**Background**

For many years, the State of Israel has been wrestling with issues which define the relationship between religion and state. Within Israel, it is widely believed that Jewish identity should be given real, tangible meaning. This affects many aspects of life, including marriage in accordance with orthodox practices, incorporating the Jewish holidays into the work calendar, defining Saturday as the day of rest, with nuances as to how they are each defined.

The relationship between religion and state was positive for many years. Recently, however, we have witnessed a deterioration in the public’s view of the religious establishment. This negative change is expressed in several ways. Approximately half of the secular public views civil marriage in Israel favourably, and is open to circumventing the religious establishment rather than marrying through it. Many believe that there is no need to observe the Sabbath publically, and there is no room to employ inspectors and prohibit widespread commerce being conducted on the Sabbath.

There a number of factors and causes that influence the reasons why the general public have adopted such an approach, including some that are global and result from a broad worldview which promotes maximal individual freedom. But when we examine the matter further, it emerges that a large percentage define themselves as Jews, want to act as Jews, want the State of Israel to be defined as Jewish and to even act in line with Jewish values. What, then, are the causes of distaste for the Jewish manifestations of the state?

**The Religious Establishment**

It turns out that the religious establishment has turned into a body that distances the public from Judaism, instead of acting to unify and bring individuals closer to religion, as per its stated goal. The religious establishment is frequently criticised as dishonest, rabbis take money illegally, religious courts are reluctant to act courageously to help *agunot* and more.

**The Kashrut Establishment**

The field of kashrut is one of the areas where the religious establishments receives the harshest criticism, mainly from business owners. The criticisms deal with several issues, stemming mainly from a reality in which there is no competition, and every restaurant, bar and function hall must request kashrut supervision from the local rabbinate.

1. Numerous bodies cheat the system. They demand wages for hours of supervision, but in practice nobody comes to supervise. This is convenient for business owners who can do whatever they like, and it is convenient for kashrut providers who can collect money without working for it.

2. Many bodies stipulate various stipulations to accept kashrut. For example, buying food only from one specific SAPAK.

3. Many bodies make unreasonable demands such as totally disqualifying certain vegetables and more. The food businesses do not have any room to negotiate because, as stated earlier, there is no competition in the field.

These complaints, along with others, have led to a general state of disgust with the national kashrut system. Many business owners have decided to forgo their kashrut licenses, even though they are interested in ethical and economic values ​​in kashrus, just not the kind dictated to them by the rabbinate.

**State Comptroller**

Recently, for the third time, the state comptroller examined the national kashrut system. Once again, serious flaws were identified; flaws that the comptroller had already warned of. The report is among the most difficult, the most comprehensive and raises serious questions. Without going into the details of the report, it notes, for example, that some supervisors were paid 27 hours a day. This is just one example of many glaring issues.

One of the more severe criticisms is the relationship between supervisors and workers who are being supervised. The supervisors receive their wages from the business, and therefore it is very difficult for them to supervise independently, since they endanger their place of work.

**Tzohar’s View**

Tzohar believes that without addressing the lack of competition, the kashrut system will not be able to function properly. A reality in which every rabbi acts as he deems fit, and sometimes arbitrarily, safe in the knowledge that the business has no ability to conduct negotiations with him, is the mother of all sins and must be dealt with. Therefore, Tzohar has presented the various organizations two alternatives methods which could solve the kashrut problem.

1. Opening of Kosher Zones

Tzohar has already enjoyed positive experiences with the opening of the market by allowing the various religious councils to compete amongst themselves. The “Tzohar Law”, enacted in 2014, allows couples to register in any religious council, and not necessarily the one in their place of residence. This law obliged the religious councils to become more efficient, to behave more respectfully and decently towards the couples, to accommodate, facilitate and make things easier for them. Religious councils have opened online marriage registration, have made opening times more flexible, solve problems effectively, all this in order to provide couples with more attractive options.

We believe that the creation of kosher areas will constitute a similar solution. A business can receive kashrut from any official rabbinate that has been authorized by the chief rabbinate to issue kosher certificates. This will require the various religious councils to become more efficient and provide better service to couples.

2. The Rabbinate as a Regulator

The chief rabbinate will act as a regulator as is customary in various areas of the State of Israel. The Chief Rabbinate will determine the principles of kashrut, and will rank them into different levels, from basic to *mehadrin* standards of kashrut.

Private kashrut bodies will be able to provide kashrut as long as they undertake to meet the kashrut requirements of the Chief Rabbinate of Israel. Every business can purchase a kashrut certificate from any private kashrut body.

