect, Subsidy, and Sacrifice: An Economist's View of Ultra-Orthodox Jews," *The Quarterly Journal of Economics* 115, no. 3 (2000): 912, http://www.jstor.org/stable/2586899.
[24] Berman, 912-913.

Religiosity in Israel- How it came to be:

In the years leading up to the founding of Israel, as well as when it was created in 1948, many who moved to Israel hoped to cultivate the land through labor and a socialist lifestyle on the kibbutz. Others came to the cities to establish lives based on European secular models favoring high education, the professions, industry, and the arts. As was true with Ben-Gurion himself, many of these individuals identified as more secular than religious.[25] These early pioneers in nation-building were not focused on manifesting God's covenant with the Jewish people by moving to Israel but to live in a safe-haven for Jews and build a new modern Jewish nation State. While ultra-Orthodox individuals who survived the Shoah did move to Israel as well, many early settlers such as Ben-Gurion did not prioritize their religion when moving to Israel. Because of this, the status-quo agreement which Ben-Gurion agreed upon with the Orthodox leaders in Israel was only being applied to a small portion of the small population, a group which has grown exponentially since the early days of the State.

It proves important to map out how the power of the religious grew to its present position in Israel. While the ultra-Orthodox remain a minority in Israel in relation to the majority of secular Jews, a variety of forces have served to increase their power. Here, we can begin with a description of the settler movement following the 1967 war as well as the emergence of the Mizrahi or Middle Eastern as opposed to the European or Ashkenazi communities in political power.

Suffice it to say that in the 1977 election and beyond Israel shifted from a society dedicated to the socialist and universal tendencies of the early Labor party, toward the capitalist and religious emphasis on Judaism in Israel seen today. This shift has proven essential as the

[25] Kedar, "Ben-Gurion's," 164-166.

most dominant political party in Israel— Likud— emphasized, and continues to campaign on, the need for a Jewish character to the State of Israel.

As a result of success in the Six-Day War in 1967, the young state of Israel expanded its territories after capturing land in all directions. While Israel would give back much of this land in peace treaties with Egypt, Jordan, and Palestinians following the Oslo accords, the government of Israel has kept control of certain parts of the West Bank as well as the holy city of Jerusalem. After securing this land, a wave of support began as individuals hoped to reestablish Israel's connection with Judaism by creating communities of Jewry within the West Bank. By settling in the West Bank these individuals essentially cut off pockets of the Palestinian land, marking it as Jewish territory. Many individuals put forth a religious motivation, rooted in biblical history, for choosing to settle in the West Bank: "The source of our right to Eretz-Israel, the moral basis of the Zionist movement and of the State of Israel, is the ancient link between the Jewish people and its country, a link that has not ceased for 4000 years. This link starts in the mountains of Samaria and Judea, and through all generations refers mainly to them."[26] This settler movement which began in 1967 only expanded, especially as right-leaning parties such as Likud emerged for the first time in the young nation's history. According to Joseph Algazy, "Under the Likud governments, the appetite for annexing all the West Bank (in addition to Gaza and the Golan) grew… In the official lexicon, the boundaries between the State of Israel and the occupied territories were blurred, the West Bank and the Gaza Strip became 'districts of Judea, Samaria, and Gaza in Eretz-Israel."[27] Similarly, upon securing control over all of Jerusalem, Judaism in Israel was further highlighted as Israel re-captured the Kotel- the Western Wall, which today is

[26] Joseph Algazy. "Israeli Settlement Policy in the West Bank and the Gaza Strip," *Arab Studies Quarterly*, vol. 7, no. 2/3, (1985): http://www.jstor.org/stable/41857769, 64.
[27] Algazy, 64.

"the most significant site in the world for the Jewish people."[28] The settler movement in the West Bank and the reemergence of the Kotel marked the beginning of a new era in Israel as the religious character of the nation became increasingly important and the socialist founding ideals of the state slowly drifted from the focus of the people. This trend towards a religious character of Israel only continued with the political emergence of the Mizrahi Jews in the late 1970's.

Overtime, as the generation of original leaders die off, new ideological identities take shape as individuals come to Israel with different motivations than those who moved there during the founding of the nation. The Mizrahi population represents a group of individuals who were largely drowned out by the overwhelmingly Ashkenazi character of Israel in 1948. Gelfman Schultz explains that "Mizrahi" is a "socio-political term describing Jews from Arab and/ or Muslim lands, including Jews from North Africa, the middle East and parts of the Caucasus."[29] As the Ashkenazim represented roughly 80% of Jews in 1948, the Mizrahi were labeled "Orientals" whose traditions and customs were Arab and thus deemed not proper by the European Ashkenazi.[30] By the early 1970's Mizrahi Jews represented almost half of Israel's population but had minimal participation in politics. In addition, most Mizrahi lived in poverty with little societal respect. Importantly, many of these Mizrahi Jews were religious and held traditional values, living an Orthodox lifestyle, and set of beliefs. Because of this, as Anis Mustafa Al-Qasem states, "Many Arab Jewish immigrants gave their support to Israeli right and religious movements rather than directing it to the parties of the left."[31] This motivated population helped boost Likud and place traditional religious values politics into the position of

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[28] "The Western Wall Heritage Foundation- News, Tours and Services." *The Western Wall, Jerusalem,* https://thekotel.org/en/.
[29] Rachael Gelfman-Schultz, "Mizrahi Jews in Israel," 1.
[30] Gelfman-Schultz, 2.
[31] Anis Mustafa Al-Qasem, "Arab Jews in Israel: The Struggle for Identity and Socio-Economic Justice." *Contemporary Arab Affairs*, vol. 8, no. 3, (2015): 331, https://www.jstor.org/stable/48600046.

Prime Minister through Menachem Begin in 1977, marking an important political turning point as the left-leaning Labor party was removed from leadership.[32]

While Sami Chetrit argues that Likud soon after lost the trust of Mizrahi resulting in the eventual formulation of the *Shas* party, a Sephardic ultra-Orthodox party which today even secular Mizrahi Jews support, the energy and religiosity that the Mizrahi community brought to Likud early-on was very important.[33] Combined with the energy and beliefs of those who comprise the settler movement, the religious Mizrahi community furthered the general shift in Israel towards religion and away from the largely secular-idealism of Ben-Gurion and the nation's founders. All the while the strictly Orthodox steadily grew in numbers over the years developing communities and institutions in Israel. Although their way of life and beliefs may have been doubted at the founding of the country, come the turn of the twenty-first century, religion— particularly an orthodox understanding of religion as supported by the Settlers, Mizrahim and right-wing governments— became increasingly prevalent in politics and society as can be seen through the Orthodox inclusion in ruling coalitions. Although many in Israel remain secular, this momentum of Orthodox religiosity essentially developed a shift towards a more empowered strictly Orthodox community in Israel. As was granted through the status-quo agreement, it would be the institution of the Chief Rabbinate and their Orthodox system of beliefs that would have jurisdiction over many aspects of Jewish life and decide what form of religion would dominate the Jewish state.

