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## Inter-Religious Marriages in Israel: Gendered Implications for Conversion, Children and Citizenship

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# Inter-Religious Marriages in Israel: Gendered Implications for Conversion, Children, and Citizenship

## ABSTRACT

The article explores gendered implications for conversion, children, and citizenship in Israel through the experiences of inter-religious couples living in Israel and the legal framework that hovers over their lives. The study included 28 interviews with 14 inter-religious couples and the analysis of relevant religious and civil laws. The findings uncover the centrality of the decision whether to convert to Judaism and the gendered dimensions of this decision. Non-Jewish female spouses experience stronger pressure to convert than do non-Jewish male spouses. This gendered pressure is explained by the orthodox Jewish religious decree that recognizes a child as a Jew only if its mother is Jewish, and by the Jewish national collective's social and legal adoption of this religious definition of "who is a Jew". The gendered dimension of conversion is accompanied by a national dimension, mainly created by the automatic citizenship granted by law to Jews in Israel. The link between religion and nationality also has economic and racial aspects, as evidenced by the variety of circumstances surrounding inter-religious families in Israel. This case study provides a rich example of the tension between a socio-legal regime that tries to preserve its republican collective norms, and the liberal, individualistic, post-national normative reality of families in the global era.



## INTRODUCTION

A HEATED DEBATE ERUPTED IN ISRAEL AND IN JEWISH CONGREGATIONS abroad regarding conversion to Judaism following the May 2008 decision by the Israeli Great Rabbinical Court (GRC) that all conversions conducted by the National Conversion Authority (NCA), then headed by Rabbi Haim Druckman,<sup>1</sup> were suspect and may be invalid. One of the harsh accusations included in the GRC's ruling was that the NCA converts non-Jews even when it is clear that they do not intend to observe the religious commandments. The GRC also accused the NCA of conversions based on national and social motives while ignoring the religious strict and demanding conversion process.<sup>2</sup> This ruling, which questions the conversions of thousands of Israelis, is accompanied by recent restrictions imposed by the Israeli Chief Rabbinate on conversions conducted abroad, aimed at imposing the strict conversion norms held by the Israeli Ultra-Orthodox Rabbis on Jewish congregations world-wide. In response, a group of Modern-Orthodox Rabbis from the US and Israel announced its intention to establish Rabbinical tribunals that will be an alternative to the extremist existing Rabbinical Courts.<sup>3</sup>

This article sheds light on the gendered implications of this controversy over the nature and purpose of conversion to Judaism. It is no coincidence that the GRC's ruling questioned the conversion of a woman. Rabbinical Courts' Management Data on conversion in Israel shows that during 2001–2006, 5,682 men and boys, and 19,026 women and girls were converted to Judaism by orthodox tribunals, i.e., 77% of those who convert are females.<sup>4</sup> The article expands on these crude quantitative data and their implications through the realities and insights of inter-religious couples living in Israel. Their experiences shed light on the gendered motivations for converting to Judaism, and on the costs and benefits of conversion as shaped by the socio-legal interrelation between gender, religion, and citizenship in Israel.

## THE STUDY

In contrast to other countries, the vast majority of Jews in Israel marry other Jews. Inter-religious marriages are rare, comprising about 5% of all marriages.<sup>5</sup> Most inter-religious families in Israel occur where both spouses are immigrants from the former Soviet Union. However, some are comprised of a native Jewish Israeli and a non-Jewish immigrant, and thus are inter-national, inter-cultural, and sometimes inter-racial, as well

as inter-religious. The study focuses on the latter, assuming that their experiences might contribute to our understanding of inter-cultural family creation in an ethno-centric state.<sup>6</sup>

The study included 28 interviews with 14 inter-religious heterosexual couples<sup>7</sup> who have at least one child under the age of 18 (spouses were interviewed separately). In seven cases the female spouse immigrated to Israel and in seven cases the immigrating spouse was male. Although I insisted on equal representation of immigrating women and men, data from the Ministry of Interior demonstrate that the ratio of non-Israeli non-Jews who wish to join their Israeli spouse is about 2:1 in favor of women.<sup>8</sup> These quantitative figures suggest that more women than men leave their cultural group and follow their spouse to his homeland.<sup>9</sup>

Notwithstanding the particularity and uniqueness of each inter-religious family interviewed, one repeated pattern emerged. Stories told by each spouse revealed that negotiations over the issue of conversion to Judaism, and the decision whether to convert, were conducted along gendered lines. While four of the six women who joined their Jewish Israeli spouse converted to Judaism, only one of the seven men in a similar position did so.<sup>10</sup> This motivated me to request from State authorities the quantitative data on the sex ratio of conversions presented above, which put the unrepresentative sample of interviewed couples in a broader context and demonstrates that conversion in Israel is a gendered phenomenon.

The interviewees' stories led me to a legal investigation of the civil and religious laws, rulings, and guidelines governing conversion to Judaism in Israel. Although formal law was hardly mentioned by the interviewees (they rarely approached a lawyer, or went through an advisory legal procedure related to their inter-religious family), it is clear that their lives are shaped in the shadow of the law. Accordingly, their accounts of their motivations to convert, and the costs and benefits of conversion in the Jewish state, are presented here together with a discussion of the legal framework of religion and citizenship that hovers over the everyday lives of inter-religious families in Israel.

## THE GENDERED PRESSURE TO CONVERT

Only in a small number of cases do non-Jews coming to Israel convert to Judaism due to an inner motivation independent of social or familial pressures.<sup>11</sup> This was the case with the only male spouse in the study who converted. Julio came as a student and was exposed to academic studies of

Judaism at university. Judaism and Jewish Israeli society fascinated him, and he decided to join the Jewish people through conversion. Only after he had started the conversion procedure did he meet Lilach and decide to establish a family with an Israeli Jewish spouse. Julio stated that his conversion was driven by “true faith”. In all the other cases, the male immigrant non-Jewish spouse did not convert, or consider the option of conversion seriously.

