



## DOWNTIME

### **ISRAEL'S DRACONIAN DIVORCE LAWS IN THE SPOTLIGHT**

'Gett', nominated for a 2015 Golden Globe, exposes ancient marital rules on 'chained women' that still exist

**RARELY DOES** a film integrate a social and political message within a forceful drama as masterfully as *Gett: The Trial of Viviane Amsalem*. The impossibility, for a woman, of obtaining a divorce without her husband's consent in today's Israel is portrayed with chilling power in a story that follows a case that lasts for five years. It will shock many people to learn that Israel, despite being a secular state, has no civil procedure for marriage and divorce, except when the two people differ in their religious affiliations.

Released in Israel to widespread acclaim and box-office success in September, the film has since been released theatrically in France and Italy. In Britain, despite well-received screenings at the London Film Festival and the UK Jewish Film Festival, it missed a distribution window

and was instead released in November on DVD. Though it failed to earn an Academy Award nomination, *Gett* is in the running for Best Foreign Language Film at this year's Golden Globes.

Its star, Ronit Elkabetz, has been described as "the face of Israeli cinema" by the UK's *Jewish Chronicle*. She also co-wrote and co-directed this film with her younger brother Shlomi, as well as two earlier features in a trilogy of thematically-related tales, *To Take a Wife* (2005) and *7 Days* (2008). "In the first film," Ronit explains, "the issue is Viviane's freedom in the face of her family, in the second film it is her freedom in the face of society, and in the third it is her freedom before the law." In each film, the French-Armenian actor Simon Abkarian plays the role of her husband, Elisha.

**COURTROOM DRAMA:** *Gett*, a story about male domination in Israeli culture, explores the struggle of a Jewish woman against her husband and the country's rabbinical courts

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Under *halacha* (Jewish law), a “get” (also spelled *gett*) is the name for the bill of divorce that a husband may give to his wife. Any woman who decides to end her marriage and yet has not received a get from her husband is deemed to be an *agunah* – a chained woman. Even in those countries in which she might obtain a civil divorce, she remains an *agunah* until she is granted a get.

The consequences are immense. If she remarries under a civil procedure she remains an *agunah*, and any subsequent children she might have are deemed to be *mamzerim* (illegitimate).

Once a *mamzerim*, always a *mamzerim*. If a person labelled as such, male or female, remains

“A lot of people who are secular do not want to marry in front of rabbinical authorities.”

an Orthodox Jew, they may only marry converts or other illegitimates. The stain is passed down from one generation to the next in perpetuity.

It is not only female spouses who may suffer from this process. If a woman refuses to accept a get from her husband, for whatever reason, he has to invoke the *Heter Meher Rabbonim*, or the permission of 100 rabbis. No woman, though, has access even to that remedy if her husband chooses to withhold a get.

It is the same for all Israeli Jews – the Ashkenazi and Sephardi, the secular and the religious. “In Israel you have to encounter the rabbinical authorities at three stages: birth, marriage and death,” Ronit says. “A lot of people who are secular do not want to marry in front of rabbinical authorities. Some Israelis go to Cyprus to get married. But in Israel you have to go in front of the rabbinical courts to obtain a get.”

According to the film’s Paris-based producer, Sandrine Brauer, this is not a phenomenon that is confined to Israel. “Last May in France there was an incident in which a woman who had obtained

a divorce in the civil courts wanted to remarry within the orthodox community, so she needed a get,” she explains. “The rabbinical court told her, we might consider your case if you help the community. They blackmailed her for €100,000.”

Ronit Elkabetz gives her character a luminous presence on-screen, but nonetheless Viviane seems to carry her troubles in her facial features. Off-screen, those same features, still without any make-up, seem unrecognisable in their delicacy.

“This was a story of our mother,” Elkabetz explains. “In my childhood I always felt my mother’s very strong will for something better in her life. As a girl this was very important to me. When I got bigger, without knowing it, I felt there was a very heavy weight on her shoulders.

“It was very simply that my mother wanted a better life with her husband, she wanted to be his companion in public. It was a simple demand, but it was very hard for him, even though the request was very light.

