

Israel

Israel has a population of around 8.7 million people. Those identifying as Jews represent an estimated 75% of the population, while 17.8% identify as Muslims. Smaller religious minorities are Druze (1.6%), Christians (2%), Baha'is, Samaritans, Karaites and Jehovah's Witnesses.[ref]<https://worldpopulationreview.com/countries/israel-population>[/ref] Established as a homeland for the Jewish people in 1948, Israel's founding was opposed by neighbouring Arab countries, which led to the first in a series of wars. Israel's history has been marked by both conflict with Arab states as well as ethnic and religious violence with Palestinian Arabs in the West Bank and Gaza. Religion, ethnicity, and nationality are closely linked in the Israeli-Palestinian conflict.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<p><u>State legislation is partly derived from religious law or by religious authorities</u></p>		<p><u>Systemic religious privilege results in significant social discrimination</u> <u>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</u> <u>Prohibitive interreligious social control (including interreligious marriage bans)</u> <u>Religious control over family law or legislation on moral matters</u></p>	<p><u>'Blasphemy' is outlawed or criticism of religion is restricted and punishable with a prison sentence</u></p>

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<u>There is systematic religious privilege</u> <u>Preferential treatment is given to a religion or religion in general</u> <u>There is an established church or state religion</u> <u>State-funding of religious institutions or salaries, or discriminatory tax exemptions</u>	<u>There is state funding of at least some religious schools</u> <u>Religious schools have powers to discriminate in admissions or employment</u>	<u>Discriminatory prominence is given to religious bodies, traditions or leaders</u> <u>Religious groups control some public or social services</u>	<u>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</u>

Legend

Constitution and government

Basic Laws

Due in part to the lack of agreement between secular and religious Israelis, the country never adopted a constitution after the establishment of the State. However, Israel's Supreme Court has repeatedly held that the Basic Law on Human Dignity and Liberty protects freedom of religion or belief and freedom of expression.[ref]<https://mfa.gov.il/MFA/MFA-Archive/2001/Pages/Freedom%20of%20Religion%20in%20Israel.aspx#:~:text=Justice%20Landau%20also%20emphasized%20the,to%20every%20person%20in%20Israel>[/ref]

The Basic Law^[ref]<https://main.knesset.gov.il/en/activity/pages/basiclaws.aspx>^[/ref] describes the country as a “Jewish and democratic state” and references the Declaration of the Establishment of the State of Israel,^[ref]<https://mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx>^[/ref] which promises religious freedom and full social and political equality, regardless of religious affiliation.

However, a degree of legal discrimination among religious communities exists.

First of all, the law recognizes only Judaism, Christianity, Islam, the Druze Faith, and the Baha’i Faith.^[ref]<https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>^[/ref]

Moreover, certain laws and policies (exemplified in this report) privilege Jews against non-Jews, and Orthodox Jews against non-Orthodox ones, including those identifying with secular or Humanistic Judaism.

A recent instance of this is the 2018 Basic Law on “Israel as the Nation-State of the Jewish People”,^[ref]<http://knesset.gov.il/laws/special/eng/basiclawnationstate.pdf>^[/ref] which is controversial for giving Jews a preferential status over other communities in terms of right to self-determination in the country. Specifically, clause 1(c), which outlines the “Basic Principles”, reads:

“The right to exercise national self-determination in the State of Israel is unique to the Jewish people.”

The “nation state” law was condemned by multiple parties and defined by some political groups and activists as an act of discrimination against Israel’s Arabs, who make up about 20% of the population.^[ref]https://www.theguardian.com/world/2018/jul/19/israel-adopts-controversial-jewish-nation-state-law?CMP=share_btn_tw^[/ref] Even 72% of Jewish (secular and religious) citizens do not think Jews should have more rights than other groups on the basis of Jewish identity.^[ref]<https://en.idi.org.il/media/12170/the-israeli-democracy-index-2018.pdf>^[/ref]

Religious-based legislation

In a remnant of Ottoman Millet system, family and personal status law is almost entirely subsumed by religious authority. The state officially recognizes religious courts for certain civil-religious matters for Jewish, Christian, Muslim, Druze and Baha'i religious communities (see below).[\[ref\]https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/\[/ref\]](https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/)

