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It's Complicated

Newly falling barriers are beginning to ease the ultra-Orthodox stranglehold on marriage in Israel — but not for Jews

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By Lillian Cohen-Moore • Posted December 15, 2010

Marriage in Israel has never been easy. Control over the institution in the Jewish State's 62-year history has sat with the Orthodox religious authorities. Until now, that is. A long, drawn-out legislative process has led to the creation of civil marriage in Israel — for citizens without religious affiliation, or, in other words, non-Jews. This marks the first time that any civil marriage has been offered, and the decision has renewed discussion on marriage in both Israel and the Diaspora.

With immigrants making aliyah to Israel from across the globe, and the concurrent divisive nature of Israel's discourse over the validity of non-Orthodox conversions, marriage is a sensitive issue with far-reaching political implications. One person, Amy Beth Oppenheimer, has spent many years exploring marriage in Israel. Raised in an observant Jewish home in the United States, she lived in Haifa while studying abroad. Oppenheimer's then-boyfriend — her now husband — convinced her to turn what became a passion on the subject of marriage in Israel into a documentary film.

Starting out with just a camera and a thirst for stories, Oppenheimer first recorded fellow students who spoke passionately about their generation's personal stakes in the marriage debate. Then, she extended beyond her peers. Though she had no filmmaking experience, Oppenheimer embarked on a self-taught documentary crash course.

The resulting film, *Faces of Israel*, has brought stateside attention to the dilemmas and issues surrounding marriage in Israel, where democratic ideals familiar to the American public often clash with the Jewish State's hard-line Orthodox authorities. Oppenheimer explained that her own childhood home, while observant, was still a place that respected religious pluralism and religious liberties, giving her what she felt like was an open mind in approaching the topic.

"Israel and the United States are 'progressive' in different areas, though both countries are struggling with defining the parameters of state-sanctioned marriage," she said in an interview with Jew-ish.com. "One key difference is that though Israel as a democracy is committed to ensuring personal civil liberties, its existence is predicated on it being a Jewish state. So no one is pretending that there is a separation of 'synagogue and state,' while in the U.S. the oft-quoted separation of church and state is not so cut and dry."

Oppenheimer said some people view the new civil union as a "baby step toward the goal of legalizing all civil unions," while others view the move as Israel starting down a "slippery slope that will lead to the lessening of religious influence in state matters and signaling a disrespect for tradition, which will further disunite the Jewish community," she said. Then there are the critics who consider the legislation "a major step back for civil rights reasons, arguing that the law will create a sort of caste system of outcasts who are legally isolated from the rest of society."

Rabbi Seth Farber, the founding Director of ITIM, the Jewish Life Information Center, is a strong champion for more accessible marriage for Jewish couples. Farber long ago sensed a growing disenfranchisement among both immigrants and average Israelis.

"I want Israel to exude normalcy," Farber told Jew-ish.com. "Unfortunately, the Orthodox Israeli religious establishment is not doing that."



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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
<< Feb 2011			Apr 2011 >>			

ITIM guides couples over the bureaucratic hurdles of the marital process in Israel — a process that can be made nerve wracking by demands from the religious establishment for documentary proof of Jewishness. Authorities focus on a paper trail of documents to establish halachically acceptable Jewish status. The process is especially fraught for converts, who often are turned away by marriage registrars.

"I think that right now the Chief Rabbinate has a lot of control over marriage, and doing a bad job of making marriage available to rank-and-file Israelis," Farber said. "I think that's going to create a greater sense of urgency for civil marriage in Israel."

Farber said that a development such as permitting interfaith marriage is still a long way off.

"It would be difficult for the Israeli body politic to ratify interfaith marriage, but something that will be much quicker in coming is marriage between Jews, particularly between those who may be able to make aliyah but might not be seen as halachically Jewish."