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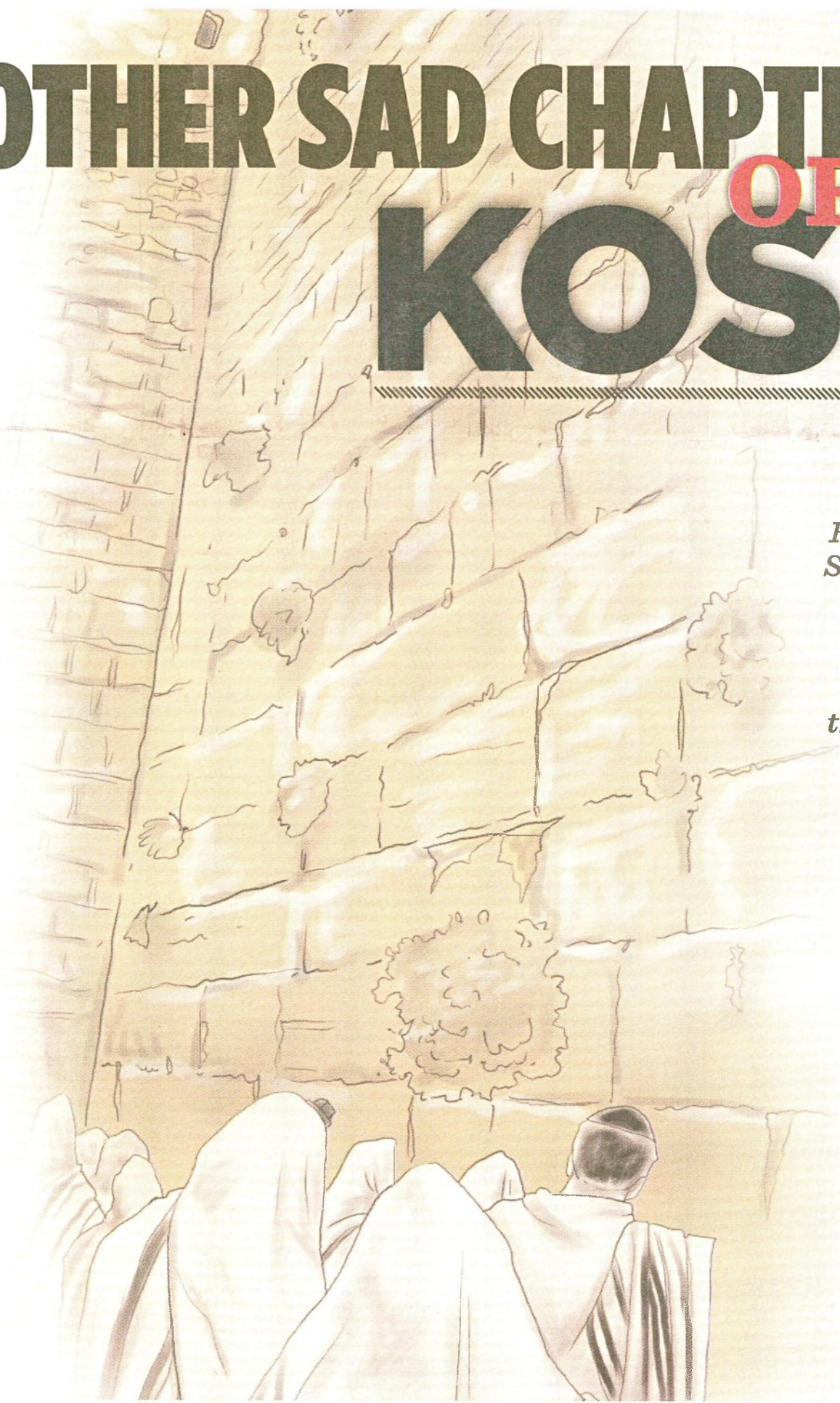
ANOTHER SAD CHAPTER OF THE KOSEL