[32] Gelfman-Schultz, Rachael. "Mizrahi Jews in Israel," 4.
[33] Chetrit, Sami Shalom. "Mizrahi Politics in Israel: Between Integration and Alternative." *Journal of Palestine Studies*, vol. 29, no. 4, (2000): 57-58, https://doi.org/10.2307/2676561.

Ultra-Orthodox Political Power:

While Israel today represents a thriving economic hub in the Middle East, the strictly Orthodox focus on living an isolated, traditional lifestyle has remained a stable goal of the ultra-Orthodox community. This, combined with their desire to ensure a specific form and understanding of Judaism in Israel, make the community's ability to hold political power essential. Through the retention of political power within Israel's parliamentary system, ultra-Orthodox have proven largely successful in retaining the necessary power to ensure the control over entities granted to them by Ben-Gurion over seventy years ago through status-quo agreements. Regardless of the fact that ultra-Orthodox leaders and rabbis sometimes even reject the Zionist movement as a political and nationalist movement, the communities' leaders have still often been chosen to take a role as members of Israel's parliamentary coalition. Scholar Hadar Lipshits focuses on the relationship between ultra-Orthodox political power and money to highlight the process by which the ultra-Orthodox gained political power in the first place. Forty or so years ago, when the ultra-Orthodox community really began political involvement, the ultra-Orthodox were only able to elect a few representatives to the ruling coalition.[34] Yet, Lipshits explains, "The political power of the Haredi parties has increased since the major turning point in the election of 1977, ever since which they have been considered the tie-breaking factor."[35] The two primary political parties within Israel, the Labor party, and the Likud party, have both tended to get a similar number of votes during most elections. As Lipshits explains, however, "It seems that the main political power of the Haredi parties was reflected in their position as 'tiebreaker'. Ever since Israel moved to a two-block system, it has been the

[34] Hadar Lipshits, "Budgeting for Ultra-Orthodox Education- The Failure of Ultra-Orthodox Politics, 1996-2006", *Israel Studies Vol. 20* (Indiana University Press, 2015): 136.
[35] Lipshits, 136.

Haredi parties that many times cast the deciding vote as to whom the president would appoint to establish the government."[36] Capitalizing on this ability as a tie-breaker, as well as the general shifts towards a more religious-focused Israel, ever since 1977 the Ultra-Orthodox leaders have been able to secure an increase in government support for their community.[37] Today the current parliamentary system within Israel continues to grant ultra-Orthodox an immense amount of political power.

As the left-leaning labor party largely does not support ultra-Orthodox cultural values, it has often been the right-leaning Likud which turned to the ultra-Orthodox in order to secure the number of required representatives to form a coalition. This has led to ultra-Orthodox leaders having an outsized role in the government as, "Contemporary Haredi politicians make constant compromises, whether in opposition or coalition, gaining some resources from the government in exchange for support of secular Zionist governments with their own agendas."[38] Ben-Gurion recognized the possible disruptions that Haredi political power presented when in 1968, he wrote: "I view the existence and control of the Orthodox community in Israel a disaster and distortion. . . . There has been a takeover of the 'strict observers,' aided by the faulty electoral system, which grants a small minority underserved political power."[39] According to Ben-Gurion, the general-proportional ballot system enacted in Israel, which encouraged the existence of multiple parties, enabled the minority religious parties to extort the rest and consequently undermine democracy and undercut the will of the secular majority.[40] Today we see this trend continuing, with strictly Orthodox goals being valued by many political leaders not only out of

[36] Lipshits, 140.
[37] Berman, "Sect, Subsidy, and Sacrifice: An Economist's View of Ultra-Orthodox Jews," 912.
[38] Yoel Finkelman, "The Ambivalent Haredi Jew," *Israel Studies Vol. 19,* (Indiana University Press, 2014): 271.
[39] Kedar, "Ben-Gurion's View of the Place of Judaism in Israel," 166.
[40] Kedar, 167.

respect for them as citizens of Israel, but also out of fear of losing enough representatives to hold control of the parliamentary government. This matters greatly as "the Ultra-Orthodox have pursued a contentious political agenda, attempting to impose religious restrictions through secular law," and "have also insisted on an Orthodox definition of Judaism in Israeli civil law."[41] Through this, the ultra-Orthodox hold a strict control over "important and emotional issues in Israel and among Jews abroad" such as the decision-making power over the institutions of conversion and marriage.[42] Ultimately this position held by Ultra-Orthodox political leaders, combined with their ability to act as a tiebreaker, allows for Orthodox values and cultural controls granted all the way back around the founding of the state to remain in place regardless of other secularizing shifts. These factors intrinsically work to create significant schisms within society, effectively limiting individuals' sovereignty over his or her Judaism and inhibiting pluralism in Israel.

Currently in Israel there exists minimal non-Orthodox streams of Judaism. This being said, less observant forms of Judaism such as the reform and conservative movement have flourished in America. Daniel Elazar notes that "American non-Orthodox Jews, who are the vast majority in the United States (the number of American Jews who identify with Orthodoxy at a maximum is 10 percent, whereas something like 75 percent identify with the various non-Orthodox movements) see Judaism from an American religious perspective that has been shaped by the Protestant experience as a matter of personal spirituality and belief first and foremost."[43] Through this, as Stuart Charmé explains, "Premodern forms of Judaism, often symbolized by the traditional Jewish life of the East European shtetl, have been idealized and contrasted with

[41] Berman, Eli. "Sect, Subsidy, and Sacrifice: An Economist's View of Ultra-Orthodox Jews," 912.
[42] Berman, 912.
[43] Daniel Elazar. "Orthodox and Non-Orthodox Judaism: How to Square the Circle." *Jerusalem Center for Public Affairs*, (1997): 3, https://www.jcpa.org/dje/articles2/orth-nonorth.htm.

artificial, eroded, inauthentic forms of assimilated, suburban… Jewish life."[44] A distinctly American perspective, many Jews have been able to retain their Jewish identity while also being active and important participants in the American civil sphere. This being said, the non-orthodox movements have generally failed to take root in Israel as they have in America; only about eighty of the approximately sixteen thousand synagogues in Israel are Conservative or Reform.[45] Further, individuals in Israel often identify as either secular, national-religious (modern orthodox), or ultra-Orthodox. While this lack of diversity has developed a society where individuals are forced in many ways to either identify with some form of orthodoxy or as secular, this also proves important as it supports the government and its religious leader's views on what can be considered "real" or the "most authentic" form of Judaism.

