

2008 State Department Report on International Religious Freedom

[<http://2001-2009.state.gov/g/drl/rls/irf/2008/index.htm>]: excerpts from the chapter on Israel:

...” While the law explicitly guarantees freedom of religion and the safeguarding of "holy places of all religions," in practice Jewish holy places enjoyed significantly greater levels of legal protection and government resources than did the holy places of other religious groups. Discrepancies between Jews and various non-Jewish communities, as well as between Haredi and non-Orthodox Jews, were also prevalent during the reporting period....

...The "status quo" agreement reached at the founding of the state between the country's founders and the mainstream Orthodox rabbinical councils, which has been upheld throughout the state's history, requires that the Government implement some policies based on Orthodox Jewish interpretations of religious law. For example, the Government recognizes only in-country marriages that are performed by the Orthodox Jewish establishment and does not allow civil marriages (e.g., secular ceremonies performed by state or municipal authorities). Exclusive control over marriages--including eligibility for marriage and the performance of marriage rites--resides by law with recognized bodies of the recognized religious denominations. The Orthodox Jewish establishment also determines who is buried in Jewish state cemeteries, limiting this right to individuals considered "Jewish" by Orthodox standards. ...

...The country's ...public buses in every city except Haifa did not operate on Saturday, the Jewish Sabbath;...

...In 2003 the Government introduced a core curriculum program that required all state-funded schools to teach core subjects, such as English, mathematics, and science. Following years of failure by state-subsidized Haredi Jewish religious schools to implement the core curriculum, the High Court warned that under existing legislation, if the curriculum was not adopted by the beginning of the 2008-09 school year, Haredi schools would be ineligible for government funding. On July 23, 2008, the Knesset responded to the High Court's warning by passing new legislation that would allow the state to continue financing approximately 60 percent of these schools' expenses, even if they do not implement the core curriculum. ...

...According to government figures, the 2007 budget for religious services and religious institutions for the Jewish population was approximately \$400 million (NIS 1.6 billion). Religious minorities, which constituted approximately 20 percent of the population, received approximately \$20.5 million (NIS 82 million), or just over 5 percent of total funding. ...

...Under the Law of Return the Government grants immigration and residence rights to individuals who meet established criteria defining Jewish identity. Included in this definition is a child or grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew, and the spouse of a grandchild of a Jew. The Government uses a separate, more rigorous standard based on Orthodox Jewish criteria to determine the right to full citizenship, entitlement to government financial support for immigrants, the legitimacy of conversions to Judaism performed within the country, and Jewish status for purposes of personal and some civil status issues. ...

...According to the Government watchdog group Movement for Quality in Government, between 2002 and 2007, 1,520 Haredi men chose to enter the workforce through programs mandated by the Tal Law, while 50,000 continued to study in yeshivas. According to Israeli Defense Force (IDF) figures released in July 2007, approximately 11 percent of all male candidates for military service had deferments as full-time yeshiva students, up from 7.3 percent in 2000. [It should be noted that recent figures point to an increase at present to 14% of the male candidates for military service gaining deferments/exemption as yeshiva students – UR]

....Many Jewish citizens objected to the exclusive control of the Orthodox establishment over Jewish marriages and other personal status matters, and to the absence of provision for civil marriage. Restrictions on movement and access to non-Jewish religious sites, as well as limits on funding and protection of those sites, also contributed to religious tensions....

....Approximately 310,000 citizens--mostly immigrants from the former Soviet Union who immigrated under the Law of Return--were ineligible to marry in the country during the reporting period because they were not recognized as Jewish by Orthodox religious authorities. Jews wishing to marry in a non-Orthodox religious ceremony or wishing to marry someone of another faith had to do so abroad. The Ministry of the Interior recognizes such marriages only when performed abroad. According to the nongovernmental organization (NGO) New Family Organization, more than 5,000 couples marry in civil ceremonies abroad each year, most in Cyprus. ...

