

BLAKE STREET HEBREW CONGREGATION

AGUNAH POLICY

Preamble

We are concerned with a person who has put their spouse in an Agunah situation, ie a spouse who has refused to grant a gett or alternatively has refused to receive a gett, and therefore keeps their former spouse shackled, as without a gett they are unable to form a new relationship, get married or have children.

Reasons for this policy

Clearly, someone who places their spouse in an Aguna situation is acting contrary to Halacha and in a most reprehensible manner. To refrain from granting or receiving a gett can destroy another person's life as it prevents them from forming new relationships, getting married or having children. BSHC involves itself in all life cycle events and should not distance itself from this event.

The purpose of the policy is to bring as much pressure as is possible to bear on the recalcitrant spouse so as to facilitate the prompt granting/ receiving of the gett. It is hoped that the mere existence of the policy will bring sufficient pressure to bear so that the policy consequences will not need to come into play.

Definition

In its simplest form, the appropriate definition for such a person is simply one who has refused to grant or receive a gett.

We have adopted the following definition for our Constitution:

“Sarvan Gett” means

- (a) in relation to a member, any person who is certified in writing by the Chief Minister of the Congregation (“the Chief Minister”) as having failed to comply with a directive from him regarding either the giving or receiving of a Gett ; or,
- (b) in relation to any other person, someone who is certified in writing by the Chief Minister as being a Sarvan Gett.

We have adopted a “stepped” approach in dealing with any of our members who are labelled a Sarvan Gett. Upon the appropriate certification, the offending party is given a series of 28-day notices, each with more serious consequences calling on them to rectify the situation.

If they fail to rectify the situation after the first notice, they will suffer a withdrawal of honours and revocation of membership of the congregation.

If they fail to rectify the situation after the second notice, they will be refused entrance to the Congregation's services and functions.

If they fail to rectify the situation after the third notice, our Rabbi will be at liberty to write to other Rabbis as he sees fit advising them of the Sarvan Gett's name and status.

Each 28 day notice will only be sent upon receipt of written authorisation to do so from the Rabbi. In this way, if the Rabbi is engaged in discussions with the Sarvan Gett, the whole process can be delayed for as long as the Rabbi thinks fit.

Once the Sarvan Gett grants/receives the gett, they are able to reapply for membership of the Congregation.

Non-members identified as a Sarvan Gett will be refused all honours and are not eligible for membership of our Congregation.