

## Women of the Wall



- Women of the Wall is an organisation founded in 1988 by Jewish Orthodox, Reform and Conservative women, who gather to pray at the Western Wall, in Hebrew the *Kotel*, in a fashion including the reading the Torah scrolls and the wearing of traditional Jewish garments, phylacteries (*teffilin*) and the prayer shawl (*tallit*).



- The controversy about women's prayer at the *Kotel* is about religious custom roles and religious freedom in Israeli society.
- After the area passed unto Israeli jurisdiction following the 1967 war, Jews had access to the *Kotel* after they were banned from the space under Jordan occupation (1948-1967). Subsequently, ultra-Orthodox leaders were tasked with managing the space.
- Currently, the *Kotel* prayer space is divided into a large men's section and a minor women's section, supervised by guards ensuring visitors respect the sanctity of the place.

### The religious debate

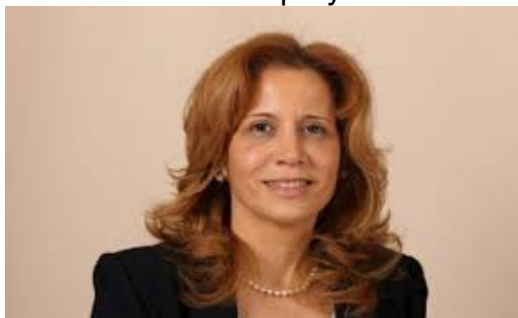
- Women of the Wall argue that the major point in Jewish law is the separation of men and women during prayer. While they are not an egalitarian prayer group, many women claim the right to pray in public by reading the Torah aloud and also wearing traditional Jewish garments.



- According to the Orthodox view, men and women's prayer are essentially different. Specifically, the reading of the Torah in public is a men's task and women's voice should not be heard aloud in public. Therefore, although theoretically permissible, women's prayer is contrary to Jewish custom.

### The political debate

- In 2002, Orthodox Members of Knesset (MK) tried to pass a bill criminalising non-Orthodox women's prayer at the *Kotel*. The bill eventually failed to pass.



MK Aliza Lavie

- Women of the Wall activity gained the support of several MKs, with different positions. Yesh Atid MK Aliza Lavie supports the right of non-Orthodox groups to pray at the *Kotel*, but does not encourage politicians' participation in prayers until the dispute is settled.



MKs praying at *Kotel* with WoW

- Labour MK Stav Shaffir as well as Meretz MKs Michal Rozin and Tamar Zandberg participated in women's prayer at the *Kotel* in March 2013. Their choice was criticised, because the controversy, yet unsettled, touches major issues regarding the role of ultra-Orthodox communities in Israeli society.



Nathan Sharansky

- Following a Supreme Court order of 2003, PM Benyamin Netanyahu has recently tasked Nathan Sharansky, chairman of the Jewish Agency, to find an appropriate solution in terms of space. Sharansky is working on a plan to allocate portion of the *Kotel* space to non-Orthodox groups. The original plan to allocate the Robinson's Arch archaeological site to women's prayer was harshly criticised by Women of the Wall, claiming the plan assigned to women's prayer a place of minor importance.

### The legal debate

- The Israeli legal system recognises freedom of religion and belief; furthermore, the Supreme Court jurisprudence has always considered religious sensitivity as a matter for its rulings regarding state and religion.
- Following the first women's prayers at the *Kotel*, the Religious Affairs Ministry adopted in 1990s a decree banning religious practices contrary to Jewish custom at the *Kotel*.



The Israeli Supreme Court

- In 2003, the Supreme Court ruled on a petition filed by Women of the Wall ordering the government to find an appropriate solution in terms of division of the space among different groups. The wording of the ruling on women praying in a non-Orthodox fashion was interpreted as banning women from wearing prayer shawls and reading the Torah.



The Jerusalem District Court

- In April 2013, the Jerusalem District Court ruled the arrests of women praying at the *Kotel* on ground of public order were illegal. Moreover, the judge interpreted the 2003 Supreme Court ruling as a recommendation and not as an order, declaring that non-Orthodox prayer is not to be considered as contrary to the custom of the site.

### The social debate

- Women's prayer at the *Kotel* has developed into a political debate, regarding opposing views of religious freedom and women's rights. Moreover, the controversy concerning women's rights to pray in non-Orthodox fashions at the *Kotel* has also become part of a larger debate on the role of ultra-Orthodox in Israeli society.
- Ultra-Orthodox claim that women's prayer at the *Kotel* in a non-Orthodox fashion is hurtful to ultra-Orthodox religious sensitivity, depository of the *Kotel* plaza management.
- Women of the Wall construe their right to religious freedom as also including the right to pray according to different beliefs and practices.



- Women's prayer at the *Kotel* is cause of agitation in the ultra-Orthodox public, who try to impede women from praying, often attacking them verbally and physically.





