

Motion for the Agenda No. 7 Abstract

A Proposal for a State Conversion Bill

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Introduction

Between 1989 and 2004, nearly one million immigrants from the former Soviet Union became citizens of the State of Israel. Roughly a third of these citizens are not recognized as Jews by the Israeli Rabbinate. The issue of converting these immigrants—as well as other non-Jews in Israel—is one of the most pressing issues on the agenda of Jewish society today, both in Israel and abroad.

Because of the complexity of this controversial issue and its national, personal, and societal dimensions, it is critical that conversions be recognized by the state and universally accepted. Converts must know that there are no doubts about the validity of their conversions and they must be accepted as full Jews by both the State of Israel and members of Israeli society.

The conversion system that exists in Israel today, which consists of several conversion courts supervised by the Ministry of Religious Services, was established by means of a Government resolution passed in 1998 but is not anchored in Israeli law. For this reason, the Israel Democracy Institute and ITIM have drafted new legislation that will serve as the legal framework for conversions in Israel: The State Conversion Law.

The Goals of the State Conversion Law

- To define conversion in Israel as a national agenda item
- To increase confidence in the conversion process and strengthen the validity of conversions and the broad acceptance of converts as Jews
- To improve the conversion process and make it more efficient

Key Points of the Legislation

1. The status of conversions in Israel will be anchored in Israeli law such that converts will be entitled to the same rights as any Jew born in Israel.
 - A conversion certificate will serve as proof of the bearer's Jewishness for all state authorities. Adopting the use of such certificates will not preclude recognition of other non-state conversions for the sake of the Law of Return and registration of nationality and religion in the Population Registry.
 - Marriage registrars and rabbinical courts will be unable to invalidate conversions.
 - Conversion courts will be authorized to ratify conversions that were conducted prior to the proposed legislation as well as conversions conducted outside Israel.
2. Conversion courts will be established, directed by local rabbis authorized to perform conversions. These special rabbinical courts will be independent halakic bodies authorized to perform conversions in Israel.
 - Regular rabbinical courts will be permitted to serve as conversion courts as well, with a panel of three rabbis. In addition, any state-appointed municipal rabbi or regional rabbi, or rabbi appointed by the Chief Rabbinate Council, will be authorized to establish his own conversion court.
 - The employees of conversion courts will be bound by the regulations that apply to all state employees.

- A list of conversion courts will be published annually and those wishing to convert will be able to choose the conversion court they prefer.
3. A state authority for supervising conversions will be established. This conversion authority will oversee all administrative procedures related to conversion.
- The director of the conversion authority will be responsible for defining the administrative processes and procedures related to conversion. Halakhic discretion as to whether or not to perform a conversion, however, will remain solely within the jurisdiction of the conversion court.
 - To prevent abuse, the director will head an oversight committee and will appoint inspectors to examine the procedural aspects of the conversion process.
 - The director will ensure that every potential convert is treated respectfully and is referred to a rabbi authorized to perform conversions. Conversion rabbis will inform the director if a potential convert contacts them directly.
 - The director will ensure that a potential convert begins only one conversion process at a time. The director will also be authorized to monitor the conversion process so as to ensure that it is not abused in other contexts.
 - To simplify process of marriage registration for converts and to prevent additional cases in which marriage registrars refuse to recognize converts as Jews, the director will be permitted to appoint recognized conversion rabbis to serve as marriage registrars for converts as well.
 - The director will oversee the procedure for circumcisions. The director will also oversee those who are authorized to perform these rituals.
 - The director will provide information to the public and will respond to inquiries from the public regarding the conversion process.
4. The conversion of minors will be permitted only with the consent of both parents and the minor (if he or she is older than 10), and with the approval of the court, in accordance with international law.

Conclusion

The proposed State Conversion Bill does not address the religious aspects of conversion: It does not favor one halakhic interpretation over another and does not affect the State of Israel's current recognition of non-Orthodox conversions that are performed abroad or in Israel. According to this proposal, the state will only recognize state-sponsored conversions, but at the same time, it will permit a range of halakhic voices within the framework of state conversions. The bill will achieve its objectives because it stipulates that the state will automatically issue a valid conversion certificate, but will do so only in cases of people who convert in a rabbinical court headed by a senior rabbi appointed by the Chief Rabbinate of Israel.

The bill creates a mechanism that protects converts from nullification of their conversion (except in extreme cases) and from refusal to register them for marriage. It seeks to make conversion a national priority that will be addressed seriously and responsibly in Israeli society. This is our obligation to future generations in Israel.

About the Authors

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This proposal was written by the Israel Democracy Institute and ITIM under the auspices of IDI's Religion and State project, directed by Prof. **Yedidia Z. Stern**.

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The full Hebrew proposal may be downloaded from the IDI website: en.idi.org.il/motion7

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