When the non-Jewish immigrating spouse is female, on the other hand, she will most likely consider conversion through group pressure. Michel’s story illustrates this gendered pressure. Michel was born in France to a Catholic family. She met Yoel in Jerusalem in 1981 while studying for her master’s degree. Yoel introduced Michel to his parents, who Michel labels as “close to religion” but “not hysterically religious”. Yoel’s father reacted strongly to their relationship and demanded that Michel convert. She was further pressured when Yoel told her that it was also important to him. Michel felt connected to her Christian heritage, while at the same time felt a deep attachment to Israel and the Jewish people. She felt that she did not need formal approval for this attachment; however, Michel ultimately acceded to Yoel and his father’s request and converted to Judaism.

The pressure on women to convert was also evident in the story told by Sonali, who came to Israel in 1996. She met Asael when she was 19 and he was touring India. She lived in a small village and was a member of a very traditional tribe. Sonali did not inform her parents about her relationship with Asael, knowing that they would object and try to prevent contact between them. Like other girls in the tribe, she was expected to marry a man from the community and to have no romantic relationships until then. After a year of separations and hesitations, Asael and Sonali decided to marry and live in Israel. Sonali fled her village without saying goodbye to her parents, who disowned her after discovering that she had disobeyed the tribe’s tradition.

She arrived in Israel with little knowledge about the country, its residents, language, and customs. She also lacked basic practical skills, such as managing a bank account and using modern kitchen facilities. When she arrived, and while still trying to adjust to her new environment, Asael, and more so his father, told her that they wanted her to convert. Since Asael’s father was terminally ill, he used his connections with the conversion authorities to speed up Sonali’s conversion, and after a relatively brief study of Judaism her conversion was ratified.

Sonali did not give much thought to the conversion and behaved as instructed. She says she was “ignorant”, “indifferent”, and “preoccupied with other things”. However, Sonali gradually realized that she had been

pushed into something that she did not fully understand and to which she had not given her full consent, arguing that the pressure on her to convert and the conversion itself “harms your free choice”.

A third example of the gendered pressure to convert can be found in the story of Christina and Benny. Christina was brought to Israel from Russia at the age of 13. Her Jewish father and Christian mother returned to their homeland, and Christina was raised by her grandmother, who came from Russia to Israel with her. Christina met Benny when she was 16 and he was 25. After dating for a year they began to cohabit. Although she is not religious, Christina wanted to convert, because “If you choose to live here you need to live by the laws of this country”. However, she did not want to go through the long and demanding conversion course. Benny tried in vain to find an easier way to get Christina converted. Meanwhile, he refused to marry Christina, because marrying a non-Jew went against his religious beliefs. Benny’s opinion did not change even after Christina gave birth to their son and daughter. When I met her a year after the interview, she was holding her recently born third child. She was happy that she had managed to convert and that she and Benny had recently married. Christina’s conversion was, among other things, a condition for marriage imposed by her spouse.

The stories of Michel, Sonali, and Christina include male family members who pressured these non-Jewish women to convert. In two of the cases the father of the Israeli spouse felt a strong affinity to the Jewish religion, and in the third case it was the spouse himself who considered himself a traditional Jew who believes in God. In contrast, in the two cases in which the non-Jewish female spouse interviewed did not report a pressure to convert, both their spouse and his family were only weakly connected to the Jewish religion. Nonetheless, some interviewees argued that the gendered pressure to convert is not limited to religious social circles. Anthony, who was born in Greece and immigrated after marrying an Israeli he met abroad, said:

Every woman I know who came to Israel and was not Jewish and had a relationship with an Israeli guy, eventually converted or they left the country because of the demand to convert. This is a critical point. I think no one arrives here with the notion that this will be the demand, but at a certain stage [because of] pressure from friends, or pressure from the family or broader social pressure, it is eventually demanded.

The gendered dimensions of the pressure to convert are clearer when the pressure put on women is compared to the pressure put on men.

Not one of the seven non-Jewish spouses interviewed reported significant pressure to convert. The only two who reported any pressure at all were Yorchan and Don. Yorchan came to Israel from Holland as part of a student exchange program. After a while he met Yael and was introduced to her family. Yael's mother decided to conceal the fact that Yorchan was not Jewish from Yael's religious grandmother whom Yorchan says, "is old but not stupid". She soon figured out that her granddaughter's blond, blue-eyed, non-Hebrew speaking spouse was not Jewish and applied pressure on Yael that Yorchan convert. Yael and Yorchan considered this in order to placate Yael's grandmother and other family members. Yorchan approached a conversion institute and had a long talk with one of its representatives and admitted that he was only interested in converting for practical reasons and that he did not believe that conversion would turn him into a Jew. To his surprise, the institute's representative, whom Yorchan thought would pressure him to convert, told him that he should not convert because he had no intention of being an observant Jew and therefore his conversion would be hypocrisy. This ended the conversion chapter for Yorchan: "On the spot I decided that I cannot do it. And that's it; it was never brought up again. I never thought about it again."

Yorchan's account echoes Judaism's reluctance toward conversions, historically a response to Christian accusations that Jews proselytized.<sup>12</sup> It also corresponds with what is detailed in an official Israeli information booklet on conversion that states that the conversion process includes an interview with a representative of the conversion tribunal. During the interview:

Falling in love with a Jewish spouse is a legitimate cause for the preliminary motivation to get close to Judaism, but the representative will expect to hear other reasons and to make sure that after the beginning of the study of Judaism, you would have chosen it for itself, even if the connection with the Jewish friend had ended.

