'Religions and Ideologies,
Polish Perspectives and beyond.'

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Panel A: Enemies or allies? The relations of religions and states.

The word "problematic" comes to mind when considering the relationship of Religion and State in Israel. The word begins with a "p" and I will break down that "p" into three or four other "p"s :- 1. principle (or foundational); 2. political; and 3. personal and plural.

1. On Principle.
Political Zionism's visionary Theodor Herzl viewed the desirable relationship between Religion and State as being separated from one another. It is also noteworthy that the title of his magnum opus was "Der Judenstaat" ,the state of the Jews; and not "Der Judischestaat" , the Jewish state (although when the vast majority of Israelis use the term "Jewish state" today, they mean it in the former sense as a national cultural identity, just as France is French and Poland is Polish.) Indeed even if Israel's founding fathers had to be politically pragmatic, they certainly saw Israel as a secular democratic state, as do the vast majority of its citizens today.
Israel is far from being a theocracy both in law and in practice. The reality of the Sabbath in Israel is far less reflected in the synagogues of Jerusalem and far more on the beaches of Tel Aviv.
I am both unhappy and happy about this. Naturally I would like all Jews to observe the Sabbath in a traditional religious manner. However I want that to come from volition and am totally opposed to any form of coercion. I am therefore happy that people are free to make their personal choices accordingly.

Nevertheless, the fact is that Israel has never succeeded in extricating the confessional dimension of Jewishness from the secular identity of the state (and perhaps the majority have no desire to do so.) The classic example of this is the Law of Return. This law grants Israeli citizenship to a Jew, the child, or grandchild of a Jew (and one who is married to such.) The moral logic behind this law proceeds from the acceptance that the land was the homeland of the Jewish people from which the vast majority was displaced (exiled) ,but has

maintained fidelity to it over the millennia (in liturgy and the religious calendar, in which the expectation of the Divine promise of return is also central); and thus we have been, as it were, citizens in exile awaiting repatriation which can now be exercised.

In the original text of the law, the term "Jew" was not defined. However in the wake of coalition crises, the law was amended to define a Jew as "one who is born to a Jewish mother or has converted", using specifically religious legal criteria in relation to the "secular" status of citizenship.

Aside from the broader democratic problematics of this law, it continues to raise difficulties and exacerbate tensions within Jewry itself. But above all, as I am indicating, it embodies the confusion between religion and state even in the very understanding of who and what is an Israeli. The confusion is further highlighted by the fact that a large number of Israelis perceive the country's Druze citizens who share the defense burden, as more Israeli than ultra-Orthodox who do not (both despite the fact that the latter wield disproportionate political influence, and because of such !)

2. Politics.

The second "p", that of the place of religion in politics, is primarily a function of the healthy democratic character of the state (even if the results are not always healthy), flowing from the right of people to establish political parties and vote according to their self-perceived interests and needs. As far as foreign policy is concerned - i.e. war, peace and territorial compromise - in my opinion, religion has played a far less significant role than most people think. Of course the settlement movement has been driven overwhelmingly by a religious neo-messianism. Nevertheless I would argue that Israeli governments have taken their decisions on such issues based on their own perception of what is in Israel's best security interests. On the other hand, we might note for example that it was religious fanaticism that inspired Yitzhak Rabin's assassination which, although not the only reason, was a significant factor in derailing the peace process.

3.Personal and plural.

The third aspect that I am highlighting here in the relationship between religion and state in Israel, concerns arguably its most problematic structural deficiency as a modern democracy – namely, the control of matters of personal status by the officially recognized religious authorities. This of course goes back to Ottoman rule and was both wise and effective in its time. Moreover throughout the MENA region, matters of personal status remain overwhelming in the hands of religious authorities and the right of civil marriage for all is rarely to be found.

However in modern society where the choice of one's marriage partner and dissolution of such partnerships are perceived as basic human rights; the exclusive monopoly on such matters by religion and its control of family law, maintenance, etc., seriously compromises these basic freedoms. Moreover the exclusive monopoly of "recognized" denominations denies the principle of the freedom of religion (to which Israel is committed by its Declaration of Independence) to those denominations that are not officially "recognized". This is primarily a "Jewish problem", as almost the whole spectrum of Christian denominations are recognized by the state; and the Muslim community is almost entirely homogenous in its Sunni orthodoxy. However, the Orthodox Jewish monopoly means that the non-Orthodox Jewish denominations are not officially recognized. The paradoxical result is that Islam and Christianity enjoy a status in Israel that is denied to non-Orthodox Judaism ! In other words, the state of Israel provides for a pluralism of religions, but not for Jewish religious pluralism !

This situation will only be rectified with the advent of civil marriage. (In fact a very minimal provision for such is currently being introduced for "those who have no religion " which may well be a harbinger of more significant developments to come.)

However it has been interesting for me to discover that when my Muslim and especially Arab Christian colleagues in Israel hear me express my support for the introduction of civil marriage (precisely on religious grounds), they often say that they understand me but hope that my aspiration will not be realized because their empowerment by the state in these matters helps them to maintain the identities and affiliation of their respective communities.

In effect this reaction highlights both the positive and problematic aspects of state "official recognition" of religions and denominations, in which Israel (despite is singular peculiarities) serves as something of a paradigm for better and worse.