



Protection of Holy Places Law (Amendment – Consultation with the Chief Rabbinate), 2023

The proposed bill, which seeks to grant the Chief Rabbinate exclusive authority to determine allowed prayer at the Western Wall, means one thing only: allowing prayer at the holiest site for the Jewish people in the capital of the Jewish state only to a small segment of the Jewish people, while turning the overwhelming majority of the Jewish people in Israel and throughout the Diaspora into criminals. **One must read these words again in order to grasp the gravity of this bill and its implications for the State of Israel and the Jewish people as a whole.**

It appears that the initiators and supporters of this bill are not satisfied merely with the ongoing discrimination and persistent harassment directed at liberal Jews at the Western Wall — harassment we witnessed once again this week during the Women of the Wall prayer service on Rosh Chodesh Sivan. They now seek to go a step further and make such prayer unlawful.

The bill contains two principal provisions:

1. The Protection of Holy Places Law prohibits the desecration of a holy site, an offense punishable by seven years' imprisonment. The proposed amendment defines "desecration," with regard to Jewish holy places, as conduct contrary to the directives and rulings of the Chief Rabbinate.
2. The Protection of Holy Places Law provides that the Minister of Religious Services is responsible for implementing the law and may promulgate regulations concerning its implementation after consultation with representatives of the relevant religions. The proposed amendment stipulates that the Chief Rabbi shall serve as the representatives of the Jewish religion.

Should this bill pass, egalitarian prayer - Reform, Conservative or indeed any form of prayer not approved by the Chief Rabbinate, such as the prayers of Women of the Wall — would become a criminal offense punishable by seven years in prison. This is an inconceivable proposition that would amount to a bill of divorce between the State of Israel and Diaspora Jewry, the overwhelming majority of which does not conduct its religious life according to the dictates of the Chief Rabbinate.

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The drafter of the bill, as well as the 56 Members of Knesset who supported it in its preliminary reading, have forgotten what Judaism is. They have forgotten “the Torah has seventy faces,” Beit Hillel and Beit Shammai, and “these and those are the words of the living God.” They have forgotten the teaching in *Pirkei Avot*: “One who says, ‘What is mine is mine, and what is yours is mine,’ is wicked.” They have forgotten what Jewish sources teach about stealing the poor man’s only lamb.

The drafter of the bill, as well as the 56 Members of Knesset who supported it in its preliminary reading, have also forgotten what democracy is. It is worth recalling the words of Israel’s Declaration of Independence, which states that the State of Israel “will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions.” This proposed legislation entails a devastating violation of equality, dignity, and freedom of religion - Constitutional rights protected under Basic Law: Human Dignity and Liberty - for all those whose beliefs do not align with the religious outlook of the Chief Rabbinate — namely, a very substantial portion both of Israeli society and of Diaspora Jewry.

As for the Israeli public, a survey conducted in February 2026 by the Midgam Project Panel under the direction of Dr. Ariel Ayalon among a representative sample of 500 respondents found that a majority of the Jewish public in Israel (52% of the general public and 81.5% of secular respondents) opposes the bill. According to the same survey, 40% of the Jewish public in Israel, and 72% of secular respondents, prefer to visit the egalitarian prayer plaza at the Western Wall, while 53% of the public (84% of secular respondents) prefer to hold a bar mitzvah ceremony there.

As for Diaspora Jewry, it has stood alongside the State of Israel for decades, particularly during the painful recent years of war and immeasurable suffering, and at this very moment is confronting unprecedented antisemitic attacks. Instead of extending a hand in solidarity during this difficult time, the proposed legislation would create an irreparable rupture in the relationship between the State of Israel and Diaspora Jewry.

The drafter of the bill, as well as the 56 Members of Knesset who supported it in its preliminary reading, have forgotten that the State of Israel is not the state of the Chief Rabbinate, nor the state of ultra-Orthodox Judaism, but rather a Jewish and democratic state that is the home of the Jewish people in all its streams and diversity.

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As the Supreme Court rightly stated:

“Surely one cannot infer [from the definition of a religious community in the Religious Communities (Conversion) Ordinance] that the Jews in Israel constitute one religious community headed, in religious matters, by the Chief Rabbinate of Israel. Beyond specific statutory provisions — which must be interpreted according to their own purpose — the broader conception is that Jews in Israel are not perceived as a single religious community... The conception of Jews as a ‘religious community’ in the Palestine Order in Council is a Mandatory-colonial approach. It has no place in the State of Israel. **Israel is not the state of a ‘Jewish religious community.’ Israel is the state of the Jewish people**, and it expresses the ‘natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign State’ (Declaration of Independence). **Judaism contains different streams, operating both within Israel and abroad. Each stream acts according to its own worldview. Every Jew in Israel — as well as every non-Jew — enjoys freedom of religion, conscience, and association.** Our fundamental principles grant every individual the liberty to determine his or her affiliation with one stream or another.” (HCJ 5070/95 *Naamat, Working and Volunteer Women’s Movement v. Minister of Interior*)

And specifically regarding the Western Wall:

“Among the paratroopers who liberated the Wall, some were observant and some were not. Even among the observant, they did not all come from the same place. Yet all of them were emissaries of the Jewish people — of the entire Jewish people. When that war ended — indeed, immediately after the Wall was liberated from captivity — the paratroopers fulfilled their duty and entrusted to the Jewish people the precious deposit they had acquired in blood. **The Wall was given to the entire Jewish people, not merely to one part of the people. And the entire Jewish people — not merely one part — acquired rights in the Wall.**” (HCJ 4128/00 *Director General of the Prime Minister’s Office v. Hoffman*)

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This week we will celebrate the festival of Shavuot, the festival of the giving of the Torah. It is worth remembering that the Torah was given to all of us — women, men, and children, the entire Jewish people — and not to one stream or faction alone.

This proposed legislation must be rejected unequivocally. The State of Israel must continue to be a Jewish and democratic state that respects the diversity of Jewish identities and does not impose one particular religious path upon any man or woman — not at the Western Wall and not anywhere else in the public sphere.

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