Moreover, the convert is expected to adopt a traditional way of life, including the study of the Torah, praying, and keeping kosher dietary laws.<sup>13</sup>

Don was the second male interviewee exposed to a pressure to convert. His conversion was also jeopardized by the authorities, but in a different way. He claims that he never wanted to convert nor was he pressured to do so. However, Tova, his spouse, claims that she wanted him to convert because of her traditional background. When they looked into the matter they realized that it was a long and demanding procedure. At the same time, they were preoccupied with the difficult procedure required for Don's

citizenship, given that he was an illegal migrant who had entered Israel as a member of a missionary delegation from Nigeria and stayed with no official permission. In order for him to be granted citizenship he had to go through a five-year procedure of State scrutiny in which he had to prove that his marriage to Tova was genuine and lasting. When he was finally granted citizenship, they were so “mentally exhausted” that Tova relinquished the option of her spouse’s conversion.

In both Yorchan’s and Don’s cases, the family pressure to convert was weaker than the pressure put on Michel, Sonali, and Christina, and collapsed in the face of the obstacles placed by the authorities.

## REASONS FOR THE GENDERED PRESSURE TO CONVERT

Why are non-Jewish immigrating women exposed to greater pressure to convert than non-Jewish men who immigrate to Israel? The answer starts with the Jewish orthodox religious law determining who is a Jew, and ends with the social and legal embracement of this religious law.

Yoel, uncomfortable with his pressure on Michel to convert, explains that his father was deeply offended that he might marry a non-Jew but admits that he also wanted her to convert to ensure that his children would be Jewish.

Jewish orthodox religious law, according to which a newborn is Jewish only if s/he was born to a Jewish mother, paints the pressure to convert in its gendered colors. This law was inspired by Ezra the Scribe, who came to Eretz-Israel around 458 BCE. Alarmed by pervasive inter-religious marriages, he called a general assembly of the people that decreed such marriages were forbidden, and that all foreign women and their children should be expelled. This decision was interpreted as ruling that the child’s Jewish identity is determined by his or her mother; this interpretation contradicted the accepted norm of patriarchal dynasty, and significantly deterred Jewish men from entering into inter-religious marriages.

Religious sources offer no explanation for the shift from the patriarchal norm to the matriarchal rule. The speculations regarding this uncommon shift include the argument about the stronger bond between a child and his/her mother and hence the importance of the mother’s religious and cultural origin; the certainty of the mother’s identity, unlike the uncertainty of the father’s identity; and the need to cope with cases of rape-induced births by Jewish women.<sup>14</sup>

Yoel was not the only interviewee to have been influenced by an ancient rule. For example, Almog, who married James after he came to Israel from Ghana, is not concerned that he is and will remain Christian, because “the child is Jewish, nothing else matters to me”. Rachel is relieved she did not have to discuss the option of conversion with Naveen, who came from a British-based Indian family, because “The difficulty with a non-Jewish mother is the Jewishness of the children . . . in our case you can say the mother is Jewish so the children are Jewish.” Likewise, Yorchan, who decided not to convert, stated bluntly “For a gentile woman in this country it is more problematic since this is a disease that is transferred to the children.” Michel summarized the connection between her conversion and the religious laws:

If I were a man it would have been totally different, because then you do not have the whole issue that everything comes from the woman. It complicates things. Maybe if I was a man I would not have gone through this whole process.

These statements are expressions of the adoption of the ancient religious law determining who is a Jew and illustrates clearly that the Jewishness of the children is at the heart of the gendered pressure put on non-Jewish women to convert.

We are still left with the question of why most of the interviewees feel that it is important that their children be considered Jewish. Indeed, we cannot understand the gendered pressure to convert without answering this question. The interviewees offered inter-related explanations. One explanation is that children will feel more accepted within their social environment and will face fewer difficulties if they are Jewish. The interviewees assume that a non-Jewish child might experience humiliation and discrimination from his/her surroundings. A second explanation is that if the child is not recognized as a Jew s/he will be unable to marry a Jew in Israel. This explanation derives from the Israeli legal system, which allows only religious marriages in Israel, and Jewish law, and thus the Orthodox Rabbinate in Israel that prohibits inter-religious marriages.<sup>15</sup>

These two explanations reveal that the welfare of the children, which motivates and pressures women to convert to Judaism, is not justified by an intrinsic and essential quality of the Orthodox Jewish religion as they perceive it. Rather it might be jeopardized, in cases where the mother does not convert, due to the social and legal intolerance of the Jewish majority

in Israel towards non-Jews. This intolerance is not only religious, but also national. Some interviewees offered a third explanation and claimed that the pressure on women to convert is the outcome of the Zionist ideology aimed at securing Israel as the homeland of the Jews. This goal depends, first and foremost, on Israelis giving birth to Jewish children. Thus, women's conversion to Judaism is not only for the sake of the children, but also for the sake of the Jewish collective, whose national future is deemed dependent on the Jewishness of its children. This is another example of Zionism's *de facto* reliance on Orthodox religious components of Judaism, despite its declared efforts to distinguish the Jewish national project from religion.<sup>16</sup>

### THE ROUTE TO CONVERSION

The justifications provided by the interviewees for the gendered pressure to convert, embedded in the motivation to secure the children's Jewishness, also affect the kind of conversion women are channeled to in Israel. All the female converted interviewees, as well as most converted women in Israel, underwent Orthodox conversion.<sup>17</sup> This fact should be understood in light of the ongoing debate in Israel over "who is a Jew" and "who is a converted Jew".<sup>18</sup> The fundamental question is whether to recognize Reform and Conservative definitions of a Jew and Reform and Conservative conversions, or only the Orthodox definition and conversion.<sup>19</sup> Accepting the Reform definition of a Jew might have made the non-Jewish spouse's conversion unnecessary, as some parts of this stream of Judaism recognize children born to Jewish fathers as Jewish.<sup>20</sup> Israeli civil law adopts the Orthodox definition, and does not recognize a child as Jewish unless born to a Jewish mother.

