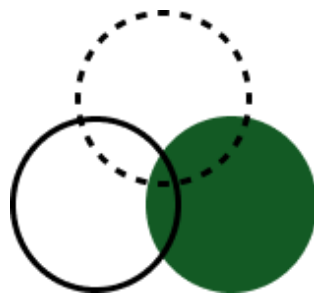


The Autonomies are Already Here

The 2023-24 state budget strengthens sectarianism and separatism at the expense of statism



Over the past few weeks, various speakers have issued warnings about a dire scenario in which Israel becomes fragmented into autonomies. In truth, this is not some hypothetical future; it is our present reality. The process of "autonomization" in Israel is unfolding incrementally, as the tribal model is being applied to different aspects of life and solidified through the state budget, the Arrangements Law, and other legislative measures currently under consideration by the Knesset.

Israel contains four distinct tribes: religious, ultra-Orthodox, Arab and secular, each with its own vision for the future of the state and its own "contract" with the state in the present. Thus, for instance, there are separate social contracts regarding military service: whether they are mandated to enlist or exempt, how long they serve and under which terms; each tribe has its own separate education system, with variations in curriculum, hours of instruction, class sizes, levels of oversight, parental involvement and more. Even the housing crisis manifests differently among the different tribes.

Although there is no explicit strategic decision to transform Israel into a country of individual autonomies, the de facto establishment of distinct contracts between the state and its tribes has resulted in increasing separation and creeping erosion of both state and societal cohesion. These processes have been accelerated by coalition agreements, the 2023-2024 state budget, the Arrangements Law ("Hok HaHesderim"), and other bills promoted by the government and coalition representatives. From a strategic perspective, there appears to be a systematic endeavor to create and fortify identity-based autonomies while offering incentives and additional funding to strengthen these autonomies, sometimes encroaching on spaces that should be shared by all of us, spaces that should be statist and free of tribalism¹.

The term "autonomy" is ascribed various meanings across different fields, but in the social and political context, it refers to self-government, particularly when granted by the state to a minority group for its internal affairs. Autonomy exists on a continuum, with the highest level being an independent state. Typically, autonomy is conferred upon a territorial unit or demographic minority within a state, and it is almost always limited to internal matters and governance.

¹ For example, the obligation to represent the ultra-Orthodox population in planning committees even in towns without an ultra-Orthodox population, or the exclusion of women in IDF bases that are not designated for segregated battalions.

Area	The Statist Option	The Path to Autonomies
Education	A state-run public education system with oversight — nonpartisan	Separate education systems, government subsidies for private education, no oversight, partisan
Legal System	A civil legal system	A tribal legal system that operates according to different legal codes (rabbinical courts)
Finance	Regulated banks	Charity institutions — sectoral funding systems
Training and Employment	Integration into one workforce based on uniform professional/academic standards	Separate tracks exist in technological colleges and ultra-Orthodox seminaries, training tailored to specific populations with deteriorating and population-specific standards and dependency
Housing	Housing solutions for all	Closed communities with admission committees, sectoral housing solutions
Personal Safety	Police	National guard

Education

Israel does not have one single education system. At present, the country operates with four distinct education systems, each with its own unique characteristics. The budget allocated per student varies significantly among these systems, with disparities reaching substantial percentages. For example, the religious public education system receives 26% more funding per student than the general public one, and 44% more funding per student than the Arab sector.²

Until now, the amount of public funding received by educational institutions has been directly and equally linked to their compliance with public educational duties and rules. These include following the official curriculum, avoiding selective student admission, and meeting oversight standards set by the Ministry of Education. Recognized-unofficial institutions and exempt institutions receive partial funding, 75% and 55% respectively, based on the scope of their curriculum. However, in reality, these institutions often have significantly fewer hours for core subjects than these percentages, minimal oversight, selective student admissions, violations of salary rules, and employment of untrained and unlicensed teachers.

The coalition agreements, which have yet to be fully implemented in the 2023 budget, aim to provide complete public funding to ultra-Orthodox schools that fail to meet the previously mentioned requirements. According to these agreements, the funding percentage (75% and 55%) will be calculated based not only on regular school hours but on the entire public education budget. This means that full funding will be allocated to ultra-Orthodox education, from early education to seminaries, for all additional programs available in the public system, including enrichment, accessibility, meal plans, extended school days, after-school programs, salary reforms such as "Oz Letmura" and "Ofek Chadash," and more.³ This, despite the fact that ultra-Orthodox education largely fails to meet the criteria and regulations of public education.

Other clauses in the coalition agreements increase funding for ultra-Orthodox education from local municipalities. The Nahari Law⁴ is expected to be expanded to include

² According to a presentation regarding the education budget for 2020-21, high school students according to oversight and sector.

