

**THE FLOERSHEIMER INSTITUTE FOR POLICY STUDIES**

**The Haredi Educational in Israel:  
Allocation, Regulation, and Control**

**Varda Shiffer**

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## **About the Author**

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## **About the Research**

Varda Schiffer's study addresses four main issues. First, it examines the educational institutions of the ultra-Orthodox (Haredi) sector and the growth over time in the number of its students. Second, it investigates the Haredi educational system's sources of funding. Third, it assesses regulation and control in Haredi education, and finally, it analyzes the Haredi educational system's links to the general educational system and to the laws governing education.

The study's findings show that Haredi education is in the process of expansion, that it is flourishing, and that the Haredi educational system not only does not suffer from discrimination but in certain areas is even given preferential treatment compared to the state and state-religious educational systems.

With respect to regulation of the Haredi educational system, it emerges that no real attempt is made to apply the education laws, which include a basic program of general studies. In this regard, the state has abdicated its right to establish a link between the funding of the educational system and compliance with educational laws and regulations. Although the author does not question the Haredi sector's right to bequeath its values and heritage to its children, she criticizes Haredi education's neglect of subject areas required by the state. Schiffer believes that this neglect strikes at the foundations of democracy and is likely to lead to societal schisms. In light of this, the author proposes a reexamination of the limits to the Haredi sector's autonomy in the field of education.

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# 1 Haredi Educational Institutions: Background and Basic Data

In recent years the Haredi sector has undergone a period of growth and expansion. It is agreed by all, including spokesmen for the sector itself, that there have never been so many students at each of the educational levels—elementary, secondary, and postsecondary (advanced yeshivas and kolels).

“The Haredi community” is an all-inclusive term that does not express the wide variety of subcommunities, circles, and groups that people generally tend to categorize under the heading of “the Haredi community” or “the Haredi sector.” Nevertheless, the discussion of the issues to be presented in this study will not suffer from relating to the Haredi educational system as a totality, since the variety and distinctiveness of the component groups are not relevant to these issues. At the same time, there are certain differences between the study programs of the Ashkenazi Haredi educational system (the considerably larger of the two) and Shas’s educational system—“El Hamaayan” (“To the Fountain of Torah”), and we shall address these differences where they are relevant to our analysis.

Shilhav and Friedman (1989) define the (Ashkenazi) Haredi society as follows: “[It] is distinguished by devotion to *halakhah* [Jewish law], with a clear tendency to choose the more rigorous alternatives presented in the *halakhic* literature, together with an affinity to traditions of East European life” (p. 6). Torah study is perceived as the central commandment, and constitutes the focal point of the life of the community. Members of the community (especially the Ashkenazi) live in “ghettos,” distinct both in a geographical and cultural sense.

Shilhav and Friedman go on to describe the Haredi educational system (particularly the Ashkenazi one) from age twelve and above:

The Haredi youngster is almost completely sequestered from the technological and professional studies that would prepare him for absorption into the varied professional system of modern society (not to mention the spiritual world of that society), as he devotes himself solely

to Torah study. This intensive system of study imparts a thorough indoctrination, whose aim is to create in the Haredi youngster a completely positive orientation and spiritual readiness to fulfill the ideals of Haredi society, including negation of the values of secular-modern society. At the same time, the educational material to which the Haredi youngster is exposed can to a great extent hinder his possibilities of being absorbed, like other youngsters of his age, into the technological framework of modern technological society. Thus the Haredi youngster becomes dependent to a great extent on the Haredi framework (p. 18).

In this study<sup>1</sup> we shall focus on two central issues which are related to each other. First, the Haredi educational system will be described, and the sources of funding for its students and educational institutions set forth in detail; this funding has undoubtedly contributed to the flourishing of the Haredi community. Second, the study will seek to determine to what extent Haredi educational institutions are subject to the requirements of the law and to the regulations pertaining to the curriculum, the training of teachers, and the supervision of institutions. The study will also attempt to assess the regulation and control that are applied to these institutions in practice. Following the discussion of these issues, we shall offer reflections about the desirable policy that a liberal-democratic state should take toward the Haredi educational system.

The educational system of the Haredi community includes institutions for every age level, as detailed below:

- Kindergarten—for children up to age 5;
- Talmud Torah (TT) and schools for girls, ages 5-13;
- Lower yeshiva for boys, ages 13-16 (often under boarding-school conditions)
- Secondary school for girls—Beit Yaacov network (sometimes includes the possibility of teacher training);
- Higher yeshiva for boys—age 17 until marriage (usually under boarding-school conditions);
- Kolel—institution of learning for married men. Those who study in kolels are defined as those for whom “Torah is their occupation”; that is, they do not work, and therefore qualify for support from the state through the Ministry of Religious Affairs.

To understand the categorization of the different educational institutions that serve the Haredi population, we must first consider the overall legal

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<sup>1</sup> This study is an elaboration and continuation of an article by Sebba and Schiffer (1998).