Up Against the Wall

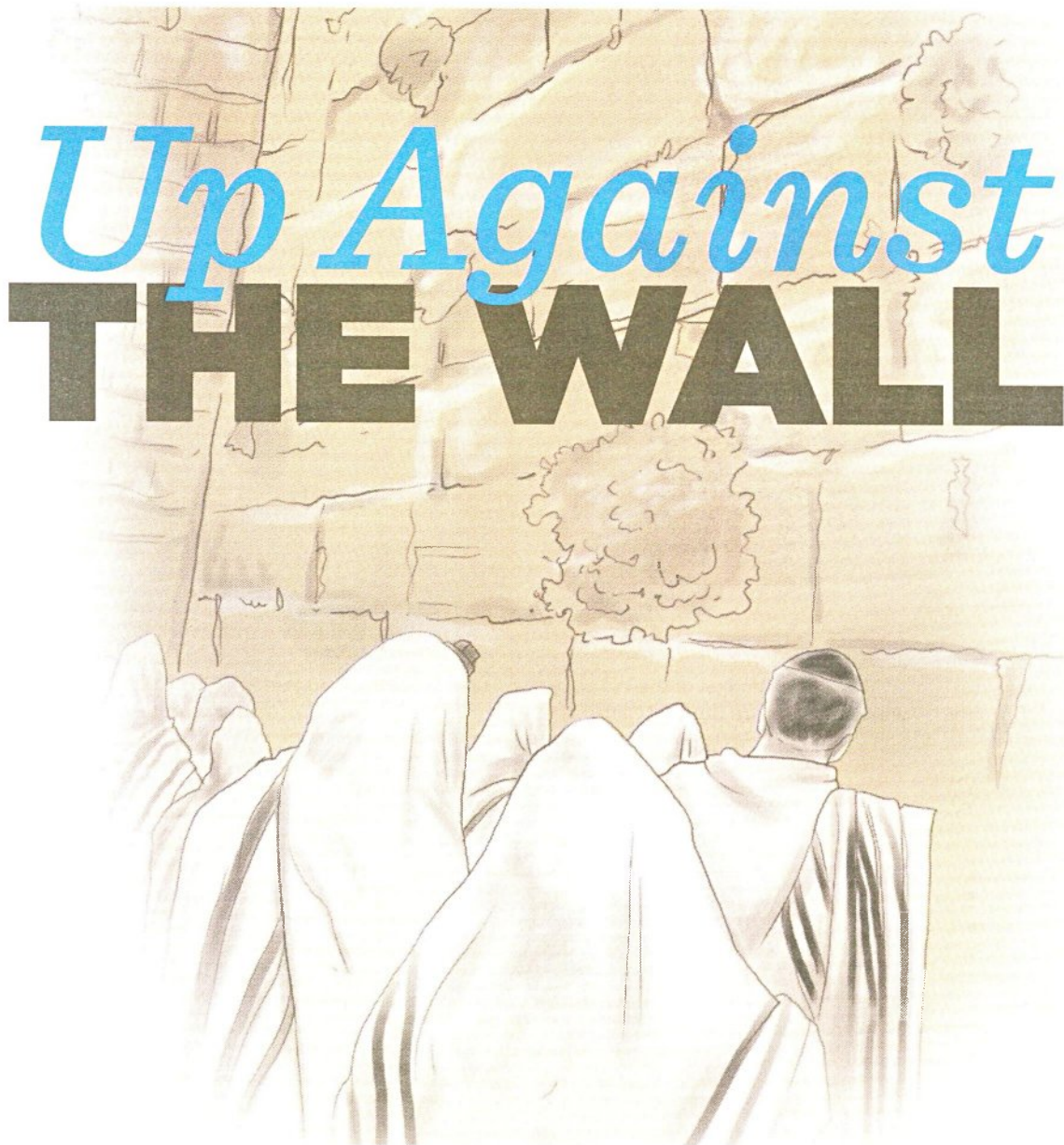
INTERVIEWS:
*Harav Shlomo Amar,
Sephardi Chief Rabbi
of Yerushalayim*

*Rabbi Shmuel
Rabinowitz, Rav of
the Kosel Hamaaravi*

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PM Netanyahu's office is convinced that the campaign being waged by the "Women of the Wall" is being guided by wealthy leftist organizations that come from anti-Israel states and organizations in Europe and the United States. This is part of their efforts to topple the Netanyahu government in any way possible. The ones behind the provocations by these women are building on the hope that the Kosel dispute will cause the chareidim to bolt the government.