Anat Hoffmann arrested in October 2012

- The police have long responded by trying to avoid clashes and by arresting women for their behaviour considered disruptive of public order.
- In 2009, the first woman was arrested for wearing a Jewish prayer shawl. Women of the Wall chairwoman Anat Hoffmann was arrested twice, in 2010 and 2012 for approaching the *Kotel* with Torah Scrolls. Other two Women of the Wall Board members were arrested in 2012, while in 2013 the police arrested other 10 members.
- The police perform the arrest on ground of disturbance of public order.
- Ultra-Orthodox rabbis have recently opposed young yeshiva students violent protests against Women of the Wall resulting into clashes, while prefer opposing women's claims in media and in political advocacy.
- According to recent poles by the Israel Democracy Institute, half of Israeli public sees women's prayer at the *Kotel* favourably. More men than women seem to approve of Women of the Wall struggle.

## Interview with Shira Pruce, spokeswoman Women of the Wall



### What is the goal of Women of the Wall? Is your struggle about advancing the status of women in Judaism, in Israeli society or is it a social change at large?

Women of the Wall goals are very specific. What we want to achieve is the recognition of legal and social rights for women to pray according to their beliefs at the Western Wall, the holiest place for Jews.

As an organisation, Women of the Wall works toward the recognition of the legal right and social acceptance of women's prayer at the Western Wall. In specific, we define prayer in a pluralist way, accepting and respecting each woman in her tradition and belief, including women who pray with the traditional Jewish prayer shawl (*tallit*), with the phylacteries (*tefillin*), and with the *Sefer Torah*, the Torah scroll read during services.

We believe that women should have equal rights as men to pray, as they want, according to their beliefs and practices.

The Western Wall, known in Hebrew as *Kotel*, is a holy site in Judaism, but legally it is a public place. It is not a private space belonging to any organisation; therefore, there is no reason why that space should be managed according to one specific tradition, the ultra-Orthodox.

### Women of the Wall is a non-denominational group, but what are the religious affiliations of its members?

The organisation Women of the Wall was established by Orthodox, Reform and Conservative women in 1988, in combination with the first Jewish Feminist Conference held in Jerusalem the same year.

In that occasion, a group of about a hundred women went to the *Kotel*, the Western Wall, to pray, and that's how Women of the Wall was born.

Women of the Wall comprise Renewal and Reconstructionist members as well. Moreover, many women do not identify with a denomination in specific, and there are also women only praying together in-group.

### Are there men as well?

There are men supporting us, but they do not join our praying groups.

I would like to stress that Women of the Wall praying practice is not contrary to Jewish law, the *halakha*. In this respect, it is worth recalling that the two schools that have shaped Judaism and the Rabbinic law, *Bet Hillel* and *Bet Shammai*, had opposite views on how things should be done.

Halakhically, women and men should pray separately and, indeed, we are a non-egalitarian prayer group, which means we do not include men in our prayers. We support egalitarian groups, but that is not part of our mission.

### You argue that Women Of the Wall praying practice is not contrary to Jewish law, *halakha*. However, your opponents claim that your praying practice offends religious customs precisely on ground of Jewish law. So, is it a religious or a political problem?

It is only political.

Rabbi Shmuel Rabinovitch, chairman of Western Wall Heritage Foundation and subject to the authority of the Prime Minister, is the authority of the Western Wall. Rabbi Rabinovitch himself said that it is not a *halakhic* issue, in other words, it is not a question of Jewish law. Moreover, Member of Knesset Aliza Lavie, chairwoman of the Knesset Committee on the Status of Women, also declared that women's right to pray at the Western Wall is not a religious issue.

It is first and foremost a political issue. According to us, it is a question of tolerance, acceptance and pluralism.

It is also a social issue, specifically regarding gender roles in Israeli society. People opposing us know that we do not violate *halakha*, while they antagonise us because they perceive we are taking on a role traditionally held by men.

Therefore, we claim it is a gender issue, regarding women's rights, and specifically, women's equal rights under Israeli law to practice religion according to their beliefs. Thus, the whole controversy is in effect a question of tolerating different people and accepting different interpretation of gender roles, of what women can or have the right to do.

### How is it a gender issue?

It is a gender issue, as it is a political issue and not religious. It has to do with women adopting behaviours and taking on roles that are perceived as men's only. But this is about traditional, socialized gender roles, not religion itself. And this is about religious freedom and women's equality in Israeli society.

**With the new governmental coalition, the Ministry of Religious Affairs is under Zionist religious authority. Yesh Atid Member of Knesset Ruth Kalderon also declared that she will support the advancement of all Jewish affiliations in Israel. Do you see any change coming about?**

Women of the Wall have definitely seen a spike in support from Members of Knesset, but not necessarily in the new government coalition. I am not criticising, but I think that they are busy with other issues.

The spike in attention to these issues comes from a much larger issue in Israel, which is the exclusion of women in the public sphere, and this coalition is more aware to that. I am referring, for instance, to gender separation in buses, to the mistreatment of young girls on sidewalks by ultra-Orthodox, to violence against women accused of improper behaviours contrary to modesty rules. All this happens in public spaces, including buses, sidewalks, and streets, not in private locations. And this has to do with the ultra-Orthodox rule in public life.