framework of the Israeli educational system. The Compulsory Education Law (1949) was one of the first laws passed by the newly founded State of Israel. This law requires parents to register for schooling any child of compulsory school age through the local authority in whose jurisdiction they reside, or directly with the educational institution in the event that they prefer their child to study in a “recognized educational institution” (see below). Thus, according to this law, parents are required to ensure that their school-age children study regularly in a recognized educational institution. According to the State Education Law (1953), official schools are divided into two main sectors: state and state-religious. If parents are not interested in registering their children in one of these sectors, they may instead register their children in a recognized institution, concerning which “the Minister has declared, in a declaration published in *Reshumot*, that it is a recognized educational institution under the terms of this law.” An institution of this latter type is, thus, recognized but not official. All of the recognized but unofficial institutions are under the authority of the Department for Unofficial Recognized Education within the Ministry of Education. Furthermore, there is a category of educational institutions that are neither official nor recognized: according to the Compulsory Education Law (1949), clause 5, “[the Minister of Education] is empowered to decree, in a decree published in *Reshumot*, that the parents of children and adolescents, as well as the adolescents themselves, who study regularly in an educational institution . . . [that] is not a recognized educational institution, will be exempt from the requirements imposed on them by clause 4.” This means that in certain cases the state permits the establishment of institutions known as “exempt institutions.” The parents of those who study in them are exempt from, among other things, the requirement to ensure that their child study regularly in a recognized institution of learning (this is one of the requirements set forth in clause 4 of the law in question). Generally speaking, the definition of these institutions indicates that the parents are exempt from the requirements of the Compulsory Education Law; in other words, these institutions do not fulfill the conditions of this law.

According to the two cardinal laws of education that were enacted in Israel after the establishment of the state, there are four kinds of schools: official state; official state-religious; unofficial but recognized; and unofficial and unrecognized, that is, exempt institutions.

All of the institutions in the Haredi educational system belong to the latter two categories, that is, to unofficial education:

- (a) *Unofficial recognized institutions:* These institutions belong to the Independent education network—the mainly Ashkenazi educational system; to the El Hamaayan network—that is, the Shas educational system; or they are not affiliated with either of these networks, and instead are included in the category of “other recognized” (half of which are Haredi institutions). The different types of recognized institutions are similar to each other in terms of the conditions of their funding. The two large networks mentioned above, as well as the other institutions that are defined as “recognized,” are subject administratively to the Department for Unofficial Recognized Education. They are also, thus, subject to the system of laws, rules, and regulations of the Ministry of Education.
- (b) *Exempt institutions:* These institutions are also affiliated to the two networks mentioned above. Although in the past they did not receive any support from the state, in recent years the state has also provided them with support, which obligates them to fulfill certain conditions. The exempt institutions as well are subject to the Department for Unofficial Recognized Education.

As noted earlier, in recent years the number of students in the Haredi educational system has increased at a substantial pace. A particularly dramatic rise has occurred in the proportion of students within the Jewish sector as a whole who are in the Independent stream or Shas’s El Hamaayan educational system. In 1989/90, their proportion in elementary education was 7.6 percent, and by 1995/6 it had risen to 11.4 percent. In secondary schools the proportion of students in the Independent stream rose from 5.7 percent in 1989/90 to 7.2 percent in 1995/6. However, many boys of secondary school age in the Haredi sector study in higher yeshivas—boarding institutions—and are not included in this data, so one may reasonably assume that their number is even greater (*Israel Statistical Yearbook, 1996*, p. 496, Table 22.14).

Table 1 presents data on the number of students in Haredi educational institutions funded by the Ministry of Education (Budget Proposals of the Ministry of Education, Culture and Sport, 1996, 1997).

On the assumption that the number of children in recognized education has not declined (taking missing data into account), in 1996/7 some 152,800 children from kindergarten age to 18 studied in Haredi educational institutions funded by the state.

From the Budget Proposals of the Ministry of Education and Culture for the years 1996, 1997, and 1998, it emerges that there was a decrease in the number of students in elementary education from 680,000 in 1996/7 to 650,000 in budgetary year 1998, a decline of 4.4 percent. On the other hand, the number of students in secondary education in the state and state-religious sectors grew in these years by 5.6 percent.

**Table 1: Numbers of Students in Haredi Educational Institutions Funded by the Ministry of Education, and Percentage Growth According to Age Level and Type of Institution, 1994/5-1996/7**

<i>Age level</i>	<i>Type of institution</i>	<i>Number of students</i>			<i>Percentage growth</i>		
		1994/5	1995/6	1996/7*	1994/5–1995/6	1995/6–1996/7	1994/5–1996/7
Kindergarten	Independent	10,800	13,190	14,000	22.1	6.1	29.6
	El Hamaayan		11,354	11,354			
	Total— Kindergarten		24,544	25,354			
Elementary education (grades 1-8)	Independent	47,182	48,631	50,198	3.0	3.2	6.3
	El Hamaayan	7,416	8,417	9,448	13.4	12.2	27.4
	Recognized Haredi education**	7,250	7,724		6.5		
	Independent exempt institutions	21,370	24,158	25,735	13.0	6.5	20.4
	El Hamaayan exempt institutions	2,800	2,681	2,372	(4.2)	(11.5)	(15.2)
	Total— Elementary	86,018	91,611				
Higher levels	Yeshivas	24,290		31,380			29.1

\*The data for 1996/7 were revised according to the Budget Proposals of the Ministry of Education, Culture and Sport and according to data provided by the Department for Unofficial Recognized Education.

\*\*The data were taken from the Budget Proposals of the Ministry of Education, Culture and Sport; data on recognized non-Jewish institutions and those known to be non-Haredi were subtracted. Some of these institutions are at the elementary level and some are at the secondary level.

As for Haredi education, Table 1 shows that the two networks of Haredi education are growing and flourishing. Furthermore, the growth rate in the number of elementary students who study in the El Hamaayan system was 27 percent between 1994/5 and 1996/7, a rate of growth much greater than in the population from which these students come. The number of children in El Hamaayan kindergartens approaches the number of kindergarten children in the Independent education system. This growth rate reflects the fact that some non-Haredi parents send their children to El Hamaayan institutions. Of further interest is the reduction in the number of students who study in the exempt institutions of El Hamaayan. In the El Hamaayan network there has been a gradual transition of exempt institutions to the status of unofficial recognized institutions. This transition is part of a process of institutionalization set in motion by the Ministry of Education in an effort to strengthen its regulation and control of these institutions. The contrasting phenomenon, namely, the growth in the number of students in the exempt institutions of the Independent stream, can be explained by the fact that these institutions are characterized by an aspiration to sever all links to the state and its values. Hence, they do not seek to integrate into the unofficial recognized educational system. Thus, as the number of their students has grown, so has the number of their institutions. In the El Hamaayan system this extreme stance is less prevalent; thus, the decline in the number of exempt institutions in this network also reflects the ideological gap between the two systems.