An important aspect of Israeli Jewry that allows Ultra-Orthodox to feel as though their needs should be emphasized by the state not only stems from the concessions made by Ben-Gurion, but also the belief that their ultra-Orthodox form of Judaism is the most authentic. In "Varieties of Authenticity in Contemporary Jewish Identity," Stuart Charmé explores the idea of "authenticity" within Judaism: "Much discussion about religious pluralism among Orthodox and non-Orthodox Jews, about assimilation and Jewish continuity, about Jewish life in Israel and in the Diaspora, and about a variety of other issues related to Jewish identity all invoke 'authenticity' as the underlying ideal and as the ultimate legitimizer (or de-legitimizer) of various positions."[46] In many ways, the main aspect which differentiates the Jewish community is how strictly one follows God's commandments and the word of the Torah.[47] For most of history,

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[44] Stuart Charmé, "Varieties of Authenticity in Contemporary Jewish Identity." *Jewish Social Studies*, vol. 6, no. 2, (Indiana University Press, 2000): 134, http://www.jstor.org/stable/4467578.
[45] Gary Rosenblatt, "A Bold Move to Decentralize Israel's Chief Rabbinate.", Between the Lines, (March 2022), https://garyrosenblatt.substack.com/p/a-bold-move-to-decentralize-israels?s=r.
[46] Charmé, "Varieties of Authenticity in Contemporary Jewish Identity," 137.
[47] Greenberg and Witztum, "5 Varieties of Religious Identification," 22.

most Jews lived according to an Orthodox form of Judaism. Through this, Jews often held their Jewish identity to be distinct and different from the national identity of the country they inhabit. This being said, as a result of historic anti-Semitism and general societal secular tides, alternative ways of living a fulfilling Jewish life have emerged. While many Jews, especially in Israel, may believe that Orthodoxy remains the most authentic form of Judaism, today orthodoxy appears authentic only in contrast to other forms of Judaism. As a result of this, there is no validity to the idea that strictly Orthodox individuals practice the most authentic form of Judaism, for "the face-off between Orthodox and liberal forms of Judaism cannot be justified as one between real Judaism and diluted or inauthentic Judaism, but rather between competing models, values, and interpretations of historical authenticity."[48] In summation, there is no one authentic form of Judaism but *multiple* authentic forms of Judaism all with their own understandings of Jewish observance and how to be a Jew in the modern world.[49]

Ultra-Orthodox claim that they must be afforded exemptions and that other Israelis must comply with their lifestyle to 'properly' practice Judaism. For the masses in Israel, and especially for secular Israelis, the ultra-Orthodox and its leaders represent an opposition who are unwilling to compromise their way of life for others while simultaneously being actively supported both economically and militarily by non-Orthodox and the government. Claims of authenticity only function to exacerbate the problematic lack of pluralism within Israel as they allow for ultra-Orthodox Jews to look at non-orthodox with disdain and a lack of respect. This form of belief, that orthodoxy is the only proper form of Judaism, proves essential when discussing the Ultra-Orthodox monopoly on certain religious institutions. If the government and its leaders valued and respected non-orthodox streams of Judaism in the same way that they do orthodox ones, then

[48] Charmé, "Varieties of Authenticity in Contemporary Jewish Identity," 139.
[49] Charmé, 144.

likely the ultra-Orthodox ways of conducting the various institutions in the ways that they do will prove problematic and change will take place. Instead, as the state and political parties such as Likud who held ruling power within the coalition for many years, prioritize an Orthodox understanding of Judaism, the Ultra-Orthodox strict beliefs and practice of Judaism flourish in Israel. Thus, utilizing the argument of authenticity, the increase in general religiosity within Israel, and ultimately this political power as a tiebreaker and support from Likud, the Orthodox have been successful in justifying and perpetuating their monopoly over Jewish institutions and Judaism in general within what should be the homeland for all Jews.

The Military Exemption:

Within Israel, all men and women who are physically and mentally capable are required by law to serve at least two years within the military given the circumstances of guaranteed security threats. This does not mean that one must be a combat soldier, but that one in some way must serve his or her country. In "Different Reflections of the Motivation to Serve in the IDF," Roni Tiargan explains that, when the country was founded, "The State of Israel decided on general compulsory conscription. This decision stemmed from two major factors: the need for a broadly structured force to face the armies of the neighboring hostile countries, and the desire for military service to serve as a unifying experience and a framework for shaping national identity in Israel as a Jewish and Zionist state."[50] This model of mandatory conscription "imbued military service with normative social meaning and made it a prominent component of the national experience and the shaping of the character of the nation. Military service became an entry ticket

[50] Roni Tiargan, "Different Reflections of the Motivation to Serve in the IDF." *Military Service in Israel: Challenges and Ramifications*, edited by Meir Elran and Gabi Sheffer, Institute for National Security Studies, (2016): 61, http://www.jstor.org/stable/resrep17014.9.

into Israeli society and a route to social mobility."[51] Thus, for many in Israel, mandatory service functions as a great equalizer where all Israelis, regardless of religious belief or practice, social or economic status, ethnicity, or race, can join together and develop bonds across identity to develop unity within the country.

However, in 1948, as a part of the status-quo agreements, ultra-Orthodox were granted an exemption to Israel's law of mandatory conscription. Such Jews were allowed to study at Yeshiva, rather than complete service in the military as the vast majority of Israelis must.[52] In 1948, there were not many ultra-Orthodox to whom this applied. Yet, with time, as this population has grown rapidly, this exemption within the status-quo has proven consequential, with hundreds of thousands of ultra-Orthodox men not participating in the Israeli Defense Forces.[53] In "The Ambivalent Haredi Jew," Yoel Finkelman explores the way in which this exemption affords more than just practical benefits to the Haredi community; it also creates a complex relationship that develops from differences in cultural expectations such as serving in the military. He states, "Like all citizens of the state of Israel, Haredim are protected by the IDF, and they are aware of that dependence. At the same time, to maintain the enclave culture that preserves and protects the Haredi tradition, Haredi men cannot serve."[54] Even more controversial than not participating, Haredim today argue that they are still serving the country, since through prayer and observing God's commandments, Haredim see themselves as ensuring God's grace and protection over the young nation. Finkelman explains this belief:

> Haredi Jewry seems genuinely convinced that 'the study of Torah is a necessary and integral part of the Jewish army's defense and offense. An army of young people who sit

[51] Tiargan, 61.
[52] Tiargan, 63.
[53] Finkelman, "The Ambivalent Haredi Jew," 273.
[54] Finkelman, 273.