Previously only orthodox conversions were recognized by Israeli law. However, in the last 25 years, Israel's Supreme Court (HJC) has recognized Reform and Conservative conversions conducted abroad and ordered the authorities to register the converts as Jewish in the Population Registry.<sup>21</sup> In 2002 the HJC ruled that the Registration Clerk must also register as Jewish those converted by the Reform and Conservative movements in Israel. However, it emphasized that this registration is only statistical and not substantial, i.e., it is not evidence for the validity of the conversion for any other purpose.<sup>22</sup>

The non-recognition of the Jewishness of the mother and her future children if she converted through a non-orthodox conversion has substantial ramifications on her and her children's ability to marry a Jew in Israel.

This is because Israeli law only recognizes religious marriages of Jews if they are recognized by the Orthodox Rabbinite.<sup>23</sup> Since the Orthodox Rabbinite does not recognize non-orthodox conversions, those converted by the Reform or Conservative movements cannot marry in Israel.

In 2005, the HJC broadened the recognition of non-orthodox conversions by acknowledging the right of Reform and Conservative converted Jews to come to Israel under the Law of Return, which grants automatic citizenship to Jews.<sup>24</sup> The HJC has not yet intervened in the State's refusal to recognize those who were converted by the Reform and Conservative movements in Israel as Jewish according to the Law of Return.<sup>25</sup>

Consequently, the legal situation narrows the connection between the Jewish religion and the Jewish nationality, emerging from the interviewees' explanations of the gendered pressure to convert, to a connection between the Jewish Orthodox religion and the Jewish nationality. Though the HJC has broadened the recognition of non-orthodox conversions, only Orthodox conversions grant full legal recognition of the convert as Jewish. Despite the HJC's rulings allowing the registration of Reform and Conservative converts as Jews, the vast majority of converts choose Orthodox conversion, which indicates that recognition of orthodox conversion as the only "true conversion" is not only legal but social as well.

The legal and social preference for the Orthodox definition of a Jew and Orthodox conversion, channels non-Jewish women who want their children to be Jewish to one of the most strict and patriarchal streams of Judaism and the conversion procedure that it insists on. The Orthodox conversion process in Israel includes about 500 hours of Jewish studies in which the spouse of the conversion student is also expected to participate. In addition, the converted student must be "adopted" by a religious family that hosts her/him for the Sabbath and Jewish religious holidays. Graduates of the conversion course must face a special Orthodox conversion tribunal that interviews the candidate and approves or denies the conversion.<sup>26</sup> The conversion tribunal has to be convinced that the candidate genuinely wants to join the Jewish religion and follow its rules. The conversion also includes circumcision for men<sup>27</sup> and a "Tvila" (submersion in rain or spring water) for both women and men.<sup>28</sup>

Most of the interviewees related to the Orthodox conversion process as very demanding, and hard to follow while still being able to work for pay or care for children. In some cases of the female non-Jews, efforts were made to get permission for shorter procedures. In the case of non-Jewish men, these difficulties are another deterrent that weakens their resolve, and that of their spouses, to undergo the conversion procedure.

Recent developments described above might have contradictory effects on the route to conversion. On the one hand, the ruling of the GRC might force those who want to convert to undergo a harsher and stricter conversion procedure than the one imposed by the NCA, since the Chief Rabbinate doubts even those orthodox conversions. As in the case heard by the GRC, these doubts might lead to the declaration of the invalidation of the converted person and her spouse's marriage (since she is not a Jew and there is no recognition of inter-religious marriages), as well as to a prohibition of her remarriage and her children's marriage to a Jew. On the other hand, the public, political, and religious uproar this ruling created might lead to greater State willingness to recognize conversions not recognized by the Chief Rabbinate, including Modern-Orthodox, Conservative, and Reform conversions. As long as the Chief Rabbinate has the legal monopoly over marriages in Israel, it is more likely that the first scenario will materialize.

Norly's story brings our attention to those women who wish to undergo orthodox conversion not because of social and familial pressure in the name of their future children's interest, but in order to find refuge in Israel for themselves and for their children. This story deepens the discussion of the connection between conversion and gender, religion and nationality in Israel, and points to this connection's economic, racial, and ethnic dimensions.

## CONVERSION AND CITIZENSHIP

Norly arrived from the Philippines, at the age of 10, with her mother who worked in Israel as a private nurse. At 17 she returned to the Philippines to give birth to a baby girl conceived during a relationship with another Filipino living in Israel. Six years later, she returned to Israel to work as a carer for a disabled child. Her daughter remained in the Philippines and was very miserable. It transpired that the thousands of dollars that Norly sent to her family over the years were not spent on her daughter, who was kept in a tiny room in her grandmother's house with very little material and emotional attention. Norly considered the option of conversion, with the hope that as a Jew she would be granted citizenship and be allowed to bring her daughter to Israel.

Norly's hope for citizenship through conversion was based on the Law of Return, which grants Jews who come to Israel, including converted Jews, automatic citizenship.<sup>29</sup> In 2003, the State tried to exclude people who had converted after entering Israel from the rights granted by the Law of Return.

