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Commentary **David Golinkin**

Abolish the Chief Rabbinate

Let every Israeli Jew choose his or her rabbi for kashrut, marriage, divorce and conversion

AS WE celebrate the festival of Hanukka, we recall that according to the Second Book of Maccabees, the harsh anti-Jewish decrees of the Seleucid King Antiochus were brought about by endless infighting among the high priests who constantly overthrew one another via bribery and even murder. When one of the deposed high priests tried to capture Jerusalem by force, Antiochus thought that the Jews were revolting against him. He took Jerusalem, killed 80,000 Jews, outlawed Jewish practices and defiled the Temple – all on account of the lust for power among the religious leaders of the Jewish people at the time.

I was reminded of this tragic episode during last summer's unsavory election campaign for the Chief Rabbinate. It included curses, newspaper ads, and political deals between candidates and political parties. Yehudit Yosef, the daughter-in-law of the late Rabbi Ovadia Yosef invited the 150 electors to the venerated rabbi's home to receive personal blessings in return for voting for his son Rabbi Yitzhak Yosef.

The only thing missing from most of the campaigning was a religious message. Indeed, the election was not about bringing Israelis closer to Judaism but about political power; about who would control the vast and highly lucrative mechanism of kashrut supervision and who would bestow rabbinic appointments on relatives and fellow party members.

Rabbi David Stav, one of the only candidates with a religious message and the one whom the public at large was rooting for, thinks the Chief Rabbinate is in need of se-

rious reform. After closely observing this corrupt institution for 40 years, I believe that it is way beyond reform and needs to be abolished as quickly as possible.

The sad fact of the matter is that the Chief Rabbinate is a coercive bureaucracy without a constituency

The Chief Rabbinate was founded in Mandatory Palestine in 1921. The first chief rabbis for life were the revered religious Zionists and Torah scholars Rabbis Kook and Uziel, followed by Herzog, Nissim and Unterman. Rabbis Shlomo Goren and Ovadia Yosef, who served from 1972 to 1983, were widely respected for their Torah knowledge and courageous halakhic decisions, but they spent a good deal of time bickering with each other. As a result, the politicians got involved and limited the chief rabbis' terms to 10 years in order to depose them. In retaliation, Yosef established the Shas Party and since 1983 chief rabbis are chosen not for their merits but for political reasons: An Ashkenazi chief rabbi can only be elected if he is supported by the Ashkenazi Haredim and a Sephardi chief rabbi only if he is supported by Shas.

This sad state of affairs reached its nadir when Rabbi Yona Metzger, chief rabbi

from 2003-2013 and a puppet of the Ashkenazi Haredim, was arrested in June and again in November 2013 on suspicion of taking bribes, fraud, money-laundering, obstruction of justice and suborning witnesses.

In the July 2013 election, Yitzhak Yosef was elected because he is the son of Ovadia Yosef; and Rabbi David Lau, the son of former chief rabbi Yisrael Meir Lau, because both he and his father are beholden to the Ashkenazi Haredim.

As a result, the Chief Rabbinate is no longer the religious Zionist institution it once was, but rather a Haredi stronghold opposed to all leniencies in Jewish law. This is evident from the following examples:

The Chief Rabbinate holds a monopoly on conversions. For years it has not recognized Conservative or Reform conversions because it does not accept their rabbis as rabbis. Now it is doing the same to most Orthodox rabbis. It decided in 2008 that only 15 Rabbinical Council of America rabbinic courts and only 40 rabbinic judges in the entire United States could perform conversions and the RCA gave in to this dictate. Thus, the conversions performed by most Orthodox rabbis in the US are no longer automatically recognized in Israel.

In May 2008, the Chief Rabbinate's High Rabbinical Court ruled the many thousands of conversions performed by Rabbi Haim Druckman and Israel's National Conversion Court from 1999-2008 retroactively annulled and declared Druckman – one of the most respected religious Zion-

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ist rabbis in Israel – and his fellow judges “disqualified judges.” Although this decision was repealed four years later, due to intervention by the Supreme Court and the Tel Aviv Rabbinical Court, it still serves as a deterrent to thousands of Russian immigrants considering conversion.

The Chief Rabbinate holds a monopoly on marriage. When young people make aliya, it demands that they bring a letter from their local rabbi stating that they are Jewish and unmarried. It has never accepted letters from Conservative or Reform rabbis. We now know from an article published in October by Rabbi Avi Weiss, a prominent modern Orthodox rabbi from New York, that it no longer accepts his letter either. Apparently he is no longer on the ever-shrinking list of approved rabbis.

Since the Marriage and Divorce Law of 1953, all matters of marriage and divorce have been in the hands of the Chief Rabbinate or of Haredi rabbis approved by the Chief Rabbinate. On the other hand, a civil license from abroad is recognized by the Ministry of the Interior. This law forces thousands of couples who are not halakhically Jewish or who wish to be married by Conservative or Reform rabbis or who simply refuse to get involved with the Chief Rabbinate to get a civil license abroad every year. Indeed, the number of couples married by the Chief Rabbinate has been in steady decline for years. For example, in 2010, 25 percent of Israeli couples married in Cyprus, Bulgaria and the Czech Republic.

The Chief Rabbinate holds a monopoly on kashrut. I recently asked the owner of a pizza shop why he did not have a kashrut certificate. He replied that the kashrut supervisor shows up once a month for five minutes and he has to pay him thousands of shekels. More and more Israelis who care about kashrut are looking for alternatives.

The sad fact of the matter is that the Chief Rabbinate is a coercive bureaucracy without a constituency. It is disliked by Haredim, religious Zionists, Conservative and Reform Jews and secular Israelis, and many of its actions are a *hillul hashem* or desecration of God’s name. It only exists so that political parties can use it as a tool of influence and patronage.

This is not something that can be fixed. The Chief Rabbinate needs to be abolished for the sake of Judaism in the Jewish State. Or, to use the Mishnaic phrase, “Rabbi Nathan says: They have transgressed Your Torah; it is time to act for the Lord.”

What is the alternative? I do not have all the answers, but here are a few general guidelines:

Civil marriage and divorce must be legalized not because they are ideal but because a democracy must provide these options for some 330,000 Russian immigrants who are not halakhically Jewish.

There are a few areas where the state must provide religious services. For example, there must be kosher food in the IDF so that all soldiers can serve in the army. But most other forms of Judaism should be privatized entirely or partially funded.

A quorum of three rabbis from any religious movement should be able to perform conversions recognized by the state. Any rabbi should be able to perform a marriage. Any rabbi should be able to provide kashrut supervision. Any synagogue that has more than a certain number of members should be able to get a subsidy for the rabbi’s salary or to construct a building. In short, it is not the State of Israel’s job to decide who is a “real” rabbi or which form of Judaism is more authentic. Let the public decide just as they do in the Diaspora.

One could argue that this will lead to disunity but, unfortunately, disunity already exists. Haredi Jews do not recognize the kashrut and conversions of the Chief Rabbinate; the Chief Rabbinate does not recognize the conversions of most rabbis, and so on and so forth. The Chief Rabbinate might have served as a force to unify the Jewish people. But since it has failed miserably at that task, it is time to try something radically different.

Let every Israeli Jew choose his or her rabbi for kashrut, marriage, divorce and conversion. Let the rabbis compete in the free marketplace of ideas. The end result will be more and more Jews feeling closer to Judaism and to their rabbis. ■

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