BY Y. YAKAR

If, at the beginning, the battle being waged by the provocateur women seeking to pray in a mixed congregation at the Kosel — with *sifrei Torah* and dancing — was still perceived by some in Israel's leadership as a genuine struggle for gender equality that represented masses of women, now it is already clear that it is something entirely different.

There are no masses of women here, and the group that calls itself the "Women of the Wall" is really just comprised of a few dozen women, most of them activists in far-left radical groups. They benefit from generous subsidies from the New Israel Fund and others, and they are simply pawns in the hands of leftist groups who are trying to topple the Netanyahu government. It is part of the battle being waged by leftist media and others in Israel's government who wanted to prevail over PM Netanyahu in the last elections but failed. At this point, they will use any means to advance their goals.

Netanyahu's bureau is convinced, now more than ever since the beginning of the "Women of the Wall" saga, that their battle is being guided by wealthy leftist groups that come from anti-Israel countries and groups in Europe and the United States. Today it is clear that those waging this battle via the media and lobbying groups are seeking any way to topple the Netanyahu government. The ones behind the provocateur women are building on the hope that the Kosel dispute will drive the *chareidi* MKs out of the coalition, thus denying the government a ruling majority.

That, however is unlikely to happen, because of recent developments. One year ago, the prime minister and his people thought that these women were really interested in obtaining a prayer plaza where they could pray as they pleased at the Kosel. Now, after further investigation, it is clear that even after they got what they wanted — an independent plaza at the southern side of the Kosel — they continued their battle, for the Kosel itself. "We were surprised," sources say. "And we only grasped too late who and what this was all about. And that is what led us to retract the idea of the special plaza and everything relating to it."

But now, the battle is moving to the High Court of Israel, which, over the years, has displayed overt political leanings. The court might become the target of the women if it emerges that they will withdraw backing from the provocateurs.

The subject of prayer at the Kosel and the surrounding areas, and especially the pressure of the reform and leftist

women in Israel, is undoubtedly a ticking time bomb that may yet explode and threaten Israel's current government.

The High Court is currently deliberating three appeals relating to *tefillah* arrangements at the Kosel. One appeal, filed against various government entities including the Chief Rabbinate, asks to establish a third prayer plaza in the Kosel area for the reform and conservative public, or to establish a separate plaza for them, which the government already decided to do more than a year ago. It also demands the appointment of reform, conservative and Women of the Wall representatives to the board of the Western Wall Heritage Foundation (the public group that manages the Kosel area). The appellants are also demanding that the Chief Rabbinate's status regarding this foundation be annulled.

In the second appeal, the Women of the Wall are appealing against government entities, including the Rabbinate, and demanding that they be allowed to use *sifrei Torah* in the traditional Kosel Plaza. They want the women to be able to take out the *sifre Torah*, carry them, dance with them and read from them in the Kosel Plaza.

The third appeal relates to the aforementioned government decision from more than year ago that determined that the reform could pray at a small plaza established for them south of the main Kosel plaza, near the Davidson Complex. The appellants hope that if the court annuls this decision, it will be easier for them to return to take over the traditional Kosel Plaza.

But according to leading jurists in Israel, the High Court in Israel does not even have the authority to discuss the questions of principle that these appeals raise, primarily the first and second appeal. This is because of a legal order that was passed and entered in the law books in Israel in 1924, when the British still ruled in Eretz Yisrael. It is called "The king's word in the council on Eretz Yisrael," and according to this legal order, "no court in Israel should arbitrate or decide any trial or issue relating to the holy sites or religious buildings or religious places in Eretz Yisrael, or in rights or claims that relate to the various religious sects in Eretz Yisrael." A special committee is to be appointed to adjudicate these matters. This legal order was adopted by the State of Israel when it was established, and has not been changed since then.

The logic behind this order is clear, as the High Court noted on one of the issues: "This legal arrangement was drafted at the beginning of the last century, against the backdrop of the awareness that interreligious and inter-

communal disputes and arguments relating to the rights of holy sites should not be judged in a routine legal process; but because of their special character, which includes national and international ramifications, their solution needs to be found in the political echelons, whether national or international. This special arrangement is still in effect, and emphasizes the special sensitivity of the holy sites, which supersedes the borders of Eretz Yisrael and spans interreligious and global relations."