The State's argument was that Israel was becoming a desirable destination for non-Jewish immigrants, and that granting them citizenship because they had converted contradicts the public interest. The HJC rejected the State's arguments and interpreted the Law of Return as applying to anyone who converted, either before or after entering Israel.<sup>30</sup> Notwithstanding, in 2005, the HJC upheld the practice of the conversion tribunals to refuse conversion requests of illegal aliens.<sup>31</sup> This practice recently became official when the Chief Rabbi, the Head of the Chief Rabbinate responsible for the conversion tribunals, issued directives stating that a person who is not an Israeli citizen and does not hold a valid permanent residency permit would be allowed to convert in Israel only under "special circumstances" and with the approval of a special "exception committee".<sup>32</sup> Hence, the State is gradually narrowing the possibility of citizenship through conversion, which Norly wished to exhaust.

Norly's attempt to attain citizenship through conversion, which took place before the rules that narrow this option were enacted, soon reached a dead end when her employers refused to allow her to take Fridays off so she could participate in the conversion course: "I was hurt by my employers because after I worked with their child for 7 years they would not give me one day so I could get a life."

Eventually she turned for assistance to Erez, an Israeli man with a legal education. Erez assisted her with the formalities needed in bringing her daughter from the Philippines, and after Norly realized she was pregnant with Erez's child, they married in Cyprus in 1999. Later on, Erez adopted Norly's firstborn daughter. However, Norly's marriage to Erez, his adoption of her Filipino child, as well as her giving birth to their Israeli child, did not grant her Israeli citizenship. To secure her status in Israel she had to convert to Judaism, which she, her Filipino daughter, and Israeli son, all did.

Norly's decision to go through with the conversion process even after she had married Erez can be fully understood only through the legal framework that governs it. The first case that dealt with inter-religious marriages in Israel and reached the HJC was that of an Israeli Jew, Benjamin Shalit, who married a woman in Scotland whose Scottish father came from an "old Zionist family", and whose French mother came "from a family that is known for its lack of any religious identification".<sup>33</sup> According to Jewish law, she was a non-Jew. The couple moved to Israel and had two children. In 1968, Shalit turned to the HJC after a Ministry of Interior registration clerk refused to register his children as Jews under the nationality rubric (the children were registered as belonging to no religion under the religion rubric).<sup>34</sup> In 1970 the court accepted the petition and stated that nationality

is a subjective feeling and that the clerk ought to register a person's nationality according to his or her statement, unless the clerk has a reasonable suspicion that the statement is false.

This decision created political commotion, and the law was immediately amended. The Population Registry Law was changed so that a person is not permitted to be registered as a Jew by nation if s/he is not recognized as a Jew according to the Law of Return. At the same time, the Law of Return was altered to include a definition of a Jew as a person "who was born to a Jewish mother or converted, and is not a member of another religion".<sup>35</sup> These changes narrowed the definition of a Jew to the religious one, and blocked an independent definition of Judaism as a secular national identity.<sup>36</sup> When Shalit petitioned the HJC to order the Registration Clerk to register his third child's nationality as Jewish, the petition was rejected.<sup>37</sup> Like Shalit, Norly's husband, Erez, would have failed to convince the State to recognize his adopted daughter and biological son as Jews, by nationality as well as religion, since they were born to a non-Jewish mother.

The change of the Law of Return affected Norly and her family in another way. In addition to the narrowing of the definition of a Jew in the Law of Return, the law was amended so as to grant the right to enter and stay in Israel to a Jewish person's spouse, as well as to the children and grandchildren of a Jew and their spouses. For many years the Ministry of Interior interpreted this change as implying that the benefits received by new Jewish immigrants,<sup>38</sup> the most important of which is automatic citizenship, should also be granted to the non-Jewish spouses of Israeli Jewish citizens.<sup>39</sup> Hence, if Norly had married Erez between 1970 and 1995 she would have been granted automatic citizenship, as did other interviewees, for example, Yorchan, who married Yael in 1984, and Anthony, who married Dana in 1995.

However, in 1996 the Ministry of Interior began to interpret the Law of Return as non-applicable to non-Jewish spouses of Israeli Jewish citizens. According to the new policy, a non-Jewish spouse of an Israeli (Jewish or not) would not receive automatic citizenship and would have to undergo a long and strict process in order to attain it. The Ministry explained the new policy as the outcome of a new and widespread phenomenon of fictitious inter-religious marriages between Israeli citizens and foreigners.<sup>40</sup> This explanation, as well as the refusal of the State to allow conversion of non-citizens, should be understood in light of the profound demographic changes that were caused by large numbers of migrant workers who came to Israel during the 1990s.

In 2000, it was estimated that 240,000 documented and undocumented migrant workers were living in Israel, about 10% of the Israeli labor force.<sup>41</sup> Undocumented migrant workers are perceived as a severe social problem that should be handled first and foremost by deportation.<sup>42</sup> Another measure, relevant to inter-religious couples in Israel, was to prevent illegal migrants from acquiring legal status through marrying an Israeli citizen and through conversion.