³ From the budget comparison of the educational systems addendum to the coalition agreement between the Likud and Yahadut HaTorah veHaShabt Agudat Yisrael – Degel HaTorah.

⁴ Nahari Law is amendment no. 7 to provision 11 of the Public Education Law 1953, which addresses the local municipalities' duties as they apply to funding recognized-unofficial educational institutions.

funding for semi-private kindergartens, and local municipalities will be expected to provide transportation for every ultra-Orthodox student to an educational institution that aligns with their beliefs and way of life. This mandate has no equivalent in the public or religious public education system. The agreements also increase funding for the religious sector, particularly for semi-private ulpanot and yeshiva high schools, and subsidize parental contributions exclusively for the religious sector. All of these measures contribute to the creation of separate education systems. This division in education has a profound impact as it shapes the next generation of Israeli society.

The budget changes for what are essentially non-public institutions, such as private and semi-private schools, with a concurrent significant decrease in oversight and enforcement by the Ministry of Education, transforms these educational institutions into publicly funded private institutions. This shift will have a profound impact on the entire education system, rendering the concept of public education meaningless and eroding it in favor of a new construct dominated by publicly funded private education. It will contribute to widening social disparities, increase private spending on education, and further strengthen educational autonomies.

The budgets allocated for these significant changes have not yet been included in the official budget and are currently part of the coalition's reserve budget of 12.5 billion shekels. It is likely that these funds will be distributed at the last minute.

The Legal System

Israel maintains two parallel legal systems: the general system and the religious system, each designed to address specific matters. These systems vary in terms of the applicable legal codes, the duration of legal proceedings, the caseload per court and other factors. In certain areas, the two systems overlap, leading to a jurisdictional race where individuals who seek recourse in one system may no longer have the option to apply to the other.

The Ministerial Committee for Legislation has already approved laws that expand the authority of the religious courts, granting them jurisdiction over a wider range of civil matters (in addition to marriage and divorce), subject to the consent of all interested parties. Furthermore, the coalition agreements include measures to reduce oversight of the rabbinical courts and appoint a retired rabbinical court judge to handle complaints against other rabbinical court judges, rather than a judge from the civil court system.⁵ In terms of budget allocation, there is an above-inflation increase in funding for the

⁵ The coalition agreement with Yahadut HaTorah, clauses 110 and 112.

rabbinical courts compared to previous years. The budget for the rabbinical courts is set to be 210 million shekels in 2023, up from 190 million shekels in 2022, indicating a deliberate budgetary increase. These coalition agreements are thus strengthening a separate legal system, fostering the growth of a religious and ultra-Orthodox autonomy that operates independently from and in competition with Israeli law.

The rabbinical court system, which suffers from politicization and a lack of professionalism, poses a significant risk to women. This danger is evident on several planes. First, the content of the applied law is based on religious laws determined exclusively by men, who often interpret Jewish halacha in a biased manner. Second, the structure and composition of the system itself demonstrate an inbuilt lack of diversity, as women are not permitted to serve as judges in a rabbinical court.

Finance

Under the Arrangements Law, the government has granted the minister of finance the power to exercise discretion and exempt certain institutions, including charity organizations in the ultra-Orthodox community, from the efforts to combat undeclared capital.⁶ This exemption increases the financial autonomy of the ultra-Orthodox sector, enabling its members to benefit from interest-free loans with minimal regulation.

Consequently, the Arrangements Law grants ultra-Orthodox charities the status of a financial institution, enabling them to accumulate substantial cash reserves and provide loans, resembling a bank, but without charging interest. Families who qualify will have the opportunity to borrow money (typically for housing purposes) and repay it gradually and interest-free. These favorable conditions are not universally accessible to all citizens through the conventional banking system.

Employment

The government's resolution regarding the Plan to Expand Technical Education in Israel aims to address the issue of ultra-Orthodox employment in the country, particularly the low employment rate among ultra-Orthodox men, which stood at only 54.5% in the first quarter of 2022.⁷ To promote greater integration of ultra-Orthodox individuals into

⁶ Financial efficacy bill – legislation amendments to achieve the budgetary goals, chapter 10 of the Arrangements Law, 50(5c)(2).

⁷ As shown in the report "Ultra-Orthodox Employment – an Overview" published by the Knesset Research and Information Center, p. 6.

society, the government intends to increase access to technical colleges by creating both separate tracks and regulation terms for them.

According to the resolution,⁸ colleges targeting ultra-Orthodox students will be incentivized based on the number of ultra-Orthodox men who take the test, rather than those who successfully pass it (as proposed by the Ministry of Finance). Furthermore, while colleges catering to the general population will receive funding based on the number of graduates and their success rate, funding for colleges catering to the ultra-Orthodox population will be determined by different criteria. The combination of these factors raises concerns about the potential outcome: colleges may prioritize allowing students to sit the test regardless of their actual knowledge, and the standards for success may be lowered to meet the required graduation rates. This decision raises serious concerns about the quality of education ultra-Orthodox students may receive and their actual preparedness to enter the workforce.

