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Israel Not Enforcing Law Against Underage Marriage, Knesset Committee Finds

Despite police recommendations, people arranging or participating in unions involving persons 18 have not been punished as per 2012 law.

Jonathan Lis May 04, 2016 2:18 AM

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The wedding of the grandson of the leader of the Belz Hasidic sect, in 2013. Weddings of ultra-Orthodox minors in such cases are permitted. Gil Cohen-Mage

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The State Prosecutor's Office did not file a single indictment against persons who performed marriages of minors in 2014, although the police recommended filing six indictments against those involved. The police investigated 37 complaints that year, although the Interior Ministry reported that 416 such unions had taken place during the

same period.

On Monday the Knesset Constitution, Law and Justice Committee revealed that the government has been impotent when it comes to enforcing the law against marriages of persons under the age of 18. The panel presented contradictory findings among the government ministries that are supposed to supervise the situation and assess its scope.

Representatives of the justice, interior, social affairs and public security ministries are required to present detailed annual reports on the subject to the committee, however, it turned out that their information was incomplete, both for 2014 and for 2015.

The latest version of the law in question was passed in 2012, and raised the minimum legal age for marriage from 17 to 18. It mandates that anyone who marries a minor, or performs such a wedding or helps to arrange one, or marries off an underage child who is under his custody, is subject to two years' imprisonment.

New findings indicate that 720 couples in which one person is underage registered for marriage in the Population Registry in 2015, 477 of them from East Jerusalem; 22 couples of religious Jewish minors opted to sign up in the marriage registry of the ultra-Orthodox Edah Haharedit in Jerusalem.

Information about indictments or investigations of possible illicit unions in 2015 were not submitted to the Knesset committee.

While the law does allow family courts to recognize such marriages in exceptional cases – such as those involving children of leading Hasidic rabbis, or those resulting from pregnancy out of wedlock – the vast majority of these ceremonies are conducted in violation of the law.

“Two years after the law was changed, we are aware only of the tip of the iceberg of the marriage of minors in Israel, and this tip of the iceberg demands heightened and in-depth attention,” said Social Equality Minister Gila Gamliel, who initiated the change in the law in 2012.

During the committee's deliberations it emerged that the phenomenon is more extensive than indicated by the figures, since many of those minors who wed do not come to register afterward, and some of those who register do so only after reaching adulthood.

Other data, from the Rackman Center for the Advancement of the Status of Women from about four years ago, show that in Israel over 4,500 minors marry each year, about 4,000 of them girls. About 500 marry before the age of 16.

In response to the Knesset panel's discussion, MK Aida Tuma-Suleiman (Joint Arab List) said, “The figures attest to

the fact that the subject is not a priority of the establishment. Anyone who performs these marriages should be punished and pay the price – we have to create a means of deterrence.”

In contrast, MK Uri Maklev (United Torah Judaism) said that there are women who married at an early age “and enjoyed great happiness and many grandchildren and great-grandchildren.” Maklev proposed that the Knesset Research and Information Center create a better database of information regarding the age of individuals entering into marriage.

Said committee chairman MK Nissan Slomiansky (Haybayit Hayehudi) “If a few parents are prosecuted, the phenomenon might end.”

Slomiansky also announced that he would hold an additional session to discuss the situation of underage unions among the Jewish community.



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