> and study at times of war… is the Jewish army's secret, a necessary weapon.' Haredim are convinced that they do contribute to the betterment and safety of the nation.[55]

Although Haredim make this argument, and many believe this to be a worthy service to the country, this line of thinking, which no one can deem true or untrue, leads to ultra-Orthodox Jews being viewed negatively by many secular Israelis, including Russian Jews, who are forced to sacrifice two or more years of their life to serve in the army. Further, the fact that the ultra-religious are exempt from military service means both that they remain "outside" of the Israeli social mainstream and that Israeli's who do serve in the army, get wounded, risk death, and delay their education and professional training, are extremely resentful of the religious who do not serve. Thus, although Haredim may practice a form of Judaism that they view as the most authentic and that helps retain God's blessing over Israel, the dependency on mainstream Israeli society to defend Israel, a country with many enemies, as well as the general cultural divide created by being exempt from a mandatory aspect of Israeli life, creates a massive divide in Israeli society and undermines the idea that all Jews are equal in Israel. By continuing to permit this exemption, the government of Israel actively supports the ultra-Orthodox perspective and way of living a religious life over that of non-Orthodox. As a result, I feel as though even worse than the societal polarization this lack of participation causes in Israeli society, the ultra-Orthodox exemption from mandatory service to study in Yeshiva represents the Israeli governments bias in favor of supporting and even prioritizing the ultra-Orthodox form of Judaism and lifestyle in Israel.

Beyond military service, the result then of the status quo agreement, according to the Israeli Religious Action Center, is that "the Orthodox religious hegemony extends to nearly all

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[55] Finkelman, 268.

spheres of religious and civic life in Israel, leaving personal status matters such as marriage, divorce, burial, and conversion in the exclusive realm of the ultra-Orthodox Chief Rabbinate."[56] Because of this control, non-Orthodox citizens in Israel are forced to conform to the views of the Chief Rabbinate, led by the Ashkenazi and Sephardi chief Rabbis. This effectively means that all non-Orthodox forms of Judaism, such as Reform, Conservative and Reconstructionist, what are sometimes referred to as "liberal" or "progressive" forms of Judaism are de-legitimated in Israel. As a result, the Israeli Religious Action Center, holds, "religious coercion has become an inseparable part of life for most Israeli citizens, and the level of discrimination that exists against progressive Judaism would be unimaginable in any other democratic country."[57] To make this clear, all non-Orthodox conversions, marriages, divorces, and burials, performed by non-orthodox rabbis, are not considered valid in the Jewish State of Israel.

Conversion:

One important aspect of Jewry in Israel which the ultra-Orthodox, led by the Chief Rabbinate, have the authority to control is conversion. Because of the grave disconnect between Israel's Law of Return and the halakhic requirement for a Jew to have a Jewish mother, those with no Jewish mother are not considered Jewish. Thus, although they are allowed to become Israeli citizens, they are not considered 'Jewish' by the Rabbinate nor by the state. This means that even as a citizen, you are also prohibited from being married by the Rabbinate since they will only allow marriages to occur between two halakhic Jews.

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[56] "Religious Freedom." *The Israel Religious Action Center (IRAC)*, accessed May 4, 2022, https://www.irac.org/religious-freedom.
[57] "Religious Freedom." *The Israel Religious Action Center (IRAC)*, accessed May 4, 2022, https://www.irac.org/religious-freedom.

While "those who convert to non-Orthodox Judaism in another country have been able to gain Israeli citizenship for decades," in order to be considered a Jew in Israel one must undergo a conversion process controlled by the Orthodox Rabbinate.[58] One of Israel's two chief rabbis, Yitzhak Yosef, who controls the Chief Rabbinate and conversion in Israel, stated that conversions to the Reform and Conservative movements were "nothing but counterfeit Judaism."[59]Although an individual may undergo a non-orthodox conversion with a conservative or reform rabbi in Israel and fully feel as though they are now a Jew, according to the state of Israel they are not and still cannot do things such as be married in Israel by the Rabbinate. Further the process of Orthodox conversion forces individuals to go through a lengthy process of learning about Judaism and in many ways requires them to adopt an Orthodox lifestyle which is antithetical to how many in Israel live today.[60]

The Neeman Commission:

In 1998 a group came together to create The Neeman Commission. This group headed by Professor Yaakov Neeman recommended the creation of a Joint Institute for the Study of Judaism, which would consist of five Orthodox, one Reform and one Conservative representative.[61] According to Neeman, "The institute would prepare potential converts, while the conversion would be done by the Chief Rabbinate."[62] The goal was to allow for individuals to engage with a diversity of beliefs and practices that exist within the Jewish world, and then still be able to be converted by the ultra-Orthodox run Chief Rabbinate. Although this initiative

[58] Kingsley, "Israeli Court Says Converts to Non-Orthodox Judaism Can Claim Citizenship."
[59] Kingsley, "Israeli Court Says Converts to Non-Orthodox Judaism Can Claim Citizenship."
[60] Judy Maltz, "Russian Immigrants Leaving Israel, Discouraged by Conversion Woes." *Haaretz*, April 10, 2018, https://www.haaretz.com/jewish/.premium-russians-leave-israel-over-conversion-1.5322499.
[61] Alan Rosenbaum, "Conversion in Israel: The Russian Aliya." *The Jerusalem Post | JPost.com*, November 19, 2017, https://www.jpost.com/magazine/conversion-in-israel-the-russian-aliya-512079.
[62] Rosenbaum, "Conversion in Israel: The Russian Aliya."

was never agreed upon by the Rabbinate, the institute eventually established the Nativ program, which educates and prepares soldiers for conversion during their service.[63] Since its creation the Nativ program has gradually grown with more potential converts entering the program each year. While the program has been increasingly successful, especially for communities such as the Soviet Jews who often are not categorized as 'Jewish' yet serve in the military like most Israelis, Nativ has failed to result in any significant change to how the vast majority of conversions occur in Israel today.[64]

Ultimately the disconnect between those whom the ultra-Orthodox consider to be a Jew according to halakha, and those who are permitted to move to Israel under the Law of Return, proves harmful as it puts many individuals, such as the Soviet immigrants, in an in-between position where they are Jewish enough to move to Israel but not Jewish enough to be considered Jewish by the rabbinate. Worsened by the Chief Rabbinate's decision-making power over what form of conversions are allowed in Israel as well as who is a Jew, the ultra-Orthodox monopoly on conversion policy limits many Israelis' ability to feel welcomed, respected, and valued in Israel as a Jew. Thus, this ultra-Orthodox monopoly on conversion must be broken to realize the ideal of Jewish pluralism in the nation for all Jews.

Marriage in Israel:

The ultra-Orthodox control over deciding who is considered to be a Jew directly affects another major institution and essential aspect of life for all in Israel: marriage. As religious authorities were granted control over personal status issues seventy years ago, and marriage and divorce falls under this umbrella, the Chief Rabbinate decides who is eligible to be married in

[63] Rosenbaum, "Conversion in Israel: The Russian Aliya."
[64] Rosenbaum, "Conversion in Israel: The Russian Aliya."

Israel. Because of this, the Chief Rabbinate only allows for those identified as Jews to be married under their jurisdiction and often assumes a very religious orientation with both the man and woman being required to complete religious rituals prior to and during the wedding.[65] While "supporters of the system say it preserves unity by maintaining one standard of Judaism that adheres to strict Jewish law and that it protects future generations from canonical chaos," for the many non-Orthodox Israelis there exists no alternative civil form of marriage which they are also able to consider.[66] Thus, individuals who wish to be married in Israel are forced to choose between having a religious authority who may not represent or respect their lifestyle conduct their marriage or not having their marriage be recognized by the state.