As mentioned above, the Haredi educational institutions also encompass kolels, for whose students “Torah is their occupation.” In these frameworks as well there emerges an impressive growth in the number of students. According to the Comptroller’s Report for 1993 and the Budget Proposal of the Ministry of Religious Affairs for 1998, the number of students for whom “Torah is their occupation” rose from 35,980 in 1990 to 47,565 in 1993,<sup>2</sup> 69,345 in 1996, and in 1997 their number reached 72,836.<sup>3</sup> In other words, over the short period of seven years, the number of those studying in kolels where “Torah is their occupation” has doubled.

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<sup>2</sup> These figures include students in higher yeshivas, yeshivas for the newly observant, and kolels. All of these institutions are supported by the Ministry of Religious Affairs according to the number of students in them for whom “Torah is their occupation.”

<sup>3</sup> These figures do not include 6,552 students in 1996 and 5,948 students in 1997 who learned in kollel for a half-day and received reduced support.

## **2 The Funding of the Haredi Educational System**

### **Construction and Transportation**

The Haredi educational system, with its various age levels and streams, is funded from several different sources; part of the funding is direct, allocated for institutions and students by the designated ministries, and part of the funding is indirect, with resources transmitted through local authorities and from them through a long series of organizations, or from the local authorities directly to the organizations. This chapter will seek to investigate the methods of allocation and to assess the scope of these allocations in financial terms. This will enable us to determine whether the Haredi educational system is indeed discriminated against as compared to the state and state-religious sectors. Since part of the funding is transferred to organizations according to different criteria, in keeping with budget items whose names do not reveal their content or their goals, one cannot assess with precision the total of the state's investment in the Haredi educational system; the numerical estimate will necessarily be lower than the actual investment.

### **Construction of Classrooms**

Those who study in the educational institutions of the Haredi sector enjoy an array of privileges, some of which stem from the real needs of the sector and some of which are linked to a tradition of learning that has been accepted unquestionably as a given by the institutions of the state.

Segregation between boys and girls is practiced by the Haredi community beginning in kindergarten; in addition to which, subgroups, courts, and local subcommunities maintain their own educational institutions, on the assumption that children who come from courts and groups with different ideological colorations cannot learn together. As a result, we are witness to a proliferation of institutions in relation to the number of children. Thus, for example, in 1996/7 at the elementary level, the Independent education



network included 140 institutions with an average of 358 children per institution.<sup>4</sup> In the same year, the El Hamaayan network included 75 elementary education institutions, according to the Budget Proposal (or 97 institutions, according to the data of the Department for Unofficial Recognized Education), with an average of 125 students per institution. In 1995/6 there were 45 unofficial recognized institutions belonging to the Haredi community with a total of 7,720 students, for an average of 172 children per institution. For the sake of comparison, the average number of students in regular (state or state-religious) elementary schools in 1995/6 was 387.

The Haredi sector's internal fragmentation and the proliferation of institutions that stems from this lead to increased expenses in a number of areas. First, there is a need to construct or rent many more buildings or institutions (and sometimes, individual rooms) to serve as institutions of learning. Second, the establishment of each institution entails the development of a separate administrative infrastructure: the appointment of a director, secretaries, and the operation of other services, whose division into small units raises their cost. Moreover, the institutions do not necessarily serve the nearby communities, as in the case of neighborhood elementary schools, but instead serve a particular group or rabbinical court whose members may be dispersed throughout the community. Hence, despite the proliferation of institutions, in most cases there is still a need to transport the students to and from their homes to the institution belonging to their stream.

In the past, the state did not establish institutions for the Haredi educational system, and the various Haredi communities sometimes built quite beautiful institutions using contributions from members of their communities abroad. Most of their institutions, however, were located in apartment buildings or in rooms that were not at all suited to serve as educational institutions. Already in the period of Mayor Teddy Kollek's tenure (during the 1980s), the city of Jerusalem decided to allocate institutions to the Haredi educational system, and in accordance with this policy began to transfer school buildings located in the center of the city where the student population had dwindled (because of the relocation of many young couples from the city center to the new suburban neighborhoods). A number of years ago, the Ministry of Education decided to build classrooms for Haredim. In budgetary year 1997, the construction of 1,325 classrooms was approved for the entire educational system: 925 classrooms funded through the ministry budget and another 400

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<sup>4</sup> Data from the Development Administration in the Ministry of Education indicates that there are many more institutions; however, these do not always receive official recognition and hence are not counted as separate institutions.

classrooms from the budget of Mifal Hapayis (the state lottery).<sup>5</sup> (This number does not reflect the needs of the system, which are assessed at 8,000 classrooms per year, 4,000 of them high-priority). The allocation of these new classrooms according to educational stream in the entire educational system is shown in Table 2.

**Table 2: Allocation of Classrooms Approved for Construction by the Ministry of Education in 1997, According to Sector/Educational Stream**

<i>Sector/educational stream</i>	<i>Number of classrooms</i>	<i>Percentage of total classrooms</i>
Kindergarten classes in new settlements (all sectors)	200	15.0
Arab and Bedouin sectors	256	19.3
Druze sector	44	3.3
Independent education	120	9.1
El Hamaayan	90	6.8
State and state-religious sectors	615	46.5
<b>Total</b>	<b>1,325</b>	<b>100.0</b>

*Source:* Development Administration, Ministry of Education.