“My father gave my mother freedom to do whatever she wanted – she had more freedom than most women had – and on top of that he was religious. But my mother didn’t want to do things on her own, she wanted to share them with him. In spite of being a joyful and independent woman, she would wake up every morning with a heavy burden.

But she never gave up on herself. Thirty years later I woke up and told the story of this woman who seeks her liberty and wants to leave her husband but he won’t let her go.”

Apart from one shot, the entire film takes place within the claustrophobic atmosphere of a rabbinical court building, with its austere, drab decor.

Still, there is not one of the film’s 115 minutes in which the screen is not fraught with tension, sometimes inviting the audience’s disbelief at the absurdity of Viviane’s predicament. Nor is the mood always downbeat: there are moments of absurdist comedy, and at one point even Viviane is impelled to laugh.

Viviane radiates a dignified stillness, remaining silent for much of the film’s duration, dressing in a sombre and modest way and appearing to show respect for the presiding rabbis. In two scenes, though, she unleashes her emotions: first in a display of furious scorn and second in a moment of imploring desperation.

*Gett* belongs to the well-established cinematic genre of courtroom drama, and therefore its theatricality seems natural, yet resolution comes in a moment of tenderness between the adversaries in a waiting room.

Ronit Elkabetz was born in 1964 in Beersheba,

**FEMALE LEAD:** Ronit Elkabetz, who also co-directed the film, as Viviane Amsalem, an Israeli woman who spends five years trying to obtain a divorce. Below: a panel of rabbis sits in judgement in a still from the film



the “capital” of Israel’s Negev desert, to working-class Moroccan parents from Essaouira. Her father was a postal worker and her mother a hairdresser. Later, the family moved to Kiryat Yam, a suburb of Haifa.

As an adult, she was contemplating a career as a fashion designer when she began modeling and appearing in commercials. “I always loved being on set, but I didn’t think I would be an actress. I didn’t learn acting. It all started when I was 24. Someone saw me in a commercial.” When she auditioned for her first film, *The Appointed* (1990), she thought she was just auditioning for another commercial, not for a leading

role in a film. “My entire life changed completely after that,” she says. In 1997 she moved to study with Ariane Mnouchkine of Le Théâtre du Soleil, and made her first French film, *Made in France*, soon afterwards.

Yet acting was not enough. She yearned to write and direct, to tell a story. “I like the process of creating a character,” she says. “Until the age of 20 or 21, I would not talk very much, but I was always making up stories and I was convinced they would become films.”

But how did she make the transition from being an actress to co-writing and co-directing with her brother? “Shlomi and I were so close that when I was 18 and he was 10 I already felt that one day we would be working together. In 2000 he was living in New York and I was living in Paris. I called him and said, ‘I’m ready to do something with you.’ The day after that, I took the plane. Another day later I told him, ‘I have three stories about a woman – our mother – and I want to do them with you.’”

In *Late Marriage* (2001), another Israeli film in which she starred, Ronit played not an agunah but a divorced woman who is rejected by the Russian immigrant family of the man who loves her. “Israeli society is very ambivalent about things,” she says. “A lot of things change but there is a lot of conservatism. In the same street in Tel Aviv girls can walk half-naked but if they want to get a divorce they have to seek this remedy through the religious courts.”

Although Ronit expected *Gett* to have an impact in Israel, the scale of it took her by surprise. “We thought we would let the film have its life and then deal with the politics later, but it was taken up so quickly,” she says. “All the female ministers in the government, including Tipi Livni, the minister of justice, Facebooked about the film. Some think we have won already, with everyone speaking about change. If so, it will be the first time ever that a film has changed something in Israel.”

In some liberal Jewish communities in America and Europe, when a marriage contract is issued there is a clause that says that if a civil court grants the woman a divorce, her husband will not refuse her a get. Perhaps a similar solution could be found in Israel and for Orthodox Jews around the world.

Ronit has been married to an architect for four years and together they have twin sons. She confesses that she is very happily married, but she knows that her freedom is circumscribed by a legal disadvantage: “Any Jewish Israeli woman who says yes to marriage knows that she is becoming a possible *agunah*.”