Proselytizing is allowed for all religious groups, except for the attempt to convert a minor; however, parts of society consider it as religious harassment and oppose missionary activity directed at Jews.[\[ref\]https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/\[/ref\]](https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/)

Citizens's religious affiliation is mentioned in the National Registry but not on ID cards.[\[ref\]https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/\[/ref\]](https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/)

Legal privileges for Orthodox Jewish values

As a Jewish state, some laws and policies promote certain Orthodox Jewish values over general civil liberties, and recognize special privileges to Orthodox Jews. For example, zoning for pig-farming is restricted,[\[ref\]https://blogs.timesofisrael.com/praise-the-lard-pig-farming-in-israel/\[/ref\]](https://blogs.timesofisrael.com/praise-the-lard-pig-farming-in-israel/) and so is the distribution and consumption of non-kosher food in the army and public hospitals.[\[ref\]https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/\[/ref\]](https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/) Furthermore, in 2020 the Chief Rabbinate was attributed the power to file criminal indictments against Israeli caterers claiming to serve Kosher food without an official certificate from the rabbinate.[\[ref\]https://www.timesofisrael.com/rabbinate-gains-power-to-indict-businesses-with-private-kashrut-certification/\[/ref\]](https://www.timesofisrael.com/rabbinate-gains-power-to-indict-businesses-with-private-kashrut-certification/)

Haredim Jews are exonerated from compulsory conscription, and Haredim schools enjoy autonomy.[\[ref\]https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/\[/ref\]](https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/)

In recent years, with the construction of many public infrastructure projects, ultra-Orthodox politicians have attempted to delay construction projects to maintain a government-mandated sabbath for public sector employees. However, the Supreme Court has ruled that, when the mandated sabbath puts public safety at risk, public safety takes precedence over religious holidays.[ref]<https://www.timesofisrael.com/ultra-orthodox-mks-slam-pm-for-apparent-support-of-shabbat-construction-work/>; <https://www.timesofisrael.com/tens-of-thousands-of-ultra-orthodox-protest-over-shabbat-work-on-light-rail/>[/ref]

The city of Tel Aviv has recently moved against the conservative Knesset and allowed public transportation and infrastructure projects during the Jewish sabbath.[ref]<https://www.timesofisrael.com/tens-of-thousands-of-ultra-orthodox-protest-over-shabbat-work-on-light-rail/>; <https://apnews.com/article/b0438643de154bb89da218fcb97acce4>[/ref]

Government Response to the COVID-19 Pandemic

Passover, Rosh Hashanah, and other religious celebrations have seen restrictions in Israel due to the COVID-19 outbreak with the Israeli government enforcing restrictions against large social gatherings - most notably religious gatherings - for the sake of public health.[ref]<https://equityhealthj.biomedcentral.com/articles/10.1186/s12939-020-01191-7>[/ref]

The Israeli government has strictly enforced lockdowns during the Jewish high holidays, Rosh Hashanah and Yom Kippur, issuing fines to individuals violating quarantine restrictions in order to curb the COVID-19 infection rate - despite dissent from religious Israelis seeking to celebrate high holidays in traditionally large gatherings.[ref]<https://www.wsj.com/articles/israel-enforces-new-covid-19-lockdown-amid-rosh-hashana-celebrations-11600620869>[/ref]

Education and children's rights

The majority of Israelis attend the largely secular state schools (also known as 'Hiloni

schools').[ref]<https://www.pewforum.org/2016/03/08/education-values-and-science/>[/ref] There are a significant number of government-funded religious schools, of which most are Jewish "yeshivot". 75% of the curriculum is determined by the state for both types of state schools, while the supplementary part varies between secular and religious schools: the former focus more on the Jewish heritage and culture, the latter emphasize religious studies.[ref]<http://archive.jewishagency.org/getting-ready/content/15006>[/ref]

Minors have the right to choose a secular education even if their parents do not agree. Public Arabic-speaking schools teach religion classes on both the Quran and Bible. There are mixed Jewish-Arab schools as well.