In 2018 the Israeli-Judaism Network, 'Panim' released a report on the data and trends of Jewish wedding ceremonies outside the jurisdiction of the Chief Rabbinate. In this, they summarize the current state of marriage in Israel:

> The State of Israel is the only Western country that does not permit civil marriages and that forces all of its citizens into religious marriage ceremonies. As a result of religious restrictions, some of the citizens of the State cannot formalize their lives as a couple in an official manner that is recognized by the State. The religious demand, which has been upheld by the legislature, to keep marriage and divorce laws subject to the Rabbinate, was explained by the need to preserve the 'unity and wholeness of the nation.' This has given rise to the situation in which it is the Chief Rabbinate that defines the boundaries of the nation; a Rabbinate whose world view is strictly Orthodox. This situation is in fact causing the exclusion of a considerable portion of the Jewish people, despite their desire to be part of the Jewish people.[67]

As mentioned in this quote the authority of the Orthodox Chief Rabbinate over marriage functions to exclude many Israelis. The excluded Israelis represent over fifty percent of the

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[65] Isabel Kershner, "Israel's Latest Culture War Plays Out Under the Wedding Canopy." *New York Times*, August 19, 2018, https://www.nytimes.com/2018/08/19/world/middleeast/israel-weddings-orthodox-alternatives.html.
[66] Kershner, "Israel's Latest Culture War Plays Out Under the Wedding Canopy."
[67] Jotam Brom, "Jewish Wedding Ceremonies Outside the Jurisdiction of the Chief Rabbinate". *Panim- The Israeli Judaism Network*, (April 2018): 3.

Israeli population who for various reasons are either not allowed or would simply not want a wedding officiated by the Rabbinate.[68] Today, for example, the Chief Rabbinate bars hundreds of thousands of LGBTQ Israelis each year from being married.[69] Further, prior to agreeing to officiate one's wedding in Israel the Chief Rabbinate often completes an extensive background check to ensure that both the spouse and groom are Jewish according to their interpretation of who is a halakhic Jew. Although background checks and barring non-Jews from being married by the Rabbinate uniquely harms populations such as the Russian Jews, many Jewish non-orthodox Israelis also feel excluded by the control of marriage by the Orthodox.

For years individuals excluded by the Rabbinate-controlled institution of marriage have still found ways to able to marry. Sylvie Gogiel-Bijaoui explains that "as the Supreme Court has become more involved in status quo issues, Israeli law has developed a variety of alternatives to marriage that circumvent the status quo. The most prominent are civil marriages outside Israel."[70] For those legally unable to marry within Israel because of halakhic restrictions, traveling to Cyprus (or other nearby countries with civil marriage) and being married there has proven a viable alternative to having a marriage recognized by the Rabbinate. This is because while the Rabbinate does not permit any non-Jewish or homosexual couples to be married under their jurisdiction if one is legally married outside of Israel and then immigrates or returns to Israel, the State *will* recognize the couple as married regardless of whether or not the Rabbinate would do the same. One may assume that all those who qualify to be married in Israel would do so, yet for many years these individuals have been marrying outside Israel to protest the Rabbinate.[71] Today these secular-leaning couples also wed outside of Israel because "among

[68] Brom, 2.
[69] Brom, 3.
[70] Fogiel-Bijaoui, "The Spousal Covenant (Brit Hazugiut), or the Covenant with the Status Quo," 213.
[71] Brom, "Jewish Wedding Ceremonies Outside the Jurisdiction of the Chief Rabbinate," 15.

secular couples who choose private ceremonies outside of the Rabbinate, there is an increasing concept of such marriage as being a normative choice derived from cultural-ethical identity." This means that a non-Orthodox marriage simply is the natural progression of the lifestyle they live.[72] Thus, the Orthodox control over the institution of marriage ostracizes far more than just populations such as the Russian Jews, but virtually *all* non-Orthodox Jews in Israel.

According to a survey conducted in 2018 by Hiddush and the Israel Religious Expression Platform, public support for the official and equal recognition of alternative forms of marriage has annually increased over the last ten years. When Hiddush first began in 2009, public support for marriage alternatives was at 53% while in 2018 it rose to 70%.[73] Further, this study found that "the percentage of those who expressed their desire to have Orthodox wedding ceremonies if the State of Israel were to recognize alternatives to marriage via the Chief Rabbinate continued to decline steadily from 65% in 2009 to only 47%."[74] This data shows the increasing support for non-Orthodox alternatives to marriage in Israel as both those seen as not Jewish by the Rabbinate as well as non-Orthodox Israelis are damaged by Orthodox control over marriage. While the status-quo agreement laid the groundwork for and political power has continued the ability of the Orthodox to control marriage today, this must change as the current system effectively ostracizes hundreds of thousands of self-identifying Jews from being married in their own country. If this monopoly on the institution of marriage does not adjust and the Orthodox-backed Rabbinate continues its control, then true pluralism in Israel and the ability for all Jews to live with sovereignty over his or her life, as all Jews deserve according to the Declaration of Independence, will never be achieved.

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[72] Brom, "Jewish Wedding Ceremonies Outside the Jurisdiction of the Chief Rabbinate," 15.
[73] Uri Regev, "Record Support for Freedom of Choice in Marriage!" *Hiddush*, July 26, 2018, https://hiddush.org/article-23260-0-Record_support_for_freedom_of_choice_in_marriage.aspx.
[74] Regev, "Record Support for Freedom of Choice in Marriage!"

The Soviet Immigrant Example:

Almost thirty years ago, as the curtain around the Soviet Union finally fell, a massive wave of emigration began as individuals left the former Soviet Union. Among these was a significant Jewish population. Within a decade, more than one million people immigrated to Israel— a country whose population in 1990, at the beginning of the wave, wasn't even five times that number.[75] A third of these newcomers came from Russia proper, a third from Ukraine, and the rest from smaller Soviet republics. Regardless of where they immigrated from, "In Israel they all became known as 'Russians.'"[76] To best understand the role and perspective of these Russian Jews in Israel today, as well as those who moved to Israel as older children or adolescents (known today as generation 1.5), one must first look at the state of Soviet Jewry prior to immigration. Larissa Remennick and Anna Prashizky explain that by the late 1940s, within the Soviet Union, many Jewish cultural and educational institutions had been destroyed and pursuing Jewish activities was defined by the state as subversive and punishable.[77] Because of this, "[T]he first Soviet-Jewish generation had lost their ties with religion and the traditions of their ancestors and consequently manifested deep ignorance in these matters."[78] With time, the lack of connection to one's Judaism only increased as the children and grandchildren of these individuals were even more removed from Judaic education, cultural interests, and practices. Thus, most Soviet Jews, especially in the major cities, defined themselves as atheists or agnostics.[79] Therefore, with a minimal religious connection to their Judaism, the wave of one million Soviet immigrants to Israel in the 1990s largely consisted of Jews who held a uniquely

