

Court to decide on rejected conversions

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Do the rabbinical courts have the right to reject conversions approved by independent religious courts recognized by the state and the chief rabbis of Israel? That question will now be decided by the High Court of Justice as a result of a petition filed Thursday by attorney Susan Weiss of the Center for Justice for Women, who represents 15 petitioners.

The High Court will have to decide whether to accept or reject decisions made by haredi-controlled rabbinical courts that nullified the Jewishness of a woman who converted 15 years ago and all conversions conducted by Rabbi Haim Druckman, the head of the Conversion Authority in the Prime Minister's Office, since 1999.

The rabbinical court rulings has triggered infuriated reactions by religious Zionist political and spiritual leaders who regard the special conversion courts headed by Druckman as more tolerant than the haredi-controlled rabbinical courts.

Druckman, a leading figure in Orthodox Zionism, is head of a system of special courts established by the government in 1995 to authorize conversions. They were established because government leaders were persuaded that the rabbinical courts, which also preside over conversion requests, were too strict in their demands and that as a result, many non-Jewish immigrants from the former Soviet Union were unwilling to convert.

The petitioners in the case brought by Weiss include the woman whose conversion was nullified and her three children, the Na'amat women's labor Zionist movement, the WIZO-Women's International Zionist Organization, the Emunah National Religious Women's Organization and several NGOs trying to improve the situation of women in the rabbinical courts.

The petition is aimed at Dayan (Religious Court Judge) Avraham Attia, a member of the Ashdod Rabbinical Court, and Dayanim Avraham Sherman, Hagai Eiserer and Avraham Scheinfeld of the Higher Rabbinical Court.

The case began when the Danish-born woman and her sabra husband filed for an uncontested divorce in the Ashdod Rabbinical Court. According to Weiss, the matter should have been a simple one since the couple had agreed in advance on the divorce terms. Instead, Attia asked the woman a question or two about her religious observance and then ruled on February 22, 2007, that the woman was not Jewish because her conversion had been invalid. Since she was not Jewish, she could not have been married in a religious court and therefore did not need a divorce.

"Attia devoted eight pages of the nine-page decision to a crass diatribe against the woman and Rabbi Haim Druckman," Weiss said. "He used language unfit for any person, let alone a dayan."

On April 22, 2007, the couple appealed the lower court decision to the Higher Rabbinical Court.

The woman's rabbinical court pleader argued that the Ashdod court had exceeded its authority by nullifying her conversion, that a single dayan had overruled a decision to convert the woman made by three dayanim, that nullifying the conversion violated religious law and that Attia could not disqualify Druckman's court without giving him a chance to defend himself.

But according to Weiss, the Higher Rabbinical Court "ignored all the arguments raised in the appeal and dealt only with the question of whether the woman was observant."

In an interim decision, the Higher Rabbinical Court granted the couple a divorce but added that this did not reflect on the question of whether the woman was Jewish. Then, in February, during a conference including dayanim and others, Sherman, the presiding dayan in the appeal hearing, distributed a draft of the court's final 49-page decision. The decision itself was handed down only two months later.

The court ruled that the Jewishness of the woman and her children was in doubt and needed to be re-examined, that the family should be added to the list of people who may not marry for the time being, that all Druckman's conversion decisions since 1999 should be canceled, and that marriage registrars not register a convert who does not look observant from his or her external appearance.

According to Weiss, the language used in the Higher Rabbinical Court decision was also insulting. She included several quotes such as, "These [special conversion] courts are responsible for the fact that nothing will be left of the Jewish people," and, "The rabbi whose name begins with sin," a play on words because the word "*chet*" means "sin" while the letter "chet" is the first letter in Druckman's first name, Haim.

Weiss told *The Jerusalem Post* that the woman whose conversion was nullified approached the Center for Justice for Women in the wake of the Higher Rabbinical Court decision. However, because the rabbinical decisions went much farther than the case of the woman itself by delegitimizing a court system established by the state and endorsed by the two chief rabbis, she finds herself defending the special courts and, by extension, the religious Zionist movement itself.

According to Weiss, the case highlights many of the faults of the rabbinical courts. "They have no concept of due process or fairness, and they display no sensitivity to those who come before them," she said.