It emerges from Table 2 that the Haredi sector received about 16 percent of the total number of classrooms whose construction was approved in 1997. This percentage is much higher than the proportion of the Haredi educational system at each of the educational levels. The proportion of the Haredi educational system is highest at the elementary level, constituting 12 percent of the entire Jewish sector, but the percentage of students in the Haredi sector out of the entire population of students in Israel (including the Arab and Druze sectors) is only 8.4 percent. As noted, for years institutions were not built for the Haredi educational system even though its needs were very substantial, and the government could be justified in acting to reduce gaps. However, the relatively high allocation for construction of Haredi educational institutions in 1997 did not satisfy the leaders of the Haredi sector; they did not feel that the gaps would be closed in this way at a sufficient pace, and the coalition agreement signed in that year stipulated that 175 additional classrooms would be built (beyond the approved budget) for the Independent education stream and El Hamaayan. Therefore, in 1997, 385 classrooms were built for these networks (instead of the original allotment of 210; see Table 2). This means that the Haredi educational system received 25.6 percent of all classrooms

<sup>5</sup> The data were received from the Development Administration of the Ministry of Education.

constructed in 1997 on the basis of “closing the gaps.” In this context, the special needs of the Haredi sector—small classes, a larger number of classes because of the proliferation of streams, and the like—were taken into account, as opposed to the application of standard criteria for building classrooms in the educational system, and this approach clearly constitutes “affirmative action.”<sup>6</sup>

Besides the allocation of resources for building new classrooms, in 1997 the state also participated in funding rental fees paid by institutions of recognized education and exempt education, in the amount of NIS 2,690,000.<sup>7</sup>

### **Transportation**

The Haredi community’s internal divisions cause not only the proliferation of educational institutions, but also the need to transport the children of the different groups to their educational institutions. Indeed, the transportation budget for students and teachers in the Haredi educational system constitutes a considerable chunk of the total budget designated for transportation by the Ministry of Education.<sup>8</sup>

A conservative assessment of state allocations for transportation for the educational system (as shown in Table 3) indicates that in 1997 the Haredi system received about 14 percent of the budget devoted to transportation of teachers and pupils. For this item, too, the percentage of allocations does not indicate any discrimination against this system in relation to the entire educational system in Israel.

### **Funding of Haredi Education by Age Level**

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<sup>6</sup> It should be noted, parenthetically, that the Arab sector also suffers from a shortage of classrooms and from the use of combustible and unsuitable buildings. In 1993, the Ministry of Education decided to begin closing the gaps by allocating special budgets for the construction of classrooms in the Arab sector. According to the ministry’s Budget Proposal for 1997, the construction of classrooms in the Arab sector is no longer included among special reinforcement programs; at the same time, the Arab sector, about 17 percent of the total educational system, received about 19 percent of the total of classrooms whose construction was approved.

<sup>7</sup> Among 90 recognized institutions, 45 belong to the Haredi educational system; a small part belong to church-affiliated education and the rest to Arab education.

<sup>8</sup> From *Budget Directives for 1997*, Ministry of Education, Culture and Sport (January 1997).

## Elementary Education

The elementary education institutions of the Independent education system and El Hamaayan are budgeted in terms of weekly hours of instruction, as are elementary education institutions in the state and state-religious sectors (Table 4).

**Table 3: Transportation Budget for the Haredi Educational System, 1997**

<i>Item of expenditure</i>	<i>Budget (NIS)</i>	<i>Percentage</i>
Total budget for transportation in the educational system, including transportation in the Haredi sector	224,454,000	100
Transportation of teachers in the El Hamaayan system	5,065,000	2.2
Transportation for Haredi recognized education and exempt institutions	15,000,000	6.6
Total budget for transportation in the Haredi sector	31,450,000	14

*Source: Budget Directives for 1997, Ministry of Education, Culture and Sport (January 1997).*

*Note:* Since it was not possible to specifically identify allocations to unofficial recognized institutions in the Haredi and non-Haredi sectors, the relevant budgetary item was apportioned according to the percentage of Haredi institutions. It appears, however, that there is a downward trend in the budget for transportation in the Haredi educational system. The total allocation in this clause amounts to NIS 19,668,000, and is designated for 171 Haredi institutions and 45 other recognized institutions.

**Table 4: Weekly Hours of Instruction in Haredi Elementary Education (Grades 1-8)**

<i>Educational network</i>	<i>1995/6</i>	<i>1996/7</i>	<i>1997/8</i>
Independent education	76,428	78,428	78,428*
El Hamaayan	14,284	19,284	16,284

\* This is the allocation as it appears in *Budget Directives for 1997, Ministry of Education, Culture and Sport (January 1997)*.

