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# **Top court rules ultra-Orthodox Jews must be drafted into military**

***Israel's top court rules ultra-Orthodox Jews must be drafted into military, in blow to Netanyahu***

By [Mick Krever](#)

[CNN](#) (25.06.2024) - Israel's Supreme Court on Tuesday ordered the government to draft [ultra-Orthodox Jews](#) into the military, delivering a blow to Prime Minister Benjamin Netanyahu that has the potential to [unravel his ruling coalition](#).

The court also ordered the government to withdraw funding from [any religious schools](#), or yeshivas, whose students do not comply with draft notices.

"The government wanted to distinguish at the level of law enforcement between individuals based on their group affiliation," the court said in its ruling. "It was determined that by doing so, the government seriously harmed the rule of law and the principle according to which all individuals are equal before the law."

Ultra-Orthodox (or Haredi) Jews have, for all intents and purposes, been exempt from national mandatory military service since Israel's founding (Palestinian citizens of Israel are also exempt.) Ultra-Orthodox men spend much of their early lives out of the workforce, entirely devoted to religious study. They view yeshivas as fundamental to the preservation of Judaism, as important to Israel's defense as the military.

Most Israelis believe ultra-Orthodox men should serve in the military, according to recent polls, but Haredi parties have been staunchly opposed to efforts to rescind the draft exemption. Netanyahu's fragile government coalition relies on two Haredi parties – United Torah Judaism and Shas – to govern. He has for weeks been trying to advance legislation through Israel's parliament, the Knesset, that would enshrine in law a draft exemption for Haredi men.

The decision comes at a critical time for a country [at war for nearly nine months](#), and a prime minister whose far-right government lost its veneer of wartime solidarity earlier this month when Benny Gantz, an opposition leader, [left Netanyahu's war cabinet](#). And although Israel's military chiefs publicly decry manpower shortfalls, this ruling is unlikely to result in large numbers of ultra-Orthodox men joining ranks anytime soon.

"The Supreme Court ruling puts an end to 76 years of unlawful inequality and discrimination," Eliad Shraga, chair of the Movement for Quality Government in Israel – the main petitioner in the case – said in a statement. "We will no longer agree to the absurd situation where there are those who give to the state, contribute and even risk their lives, and there are those who do nothing."

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Netanyahu's party, Likud, said in a statement reacting to the ruling that that legislation remained "the real solution to the conscription problem," and "not a High Court ruling." [Aryeh Deri](#), leader of the Shas party, decried the ruling.

"Even here, in the Jewish state, alongside our precious fighters who sacrifice their lives against the enemies, we will continue to guard those who learn the Torah, which preserves our special power and creates miracles in battle," he said, according to the Ynet news site. "Whoever tried to disconnect the people of Israel from the Torah in the past failed miserably."

Nonetheless, Moshe Roth, a member of Knesset from the United Torah Judaism party, on Tuesday downplayed the ruling. "Nothing is going to change practically," Roth told CNN. "Many see this as kind of muscle flexing."

Although the Israel Defense Forces (IDF) is now legally obliged to draft Haredi men, military leaders say they are not prepared to do so en masse Ultra-Orthodox men, who already serve in some small numbers in the military, have particular religious requirements, and so they usually serve in special units.

"According to the calculations of the army, there were 1,800 that were conscripted last year," Gilad Malach, director of the Ultra-Orthodox in Israel program at the Israel Democracy Institute, said after the ruling. "The army needs to do some change in order to conscript them. According to the army, next year the army can receive 4,800."

"It's the first time that the Supreme Court says that, immediately, there is one legislation connected to conscription of the ultra-Orthodox society, and it is the regular conscription law," Malach added. "We are in a very, very problematic political situation for the (governing) coalition – for the Haredim, and for Netanyahu."

Israel's Deputy Attorney General Gil Limon instructed the government on Tuesday to immediately begin recruitment of an additional 3,000 ultra-Orthodox men, which the military has already said it could accommodate.

He also said that "in light of the current needs of the army and to promote equality in the burden," the military must "develop and present a recruitment plan to increase this number."

### ***Tensions in Netanyahu's government***

Although the Supreme Court has now ruled that the IDF must draft Haredi men, ultra-Orthodox leaders will continue to push for legislation that gives them a legal exemption. "We are being practical when it comes to any these issues, and leaving the coalition doesn't change the fact," Roth said.

The ruling is likely to increase tensions within Netanyahu's government, and between its political and military leaders.

The war in Gaza has put significant strain on Israel's military, and given the issue of recruitment an urgency it lacked before Hamas' October 7 attack. The IDF has called up huge numbers of reservists, asking them to serve extended tours of service and removing legions of workers from Israel's economy.

Defense Minister Yoav Gallant has publicly criticized Netanyahu's attempt to exempt Haredi Jews. And IDF Chief of Staff Herzi Halevi has been vocal about the need to draft Haredi men.

“Every such battalion that we establish, an ultra-Orthodox battalion, decreases the need for the deployment of many thousands of reservists thanks to the mandatory service people,” he said earlier this month “We want to [expand the base](#) as much as possible – of those who come to enlist, I tell you that there is an opportunity for change in the ultra-Orthodox community.”

This is not the first time the Supreme Court has struck down the Haredi exemption. In 1998, the court told the government that allowing Haredim to get out of conscription violated equal protection principles. In the decades since, successive governments and Knessets have tried to solve the issue, only to be told again and again by the court that their efforts were illegal.

In a February poll conducted by the Israel Democracy Institute, 64% of Israeli respondents and 70% of Jewish Israeli respondents said that the Haredi exemption “should be changed.” The pollsters spoke with Israeli adults – 600 in Hebrew and 150 in Arabic.

*CNN’s Benjamin Brown contributed to this report.*

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