[75] Matti Friedman, "Israel's Russian Wave, Thirty Years Later," *Mosaic*, November 4, 2020, https://mosaicmagazine.com/essay/israel-zionism/2020/11/israels-russian-wave-thirty-years-later/.
[76] Friedman, "Israel's Russian Wave, Thirty Years Later."
[77] Larissa Remennick and Anna Prashizky, "Russian Israelis and Religion: What Has Changed after Twenty Years in Israel?" *Israel Studies Review*, vol. 27, no. 1, (2012): 56, http://www.jstor.org/stable/41804786.
[78] Remennick and Prashizky, 56.
[79] Remennick and Prashizky, 56.

ethnic conception of their Jewish identity. Although hardly practicing Jews, as long as these Soviet Jews qualified to immigrate to Israel with the Law of Return then the state of Israel would grant them citizenship. While these individuals were finally free from the grip of the Soviet Union, their absorption within the Israeli state would prove difficult as their Judaism was almost immediately challenged, and rights were denied.

Upon arrival in Israel Soviet immigrants were not exactly met with open arms, especially by the religious establishment. Qualifying under the Law of Return meant that all of these immigrants had at least a Jewish spouse, parent, or grandparent. This being true, there arose a conflict between the Zionist-secular Jewish Law of Return, based on a broad definition of 'who is a Jew,' and the Rabbinical strictly Orthodox laws that consider a Jew to be only an individual born with a Jewish mother. About one-third of the immigrants from the FSU (around 300,000) were directly affected by this conflict as they were non-Jewish by halakha (that is, they were not born of a Jewish mother or converted by Orthodox rules).[80] While many of them came from mixed families with the 'wrong' Jewish parent, the father, or had a Jewish grandparent, most still identified as ethnic Jews who hoped to live a fulfilling life in the nation which granted them citizenship and they considered their home. Sadly, Matti Friedman notes, "Many of the immigrants have painful memories of undergoing a process called 'clarification of Judaism,' a humiliating affair in which ultra-Orthodox clerks rummage through your family history, interviewing grandmothers about their knowledge of Yiddish and poring skeptically over photographs of old gravestones."[81]

Major skepticism of Soviet Jews continues today in Israeli society. This holds especially true for leaders in the ultra-Orthodox world and the Rabbinate, such as the Sephardi chief rabbi

[80] Remennick and Prashizky, 60.
[81] Friedman, "Israel's Russian Wave, Thirty Years Later."

Yitzhak Yosef, who argued that many Russian Israelis are "'complete gentiles' who'd been brought to Israel to counter the ultra-Orthodox vote in elections." In addition, Yosef claimed that some are even Communists and haters of religion.[82] Rhetoric such as this has led to many Soviet Jews feeling as outsiders in Israel- the state meant for all Jews. This sense of alienation is "frequently reinforced by the Israeli media and by informal contacts with native-born, *halakhically* Jewish peers," making the attacks on Russian Jews 'Jewishness' hard to avoid.[83]

Though official conversion as controlled by the Rabbinate might seem like a useful option for these immigrants, in fact it does not occur very often; instead, a different kind of "sociological conversion" takes place.[84] As the Chief Rabbinate holds the authority to run this process, conversion occurs with an Orthodox understanding. Conversion has been an issue of particular importance to Russian Jews who are not recognized as Jewish by the Rabbinate, yet "in twenty years, [only] about five percent of this group has successfully passed Orthodox conversion, the only procedure legally accepted in Israel."[85] This is largely because what most Russian Jews in Israel seek is "social inclusion and to become fully fledged Israeli citizens, not Orthodox Jews."[86] While there has been some success in certain conversion programs such as the Nativ program which streamlines and eases the process of conversion, most non-Jewish Russian immigrants chose not to convert within the current systems. Today, "It is estimated that there are approximately 400,000 Israelis of Russian descent who live their lives as full Israeli citizens, serve in the army, pay taxes, but have never converted to Judaism."[87] While not many of these Jews undergo conversions, from the moment Soviet Jews came to Israel in the 1990s the

[82] Friedman, "Israel's Russian Wave, Thirty Years Later."
[83] Elias and Lerner, "Post-Soviet Immigrant Religiosity," 221.
[84] Rosenbaum, "Conversion in Israel: The Russian Aliya."
[85] Remennick and Prashizky, "Russian Israelis and Religion: What Has Changed after Twenty Years in Israel?" 62.
[86] Remennick and Prashizky, 62.
[87] Rosenbaum, "Conversion in Israel: The Russian Aliya."

population has gradually undergone what Professor Asher Cohen of Bar-Ilan University calls a 'sociological conversion.' Almost thirty years later, Russian Jews "work with us, they play with us, and they die with us."[88] Through being functioning members of the Israeli society, essential contributors to the Israeli economy and active participants in the Israeli army, the 'Russian' population has fully become a fully engrained part of Israeli society regardless of ultra-Orthodox efforts to paint them as non-Jews.

While sociological conversion may be a positive for Russian Jews within mainstream Israeli society, it is important to note that this lack of acceptance of Soviet Jews by the ultra-Orthodox establishment as 'real' Jews has had legitimate consequences. Out of the million who came, about 120,000 have since left, heading to points west or back home as a result of their Jewish identity being critiqued.[89] Many individuals, such as Yogev Karasenty, a policy adviser to the Jewish Agency, believe that "if this particular group had access to a friendlier conversion process, it would be very reasonable to assume that their drop-out rates would not be as high… [but] because they are not considered Jewish here, it is much more difficult for them to feel a part of the country."[90] Today the Soviet Jews who remain in Israel, particularly generation 1.5, are forced to live within an Israeli society with institutions of personal status led by the very individuals who reject their Jewish identity, illuminating the problematic nature of the Orthodox monopoly on Judaism in Israel.