The significance of this data emerges when one considers the relative figures for weekly hours per student in the different sectors. Thus, in 1995/6 these figures came to 1.57 weekly hours per student for Independent education, 1.69 weekly hours per student for El Hamaayan, and only 1.29 weekly hours per student for the state and state-religious sectors. In 1996/7 the figure for Independent education was 1.56 weekly hours per student, in El Hamaayan it rose to 2.0 weekly hours per student, and in state education it reached 1.36 weekly hours per student. In other words, despite an increase in the number of weekly hours per student in state education, this number still remains low compared to the number of hours budgeted per student in Haredi education (see Table 5). This substantial gap can explain at least some of the disparities between the length of the study day in state education and in Haredi education, respectively.<sup>9</sup> A class's number of hours of instruction per week is determined according to the weekly hours per student multiplied by the number of students in the class. Thus, for example, in state (including state-religious) elementary education, the average class of 29 students has 37.7 hours of study per week (or, on average, 6.2 hours per study day).<sup>10</sup> In the institutions of the Independent education stream, the average number of students per class is smaller, 24.4 students on average, and they study 38.8 hours per week on average (an average of 6.3 hours per day). In El Hamaayan there are 23.2 students per class on average, who study 46 hours per week on

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<sup>9</sup> In the calculation of weekly hours in the state and state-religious sectors, the basic weekly hours and all of the special "baskets" were taken into account, except for hours of special education. Because the budget for weekly hours for the Haredi system is not detailed according to baskets, the number of weekly hours in state education were inclined upward. In regular education, supplements are sometimes provided for special projects such as computerization and the like; in 1998, computerization projects were also proposed for Independent education and El Hamaayan. According to the Budget Proposal of the Ministry of Education for 1996, 1997, and 1998, there were changes in the data on the numbers of students in the different sectors for 1995, that is, retroactively. The data on the numbers of classrooms and students in El Hamaayan are based on estimates and calculations, as noted on p. 207 of the Budget Proposal for 1997. A further interesting phenomenon that emerges from the study of these budget proposals is that in the transition from 1995/6 to 1996/7 a substantial increase occurred in the number of children in elementary education in El Hamaayan, in contrast to the earlier-noted substantial decrease in the estimated number of classrooms. As a result, the average number of students per classroom in this system rose from 17.4 in 1996 to 23.2 in 1997. A comparison between the budget proposals indicates many inaccuracies in the presentation of data. At the same time, for purposes of illustrating the gaps between the different educational sectors, these data suffice, especially since they are the data according to which the budgets of these educational systems were determined.

<sup>10</sup> One should remember that these figures include hours allocated to teachers, such as hours of instruction and hours of management of the school, so that in actuality the number of hours of study is smaller.

average (an average of 7.6 hours per day). These data show that the Haredi educational system does well from two standpoints: classes are relatively small, which enables greater personal attention to the needs of each student, and the number of hours of study is greater (decisively so, and also relative to the number of students).

Furthermore, the number of weekly hours indicates not only the length of the study day but also the number of teachers, since teachers' workweeks are also expressed in weekly hours. Thus, for example, the average workweek of a teacher in elementary education is about 30 weekly hours. Thus, to the extent that there are more weekly hours in an educational institution, the institution will be able to employ more teachers, and the teacher-student ratio will improve. Indeed, whereas in the state and state-religious sectors there is one teacher for every 19.1 students, in the Independent education stream there is one teacher for every 14.7 students, and in El Hamaayan one teacher for every 12.8 students.

According to the data in the Ministry of Education's Budget Directives for 1997, the financial cost of a single weekly hour differs from sector to sector, in a way that does not always comport with an analysis of the variables that account for the cost of a weekly hour. In budgetary year 1997, the cost of a weekly hour in the state and state-religious sectors was NIS 3,411. A weekly hour in Independent education was more expensive, amounting to NIS 3,635, and the cost of a weekly hour in the El Hamaayan network came to NIS 3,267 (see Table 5). Officials in the Ministry of Education explain the disparities in the cost of weekly hours in the different sectors in several ways. The cost of a weekly hour, which is, as noted, the other side of the coin of a teacher's workweek, is determined according to variables such as seniority, rank, education, and family status. The teachers in the Independent education stream are usually young and relatively few have an academic education, so the only variable that can afford them a salary supplement, compared to the state sector, is number of children per family. A further explanation is that the cost of a teacher who is a state worker is lower than the cost of a teacher who is not a state worker (*Budget Proposal for FY 1996*, p. 47). Teachers in unofficial recognized institutions are employed by the owners of the institution, in the case of Haredi education by the central administration of the Independent education stream, El Hamaayan, or other organizations that own educational institutions. Hence, the cost of employing them is higher for the state. Yet such explanations do not account for the lower cost per weekly hour of El Hamaayan teachers or, for that matter, the disparities in costs of weekly hours altogether. The salaries of the teachers in the unofficial recognized institutions do not come directly to them but through the owners of the

institutions (the various organizations). Therefore, one cannot conclude from this data that the salaries of these teachers are higher, but instead that the organizations that own the institutions are in a better position to maneuver with regard to exploitation of the budget (for example, in ensuring a long study day, in allocation of money for meals, etc.). The directors of official schools, whose control over liquid budgets is more limited, do not have such possibilities.

### Secondary Education (with Emphasis on Boarding Schools)

The funding of secondary education in the Haredi community is quite complex and often obscure. The owners of the secondary schools, organizations affiliated with Independent education, El Hamaayan, or other independent

**Table 5: Summary of Budgetary Data for Elementary Education According to Educational Stream**

<i>Budgeting data</i>	<i>State/state-religious education</i>	<i>Independent education</i>	<i>El Hamaayan</i>
Weekly hours per student:			
1995/6	1.29	1.57	1.69
1996/7	1.36	1.56	2.00
Average no. of students per class	29	24.4	23.2
Average hours of study per week	37.7	38.8	46
Average hours of study per day	6.2	6.3	7.6
Cost per weekly hour (1997)	NIS 3,411	NIS 3,635	NIS 3,267
Teacher/student ratio	1:19.1	1:14.7	1:12.8

*Source: Budgetary Directives for 1997, Ministry of Education, Culture and Sport (January 1997).*

organizations, are entitled to receive payments from the Ministry of Education for funding tuition—the cost of education. The criteria for payments, which are uniform for all secondary schools, are determined on the basis of various data, for example: number of students, trends and tracks (the technological track, for example, is more expensive than the other tracks), profile of the teachers (their training, seniority, education, etc.), and the level of services provided by the institution (whether it has a library, a laboratory, etc.). According to the Budget Proposal for FY 1996, “tuition payments [which are transferred to the owners of the schools] are also designed to cover all the

expenses involved in the maintenance of the system, transfer of salaries to teachers, cleaning and maintenance personnel, acquisition of equipment, and other expenses” (p. 249). In other words, the state funds transferred to the owners of the schools are intended to provide for all of the schools’ basic needs. Additional expenses are supposed to be covered by the budgets of the organizations that hold the ownership.

