

The Shocking Reason This Messianic Jewish Family May Lose Their Israeli Citizenship

Because of their religious beliefs, Ariel and Shayla Hyde, a young married couple from Haifa, are two among many in Israel and abroad who find themselves targets of what amounts to a discrimination campaign by Israel's Ministry of Interior (MOI) to protect the nation from Messianic Jews.

Ariel's parents, Richard and Carolyn Hyde, are also longtime targets of a religiously motivated quest by the Ministry of Interior to deport them, and more recently, Ariel's brother, Avi, and his wife, Liora.

Historically controlled by Shas, a small, ultra-Orthodox Jewish religious political party in Israel—but one which wields much power—the MOI regularly employs arbitrary administrative bullying and quasi-legal maneuvering to obstruct *aliyah* (immigration to Israel) and deny citizenship to those who do not share their rabbinically held beliefs. In some cases, they also attempt to revoke the existing legal citizen status of family members of those targeted, although, up until now, unsuccessfully.

"In a democratic country, citizens shouldn't have to fear being stripped of their citizenship," declares a *Haaretz* editorial from Dec. 26, 2017.

"Law-abiding people shouldn't have to fear routine encounters with government agencies," the editorial continues. "Yet every year, thousands of Israelis are dragged into unfair battles with the Interior Ministry, which has turned its bureaucracy into a a weapon of ultimate power which seeks to

disenfranchise citizens and legal residents of whom they don't approve with the creation of unjustified reasons for the Israel to reassess their citizenship.

"Israelis who have sought to acquire legal status in Israel for their foreign (and non-Jewish) spouses have sometimes found their own citizenship called into question. Instead of examining such requests on their merits and granting the spouses of Israeli citizens appropriate legal status, the state has exploited this bureaucratic encounter to threaten these citizens."

None seem more threatened than the Hyde family. The common theme behind the MOI's efforts: The Hydes are believing, Messianic Jews.

"After some Messianic Jews have already immigrated to Israel, the Ministry of Interior can refuse to renew their passports, refuse to register their newly born children, and in extreme cases (although it has yet to happen) revoke their citizenship," Michael Decker, lawyer and partner at Cohen, Decker, Pex & Brosh, writes in "The Law of Return with a Focus on Christians and Messianic Jews."

"In essence, the above mentioned situation reveals an illegal alliance between a governmental office that is obligated to operate in a non-discriminative, legal and equal manner and between fundamental religious groups, their core values being to advance their main objectives of preventing Jews from believing in ways different from theirs."

Ariel and his parents moved to Israel and became citizens in 2003. Two years later, Ariel met his future wife, Shayla, and they married in 2008. After Ariel finished college in the United States (both he and Shayla are American citizens), they returned to Israel to live in 2010, promptly submitting to the Ministry of Interior (MOI) all paperwork required for Shayla to obtain Israeli citizenship.

Israeli law provides that a non-citizen spouse of an Israeli citizen who meets all other legal requirements be granted citizenship after a 4-1/2-year waiting period. Though Ariel and Shayla have lived here together for eight years and now have three young children (with a fourth expected in August), the MOI has not only denied Shayla's application but has also recently informed the couple of its intent to revoke Ariel's citizenship, effectively forcing them to leave Israel.

Ariel has served honorably in the IDF. Neither he, his parents, Shayla nor any of their children or siblings have broken any Israeli law. The Hyde family's sole crime, it seems, is that they are Messianic Jews. They are not considered Jews at all, in the eyes of the Shas party who controls the Ministry of Interior, and therefore not entitled to live as citizens of Israel.

The late Moshe Landau, the fifth president of Israel's Supreme Court, wrote this in "Freedom of Religion In Israel" about religious freedom in Israel: "Every person in Israel enjoys freedom of conscience, of belief, of religion and of worship. This freedom is guaranteed to every person in every enlightened, democratic regime, and therefore it is guaranteed to every person in Israel. It is one of the fundamental principles upon which the State of Israel is based."