Most Israelis oppose the ultra-Orthodox rule in public life, including family law or conversions. In Israel, family law is under the jurisdiction of religious courts and rabbinical courts apply Jewish law. But somehow, Women of the Wall touch the nerve of this general perception of increasing extremism, taking it obviously from a legal and political perspective, in terms of pluralism and acceptance.

**The State of Israel, historically and culturally, identifies with Judaism and the Jewish people. You claim that in certain domains, including the issue of the Western Wall, the ultra-Orthodox community is given preference over other Jewish groups. Why?**

The Western Wall was back in Jewish hands in 1967, for first time after many years over which Jews were impeded from accessing the sight. It was a very emotional moment from a Zionist point of view as well, as shown in historic pictures with paratroopers in front of the Wall.

Once the sight was under Israeli jurisdiction, the Prime Minister at the time, Levy Eshkol, had to make decisions about what to do with the space. What happened is that the then Ministry of Religions, Zorach Warhaftig, handed the Wall over to the ultra-Orthodox leaders at the time.

Subsequently, there was a series of provisions taken to manage the place according to ultra-Orthodox standards. First, men and women were separated, whereas before they have always prayed together as we can see in many pictures. Then, the women's praying space was reduced (men and women shared equal spaces, but now the men's section is four times as bigger as women's) and finally, a moral patrol was introduced to ensure visitors respect ultra-Orthodox modesty rules in clothing.

Since 1967, we notice more and more extremism. Ultra-Orthodox have become more conservative and cut off from Israel society. For instance, see the neighbourhoods, the change in dressing standards, the introduction of modesty patrols, which punish women in the street, if they behave in breach of social codes. Another example of extremism is gender separation in buses.



I see it as a progression, while in Israeli society it is a process of appeasement and compromise. People say that if the ultra-Orthodox want the Western Wall, they are ready to give it to them, and react with a simple “we’ll move to Tel Aviv”. Israelis gave up in the *Kotel*, and this gives the ultra-Orthodox the feeling that they can dictate how we should celebrate and pray.

This is what Women of the Wall do: re-appropriation of the space for attaining equality between men and women. In May we had 400 people in the Western Wall, coming from all over the country to take back the space.

### **What is the role of Israeli institutions?**

We see significant changes in the Knesset, the Israeli Parliament, where we are gaining support by many parliamentarians. However, in local authorities, there is remarkable pressure from ultra-orthodox communities, which is also perceived in Israel society in general, because of their strong lobby.

Currently, for instance, we have the discussion whether ultra-Orthodox should serve in the army, and this is one of major points of separation in Israeli politics and society.

### **What about the Supreme Court?**

The Supreme Court, which has often been seen to stay away from religious issues, is increasingly getting involved. There is a very clear change in courts decisions and precedent sets. For instance, the High Court of Justice has recently ruled that gender separation in public buses is illegal.

### **The Supreme Court also ruled on women’s prayer at the Kotel...**

Regarding Women of the Wall, the Supreme Court ruled in 2003 that women were entitled to pray at the Western Wall according to their beliefs and ordered the state to find a solution in terms of space. Yet, the order has not yet been implemented.

Moreover, another recent district court decision found that the arrest of women praying at the Western Wall on ground of public order was illegal. The judge declared that women were praying and did not therefore cause disturbance, as those who opposed women’s prayers by attacking them.

The decision also tackles the legal question regarding “the local customs” according to which prayer should be conducted. A Ministerial Decree adopted in 1990 bans ceremonies contrary to the “tradition of the place” and that may hurt the “feelings of the praying public”. The judge found that the legal provision should be interpreted in a pluralistic way, not only according to the ultra-Orthodox tradition. A police request to impede Women of the Wall from approaching the area was also dismissed.

We believe that religious sensitivity should not be a matter of law. It is a social issue, not a question to be discussed in court.

### How do you pursue your goals in other Israeli institutions?

Women of the Wall believe to work within the system. We have full partners in civil society and active citizens in Supreme Court battles. We also hold open to meeting with Members of Knesset.

We are also present in the media, and this is important to challenge the many misconceptions associated with Women of the Wall. Take the example of the arrest and detention of Women of the Wall members. Over 50 women have so far been arrested and taken before a judge in magistrate courts. Women praying were being the actual victims in the situation, while those who oppose us disturbed the peace, but we were arrested for this. The situation is very easy: women are going to the *Kotel* to pray; ultra-Orthodox disturb the prayer, but women were arrested.

As I said, Members of Knesset have progressively changed their view on this issue. The District Court said we are not disturbing the law. So, there is a positive development.

### Following your words, it seems a real battle on the ground.

We certainly define it as a struggle, but we refrain from acrimonious language.

We have suffered from violence, physical and verbal assaults. We were arrested, detained, even kept handcuffed overnight and mistreated. Anat Hoffman, Women Of the Wall chairwoman, was detained and kept overnight with common criminals, handcuffed and seriously mistreated. Although she is not a criminal herself! We have also been teargassed.

Following the evolution in Israeli institutions and public, we also see a positive change. Actually now the police treat us better; they are more considerate and are doing an amazing job—they are also victims of disturbances.

So, we see a change going on. Things are evolving. But we have to keep being present at the *Kotel*: it is our battle on the ground to secure spaces for all women.