Major political parties have historically been at least somewhat dependent on religious parties that have demanded policies like welfare subsidies for Torah studies, military exemption, and oversight of basic academic subjects like math and

English.[ref]<https://www.bloomberg.com/news/articles/2019-09-15/how-ultra-orthodox-perks-set-israel-election-agenda-quicktake>;
<https://www.haaretz.com/israel-news/business/haredi-exemptions-from-core-curriculum-soaring-1.7225781>[/ref]

In 2012, there were reports that government spending per pupil favoured State-religious compared to secular state funded schools. The disparity was even higher when compared to the funding obtained by religious minority schools (such as Druze, Muslim and Haredi) and has been seen as part of the wider disadvantages experienced by Israeli

Arabs.[ref]<https://www.haaretz.com/israel-news/business/.premium-government-funding-favors-israel-s-religious-schools-ministry-says-1.9104684>[/ref]

A study in 2011 found that 65% of state-religious elementary schools in Israel practice gender segregation.[ref][haaretz.com/print-edition/news/number-of-gender-segregated-religious-schools-in-israel-tripled-during-past-decade-1.399527](https://www.haaretz.com/print-edition/news/number-of-gender-segregated-religious-schools-in-israel-tripled-during-past-decade-1.399527)[/ref]

Family, community and society

The Pew Research Center reported in 2016 that 40% of the total Israeli population identifies as secular and 62% believes democratic principles should be the basis of Israel's laws as opposed to religious law (Halakha) or a mixture of both.[ref]<https://www.pewforum.org/2016/03/08/israels-religiously-divided-society/>[/ref]

A leftover from the Ottoman Millet system, each officially recognized religious community has wide ranging legal authority over its members in matters of marriage, divorce, inheritance and child custody under their own family law. The state recognizes Jewish, Muslim, Druze, Baha'i and Christian religious courts on family

matters.[ref]<https://mfa.gov.il/mfa/aboutisrael/state/democracy/pages/the%20judiciary-%20the%20court%20system.aspx>;

<https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>[/ref] Furthermore, the freedom of many individuals who may not otherwise

subject themselves to the authority of religious communities is limited by this system.

Except in marriage and some Jewish- and Muslim-specific regulations, citizens can choose between religious and civil courts in many matters of family law. However, societal pressures often prevent Muslim women from choosing a civil court,[ref]<http://www.radionisaa.ps/en/article/596/Muslim-female-judge-is-the-first-in-Israel>[/ref] while Jewish women generally prefer civil courts because they are considered fairer to

women.[ref]<https://www.jewishvirtuallibrary.org/rabbinical-courts-vs-civil-courts-in-israel>[/ref]

There is a gulf in social status between religious and secular Jews in different domains. Haredim people in Israel have some of the lowest living standards, with 54% under the poverty line.[ref]<https://en.idi.org.il/media/10441/statistical-report-on-ultra-orthodox-society-in-israel-2017.pdf>[/ref]

Furthermore, Haredim do not integrate in the Israeli social fabric when it comes to secular law, women's rights, LGBTQ+ rights, and the very existence of the state of Israel (see below). Among different examples of how this hostility translates into daily life, there are numerous reports of Haredi

men spitting at Hiloni Jews and persons of different faiths in the streets.[ref]<https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/IL.pdf>;
<https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>[/ref]

Women

Women are the most affected by religious laws that limit freedom of choice in matters of divorce and marriage. Muslim family law often discriminates against women in matters of marriage, divorce, and child custody. A Muslim man can marry a non-Muslim woman, but a Muslim woman can only marry a Muslim man. Muslim and Druze men can easily divorce, while the women do not have the same rights. Jewish women have to get a handwritten decree from their husbands in order for the divorce to be finalized in the Rabbinical courts - the only ones that can establish the divorce between Jews (see below). However, inheritance is governed by civil law and women have the same rights as men, both as widows and

daughters.[ref]<https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/IL.pdf>;
<https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>[/ref]

Violence against women is criminalized by the Penal Code, including physical and mental violence, rape and spousal rape. The law also defines sexual harassment as both a criminal offense and a cause for civil suit. The authorities operate women's shelters, a national hotline for reporting abuses, among other measures. However, Orthodox Jewish, Muslim, Bedouin, and Druze communities face significant social pressure not to report domestic abuse or rape. Honour killings of women are particularly present in the Arab and Bedouin communities.[ref]<https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/IL.pdf>[/ref]

Abortion must be approved by a public committee, with the committee approving 98.7% of cases. Furthermore, there have been very few cases involving interruption of pregnancy prosecuted in Israel's history, none of which prosecuting the performance of an

abortion.[ref]<https://www.loc.gov/law/help/il-reproduction-and-abortion/israel.php#Abortion>[/ref]

There are no legal restrictions on women's free access to public space and freedom of movement.