In 1996/7, the number of students in secondary education (grades 9-12) in the Haredi educational system was 31,380. Of these, 15,380 were boys. Most of the girls study in Beit Yaacov institutions and many take matriculation examinations and are trained as teachers. Most of the boys study in boarding school yeshivas. In the Haredi secondary education institutions as a whole, 42 percent of the students are in boarding schools (*Israel Statistical Yearbook 1996*, p. 497, Table 22.16). The girls, however, do not study in boarding schools. Like regular secondary schools, boarding schools are funded through government tuition payments. Added to this is funding for personnel (teachers, group leaders, rabbis), student maintenance (food, clothing, etc.), and maintenance of buildings, which combine functions of residence and instruction. These expenses are funded in part by parents’ payments, according to their means, and by contributions. However, a major portion of the funding of boarding school yeshivas comes directly and indirectly from the state. The state’s exact part in funding these institutions can be revealed only through a detailed examination of the accounts of the organizations that own these educational institutions. However, such an examination has never been conducted either by the funding bodies or by the State Comptroller.

The Department for Boarding School Education and Special Functions of the Ministry of Education is responsible for coordination of educational policy in boarding schools and for the transfer of funds to these schools. Education in boarding schools is expensive, and several government bodies participate in its funding: the Ministry of Education, the Ministry of Labor and Social Affairs, the Youth Aliyah Department of the Jewish Agency, and the Ministry of Religious Affairs. The boarding school students come to the institutions through different kinds of referrals: some are new immigrants who are referred by the Jewish Agency; some are children who, for family, educational, or other reasons, are placed in institutions in order to distance them from their homes; and some study in boarding school frameworks by choice. Most of the students in the Haredi yeshivas (as well as in other religious yeshivas) study in them by choice, but usually their families cannot afford the costs of room and board. The funding of Haredi and other religious boarding schools is done according to the same criteria as the funding of other boarding schools, namely, on the basis of two “baskets”: the “Laor Basket”



(named after the head of the committee that determined the components of the basket) and the “Basket of Services.” These two baskets (whose value in 1994/5 came to NIS 16,500 per student) are intended to cover the total annual cost of maintaining a student in a boarding school numbering 175 students (State Comptroller, *Annual Report for 1995*, p. 339). The Laor Basket (85 percent of the sum of the baskets) is paid by the organizations responsible for placement (and usually includes an element of parental participation). The placement organization for the Haredi boarding schools is Matan (from a Hebrew acronym for “Torah Enterprise for Youth”), and it refers to the Haredi boarding schools a small percentage of those who study in them, doing so according to criteria of educational and other needs as well as compatibility with the boarding school.<sup>11</sup> The Haredi boarding schools enjoy several additional sources of state funding, some of which is absorbed in budget items of the Ministry of Education. Hence, it is impossible to estimate the size of the sum that is transferred to these boarding schools. Table 6 presents a list of some of the sources of funding for the years 1997 and 1998.

**Table 6: Government Sources of Funding for Maintenance of Haredi Boarding Schools (in addition to the “Laor Basket” and the “Basket of Services”)**

(in NIS)

<i>Budgetary items according to source of funding</i>	<i>1997</i>	<i>1998</i>
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<sup>11</sup> It should be noted that in 1995 it was found that Matan conducted no tests to determine a child’s compatibility with boarding school conditions (see State Comptroller, *Annual Report for 1995*, p. 339).

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<i>Ministry of Education:</i>		
Maintenance of Israeli children in boarding schools (not in settlement schools or through the Society for Advancement of Education)	23,952,000	See note <sup>13</sup>
Maintenance of Naaleh (immigrant youth without parents) students in boarding schools (not including the above)	15,970,000	
Activities for the advancement of Haredi secondary education	10,637,000	See note <sup>14</sup>
<i>Ministry of Labor and Social Affairs:</i> <sup>12</sup>		
Aid to Torah boarding schools	49,000,000	56,165,000
<i>Ministry of Religious Affairs:</i>		
Support for yeshivas for students up to age 18	210,000,000	221,970,000

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The secondary education institutions of the Haredi educational networks enjoy priority over the state and state-religious secondary education institutions. All the secondary education institutions of the various sectors are entitled to government tuition that is paid according to a uniform criterion for level of service.

Boarding schools receive more than regular high schools, since they supply more services. Thus, for example, in 1997 the Ministry of Education paid NIS 11,000 for each student in secondary education (*Budget Directives for 1997*, p. 29). For boarding school students, at least NIS 17,000 was paid per student through the special “baskets.” However, Haredi institutions (and sometimes national-religious institutions) receive additional budgets of considerable size, much in excess of the above-mentioned sums that the state allocates to the state and state-religious sectors. The main source of the additional budgets is the Ministry of Religious Affairs. These budgets make possible a longer study day and intensified religious studies.

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<sup>12</sup> The budgets at the Ministry of Labor and Social Affairs and at the Ministry of Religious Affairs are also transferred to national-religious yeshivas and not only to the Haredim. It is not possible to discern from the budget book how much is granted to the Haredim alone.