The Israeli courts have already judged appeals of this kind, and determined that each time the essence of the claim related to freedom of worship, then the order from 100 years ago is extant, but when it comes to matters of freedom of access and preservation of public order, and not freedom of worship, it has the right to adjudicate the issue. And this is where the religious jurists in Israel conflict with those on the left. The religious legal experts and the religious parties say that the appeals currently pending are clearly and unequivocally a matter of freedom of worship. For example, the first appeal requests — for the first time — to enable women and men to pray together at the Kosel, in direct contravention to *halachah*. Such a question is not within the purview of the court and has never been judged by it. The same is true for the use of *sifrei Torah* in the Kosel Plaza, which the second appeal addresses; that is a matter of freedom of worship. The appellants themselves claim "a violation of freedom of worship." From here it is clear, according to the Orthodox representation in Israel, that the court is not authorized to discuss these matters of principle that the first two appeals seek to undermine.

There is no doubt that the issue being discussed here is linked to the ties between Israeli and Diaspora Jewry, some of them overt and others more stealthy. These relations, the two Chief Rabbis say, must be discussed in the political and public arenas. Such a sensitive issue should not be allowed to be dragged into legal battles. Discussing these issues as though they all relate to freedom of access or other legal doctrines is artificially making these deep issues superficial, even though they are essential matters that are not judiciable. The court does not have the tools or the expertise required to take into consideration all the different angles, which for the most part, are not legally inclined at all. The same is true for the political complexity of the matter, which may undermine the foundations of the governing coalition in Yerushalayim.

Now, for a subject within this subject: The Women of the Wall, the leftist groups in Israel and the reform, which

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banded together on all these appeals, are trying to sideline the Chief Rabbinate, claiming it is a government entity. Therefore, its opinion should not be sought and it should not intervene in the matter. Any decision that the (secular) ministers make will also obligate the Rabbanim in Israel, they say. This is where those ministers in the Israeli government, whose views are similar to those of the appellants, are in a catch-22. On the one hand, they would want to dictate to the Rabbanim what to do. But Israel has a law called “The Preservation of the Holy Sites Law,” and clause 4 of that law states that “the Israeli government must consult with the Chief Rabbis on all issues of preserving the holy sites.” And the government did not do that.

In other words, the Israeli government drafted a position regarding a clearly religious issue that contravenes the stance of the Chief Rabbis, without fulfilling its obligation to consult with them first. Under these circumstances, it is inconceivable that the Chief Rabbinate should be represented, against its will, with the Israel government. Meanwhile, each Rosh Chodesh, dozens of women return with their *tallisos*, and some with *tefillin*, and even sometimes with a *sefer Torah* in hand, to wage another round in the war of defiling the Kosel. That same Kosel is also under anti-Jewish and anti-Israeli attack from the United Nations and Arab, Muslim and Christian nations seeking to declare the entire area Israeli-occupied land. That was the context of a U.N. resolution determining that the Kosel and the Old City of Yerushalayim are not part of the Jewish State. That was also the message evident between the lines of Secretary of State John Kerry’s recent speech, given just a short time before he departs from the world stage.

The last two clashes with the provocateur women took place this past Rosh Chodesh and on Chanukah, when they came for their monthly performance to light Chanukah candles at the Kosel. But the Israeli government, which is already reading the map differently, also brought about a change of stance by the Israel Police, which in the past gave backing to the women. The police also now realize that it is purely a provocation and nothing else. The last time the women came to the plaza, they were diverted to one of the corners in order to prevent confrontations with the Orthodox women who come every day to the Kosel for genuine *tefillos*, and not at the behest of people seeking to sow discord and strife. The provocateur women enjoy the backing of the secular, left-wing media in Israel, and of a supportive group of public relations personnel who are accompanying their battle. The newspapers and media outlets in Israel are flooded with dozens of press releases that present the women as a group that ‘represents’ world Jewry, which is absolutely not the case.

Who are the activists in the Women of the Wall group, and who are the groups that are behind them? Who is funding these groups and where does the money come from?