Similarly, a private bill aims to establish an alternative pathway for entering the allied medical professions through continued education in ultra-Orthodox seminaries instead of academic institutions.⁹ The bill asserts that the training provided in these seminaries will be equivalent to that of universities and colleges, but without the oversight of the Council for Higher Education. Meaning, again, autonomous tracks with separate regulation. It is important to note that there is no guarantee that the training offered in these seminaries will match the quality of education provided by academic institutions.

Furthermore, the Arrangements Law proposes granting rabbinical studies equal status as a B.A., for the purpose of civil service employment. Although the intention is to facilitate ultra-Orthodox integration into the workforce (in addition to establishing quotas for the ultra-Orthodox population in civil service¹⁰), this effectively creates a track that circumvents higher education. While the general public would still be required to attend academic institutions to join the civil service, ultra-Orthodox men would be able to do so through separate institutions (not adapted for this purpose) that lack oversight yet receive state subsidies. This will result in a lower quality of public service with a lower level of professionalism.

Thus, the state budget is effectively creating a separate market for practical engineers and allied health profession workers (including occupational therapists, speech therapists, nutritionists, and others) who have been trained with inadequate regulation to ensure professionalism (or a country-wide uniform standard). As a result, these

⁸ Resolution 171 from February 24, 2023, "Plan to Strengthen Technical Education in Israel".

⁹ As part of the coalition agreement with Yahadut HaTorah, clause 193.

¹⁰ According to a bill proposed by MK Moshe Gafni

individuals may face challenges when entering the workforce, be willing to accept lower salaries, and potentially lower the overall level of services available to the public. Consequently, those who can afford private care will seek it, while others will have to settle for lower quality services, further widening the socioeconomic gap in Israel.

Individual Security

The coalition agreement with Otzma Yehudit (clause 84) includes a provision to establish a national guard. The decision to establish the national guard was made as part of an agreement to postpone legislation on the judicial reform, as part of negotiations between the prime minister and the minister for national security.

However, at present, there are already over 1,000 combat soldiers who have undergone training in the national guard, under the command of Brig. Gen. Meir Eliyahu. They are under the jurisdiction of the commander of the Border Police and the police commissioner. The national guard was established by the Bennett administration in 2022, utilizing the infrastructure of the Border Police, as it is the only organization equipped to handle domestic public disturbances.

Based on the agreement between the prime minister and the minister for national security, the national guard will report directly to the minister (rather than the police), effectively making it a parallel organization. The minister in question, Itamar Ben-Gvir, has outlined some of the tasks of the national guard, which include expanding the deployment of the Border Police across the country and directing special forces to tackle organized crime. The government resolution indicates that the national guard's role will include tackling nationalist crime, supporting counterterrorism efforts, enhancing governance, and responding to unspecified emergency scenarios.

Establishing a national guard that directly reports to the minister will not only erode individual security but also carve up authority and resources between the different security organizations and raise suspicions of politicization and improper use of the organization.

Housing

Many aspects of the housing market in Israel exhibit tribal characteristics, with certain neighborhoods and even entire towns predominantly inhabited by specific tribal populations. This situation fosters competition for each new housing unit that enters the market. However, if a housing unit is constructed specifically for a particular tribe, such as within a community-based town or designated neighborhood, there is no free market



competition for its purchase. It becomes exclusively relevant to that tribe, while other tribes are excluded from it.

The Ministry of Housing, under the leadership of Yitzhak Goldknopf, is currently working to expand housing options for the ultra-Orthodox community. However, owing to limited planning resources, this focus on ultra-Orthodox housing has decreased availability of housing for the general public. Furthermore, the coalition agreements call for an increase in the number of towns authorized to utilize a selection committee, which will significantly limit access to these towns for various populations. ¹¹

It Is Time to Decide

The situation is clear: despite the Israeli government's rhetoric about statism and equality and its aim to foster unity among the different tribes within the nation, it is, in practice, creating divisions and driving the nation further apart through its allocation of public resources. The course of a child's life in Israel, including their education, military service, employment, place of residence and even tax bracket, will all be determined by the family they are born into and the tribe they belong to. Over time, these tribes will evolve into separate autonomies, leading to a fragmentation of Israeli society and a decline in its ability to face challenges.

This division into autonomies poses an existential threat and it is happening right before our eyes!

¹¹ Based on the bill presented by Minister (then MK) Orit Strouk to the 24th Knesset, which is currently being discussed.