As is true with conversion, the lack of ability to participate in the institution of marriage proves particularly harmful to Soviet Jews. Because one must be halakhically Jewish to be married in Israel, as Yaakov Kop describes, "The transformation of *halakha* into binding law in

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[88] Rosenbaum, "Conversion in Israel: The Russian Aliya."
[89] Friedman, "Israel's Russian Wave, Thirty Years Later."
[90] Maltz, "Russian Immigrants Leaving Israel, Discouraged by Conversion Woes."

cases of marital status for all Jews has created inconsistencies between the definition of a 'Jew' for the purpose of the Law of Return and in terms of other issues."[91] This proves particularly problematic for the hundreds of thousands of Soviet Jews who fall within this inconsistency. These Jews, and today their children, who came to Israel through the Law of Return but are not considered Jewish by the state, are banned from having a marriage recognized by the state in Israel. While the lack of civil marriage in Israel affects many other Jews in Israel, the Soviet Jews are especially harmed and at times even targeted by this policy as their Jewishness is more intensely scrutinized than other populations. Lily Galili of The Brookings Institute discovered that "in some extreme cases, Israel's rabbinate has been performing DNA testing on immigrants from the former Soviet Union to check if they are genetically Jewish as a condition for marriage registration."[92] One organization named "Shorashim" (Roots), a small NGO established in 2003, "sends emissaries to remote villages and cemeteries in the FSU to look for convincing proofs necessary to determine Jewish ancestry of couples registered to marry."[93] It is true that these Soviet Jews can utilize the available loopholes to get their marriage recognized in Israel by traveling abroad as others who the state does not consider halakhically Jewish may do. Still, the particular attention which Soviet Jews receive, as the state and other organizations work to disregard their claims of being Jewish, shows how this community has a difficult time living under the current Orthodox controlled marriage system.

No population in any democratic nation should feel as though they do not belong. Yet in many interviews Soviet Jews express feelings of "humiliation, confusion, alienation, anger, and,

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[91] Yaakov Kop, "Nation-Building, Pluralism, and Democracy in Israel." *Georgetown Journal of International. Affairs*, vol. 4, no. 1, (2003): 22, http://www.jstor.org/stable/43134438.
[92] Galili, Lily. "The Other Tribe: Israel's Russian Speaking Community and How It Is Changing the Country." The Brookings Institute, (September 2020): 16, https://www.brookings.edu/wp content/uploads/2020/09/FP_20200921_ other_tribe_ galili.pdf.
[93] Galili, 16-17.

finally, a desire to restore the lost right to define themselves as they used to do in the past."[94] Because of this, many Soviet Jews Israeli identity keeps them in Israel while their Jewish identity actively plays a significant role in them wanting to leave. The Soviet experience in Israel functions as a microcosm of the larger lack of pluralism present in Israel today. This proves extremely important for Israel as the Soviet situation, especially that of the individuals who came as children in the 1990s and are now in the 25-40 range, can be seen as a symbol of the debate over the "the tricky balance between the state's self-definition in the Declaration of Independence as 'Jewish' and 'democratic'" playing out in real-time.[95] As the Russian Jews often express feeling ostracized by the religious authorities in Israel, Galili argues and I support, the Soviet test has proven that currently the Jewish trumps democratic. The balance between a Jewish and democratic state must be evened for Israel to become a place for all Jews. Until then, as can be seen through the Soviet Jews experience in Israel and especially within the specific institutions of conversion and marriage, there exists a long road until Israel will truly be an environment for all Jews to live as they desire. Only when the ultra-Orthodox control over these institutions begins to break down and more options open will individuals feel comfortable and at home in the ideal pluralistic Jewish country as expressed in the Declaration of Independence.

Necessary Changes:

The need to change the current state of the ultra-Orthodox control over essential institutions becomes apparent from the harm that this monopoly causes on many non-Orthodox individuals who live in Israel, both immigrant and not. While Israel's founders could have never imagined the ultra-Orthodox would grow to the size that it has today, the lasting ramifications of

[94] Elias and Lerner, "13 Post-Soviet Immigrant Religiosity: Beyond the Israeli National Religion," 219.
[95] Galili, "The Other Tribe: Israel's Russian Speaking Community and How It Is Changing the Country," 17.

the status-quo agreement have allowed for a minority population to impose its beliefs on the rest of society. When David Ben-Gurion granted certain concessions to the ultra-Orthodox Jews when Israel was founded, in many ways he was practicing liberal toleration. That is, Ben-Gurion and other leaders were working to compromise with the fearful Orthodox to ensure that they, as a minority at the time, would not be treated unfairly. Yet as Nashon Perez notes, "such an approach cannot justify an exemption of this magnitude." He continues, "Exemptions, as understood in the liberal literature, were meant to help a small minority struggling for some sort of cultural survival when faced with a strict legal norm or an excessive cost. Exemptions were not meant to develop into such large-scale policies."[96] As a result of the concessions of the status-quo as well as continued ultra-Orthodox political power, in Israel today the ultra-Orthodox and the Chief Rabbinate control essential aspects of Israeli society and thus impose their way of life on the rest of Israel.

New Initiatives for Pluralism:

Thankfully, many organizations who are actively working to create change to the current state of conditions in Israel, specifically its lack of pluralism. One, the Israel Religious Action Center (IRAC), works to make the transition for immigrants to Israel smooth. As mentioned, many immigrants face severe difficulties in immigrating to Israel. Although IRAC is cognizant that some difficulties reflect the expected challenges of immigration (such as language and cultural barriers) the organization focuses more on the specific challenges which result from how Israel defines who a 'Jew' actually is, dealing with the various agencies responsible for implementing these policies. Specifically, IRAC works to mitigate bureaucratic harassment,

[96] Nahshon Perez, "The Limits of Liberal Toleration: The Case of the Ultra-Orthodox in Israel." *Journal of Church and State*, vol. 56, no. 2, Oxford University Press, (2014): 244, http://www.jstor.org/stable/23922642.

particularly from the powerful Ministry of the Interior (and the Chief Rabbinate), which is controlled by ultra-Orthodox political parties.[97] Also, the Israel Religious Action Center works to create a pluralistic environment in Israel by supporting non-Orthodox movements, such as Reform, Conservative, and sometimes even Modern Orthodox Judaism, which have been suppressed by the politically powerful ultra-Orthodox. To achieve this, IRAC provides direct legal services to non-Orthodox movements as well as its congregations and rabbis in Israel to ensure that they receive the government funding and services they are due.[98]

Another organization working towards pluralism in Israel is the New Israel Fund (NIF). By working to secure freedom of and from religion, the New Israel Fund attempts to ensure that Israel embraces a democratic character by fighting for religious tolerance, gender equality, and against the ultra-Orthodox monopoly on religious life. NIF notes on its website, "One would think that, having finally achieved a Jewish homeland in Israel, Jews could practice their religion – or not – untroubled by government interference."[99] To some extent this exists, yet NIF attempts to ensure that Jews of all types are supported in connecting or reconnecting to their Judaism. Still, much remains to be done as the ultra-Orthodox establishment which controls Israel's civil sphere continues to delegitimize other streams of Judaism as well as non-halakhic Jews.[100] As the Israel Religious Action Committee and the New Israel Fund have had success in slowly chipping away at the ultra-Orthodox monopoly on Judaism in Israel, legal challenges have functioned as an alternative form to achieving pluralism.