The answers to all these questions will clarify many things, and will shine the spotlight directly onto the organization’s real intentions.

The members of the Liba Yehudit Center in Israel have checked and found that the chairwoman of the Women of the Wall group is active in the most radically leftist groups. She was even honored with lighting a torch at the ceremony of the group Yesh Gvul, which promotes refusal to serve. Her deputy is an activist on Women Watch and an advisor for the Sikui organization that is signed on a declaration that supports the nullification of the State of Israel and “violent opposition.” The Women of the Wall are seeking recognition and legitimization, but the Liba Yehudit Center report shows that the political activities of the leaders are found in the deeply radical left.

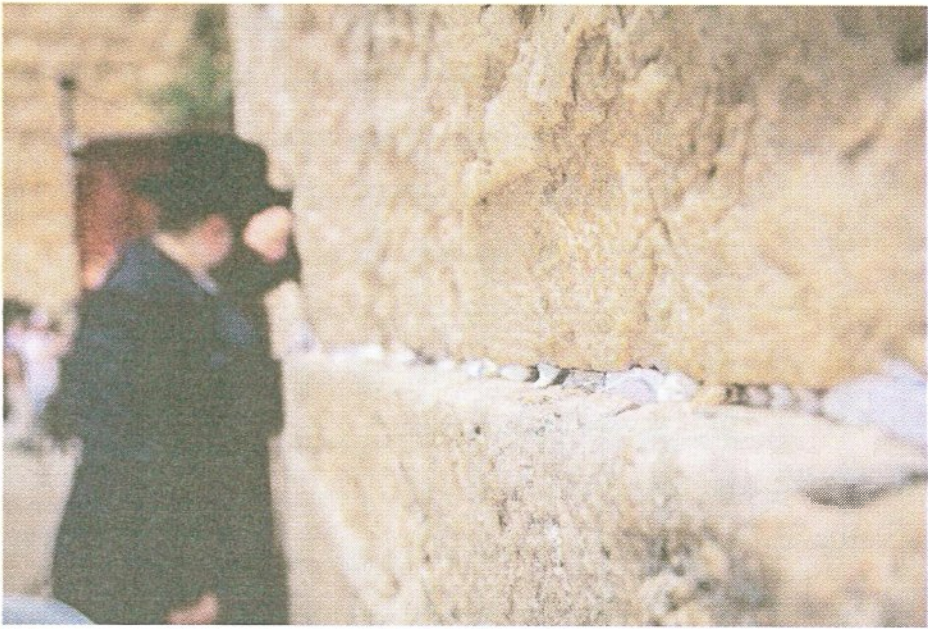
The report shows that Anat Hoffman, the chairwoman of Women of the Wall, concurrently serves as the director of the Reform Center for Religion and State. Hoffman is also a member of the administrative committee of the “Center for Refugees and Migrants,” alongside Naomi Chazzan of the New Israel Fund, an organization that is seeking to annul the law that prevents illegal immigration in an attempt to prevent Israel from being flooded with migrants. The organization is funded by the NIF and the Moriah Foundation, as well as by foreign state entities.

Hoffman was an activist in the Women in Black organization, a radical left-wing group that held demonstrations against the Israeli ‘occupation’ during the First Intifada. She also was a member of the board of the Association for Citizen Rights in Israel, a radical-left group funded by the NIF. According to the report, Hoffman is also the chairman of the Dumari Society of Gypsies in Jerusalem, an organization that belongs to the network of Al Quds organizations. The Al Quds website features a map of the Old City of Yerushalayim with no mention of the Western Wall. The Jewish Quarter is called the Al Sharaf neighborhood. Furthermore, Al Quds supports “the boycott of the occupation as one of the most effective means to oppose the policies of the colonization and uprooting of the Palestinians.”