The new restrictive interpretation of the Law of Return and its effects on the Law of Citizenship were ratified by the HJC. However, it also ruled that the policy established by the Ministry of Interior, according to which a non-Jewish spouse of a Jew has to wait six years for citizenship, is not reasonable.<sup>43</sup> This decision caused the Ministry to issue new regulations that established a new process by which non-Jewish spouses could request citizenship. An Israeli Jew who married a non-Israeli non-Jewish spouse must submit a request for citizenship for his/her spouse. If the authorities are convinced that the marriage is not fictitious, the non-Israeli spouse receives a permit to stay and work in Israel. Each year, for the next four years, the non-Israeli spouse has to report to the authorities and convince them that s/he lives in Israel with her/his spouse. Only then will s/he receive Israeli citizenship.<sup>44</sup>

Norly's decision to convert to Judaism thus becomes clearer. Before she met Erez, she realized that conversion was the only way she would be granted citizenship and be able to bring her daughter to Israel. Without an Israeli spouse, her only hope was the option granted by the Law of Return and the Law of Citizenship that grants citizenship to Jews, including converts. Her employers' refusal to allow her to participate in the conversion course left her with two equally unattractive options: either to stay with her employers and leave her daughter to suffer in the Philippines, or to leave her employers in order to participate in the conversion course, thus becoming an illegal migrant and risking deportation.<sup>45</sup> Marrying Erez became an appealing alternative, though, as she says: "we did not have great love between us". Marrying an Israeli allowed her both to leave her employers while gaining a new legal status and to bring her daughter to Israel. However, the new Ministry of Interior policy meant that, for Norly, conversion remained an attractive path for securing the status of an Israeli citizen, even after marrying Erez. She preferred the demanding yet relatively short conversion process that would grant her citizenship according to the Law of Return rather than wait four years and be exposed to the Ministry in the process of attaining citizenship through marriage. In accordance with

the gendered motivations mentioned, her conversion, together with the conversion of her Israeli and Filipino children, also secured these children's and Norly's future children's Jewish identity.<sup>46</sup>

Norly refers to the period of her conversion course in very positive terms: "I loved it . . . I was happy during that time." She found the conversion course "very interesting" and enjoyed the hospitality of the religious "adopting family" and the time she spent in the synagogue, during which she could peacefully pray to God. It seems that the conversion course was a time in her life during which she felt accepted and embraced by her surroundings. The teacher of the conversion course, the Rabbi at the conversion institute, and the family she met accidentally at a bus station and agreed to "adopt" her, all gave her recognition for her efforts to become a Jew. However, she soon learned that while her Jewishness may grant her citizenship, it does not guarantee social acceptance. She was still harassed by the immigration police in its searches for illegal immigrants in the streets, and was accused of shoplifting just because of her ethnicity, in particular the shape of her eyes. She related sadly:

All the conversion effort was for the children, not just for me, because it does not matter if I am Jewish or not—I receive the same treatment here in this country. They only see my eyes, and with my eyes you are no longer considered Jewish.

In contrast to Norly, Michel and Christina, who have a Western appearance, reported no social suspicion that they are not Jewish. Even Sonali, with her relatively dark skin, said that not everybody questions her Jewishness, thinking she belongs to the Jewish Hindu community that immigrated to Israel. Others ask if she is Jewish, and she believes that her answer that she converted shields her from their "negative behavior".

Norly's story adds considerations of citizenship, economic class, and race to the issue of conversion. The Law of Return is one of the most substantial symbolic and practical manifestations of the definition of Israel as the state of the Jewish people. The discrimination between Jews and non-Jews in Israeli law—granting automatic citizenship to Jews while subordinating non-Jews to a long procedure and the scrutiny of the Ministry of Interior—is a powerful mechanism for securing a Jewish majority in Israel. This discrimination marks conversion to Judaism as a way of joining the Israeli national collective and constructs it as a ticket to Israeli citizenship. This ticket becomes crucial to the economically disempowered, who yearn for a permit to live in a developed country such as Israel in order to escape

the hardships faced in their homeland. As more and more economically disempowered immigrants enter Israel in search of employment, the law reacts by narrowing the option of citizenship through conversion and allowing conversion in Israel only to those who have already acquired citizenship or a permanent residency permit. Hence, the fear of migrating workers is so great that the State is willing, for the first time, to break the historical legal bond between Judaism and automatic Israeli citizenship.

### CONCLUDING DISCUSSION

It is hard to imagine a more personal and private process than changing one's religion. However, the findings presented in this paper demonstrate that conversion is rarely a process between the converting person and his, and especially in the Israeli and Jewish context her, God(s) alone.<sup>47</sup> The decision whether or not, and how to convert to Judaism in Israel, is shaped by the social and legal reality surrounding inter-religious couples. Conversion becomes a prism through which we can critically observe the contradicting trends and conflicting interests characteristic of contemporary Israeli society.

On the one hand, non-Jewish spouses can enter Israel and in some cases live with their Jewish spouse without feeling any threatening pressure to convert. After 4–5 years, the non-Jewish spouse can be granted citizenship if s/he wishes. The phenomenon of inter-religious couples and the relative social and legal tolerance toward it are expressions of the enhancement of liberal, individual, and post-national norms influenced by global changes that open national borders and bring together people from different nations, religions, and races. On the other hand, these norms do not replace the local, ethnic, and national norms held by the Jewish majority in Israel.<sup>48</sup> As shown in the discussion on conversion and the relationship between conversion and citizenship, these are excluding norms that separate Jews and non-Jews; men and women; Ultra-Orthodox Jews and Orthodox, Conservative, and Reform Jews; citizens and non-citizens; rich and poor; and “white” non-Jews and “colored” non-Jews. By placing the accounts of inter-religious couples in the socio-legal regime in which they are shaped, they appear not only as stories about bridges that overcome differences, but also about walls that divide.

With its ethno-republican regime that explicitly combines religion and nationalism, and does not hide behind alleged neutral legal terms, the case of Israel might seem unique. However, the growing anxieties of receiving

countries all over the globe regarding the religious, cultural, and ethnic implications of immigration<sup>49</sup> indicates that the tension between liberal notions of rights and freedoms on the one hand, and republican notions of nationality, religion, and race on the other hand, are a challenge Israel does not face alone. By observing conversion through the eyes of inter-religious couples in Israel, I hope to contribute to the efforts being made to point out the gendered dimensions of these anxieties, as well as the anti-essentialist feminist quest of exploring these gendered dimensions through their interplay with other constructed social identities.<sup>50</sup> The recent ruling of the GRC regarding conversion, although referring to converted women and men alike, is not gender neutral and is, first and foremost, detrimental to women and their children.