Then there are the broad, unrestrictive and welcoming words of the prophet, Ezekiel, with whom Shas and the MOI are likely to be more familiar, describing the future inhabitants of the modern Jewish homeland:

"For I will take you from among the nations and gather you out of all countries and will bring you into your own land. Then I will sprinkle clean water upon you, and you shall be clean. From all your filthiness and from all your idols, I will cleanse you. Also, I will give you a new heart, and a new spirit I will put within you. And I will take away the stony heart out of your flesh, and I will give you a heart of

flesh” (Ezek. 36:24-26).

But the Shas party, with under 6 percent representation in the Israel Knesset, has somehow become inordinately empowered to dictate who shall and shall not be part of the people of Israel, and continues with impunity to fly in the face of fairness, decency and legality as well as the words of the prophets.

How can this be tolerated in a democratic state?

How can Jews, of all people, deny the legal rights of other Jews given their centuries-long history of injustice and suffering at the hands of others.

Among the many collections of artifacts on display at Yad Vashem Holocaust Memorial in Jerusalem are the harvested shoes of countless Jewish victims of profound injustice. The shoes lay in heaps, unsorted. We cannot know who among their former owners were Ashkenazi or Sephardi or whether or how faithfully they followed Jewish law.

At the end of Ariel and Shayla’s last judicial hearing, Ariel spoke out.

“Usually, in Israel, defendants don’t speak to the judge it’s just the lawyers,” he told Kehila News. “But I asked at the end if I could address the court. When granted permission, I told them that in Psalm 94 it says, judgment will return to righteousness.”

“As you’ve heard, the way the Ministry of Interior has been handling this is far from righteous. It’s in your hands to return the judgment here to righteousness,” he told the court. “And it ended up that was the last thing spoken at the meeting.”

At the end, the judge declined to grant the MOI additional time to consider revocation of Ariel’s citizenship but,

instead, established guidelines for moving ahead with Shayla's case. Shortly afterwards, however, apparently contradicting his first ruling (as well as ignoring the Israeli Vice Attorney General's guidelines which, in part, establish that the MOI has no authority to revoke Israeli citizenship which has been valid for over 10 years), the judge granted the MOI additional time to deliberate and 14 more days to present their claims against Ariel.

Since then, the Ministry of Interior officially opted to revoke Ariel's citizenship though they have failed to present their evidence within the specified deadline, thus, again, failing to obey the court and continuing to leave Ariel and Shayla Hyde in limbo.

Once the MOI complies, the couple will have a short time to respond and the court will then either rule based upon the information at hand or order yet another hearing. "We've expected a final response in this process at any moment for the last several years," Ariel said.

And so continues the harassment and uncertainty of the Hydeshes and many others whom Shas hopes to banish from Israel.

Update:

At a subsequent court hearing, characterized by the Hydeshes as "sudden," the presiding judge accepted the Ministry of Interior's proposal to grant Shayla permanent residency while the MOI continues to attempt to revoke the citizenship status of Ariel and his parents. This despite the fact that, as noted in the story, their efforts lie outside applicable guidelines established by the Israeli Vice Attorney General.

It may seem reasonable, at first glance, to allow the courts to continue to work through the Ministry's cause, but a recent ruling by Tel Aviv District Court Judge Varda Meroz seems to put the process to shame. reported in 2012 that Judge Meroz declined to strip the citizenship of a convicted bus bomber,

Mohammed Mafarja, whose crimes include attempted murder and aiding the enemy during Operation Pillar of Defense.

“Revoking [citizenship] is reserved for extreme cases,” she ruled. “Mafarja’s case, despite its severity, doesn’t fall within the bounds of such cases.”

How can it be reasonably argued that making videos and expressing one’s faith is more “extreme” than attempted murder?

Ariel and Shayla plan to appeal their case to the District Court. “The Ministry of Interior asked for the appeal to be erased,” Ariel told Kehila News, “as if they had adequately responded and justice was done, but our lawyer demanded [that] the judge ... make an official ruling ... Thankfully, he agreed, which means that we will be able to appeal it to the District Court.”

The Hyde’s attorney told them afterward that, if they had won the case at the current level, it would have set a limited precedent. “But now that it is apparently going up to a higher court, if we win at that level, it will set a precedent for many believers in Israel, hampering the Ministry of Interior’s efforts to revoke others’ citizenship. So we believe that what the enemy meant for evil, God will turn for good.” {eo}

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