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## ***Ready for Separation of Synagogue, State***

**By Leonard Fein**

In an earlier phase of the argument between Israel's Orthodox sector and the rest of society, the issues that were most heatedly debated involved the status of Reform and Conservative Judaism and of their rabbis. The battles were over inequities in the support provided Reform and Conservative Judaism as compared to the lavish support provided the Orthodox and about laws regulating conversion to Judaism and marriage and divorce that clearly favored Orthodox practices and institutions.

So long as the issues were perceived as being about the rights of non-Orthodox Judaism, there was a standoff: The non-Orthodox community prevented major expansion of Orthodox authority (defeating efforts to change the Law of Return and to ban recognition of foreign Reform and Conservative conversions), yet did not have the power to change the manifestly preferential treatment of the Orthodox — too powerful politically to be amenable to compromise, to concede what had become, over time, not a free ride but a subsidized ride.

Some background is here helpful. The original arrangement of synagogue/state relations was settled before Israel's independence, as part of an effort by the Jewish Agency, then the governing body of the Jewish community in Palestine, to ensure the support of the Agudath Israel, the most coherent ultra-Orthodox body, for the Jewish claim to genuine independence. A formal "status quo document" detailed the pledges of the secular establishment: Shabbat would be the national day of rest; food served in public institutions would be kosher; religious law would govern marriage and divorce; and the Haredi [fervently Orthodox] educational system would be autonomous. Separately, Ben Gurion agreed that Yeshiva students could be exempt from the draft.

Over time, new elements were incorporated into the basic understanding, ranging from laws banning pig farming to a vast expansion in government subsidies for Orthodox social welfare programs. Until 1967, the system worked tolerably well. The religious political parties saw to it that their status was protected but in almost all other respects supported government policies.

Post-1967, however, everything changed. Suddenly, the religious parties developed a “foreign policy” — that is, their own view on the fate of the West Bank. At the same time, their electoral support swelled, and they became ever more desirable as members of Israel’s coalition governments.

And now, as near-daily reports make clear, all the simmering tensions between a largely secular society and an increasingly feisty, not to say combative, fundamentalist minority are boiling over. Episodes such as an eight year-old girl in Bet Shemesh being spat upon for wearing “immodest dress” and women cursed and relegated to the back of the bus, along with an unceasing torrent of rabbinic rulings and statements that blatantly violate liberal democratic norms and understandings, make headlines. They may or may not indicate a growing sense of Haredi entitlement, and/or an ebb in the patience of the secular Israelis, who seem to believe that the Haredi malignancy is metastasizing, but whatever the cause(s) of the current distemper, it has suddenly become obvious that tinkering with marriage or with the allocations to Reform and Conservative institutions is an inadequate response.

It has long been clear to me that the entanglement of synagogue with state corrupts both. Yet when, some years ago, in the course of a lecture in Jerusalem, I suggested that the only serious response to such corruption, as also to the relative acquiescence to its excesses by the non-Haredi Orthodox rabbinate, was an American-style separation of synagogue and state, the chill in the audience was palpable.

Now, however, we have the results of a new public opinion poll sponsored by Hiddush, an organization “for religious freedom and equality.” The sample of Israeli Jews is 49 percent secular, 29 percent “traditional,” 13 percent religious and 9 percent Haredi; the data Hiddush presents are striking.

So, for example, 80 percent of Israeli Jews (including nearly 2/3 of Likud voters) are dissatisfied with government handling of issues of religion and state; two-thirds view the

tensions between secular and ultra-Orthodox Jews as either the most (37%) or the second most (27%) acute conflict in Israeli Jewish society, more than the tensions between rich and poor; 93 percent of the non-Haredi public and 87% of all Jewish Israelis believe that yeshiva students should be required to do either military or civil service; 79 percent favor reducing government funding for yeshivas and families with many children; 80 percent are in favor of requiring ultra-Orthodox schools to employ core curricular studies, including math, science and civics; 62 percent are in favor of denying funding to schools that do not teach these subjects.

But perhaps most striking of all is that 56 percent favor separation of synagogue and state.

It is likely easier to endorse such separation in response to a public opinion survey than as a real-world political proposition, and much thought must be given regarding how to manage the needed disentanglement and over what period of time, but at least that which seemed outlandish just a few years ago now can — and should — be taken as a serious alternative.