

August 13<sup>th</sup>, 2010

## ***A Tale of Two Citizens***

**By Leonard Fein**

Now and then, there's a moment when everything comes together, when all the sturm und drang that so often characterizes Israel's saga recedes, the land is girdled by rainbows, its streets are filled with song and marshmallows.

So it must have been when 29-year-old Hillary Rubin, who had made aliyah to Israel (from Detroit) in 2006, applied for a marriage license. As is the way in the licensing bureau, Ms. Rubin was greeted with broad smiles and words of sincere welcome — and this even though the officials did not know that she was in fact a descendant of Zionist aristocracy. Her grandfather's uncle was Nahum Sokolow, a close associate of Chaim Weizmann and, from 1931 until his death in 1936, president of the World Zionist Organization and the Jewish Agency. Had they but known, Ms. Rubin would doubtless have been welcomed with wine and honey cake, all the workers of the licensing bureau invited to share in the joy of the occasion.

Still, the rules are the rules, and they can never be relaxed to favor any applicant, no matter the prestige of her forebears or the status she herself enjoys. It is a routine formality to ask the applicant for documentation that will prove the authenticity of the Jewish lineage of her mother, her grandmother, her great-grandmother and her great-great grandmother — four generations. The letters, from four Conservative and one Chabad rabbi, that Ms. Rubin had brought with her were obviously no substitute for the proper documentation. A simple request: Show us the *ketubot*, the marriage contracts, of your four antecedents and also their birth and death certificates.

Alas, poor Ms. Rubin was unable to comply with the simple request. Her grandparents survived the Holocaust, but somehow, in the chaos of the times, their *ketubot* were misplaced,

never to be found. Others in the family had perished in the death camps, where death certificates were not typically made available.

Well, not to worry: Israel is a democratic state with total freedom of religion. If the marriage license bureau of the rabbinate turns you down, it can send you to a local rabbinical court, which may take a different approach. It may, for example, require that you convert to Judaism, perhaps also promise to live in accordance with Jewish law lest your conversion be revoked. This may sound a bit strange to ask of someone who has been raised and lives as a Conservative Jew, keeping kosher and observing the Shabbat, but marriage is a serious thing, no? Plus there's that pesky matter of the divorce of Ms. Rubin's parents, a divorce validated by — you guessed it — a Conservative rabbi. (Her mother has since married a Catholic, but so what? No one is perfect.)

Ms. Rubin and her fiancé, Craig Glaser (of South Africa) did what other couples in Israel have long since learned to do: They were married in Israel by a Conservative rabbi, a marriage therefore not recognized by the Israeli authorities, and then flew off to Cyprus for a day, there to be married in a civil ceremony, which Israel does recognize as valid. If the newlyweds are lucky, the issue of their Jewishness will not surface again — until, one presumes (may they be fruitful and multiply) their children have to go through the same process.

Lest all this lead you to conclude that Jews are specially privileged in the Jewish state, we have a comparable example of bureaucratic wisdom in the case of Israel's Arab citizens. Here, I offer a composite of one such, whom we will call Ahmed. Ahmed is a young man, widely respected in his village, fiercely loyal to its people and its traditions. His hope has been to build a house there, demonstrating his intention to stay where he was born. But there's a problem: Much as the authorities would love to give him the required permit, they cannot, because Ahmed's village is not officially recognized by the state, and no permits can be granted for construction in unrecognized villages. (Unrecognized villages — there are 36 of them — are not connected to such basic services as water and electricity.)

Not far away, however, there is a recognized village, and while it is not ideal from Ahmed's standpoint, a little compromise might seem to be in order. The problem is that to qualify for the issuance of building permits, a town or village must have a detailed development plan that stipulates zoning designations for particular sites. And, like 25 of Israel's 100 Arab

towns and villages, the one Ahmed is considering, his second choice to begin with, has no such plan. And even if it did, it might well run afoul of the national or regional development plans, which have priority and may designate certain lands as open space or what have you.

Not to worry: With the whole bureaucracy eager to find a way for Ahmed to have his house, this hurdle is crossed with a wink, the next with a nod. All's well, until someone remembers that if the lot where you plan to build lacks the necessary infrastructure, you can't build there. Is there, for example, an access road? Is the area proposed for development tied into the sewage system?

What shall Ahmed do? He will likely do what so many others in his area of Israel have done. Ahmed is a Bedouin, and in the Bedouin area of the Negev, where he lives, there are an estimated 45,000 homes that were built without permits. So make it 45,001 — and then hope that your village will not meet the fate of al-Arakib, a Bedouin village near Ahmed's where dozens of illegal buildings were demolished just last week for lack of official sanction. Kind of like having your conversion revoked.

Hey, this isn't Woodstock, where anything goes; it's a state, and there are rules and even policies.