## NOTES

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1. Rabbi Druckman was dismissed from office several days after the discussed Great Rabbinical Court's ruling was published. Matthew Wagner, "Chaos in Conversion Authority as Head Is Fired," *The Jerusalem Post Online*, May 22, 2008.

2. GRC 5489-64-1, [http://www.nevo.co.il/Psika\\_word/rabani/rabani-5489-64-1.doc](http://www.nevo.co.il/Psika_word/rabani/rabani-5489-64-1.doc) [All sites accessed on July 29, 2008. All legal materials are in Hebrew].

3. Yair Sheleg, "A Solution to the Conversion Problem and the Get Refusals? Orthodox Rabbis Started to Establish Alternative Courts," *Ha'aretz*, July 25, 2008 [Hebrew].

4. Rabbinical Courts Manager to author September 27, 2006. Israel Rozen, "The Feminine Aspect of Conversion," (n.p., 2007) [Hebrew]. The number of non-Orthodox conversions in Israel is very low and cannot change the statistical gendered pictures described above, see note 17.

5. The Jewish People Policy Planning Institute, *Annual Report* (Jerusalem, 2006) 6.

6. Yoav Peled, "Strangers in Utopia: The Civil Status of the Palestinians in Israel," *Theory and Criticism*, 3 (1993) 21–35 [Hebrew].

7. The term "inter-religious families" is used here to also include cases in which one of the spouses converted to his or her spouse's religion.

8. Ministry of Interior to the author, March 22, 2007.

9. The perception that women rather than men are those who should relocate to their spouse's homeland was until recently, manifested in many legal systems. Nora V. Demleitner, "How Much Do Western Democracies Value Family and Marriage?: Immigration Law's Conflicted Answers," *Hofstra Law Review*, 32 (2003) 273–311.

10. The seventh female immigrant I interviewed, who joined her Israeli Palestinian Muslim spouse, was the only Jew in my study that mentioned the option of considering conversion to the non-Jewish spouse's religion.

11. David Bass, "Conversion and Undertaking of Precepts—Theory and Practice," *Tzohar*, 30 (2007) 29–40 [Hebrew].

12. Shlomit Tor-Paz, Shaul Ferber, and Micha Roe, *Conversion in Israel: Traditional, Practical and Legal Aspects* (Jerusalem, 2004) 4 [Hebrew].

13. *Ibid.*, II, 20.

14. Asher Maoz, "Who is a Jew?" *Midstream*, 35.5 (1989) 11–15; Michael Corin-aldi, *The Enigma of Jewish Identity, The Law or Return Theory and Practice*, (Shrigim-Leon, 2001) 2 [Hebrew]; Daniel Friedman, *To Keel and Take Possession: Law, Morality and Society in Biblical Stories* (Peabody, MA, 2002); Zvi Trigeri, "Love and Prejudice: On the Paradox of the Inter-Marriage Phenomena in Israel," in Daphne Barak-Erez, Shlomit Yanisky-Ravid, Yifat Bitton, and Dana Pugach (eds), *Studies in Law Gender and Feminism* (Shrigim-Leon, 2007) 733–776 [Hebrew].

15. Pinhas Shifman, *Who Is Afraid from Civil Marriage?* (Jerusalem, 1995) [Hebrew].

16. Zvi Triger, "There is a State to Love: Marriage and Divorce among Jews in Israel," in Orna Ben-Naftali and Hanna Nave (eds), *Trials of Love* (2005) 173–225 [Hebrew]; Boaz Haguy, "The Religious 'Status Quo' and the Generation of Social Categories: The Struggle for Female Suffrage in the Pre-State Period," *Theory and Criticism*, 21 (2002) 107–131 [Hebrew]; Nitza Berkovitz, "Women and Valor: Women and Citizenship in Israel," *Israeli Sociology*, 2.1 (1999) 277–317 [Hebrew].

17. In 2003–2004, the Reform Movement in Israel conducted only 150 conversions and the Conservative Movement conducted only 130 conversions; petition in HCJ 5336/03, *The Religious Action Center v. Ministry of Welfare* (unpublished).

18. Shahar Lifshitz and Gideon Sapir, "Who Shall Decide Who is a Jew? On the Proper Role of the Judiciary in a Democratic State," *Bar-Ilan Law Studies*, 22 (2006) 269–326 [Hebrew].

19. Asher Maoz, "Who is a Jew?—Much Ado about Nothing," *Hapraklit*, 31 (1977) 271–310 [Hebrew]; Ayelet Shachar, "Citizenship and Membership in the Israeli Polity," in Alexander T. Aleinikoff and Douglas B. Klusmeyer (eds), *From Migration to Citizenship in a Changing World* (Washington, D.C., 2000) 386–433.

20. Maoz Asher, "Reform Conversion" (master's thesis, Hebrew University Law Faculty, 1971) [Hebrew].

21. HCJ 230/86 *Miller v. Ministry of Interior* [1986] IsrDC 40(4) 436; HCJ 264/87 *The Religious Sephardic Movement v. Minister of Interior* [1989] IsrDC 43(2) 723; HCJ 1031/93 *Pessaro (Goldstein) v. Minister of Interior* [1995] IsrDC

49(4) 661; HCJ 2597/99 Rodriguez-Toshbaim v. Minister of Interior [2005] IsrDC 59(6) 721.