The report also has information about the extreme activities of the deputy chairwoman of Women of the Wall, Batya Kallus. She serves as the program coordinator for the Moriah Foundation, and helps transfer funding to organizations that are partners in the delegitimization of Israel such as Adalla, Ir Amim, Yesh Din and Musawa. In addition, Kallus serves as an advisor to the Sikui organization, which is signed on the Haifa Declaration. This declaration calls for the annulment of the existence of the State of Israel, supports violent opposition and blames Israel for manipulating the memory of the Holocaust for political purposes. Kallus is also active on the extreme-leftist group Women Watch, which calls for a boycott of Israel and accuses Israel of violating the rights of Palestinians. Kallus is also the Israeli advisor for the Faus Foundation, an American fund that gives significant financial support to the New Israel Fund and Sikui. Likewise, she is a member of the administrative committee of Anu, an organization that leads social battles online, and serves as the program director for the Abraham Foundation. She also represents the Sohn Foundation.

Women of the Wall is part of the Reform Center for Religion and State, which is the public and legal arm of the reform movement in Israel and abroad. According to the Reform Center website, it works towards “*tikkun olam* in Israel in the spirit of progressive Jewry, with an emphasis on matters of state and religion, and on the battle to expose racism and religious zealotry and the discrimination that is related to them.”

The executive director of the NIF, Daniel Sokatch, praises the Women of the Wall, and the fund published a harsh protest when the chairman of the organization, Anat Hoffman,



was arrested for her activities. “The New Israel Fund sees Hoffman’s life work to promote Jewish pluralism and women’s rights as a source of pride and inspiration in Israel,” it said.

The annual budget of the Women of the Wall is about NIS 1 million. “We know exactly which entities are funding them,” says MK Rabbi Uri Maklev of United Torah Judaism, which is spearheading the campaign to counteract this organization. “They are violators of the law, who are violent and corrupt,” he emphasizes.

MK Rabbi Maklev cited as an example a clause in the organization’s documents that note a NIS 130,000 expenditure for the purchase of *tallisos* for women. “Can someone explain this expenditure of NIS 130,000 a year to buy *tallisos* for women? That means that each month, they buy 120 new *tallisos*. We are used to having 10 people under one *tallis*. But apparently, every woman there needs 10 *tallisos*. That is only some of the corruption that they practice,” he says.

The NIF is one of the heavy donors to the organization. In 2014, it donated NIS 35,000, and in 2015, NIS 135,000. The Cummings Foundation gave NIS 25,000 in 2014, and NIS 95,000 in 2015. Reports shows a donation “via the NIF” that amounted to NIS 86,000 in 2014 and NIS 66,000 in 2015.

The response of the Women of the Wall to the publication of this information was, “On January 31, 2016, the government approved a new framework in the southern part of the Kosel wall that is meant to enable everyone to pray in their way. The ones preventing its implementation are the Rabbis and the *chareidi* parties. The Women of the Wall will continue to conduct themselves in accordance with proper administration and full transparency for the sake of the women of Israel.”

The campaign of the Women of the Wall, which, as mentioned, number only a few dozen women, and the campaign of another women’s group, which calls itself the “Center for Justice for Women” (which doesn’t even have the few dozen women that the first group has), is not in order to achieve a place to pray in some corner. Rather, they want the Kosel, the holiest site of the Jewish nation, that is open to all, to alter its character and be entirely designated for mixed-gender prayer.

The Israeli government allocated the corner for the Women of the Wall, thinking that they were asking for it for themselves. But they are continuing their battle to change the character of the entire Kosel. In order to do this, they are shooting in every direction. They blaspheme the Kosel Rav, Rabbi Shmuel Rabinowitz, who has been valiantly ensuring that the consensus at the Kosel is maintained. They are drawing in the Israel media, the courts, the Jewish nation around the world and, if necessary, they will add international groups and foreign governments as well.

The appeal to the High Court by the Women of the Wall has been joined by the reform groups in Israel, and another group of organizations that has one common denominator: their war against religious and Orthodox Jewry in Israel. The efforts by the Chief Rabbinate to sign on as a respondent in the appeal were rejected.

The reform leadership in Israel has been trying for 50 years to break into Israeli society, unsuccessfully. Every so often, it looks for a “new subject” that will keep the reform in Israeli awareness. This time, it is the Kosel. Their demand is not only an official permit for women to dance with *sifrei Torah* in the plaza, but rather that the Israeli government should change the composition of the entity that manages all the affairs at the Kosel, the Western Wall Heritage Foundation, to include reform representation. This has a far broader opposition in Israel, not only from *chareidi* entities.

