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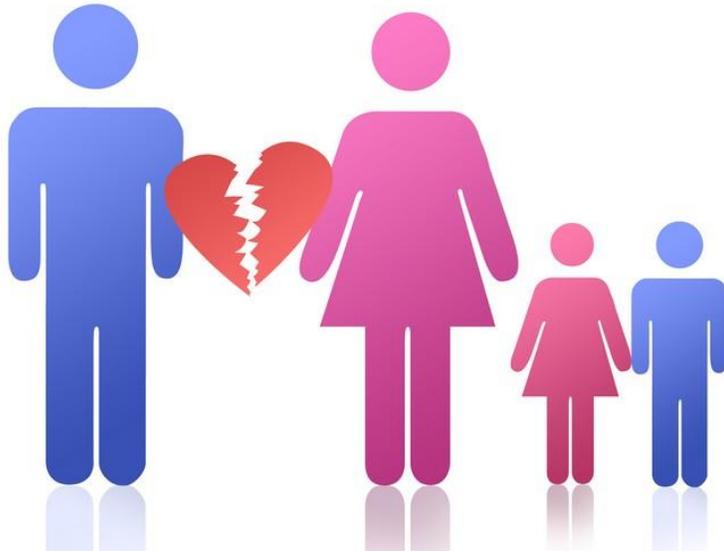


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## **Yesh Atid, Shas Lawmakers working to dissuade divorce refusal in the Diaspora**

By JEREMY SHARON

10/11/2015

In the Diaspora, the rabbinical courts have few methods of persuasion against recalcitrant spouses.

MKs Aliza Lavi, Yaakov Margi of Yesh Atid, Shas, and several other lawmakers have proposed legislation to press ahead with a fight against a scourge of Jewish family life: Men who refuse to grant their wives a divorce.

In Israel, the rabbinical courts have the authority to impose sanctions on recalcitrant spouses such as having their driving license revoked, banning them from leaving the country and even having them imprisoned if they continue to refuse granting their wife or husband a divorce.

Women's rights groups complain the sanctions are rarely used by the rabbinical courts, but they are enforced on occasion in cases where a spouse has refused for a lengthy period to grant a divorce.

In the Diaspora, the rabbinical courts have no such powers and therefore have fewer methods of persuasion against recalcitrant spouses. President of the Conference of European Rabbis and head of

the Moscow rabbinical Court Rabbi Pinchas Goldschmidt told lawmakers in Israel that because of this situation, recalcitrant husbands frequently ignore the ruling of a rabbinical court and that the courts are essentially powerless to do anything.

He also noted that civil courts in the Diaspora often allow women who refuse to grant their husband a divorce to get remarried, while they also allow a man whose wife refuses to grant a divorce to remarry even while his original marriage has not yet been terminated.

However, such a solution does not exist for women whose husbands deny them a divorce.

In light of this, Goldschmidt asked MKs to create legislation extending the authority of the rabbinical courts in Israel to apply to Israeli citizens living abroad, and to Diaspora Jews seeking to immigrate to Israel.

Such sanctions would only be imposed in cases where the local rabbinical court finds that the person in question is refusing to grant a divorce.

They would take effect once an Israeli citizen returned to Israel or a Jew immigrated to the country.

The legislation's initiators hope the measure may deter people seeking to immigrate to Israel from denying their spouse a divorce.

The bill was expected to be brought to the Ministerial Committee for Legislation during the course of the new Knesset winter session. It would become law only after being approved by Israel's parliament.

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