22. HCJ 5070/95 Naamat v. Minister of Interior (unpublished, 20.2.2002).

23. Rabbinical Courts Jurisdiction (Marriage and Divorce) Law, 1953, S.H. 165.

24. Rodriguez-Toshbaim v. Minister of Interior, note 21.

25. There are petitions pending in the HJC arguing for the recognition of those who are converted by the Reform and Conservative movements in Israel as Jews according to the Law of Return. Notwithstanding, the Ministry of Interior does not accept the HJC recognition of non-Orthodox conversions conducted abroad and is working on new guidelines related to conversion.

26. Ronia Britberd, *Conversion*, paper submitted to the Knesset Committee for State Inspection (2005), <http://www.knesset.gov.il/MMM/data/docs/mo1083.doc> [Hebrew].

27. The demand for circumcision may be another reason why men are less willing to consider conversion. If the man is already circumcised, as was the case with Julio, he has to undergo the relatively easier procedure of drawing blood from the penis (*Hatafat Dam Brith*); <http://www.itim.org.il/?CategoryID=208> [Hebrew].

28. Menahem Finkelstein, *Proselytism, Halahah, and Practice* (Ramat-Gan, 1993) [Hebrew]; Tor-Paz, Ferber, Roe, *Conversion in Israel*, 10112; Britberd, *Conversion*, n26.

29. Corinaldi, *The Enigma of Jewish Identity*, 2N14.

30. Rodriguez-Toshbaim v. Minister of Interior, note 21.

31. HCJ 552/04 Gozman v. The State of Israel (unpublished, 3.7.2005).

32. Rules of Decisions in Conversion Request, 2006, *Yalkut Hapirsumim*, 2064.

33. HCJ 58/68 Shalit v. Minister of Interior [1970] IsrSC 23(2), 477, 504.

34. The Minister of the Interior does not include “Israeli” in a list of nationalities. Petitions arguing that a former HJC decision that legitimized this practice should be overruled have failed; <http://www.faz.co.il/story?id=3615&skin=printo>

35. Law of Return (Amendment no. 2) 1970, S.H. 34. Asher Maoz, “Who is a Jew?—Much Ado About Nothing,” in Daniel B. Sinclair (ed), *Law, Judicial Policy and Jewish Identity in the State of Israel* (Binghamton, NY, 2000) 75–119.

36. Pnina Lahav, “Personal Identity and Collective Identity, Modernity and Jewishness in The Shalit Case,” in Menachem Mautner, Avi Sagi, and Ronen Shamir (eds), *Multiculturalism in a Democratic and Jewish State* (Tel-Aviv, 1998) 409–439 [Hebrew].

37. HCJ 18/72 Shalit v. Minister of Interior [1972] IsrDC 26(1) 334.

38. On some of the current benefits new Jewish immigrants receive, see [http://www.moia.gov.il/Moia\\_en/FinancialAssistance/AbsorptionBasket.htm?SearchText](http://www.moia.gov.il/Moia_en/FinancialAssistance/AbsorptionBasket.htm?SearchText) [Hebrew].

39. Shachar, “Citizenship and membership in the Israeli Polity,” notes 16, 19.

40. HCJ 3648/97 Stemka v. Minister of Interior [1999] IsrDC 53(2) 728.

41. Adriana Kemp and Rivka Reichman, “Foreign Workers’ in Israel,” *Information on Equality*, 13 Adva, 2003 [Hebrew].

42. Adriana Kemp, "Managing Migration, Reprioritizing National Citizenship: Undocumented Migrant Workers' Children and Policy Reforms in Israel," *Theoretical Inquiries in Law*, 8.2 (2007) 663–691 [Hebrew].

43. *Stemka v. Minister of Interior*, n40. The court also ruled that the demand posed by the Ministry of Interior that in cases in which the couple married while the non-Jewish spouse was resident in Israel without legal permission, s/he should leave Israel and be allowed to return only after the sincerity of the marriage can be examined, should be abolished.

44. Oded Feller, *The Ministerion* (Jerusalem, 2004) <http://www.haaretz.co.il/hasite/images/daily/DO70505/ministerion.doc> [Hebrew]. Notwithstanding the difficulties faced by non-Jews who wish to join their Israeli Jewish spouse, the situation is far worse when a non-Israeli Palestinian or a citizen of an Arab country wishes to join his/her Israeli spouse (usually an Israeli of Arab-Palestinian origin). Since 2003, Israeli law severely limits the ability of Palestinians living in the Occupied Territories and several Arab countries to join their Israeli spouse. This new discriminatory law was harshly criticized by academics and was also attacked in court by human rights activists and organizations. Guy Davidov, Jonathan Yovel, Ilan Saban, and Amnon Reichman, "Country or Family? The Law of Citizenship and Entrance to Israel (Temporary Provision)," *Hearat Din*, 1.2 (2004) 62–94 [Hebrew].

45. According to Israeli law a migrant worker who leaves the employer who "invited" him/her to Israel loses his legal status. Yossi Dahan, "The Legal Chains of Foreign Workers," *Mishpat Nosaf*, 1 (2001) 38–46 [Hebrew].

46. Finkelstein, *Proselytism, Halahah, and Practice*, chapter 5 n28.

47. Lewis R. Rambo, *Understanding Religious Conversion* (New Haven, 1993); Andrew S. Buckser and Stephen D. Glazier, *The Anthropology of Conversion* (Lanham, MD, 2003).

48. Kemp, "Managing Migration, Reprioritizing National Citizenship," 24n42; Uri Ram, "Between Nation and Corporations: Liberal Post-Zionism in the Global Age," *Israeli Sociology*, 2.1 (1999) 99–145 [Hebrew].

49. Demleitner, "How Much do Western Democracies Value Family and Marriage?" 293n9.

50. Sarah van Walsum and Thomas Spijkerboer, *Women and Immigration Law* (Oxon, 2007).