Ultra-Orthodox Jewish groups wish to enforce gender segregation on public streets and public transport. The High Court of Justice, however, has ruled that this is illegal and cannot be imposed.[ref]<https://www.ynetnews.com/articles/0,7340,L-5457971,00.html>[/ref]

Marriage and divorce

There is no civil marriage in the country, and those wishing to have a non-religious ceremony must go abroad as the government does not recognise foreign civil marriages. Jewish Israelis must be married by an Orthodox Rabbi who has been recognised by the Chief Rabbinate. This also means that there are no mixed marriages in the country given that Orthodox Judaism does not recognise marriages between Jews and non-Jews.[ref]<https://www.family-laws.co.il/marriage-%E2%80%93-options-israel/>[/ref]

Furthermore, Orthodox Judaism only recognises someone as Jewish if they have an Orthodox Jewish mother. Israelis who claim their Judaism from their father are not able to marry as it would be considered a "mixed marriage". This can especially be an issue for recent immigrants from the former Soviet Union as many obtained their Israeli citizenship due to their Jewish heritage on their father's side.[ref][haaretz.com/jewish-world/shavuot/.premium-1.596576; https://www.gendrix.org/wp-content/uploads/files/datasheets/2019/IL.pdf](https://www.gendrix.org/wp-content/uploads/files/datasheets/2019/IL.pdf)[/ref]

In 2010, a bill was passed that allows a limited right to an alternative form of civil marriage ("couplehood union" status) for Israelis who declare a non-religious status. However, this still restricts mixed unions.[ref]https://www.knesset.gov.il/review/data/eng/law/kns18_CivilUnion_eng.pdf[/ref]

Divorce is a complicated matter. As a "Personal Status" issue, divorce itself is

decided by the religious courts. For the majority Jewish population, this means that the Rabbinical courts have exclusive responsibility over the divorce decision. Some of the more practical elements of divorce, such as child custody and alimony, can be handled by the small number of civil family courts, if they are the first to hear the case.[ref]<https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>[/ref]

Generally, both parents are considered as equal and the Capacity of Guardianship Law (1962), which applies to all Israeli citizens, provides parental authority to both parents. The courts tend to favor maternal custody but some religious courts may rule differently. There have been cases of divorced couples racing to different courts, the man to the Rabbinical court, the woman to the civil courts, in order to get a better settlement. In the Druze community the courts tend to give preference to the father.[ref]jewishvirtuallibrary.org/jsource/Politics/courts.html; <https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/IL.pdf>[/ref]

There is no same-sex marriage. Religious parties have regularly prevented the state from enacting anti-discrimination laws for sexual minorities, including proposals to introduce same-sex marriage and gay adoption rights. However, a single-sex couple can get married abroad and since 2006 authorities are required to recognize the marriage upon their return, due to a judgement of the High Court of Justice.[ref]<https://pridelegal.com/israel-lgbt-laws/>[/ref] Similarly, the High Court of Justice in 2018 authorized two gay partners to be both registered as parents of their adopted son.[ref]<https://www.gaystarnews.com/article/israel-top-court-gay-parents-birth-certificate/>[/ref] A single-sex couple can make a family life agreement in Israel and have it authorized at a family court. In 2020 gay civil unions were recognized by the city of Tel Aviv.[ref]<https://www.haaretz.com/israel-news/.premium-unrecognized-by-israel-tel-aviv-to-allow-residents-to-declare-civil-partnerships-1.8937268>[/ref]

Societal Response to COVID-19 Pandemic

Clashes over coronavirus measures have erupted between Hiloni (secular) and Haredi (religious) communities. The Israeli government has imposed social

distancing, mask-wearing requirements, and quarantines during the outbreak, and it has promoted civic obligations for communities to follow proper health guidelines to avoid infection. While secular Israelis in their majority have followed these practices, Haredim have resisted government policy on the grounds of their superseding religious obligations. As a result, infection rates are higher in Haredi communities and the rift between Haredim on the one hand, and the secular community as well as the Israeli government on the other, has widened.[ref]https://www.washingtonpost.com/world/middle_east/ultra-orthodox-jews-clash-with-secular-israeli-officials-over-coronavirus-measures/2020/09/04/97bb37be-ee0e-11ea-bd08-1b10132b458f_story.html; <https://equityhealthj.biomedcentral.com/articles/10.1186/s12939-020-01191-7>[/ref]