The Chief Rabbinate will employ a system of supervisors who will examine the kashrut bodies’ standards of kashrut. The rabbinate will be able to disqualify the private kashrut bodies if serious flaws are discovered.

In this way, Kashrut bodies which fail to act in a professional and serious manner will lose all their investment and be forced to close.

**Methods**

Tzohar has an experience in significant structural change. The Tzohar Law is one such example. But in order to bring about a change in the area of ​​kashrut, a change in the law is required. In order for such a change to occur, when the ultra-Orthodox parties are in a position of strength in the coalition government, a multi-pronged approach is necessitated:

1. Parliamentary activity. Knesset members must be made to commit to legislative change and be brought resolutely to change the legal situation.

2. Public relations activity. The public must be made aware of the problematic nature of the current situation, and of the constant pressure on decision-makers in the Knesset.

3. An alternative structure should be established to show everyone how kashrut bodies should operate. From our experience with the Tzohar Law, the establishment of a functional alternative generates public pressure, which ultimately leads to a change in the legislature too.

**The Legal Situation**

In the State of Israel today, there is a monopoly on the word kashrut. Business owners who present themselves as kosher but who do not possess a Kashrut Certificate issued by the Chief Rabbinate of Israel risk a year in prison.

The organization “*Hashgacha Pratit*” has established a kashrut system, with the leading principle that the word “kashrut” does not appear on their certificates. Instead, they are called “supervision certificates”. The question of whether displaying certificates of supervision meets the stipulations of the law has been heard before the High Court of Justice. As of today, the issue is unresolved.

**The Legal Solution**

We have a legal opinion from which the following conclusion emerges. The main problem is presenting businesses as kosher. Therefore, businesses cannot hold kashrut certificates or supervision certificates issued by Tzohar. What we can do is list kosher businesses on our website. However, if a business pays for a supervision service, things become complicated as others could claim that the business paid to be described as kosher - only so that it will in turn be listed as kosher on the Tzohar website.

The solution we offer is that we shall select a number of businesses which we be listed as kosher free of charge. In this way, the businesses will be able to claim that Tzohar chooses to advertise kosher businesses, just as other organizations choose to display tasty or lucrative businesses, and the businesses themselves have nothing to do with certificates presented on our site.

This is a very temporary solution, since it is not possible to provide free kashrut services for businesses in the long term. However, if this is part of an ongoing struggle alongside parliamentary activism and public relations campaigns, support for this can give a tailwind to the entire process and lead to a decision being made.

It is important to note that no kashrut certificates will be displayed at the businesses, but instead a sign with the following text will appear: “For questions regarding Kashrut, go to the Tzohar website”. On the Tzohar site, all the kashrut-abiding business owners will be listed, and their level of kashrut will be indicated. When the businesses receive enquiries by telephone call, they will legally be able to present themselves as kosher with certification from Tzohar. Only if they are asked to present the certificate will the applicants be referred to the Tzohar site.

**Division Structure**

We are currently examining the relevant business plan. However, below we will present the main points of the plan.

**Kashrut Structure**

Kashrut will be built gradually. The kashrut organization will be headed by a well-known rabbinic personality with extensive knowledge in the field of kashrut.

A supervisor in charge of X kashrut supervisors will work under the kashrut chief.

In each business, a kashrut supervisor will be employed. Terms will vary according to the following criteria:

Hotel up to 50 rooms which serves breakfast – X hours’ employment.

Hotel with between 50 and 120 rooms which serves breakfast – X hours’ employment.

Hotel with between 50 and 120 rooms which serves breakfast and dinner – X hours’ employment.

Restaurant open between 11.00 and midnight – X hours’ employment.

Non-meaty fast food establishment open between 10:00 and 21:00 – X hours’ employment.

Meat-serving fast-food establishment open between 10:00 and 21:00 – X hours’ employment.

**Budget**

In the first year, we will issue a kosher certificate to 20 business owners. We will focus on boutique hotels in central Israel. The manpower employed in the first year will comprise of three kashrut supervisors and the head of the kashrut department.

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|  | Monthly | Annually |
| Head of the Kashrut Department | 14,000 | 168,000 |
| 3 Kosher supervisors | 27,000 | 324,000 |
| 4 vehicles | 20,000 | 240,000 |
| Advertising and marketing | 30,000 | 360,000 |
| *General* | *100,100* | ***1,201,200*** |