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[97] "Religious Pluralism." *The Israel Religious Action Center (IRAC)*, accessed May 5, 2022, https://www.irac.org/religious-pluralism.
[98] "Religious Pluralism." *The Israel Religious Action Center (IRAC)*, accessed May 5, 2022, https://www.irac.org/religious-pluralism.
[99] "Religious Freedom." *New Israel Fund (NIF)*, accessed May 8, 2022, https://www.nif.org/our-issues/religious-freedom/.
[100] "Religious Freedom." *New Israel Fund (NIF)*, accessed May 8, 2022, https://www.nif.org/our-issues/religious-freedom/.

Legal Initiatives:

After decades of living under Israel's commitment to an Orthodox-centric civil sphere and institutions, since the turn of the century non-Orthodox movements have turned to the courts to challenge the status quo. Both Sephardi and the Ashkenazi ultra-Orthodox political parties have used their increasing political power to minimize religious pluralism and the existence of non-Orthodox Judaism. Because of this, the Reform and Conservative movements have turned to American-style court challenges and financial measures to ward off efforts of delegitimization.[101] These non-Orthodox and secular circles have specifically attempted to challenge legislation that imposes religious norms on the public at large such as marriage laws and the restriction on Orthodox only conversions. As Israel has no written constitution but a working set of basic laws, the Supreme Court plays an important role in deciding the extent to which Israel will allow the Orthodox to reign supreme. This being said, a major aspect which continues to restrict any real progress, is that any changes towards valuing pluralism almost always result in a major pushback from ultra-Orthodox parties. As Daniel Elezar holds, "the Reform and Conservative may win such a victory in the Israel Supreme Court but it would be a pyrrhic victory[102] for them as well as for the Orthodox because of the religious conflicts that would intensify as a result of it."[103] For instance, when American Jews vowed to ask the U.S. Congress to intervene against religious discrimination in Israel, Shas and its leadership warned that legitimizing Reform or Conservative movements would "sanction intermarriage… a form of 'auto genocide.'"[104] Any advance that non-Orthodox individuals in Israel make towards allowing

[101] Ofira Seliktar, "Separating the Synagogue from the State: American Jews and the Struggle for Religious Pluralism in Israel." *Israel Studies Forum*, vol. 18, no. 1, (2002): 68, http://www.jstor.org/stable/41804910.
[102] According to Miriam Webster Dictionary, "A pyrrhic victory is a victory that comes at a great cost, perhaps making the ordeal to win not worth it."
[103] Elazar, "Orthodox and Non-Orthodox Judaism: How to Square the Circle," 4.
[104] Seliktar, "Separating the Synagogue from the State: American Jews and the Struggle for Religious Pluralism in Israel," 71.

them to live a life unimpeded by Orthodox beliefs will only be met with an enthusiastic backlash from ultra-Orthodox leaders who claim that the change threatens the very existence of Judaism. As a result, legal challenges have been somewhat unsuccessful in creating any real change towards a more pluralistic Israeli society where all Jews can live as they desire.

Although the lack of change over the past few years is somewhat saddening, now, more than ever before, are the attitudes of the public turning against the ultra-Orthodox and in favor of a more pluralistic society. Rabbi David Stav, a leader in the effort to transform the chief rabbinate, feels that "this moment presents the greatest opportunity to change the character of our society since 1948."[105] Yet how to achieve this will undoubtedly prove extremely difficult. One way to begin the erosion of the ultra-Orthodox monopoly on Judaism is to not turn away and make enemies with the Orthodox community, but to work directly with the Orthodox as the New Israel Fund has done with some success. The NIF states, "we have identified and are supporting activists of moderate Orthodoxy as they represent an important but overlooked movement with significant potential to play a key role as a moderating force in Israeli society."[106] By working with Orthodox voices who support pluralism, ultra-Orthodox as well as the Chief Rabbinate are much more likely to respect their opinion as opposed to a non-Orthodox individual who may be seen as trying to overtake their way of life. Orthodox individuals who recognize the importance of Jewish pluralism in Israel should be sought out and included in efforts towards achieving this goal. Over time as more Americans, Europeans, and non-Orthodox from other countries decide to make Aliyah and move to Israel, I feel as though the state of Israel will have no choice but to make adaptations to the current system as pressures from within Israel to make changes will only

[105] Rosenblatt, "A Bold Move to Decentralize Israel's Chief Rabbinate."
[106] "Religious Freedom." *New Israel Fund (NIF)*, Accessed May 11, 2022, https://www.nif.org/our-issues/religious-freedom/.

increase. Through this I agree with Daniel Elazar who feels as though ultimately "the Israeli rabbinical establishment will have to give up its exclusiveness by accepting Reform and Conservative involvement in common operational matters such as training for conversion, performance of marriages, and handling the provision of religious services to the Israeli Jewish population."[107] Only when this occurs will Israel truly be a home for all Jews.

Prior to the creation of Israel in 1948, for almost two millennia, Jews were a minority who often had to hide their Judaism. With the creation of Israel came an enormous task of rescuing and reconstructing Jewish religious and cultural institutions from places all over the world where it had been destroyed. As there existed a small minority of ultra-Orthodox individuals whose support Ben-Gurion desired, the status-quo agreement was granted. However, over time as more traditional and religious immigrants such as the Mizrahim arrived in Israel the settler movement increased, and the ultra-Orthodox grew in numbers due to their high birth rates, and thus the power of the religious increased. Combined with the ultra-Orthodox ability to partake in and even hold a powerful position as a tiebreaker within Israeli politics, the ultra-Orthodox have successfully retained their authority over issues of personal status as granted by the status-quo agreement. Because of this, today the ultra-Orthodox leaders and the strictly Orthodox Chief Rabbinate control essential institutions over individuals' lives. Only supporting a strict, traditional understanding of Judaism, has led to a minority population of ultra-Orthodox Jews and the Chief Rabbinate imposing their way of Judaism and halakhic values on the general Israeli public. This has had detrimental effects on Jews who immigrated to Israel, such as the Soviet Jews, and has actively limited many Israeli citizens' ability to live a life as they desire in what is supposed to be a country for *all Jews*. While organizations and individuals have turned to

[107] Elazar, "Orthodox and Non-Orthodox Judaism: How to Square the Circle," 4.

the legal system to try and adapt the current system, there has been minimal progress made. Change must come from within the Orthodox community through voices of moderation that understand the need for Jewish pluralism in Israel and how much stronger it will make the country. For the past seventy-five years, Israel has slowly built itself into an economic hub and a center for democratic and liberal values, especially in its major cities. Yet all of this is under threat if the Jewish people of Israel split apart on the basis of Judaism— the important force that Ben-Gurion turned to for creating unity at the beginning of the Jewish state. Israel must change the current monopoly on Judaism which the ultra-Orthodox hold and prove that as a country it respects and values Jews regardless of their identity or belief system. Only when this occurs, will the words of the Declaration of Independence finally be manifested; Jews will become "masters of their own fate, in their own sovereign state," and will Israel truly be a homeland for all Jews.[108]

[108] "Declaration of Independence," 3.