Furthermore, around 20% of Israelis, the majority of whom consist of Haredim and Israeli Arabs, have stated they intend to reject taking a vaccine for COVID-19 when one is created.[ref]<https://www.jpost.com/health-science/20-percent-of-israelis-would-not-take-a-covid-19-vaccine-new-survey-641224>[/ref]

Both Haredim practices as well as spurts of civil unrest in the anti-government Black Flag Protests have contributed to Israel shifting from being a model in battling coronavirus to being one of the highest risk states.[ref]<https://www.jpost.com/health-science/51-percent-of-school-covid-19-infections-in-ultra-orthodox-system-645020>[/ref]

Hatred and Terrorism

Israeli society is plagued by terrorism from a wide variety of religious and nationalist organizations.

Jewish terrorist organizations, most notably *Kach*, see the Israeli government as an illegitimate “secular state” impeding a messianic age and a spiritually legitimate biblical Kingdom of Israel. Such fundamentalists have been responsible for attacks on a diverse range of victims from the Cave of the Patriarchs massacre to the assassination of Prime Minister Yitzhak Rabin.[ref]Juergensmeyer, Mark. *Terror in the Mind of God, Fourth Edition: The Global Rise of Religious Violence*. 4th ed., University of California Press, 2017[/ref]

Radical settler groups and other fundamentalist terrorist organizations are known to attack Muslim, Christian, and Jewish religious sites (so-called “price tag” attacks). The “price tag” attacks include also slashing cars and writing slogans such as “Jesus is a cow”, “Mary is a monkey” and “Arabs out”. The government publicly criticizes these attacks, however the following arrests rarely lead to successful prosecutions. The Israeli police have organized task forces to crack down on price tag attacks with limited success.[ref]<https://www.timesofisrael.com/2-palestinian-villages-in-the-west-bank-vandalized-in-apparent-hate-crimes/>;
<https://www.haaretz.com/.premium-turf-wars-limit-price-tag-police-probes-1.5286170>;
<https://www.nbcnews.com/news/world/what-price-tag-behind-israeli-extremist-movement-n401896>[/ref]

Islamic terrorist organizations and Palestinian nationalist organizations, such as *Hamas* and the *PLO*, have been involved in numerous indiscriminate as well as targeted terrorist attacks on Israelis as a means to reclaim land of prior inhabitants and achieving either an Islamic or secular Palestinian state (depending on the faction). The most notable conflicts involving both secular and religious Palestinian terrorist organizations are the First and Second Intifada.[ref]<https://www.dw.com/en/intifadas-what-you-need-to-know/a-41695912>[/ref]

There are reports of anti-Semitic acts by members of minority religious groups as well. Vandals have used swastikas in graffiti.[ref]<https://www.timesofisrael.com/vandals-paint-swastikas-on-road-to-western-wall/>[/ref] Hostile statements against the country often contain anti-Semitic rhetoric.[ref]<https://www.adl.org/resources/fact-sheets/response-to-common-inaccuracy-israel-critics-are-anti-semites>[/ref]

Freedom of expression, advocacy of humanist values

Freedom of expression, and media freedom, is guaranteed in the Basic Law and usually protected in practice. The Israeli media are vibrant and independent, and freely criticize government policy and religious issues. However, a *de-facto* blasphemy law is still in place.

De-facto blasphemy law

Article 173 of the country's Penal Code allows for one-year imprisonment if: "One publishes a publication that is liable to crudely offend the religious faith or sentiment of others," or if "One voices in a public place and in the hearing of another person any word or sound that is liable to crudely offend the religious faith or sentiment of others." However, cases involving Article 173 are rare, and in many of them the Supreme Court has ruled that the freedom of expression enshrined in the Basic Law prevails over Article 173.[ref]<https://www.loc.gov/law/help/blasphemy/index.php#Israel>[/ref]