GETT- The Trial of Viviane Amsalem

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Angelo Abdela, a member of the Institute for Jewish Ideas and Ideals, shares his views after seeing the Israeli film "Gett" which deals with the Agunah problem.

Israeli films receive large audiences worldwide. Many of them show the realities of life in the holy land, some with humor and some with sadness. Almost all of them demonstrate that Israel is a democratic country which is not afraid to show even its darkest aspects.

Currently one can watch such a dark story at the Lincoln Plaza Cinemas in Manhattan “Gett- the Trial of Viviane Amsalem”. Gett is Hebrew for divorce. This is a sad story of the difficulties, and one should say, impossibilities for a Jewish woman to obtain a divorce when the husband does not want it. Indeed the husband has to agree to GRANT a divorce. I purposely emphasize the word “GRANT” as the husband is all powerful in that procedure.

There are no civil weddings in Israel and each couple is married by clergy. If a divorce is needed, it will have to be sanctified by that clergy. The religious clergy is the unique ruling instance in the determination of the validity of the nuptial vows or their annulment. That clergy has all the keys. For Israeli Jews, the instance is the Israeli Chief Rabbinate.

The movie Gett is a theatrical representation of that problem. A woman, after 30 years of what she feels to be an unhappy marriage, seeks a divorce. Although she left their home years earlier, her husband does not want it. Seeking redress from the Court, she is facing a cold and entirely male tribunal. She has to endure repetitive sessions in court, continuing legal expenses, offensive language and insinuations from the judges and from the witnesses. All of this is with no recourse but to wait “at the pleasure of her husband”. This court is unable and/or unwilling to force the husband to grant the wife freedom. In this movie, it is only

resolved after 5 years of struggle and persistent humiliation for the wife. In addition the “blackmailing” husband extracts from her a degrading compromise.

Unfortunately this is not a unique situation. When the movie was shown in Israel, many, many women came forward. They describe their own similar path of tears and suffering facing a legal system wholly biased and prejudiced. For some it took 15 years and more to solve their situation. The movie producers suggest that learned rabbis have over the centuries found ways to free women from this predicament using different interpretations of rabbinic laws. It further suggests that the current Israeli Jewish clergy is particularly unwilling to adapt to the realities of life and continues to promote this macho attitude.

This predicament is even more absurd when a husband makes himself unavailable for years or just disappears. The abandoned wife is just that, abandoned, without recourse and without a possibility to rebuild a Jewish family life.

It seems that this issue has become a power play by some religious political parties holding steadfast to their anachronistic position. Those same narrow minded individuals relish their power and are opposed to any change which might affect their status with its privileges. As a result of this obstructing stand, many Israeli Jews forgo an Israeli marriage for one out of the country. As the Rabbinate refuses to find a solution, the Government should assume that responsibility.

I ask myself: Why should a man have more rights than a woman when facing a divorce?
Why should it take years to solve a divorce?

Why cannot judges use their own wisdom to declare a divorce?

Is it appropriate to have a whole male bench when gender has such an important place in the proceedings?

These are obviously my personal views and apprehensions. One may feel differently but go to see “Gett” and make your own opinion and scream if you feel so.