It is here that the reform tried to “trap” the prime minister, who is known to have ties with reform and conservative groups in America and around the world. But even Prime Minister Netanyahu, who is interested in maintaining his personal and political ties around the world, realizes that, when it comes to the Kosel, the *chareidi* and religious public in Israel, as one, will not concede. Therefore, he has also changed his mind, and is no longer willing to allow reform to be included in any group that will manage the Western Wall.

The key is now in the hands of the High Court. From earlier rulings by this body, the *chareidi* and religious parties fear that, as in the past, the judges will support the appellants. In order to thwart such a possibility, Israel Interior Minister MK Rabbi Aryeh Deri has initiated a new law that he plans to file in coordination with the other *chareidi* party leaders, Health Minister Rabbi Yaakov Litzman and Knesset Finance Committee Chairman Rabbi Moshe Gafni. Under the law, all the matters relating to the Kosel will be anchored in law so the court will not be able to change things at its whim.

The Women of the Wall and the reform and conservative groups in Israel have already launched a widespread attack against Shas’ proposed law. “The declaration of independence guarantees freedom of worship and religion and gender equality. The law of Torah that

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the *chareidi* parties are trying to pass in the Knesset — the Kosel Law — is the first step towards a *halachah* state,” the reform claims. In order to rile up the Israeli street against the law, they add that “anyone who thinks that the law of Torah will begin and end at the Kosel is making a serious mistake. Anyone who thinks that it is another attempt to harm the Women of the Wall will quickly realize that the target is managing the State according to ancient world-views, while erasing the most basic democratic rights.”

Attorney Yizhar Hess, the executive director of the traditional (*masorati*) movement, also slammed the proposed bill and claims that “it is a crazy act, nothing less. We never dreamed that this government, the most national government ever, will support such a post-Zionistic act. It is a law that says that the absolute majority of Jews in Israel and around the world are not Jews. We will not condone this. I call on Prime Minister Netanyahu to stop this craziness before it is too late.”

In the explanatory notes on the law, Rabbi Deri writes that the “subject of preserving the holy sites has been established in the preservation regulations of the holy sites for Jews, published in 1981. But to date, some 50

years after the liberation of the Kosel, the status and preservation of its sanctity have not yet been protected by this law. This causes the periodic violation of the holiest values of *Am Yisrael*. This bill proposes enacting a law that will organize the preservation of *tefillah* arrangements at the Kosel and the preservation of this status and holiness of the whole plaza.”

The proposed bill to preserve the holiness of the Kosel and its plaza is now being submitted for approval by the Knesset. It will, for the first time, designate the Kosel area itself, including the *tefillah* plaza, the Rav appointed to the Kosel, the local practices there and the actions that are forbidden there. The new law will state that the “Kosel is not only the wall, but also the entire plaza, including any structure and any upper or lower passage that is accessed by the plaza.” The law also states that the “supervising Rav” is the one who is appointed by the Religious Affairs Minister, with the agreement of the Chief Rabbis. “Local practices” will be according to *din Torah*, which means: according to what the rabbinical courts and the supervising Rav decide. The law notes in detail the actions forbidden in the Kosel area, because of its halachic status. Rabbi Deri says that

“it’s amazing to discover that trivial prohibitions like not desecrating Shabbos or installing a *mechitzah* between men and women at the holiest site for the Jewish nation have not yet been anchored by law.”

The law also states that “conducting a ceremony, including a religious one, not in accordance with the local practice, and which offends the worshippers at the site is forbidden.” It also proposes forbidding — “throughout the area of the Kosel — any action that may disturb worshippers who are praying, mixed prayer of men and women, and in the women’s section, a ceremony that includes taking out and reading a *sefer Torah*, blowing *shofaros*, wearing *tallisos* or *tefillin*.”

The law determines that “one who violates any of the law’s instructions may be punished by six months in prison or a NIS 10,000 fine.”

But the law is not yet ready for approval. The clashes are sure to continue, and the victory is guaranteed to masses of Jewish men and women who come each day to the Kosel, and not once a month in a *tallis* that was purchased by allocations of the European Community or the New Israel Fund. ■