....Government resources available for religious/heritage studies to Arab and non-Orthodox Jewish public schools were proportionately less than those available to Orthodox Jewish public schools during the reporting period. According to the Israel Religious Action Committee (IRAC), in 2006 approximately 96 percent of all state funds for Jewish religious education were allocated to Orthodox or Haredi Jewish schools. Public and private Arab schools offer studies in both Islam and Christianity, but the state funding for such studies was proportionately less than the funding for religious education courses in Jewish schools.....

.... The 1996 Alternative Burial Law established the right of any individual to be buried in a civil ceremony and required the establishment of 21 public civil cemeteries throughout the country. However, at the end of the reporting period, only two public civil cemeteries existed, in Be'er Sheva and Kiryat Shmona. These were the only two public cemeteries available to the approximately 310,000 citizens, mostly immigrants from the former Soviet Union, who immigrated under the Law of Return but are not considered Jewish according to the Orthodox Jewish authorities. As in previous reporting periods, the Religious Affairs Ministry failed to implement the law during the reporting period and did not utilize any of the \$2.9 million (NIS 11.5 million) allocated in the 2007 state budget for the development of civil-secular burial plots. Certain Kibbutzim offered secular burials, but such burials were expensive. On January 31, 2008, the Jerusalem municipality approved plans to establish a new city cemetery for use by secular citizens free of charge.....

.... The state does not recognize conversions to Judaism performed in the country by non-Orthodox rabbis. In a 2004 ruling the High Court determined that non-Jews who move to the country and then convert in the country through an Orthodox conversion were eligible to become immigrants and citizens pursuant to the Law of Return. On February 6, 2008, a ministerial committee on conversions announced the establishment of a new Conversion Authority--headed by Sephardic Chief Rabbi Shlomo Amar--to appoint and oversee the work of religious judges who evaluate the bona fides of would-be converts to Judaism. Critics charged that the appointment of Amar to head the Authority effectively erased years of progress toward broadening the official definition of Jewishness and solidified the Orthodox establishment's hold on matters of Jewish identity.

In May 2008 the High Rabbinical Court, headed by Chief Rabbi Amar, briefly annulled the conversion of a woman who had already passed the strict criteria of the Conversion Authority and been formally declared a Jew. The Court reversed its decision, however, following a public outcry from other Orthodox converts who feared their status as Jews might be called into question.

In May 2006 the Chief Rabbinate announced that it had decided 2 years earlier not to recognize automatically conversions performed by Orthodox rabbis abroad, citing the need for consistency of standards in the conversion process. During the reporting period, the Chief Rabbinate and the Rabbinical Council of America reportedly agreed on a list of Orthodox tribunals abroad whose conversion rulings would be recognized by the Chief Rabbinate. ...

.... Under the Jewish religious court's interpretation of personal status law, a Jewish woman may not receive a final writ of divorce without her husband's consent. Consequently, thousands of women, so-called agunot--"chained women"--are unable to remarry or have legitimate children because their husbands have either disappeared or refused to grant divorces. Rabbinical tribunals had the authority to impose sanctions on husbands who refuse to divorce their wives or on wives who refuse to accept divorce from their husbands, but they could not grant a divorce without the husband's consent.

Some Islamic law courts have held that Muslim women could not request a divorce but could be forced to consent if a divorce was granted to the husband. Divorced Arab women were stigmatized in their communities and experienced difficulties remarrying.

Members of unrecognized religious groups, particularly evangelical Christians, faced problems in obtaining marriage certifications or burial services that were similar to the problems faced by Jews who were not considered Jewish by the Orthodox establishment. Informal arrangements with other recognized religious groups provided relief in some cases...

... Most Orthodox Jews believed that mixed gender prayer services violate the precepts of Judaism. As a result, such services were prohibited at, among other places, the Western Wall, the holiest site in Judaism, where men and women must use separate areas to visit and pray. Women also were not allowed to conduct any prayers at the Western Wall wearing prayer shawls, which are typically worn by men, and could not read from Torah scrolls....

.... The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The U.S. Embassy consistently raised concerns of religious freedom with the Foreign Ministry, the police, the Prime Minister's office, and other government agencies.