<sup>13</sup> Although the items were not specified in detail in the 1998 budget, as it appears in the Internet site of the Ministry of Finance, it should be noted that the budget programs that are included in its framework (202708) grew in 1998 by 82.8 percent.

<sup>14</sup> See note 13; however, the budget program in which this item is included, Budget Directive (202712), grew by only 17.3 percent.

Furthermore, Haredi boarding schools also receive direct support through their affiliated organizations (i.e., support funds that have replaced special funds). The direct support comes from government ministries and from local authorities (see below).

## **Support for the Varied Educational and Cultural Activities of the Haredi Educational System**

### **The Ministry of Education**

The Ministry of Education additionally funds an array of activities and functions in the Haredi educational system, whether through the budget of the Department for Unofficial Recognized Education or through special items budgeted by the designated departments. Thus, for example, in 1997 the Ministry budgeted the various kinds of activities described in Table 7 below.

Missing or opaque data on the number of students in exempt institutions and the ways in which they are budgeted, and lack of clarity about the characteristics of special education in the Haredi community and how it is budgeted, do not enable one to make accurate calculations, so that it is difficult to compare the data with those that pertain to the state and state-religious sectors. At the same time, the example of budgeting for teacher training for the Haredi educational system corroborates the notion that the claim of discrimination against the Haredi educational system is without foundation.

In May 1996, a census was conducted of the institutions for teacher training (*Budget Proposal for Fiscal Year 1997*, p. 86). The findings show that, at that time, a total of 33,512 teaching trainees were studying in these institutions; of these, 20,839 belonged to the state sector, 6,470 to the state-religious sector, and 6,203 to the Independent education sector (it is not clear from the data

**Table 7: Budget for Various Activities and Functions in the Haredi Educational System, Ministry of Education, 1997**

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*Budgeted activities and functions*

*NIS*

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In the framework of the Department of Unofficial Recognized Education:	
Activities of Independent education, including janitors, secretaries, administration, computerization, and general activities	45,246,000
Support for Talmud Torahs of the Independent education network	84,811,000
Support for Torah educational institutions for girls	3,263,000
Job training and relief activities	90,000
Administration of El Hamaayan education	5,638,000
Janitors and hired help in the El Hamaayan system	2,712,000
Activities of El Hamaayan	4,867,000
Support for Talmud Torahs in the El Hamaayan network	8,000,000
In the framework of the designated ministries (not including transportation and housing rental):	
Institutions for teacher training in the Haredi sector	8,930,000
Haredi Special Education	1,489,000
Cultural activities for Haredim	27,718,000

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*Source: Budget Directives for 1997, Ministry of Education, Culture and Sport (January 1997).*

whether that figure includes teaching trainees who would eventually teach in the El Hamaayan network). In other words, 18.5 percent of the students in institutions for teacher training funded and supervised by the Ministry of Education belong to the Haredi educational sector, whose proportion in the entire educational system, as noted, does not exceed 8.4 percent.

The trainees in the Haredi educational system studied in seven teacher training institutions, out of 35 funded and supervised by the Ministry of Education. In this system there are seven additional institutions for teacher training that the ministry supervises but does not fund. It should be noted that in recent years graduates of the Beit Yaacov seminaries have had difficulty finding work in their profession because the system is saturated. Consequently, many of them teach in state-religious schools.

## The Ministry of Religious Affairs

### *Secondary Education*

Secondary level yeshivas (theological seminaries [*metivtas*], lower yeshivas, Torah tracks) and yeshivas at the junior high level (also of state-religious education) are supported by the Ministry of Religious Affairs in addition to the funding they receive from the Ministry of Education. According to the criteria for entitlement to support that the ministry has determined, support for junior high-level yeshivas, lower yeshivas, secondary yeshivas, and religious high schools for girls (ulpanas) is conditional upon the existence of boarding school facilities. It was found, however, that in late 1993 the Ministry of Religious Affairs also transferred support funds to institutions for students who did not reside at all at the institution (State Comptroller, *Annual Report for 1993*, pp. 344-361). In response to criticism over this, the ministry decided to set two fees: the lower one for “external” students (those not residing at the institution) and the higher one for those who do reside at the institution. The average support sums for 1993 were NIS 227 per student in institutions without a boarding school and NIS 332 per student in institutions with a boarding school. In 1997, the average support for a student in an institution without a boarding school was NIS 242, compared to NIS 376 for a student in a vocational yeshiva with a boarding school.

In 1993, note was also taken of a lack of coordination among government ministries supporting the same institutions: “It emerged that the Ministry of Religious Affairs did not base the support sum on calculations of the cost of maintenance of the institutions. At the time of setting the fees, the support funds that other ministries were paying, mainly the Ministry of Education and Culture, were not taken into account” (*ibid.*, p. 354). The reports of the State Comptroller and the Budget Proposals of the Ministry of Religious Affairs do not clarify why, essentially, the Ministry of Religious Affairs supports secondary educational institutions that are funded by the Ministry of Education.

### *Postsecondary Education*

Graduates of Haredi secondary education who want to continue their studies as adult students (“*yeshiva bochers*”) can do so in higher yeshivas, where studies are held from morning to evening under boarding school conditions. Graduates of higher yeshivas who have families can study in kolels, where studies are held for seven hours a day at least five days a week. This category

also includes special yeshivas for newly observant men and women, where studies are also held from morning to evening. The newly observant are entitled to study in these yeshivas for two years, and after that to join the regular institutions.

The postsecondary institutions are entitled to the support of the Ministry of Religious Affairs, subject to the stipulations that were mentioned above with respect to the number of hours of study. The support that is transferred to these institutions for their students has a special feature, namely, that part of it is supposed to be provided directly to the students if they satisfy the condition that “Torah is their occupation.” Despite the vagueness of this condition, one can learn from its wording, as well as from the number of hours of study that are required, that the students in question are adult students for whom study is their main occupation, and that receipt of the grant is conditional on their not working for a livelihood.

