
“One Law Shall be Exacted for You”: The Division between the Haredi (Ultra-Orthodox) Society and the Israeli Legal System

Haim Zicherman

Throughout the State of Israel’s existence, a relationship of suspicion has existed between Haredi society and the Israeli legal system. This suspicion stems from three types of conflicts. The first relates to the legitimate sources of authority and the duty to obey the law, when these are incompatible with religious law. The second revolves around the question of halakhic permission to adjudicate civil disputes at a secular tribunal, which does not rule in accordance with Jewish law. The third is a deep-seated conflict with the Supreme Court based on its rulings on issues of religion and state, which Haredi society interprets as directed against it.

These confrontations have led to a significant trust issue between Haredi society and the Israeli legal system. The Haredi public consistently points to a deep distrust of the Supreme Court, and in 2016 only 6% of the ultra-Orthodox public expressed confidence in it, one of the central symbols of Israel’s democratic government. In the absence of trust in the judiciary, Haredi society finds it difficult to adapt itself to an internal pattern of obedience, while the status and stability of the judiciary may be undermined.

This article argues that changes which have taken place within ultra-Orthodox society in the past decade, leading to the entry of many Haredim into the field of law, are a catalyst for a solution to this crisis. The development of an intra-Haredi liberal rights discourse, alongside the traditional discourse of religious duties, has led to the flourishing of human rights organizations within Haredi society and to a multiplicity of opinions within the community. This has opened up a parallel dialogue with the legal system as a whole and, in some cases, even with the Supreme Court itself.

Law studies for the Haredi society, most of which lacks the infrastructure of citizenship studies, provide a toolbox not only for employment, but also for change in the intra-Haredi discourse. The existence of lawyers and, in the future, even Haredi judges who can mediate between the different communities may significantly reduce the aforementioned conflicts by increasing trust and deepening the legitimacy of the legal system, thereby contributing both to Haredi society and to the entire legal system.