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Man's Refusal to Divorce Wife Unless She pays \$131K Not Extortion Israeli Court Says

Yair Ettinger/ October 14, 2016

Rabbinical Court releases him from prison, reversing a five-year prison term for the recalcitrant man.

A rabbinical court in Haifa has released a man from prison after accepting his appeal of a five-year sentence for refusing to grant his wife a divorce unless she paid him a 500,000 shekel (\$131,000) fee.

"This is not extortion," religious court judges Daniel Edri, Ben Zion Hacohen Rabin and Elad Eli, wrote in their decision.

The man had been ordered by the Supreme Rabbinical Court in Jerusalem in July to grant the divorce which the woman has sought for the past six years, so as not to leave her as an "agunah," or chained woman, who under Jewish law could not remarry.

The couple has been married for 12 years, and have children. While he was in prison, a property settlement was reached. The man agreed to forgo his share of the family home in exchange for not paying any alimony, but later he reneged.

In September, the man told judges at the Haifa Rabbinical Court he would "free" his wife in exchange for 800,000 shekels, compensation, and was persuaded to reduce that sum to 500,000 shekels.

The woman's father told the rabbis they could not afford the terms, and the judges decided to free the man from prison, while the woman filed an appeal.

The religious judges, known in Hebrew as dayanim said the husband can no longer be regarded as recalcitrant, or the woman an "agunah," because her husband has agreed in principle to the divorce. In response to her father's offer to pay 50,000 shekels for the divorce the rabbis said that had he really been interested in freeing his daughter he would have given the requested amount.

The woman expressed surprise and accused the court of turning back the clock.

A spokesman for the Rabbinical Courts said the matter was under appeal and they could not comment.

Sources in the rabbinical courts said the decision gave detailed justifications for the ruling and the tribunal is known for taking a harsh stance against those who refuse to grant a get, the Jewish word for a divorce paper.

The Center for Women's Justice, which is representing the woman along with rabbinical court pleader Moshe Mittleman, said: "Women are free and there is no reason they should lose control of their autonomy or have to buy their get. If the official rabbinical court acts in

opposition to these fundamental concepts, the State of Israel must put its house in order and grant the authority over marriage and divorce law to a different institution.”

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