Like the Haredi educational system as a whole, the postsecondary educational system and the institutions for adult students for whom “Torah is their occupation” have expanded considerably in recent years. In July 1997 the number of students for whom “Torah is their occupation” was 72,836; the highest growth rates were in yeshivas for the newly observant—a growth rate of 74 percent from mid-1995 to mid-1997, and in the kolels—22 percent over the same period (*Budget Proposal for Fiscal Year 1998*).

The direct support that the Ministry of Religious Affairs provides to students in kolels is based on a 1990 coalition agreement between the Likud party and the Agudat Israel party in the Knesset, according to which “the process of ending the deprivation and discrimination against the yeshivas and Haredi education at all levels will continue” (State Comptroller, *Annual Report for 1993*, p. 353).

Table 8 shows the monthly rates that the Ministry of Religious Affairs paid for students for whom “Torah is their occupation” in three selected years (between 1990 and 1997). It emerges from the data that during these seven years there was an increase of close to 100 percent in the number of students for whom “Torah is their occupation” who are entitled to monthly support from the state.

Compared to the university educational system, the postsecondary educational system of the Haredi sector is not expensive, for various reasons. For example, it does not include scientific and technical education, nor is scientific or medical research conducted in it—activities that, to a great

extent, make the general higher educational system more expensive. On the level of the individual student, however, a different picture emerges. A student who studies in a university (even in the humanities, whose cost to the state is lower)

**Table 8: Monthly Rate per Student for Whom “Torah is Their Occupation” in Selected Years, According to Type of Institution**

<i>Type of institution</i>	<i>Number of students</i>			<i>Monthly fee per student (NIS)</i>		
	<i>1990</i>	<i>1993</i>	<i>1997</i>	<i>1990</i>	<i>1993</i>	<i>1997</i>
Higher yeshiva	12,547	18,075	31,128	200	395	523
Full-day kolel	19,963	25,499	35,606	240	492	653
Yeshiva for newly observant*	3,470	3,991	6,102	220	440	510
Total	35,980	47,565	72,836			

*Sources:* (a) For 1990 and 1993—State Comptroller, Annual Report for 1993, no. 44.  
 (b) For 1997—Budget Proposal for FY 1998 and explanatory statements, Ministry of Religious Affairs.

\* There are different rates for newly observant men and women, respectively. The figures that appear in the second part of the table represent an average between the two rates.

is required to pay thousands of shekels each year in tuition, whereas a student in a higher yeshiva or kolel receives a subsistence stipend. Although this stipend is very modest, it helps him to devote most of his time to studies. The kolels are not limited in terms of the number of students they can absorb, and entry into a kolel is open to anyone who is interested. Once a student enters a kolel, he is allowed to continue to study there until old age.

The Ministry of Religious Affairs supports Torah and Haredi cultural activities by means of grants to institutions that provide Torah education, produce printed material, and engage in advocacy activities, as well as activities for women, youth, and children. The budget allocated for such activities in 1998 was NIS 55,440,000 (*Budget Proposal for Fiscal Year 1998 and Explanatory Statements, Ministry of Religious Affairs, October 1997*). The justification for their funding is that the Haredi public does not enjoy the cultural activities that secular people enjoy, such as theater, concerts, museums, and so on, so that its needs in this area as well are special.

## Local Authorities

Many local authorities add to the budget allocated to them by the Ministry of Education for the educational system in their area, and in this way they also support the Haredi educational system, if one exists in their jurisdiction. It is, however, difficult to obtain precise information about these budgets, since this entails checking the local authorities' budgets one by one. Because of various limitations, therefore, we present only one example of a budget of this type—the case of Zichron Yaakov. The data presented below comes from interviews with the director of Zichron Yaakov's Department of Education and with the treasurer of its local council.

Zichron Yaakov has about 13,000 residents; 1,700 of whom are Haredi (13 percent of about 2,000 families) and live in an “education borough” (a neighborhood formed around educational institutions) in the heart of the town. The Haredi residents have formed several organizations, and pay the local authority for municipal services. The education borough itself is supported by the Ministry of Interior, and its educational organizations receive support from the Ministry of Education as well as from the local authority.

In 1997, 2,040 children in the town studied in grades 1-8, according to the following distribution: 1,200 (58.8 percent) in state education, 150 (7.4 percent) in state-religious education, 650 (31.8 percent) in Independent education in the education borough, and another 40 (2 percent) in El Hamaayan institutions. Leaders of the Haredi population turned to the local authority with the request to receive funding for students according to the rates for children who study outside of their place of residence, that is, as if from the local authority's standpoint the borough was a separate community that absorbs children who are residents of Zichron Yaakov.<sup>15</sup> The director of the Department of Education and the treasurer of the town rejected this arrangement, and agreed to budget the children of the borough only with the same sums that the local authority ordinarily transfers to schools. In 1997, Zichron Yaakov's Department of Education allocated an annual sum of NIS 110 per student, which it transferred to the schools. This sum, together with parents' payments and the Ministry of Education's allocations, constituted for each school in the town a budget that it could utilize according to its needs. The leaders of the Haredi population were not satisfied with this sum; in the name of the organizations that run the Haredi educational system they again

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<sup>15</sup> When a child studies away from his place of residence, the local authority in his place of residence pays a certain sum, which is occasionally updated, to the absorbing authority.



presented a request for a grant from the local authority. That year they eventually received NIS 300,000 through grants from the local authority, that is, more than NIS 400 per student.

The Ministry of Education provides a budget for equipment and maintenance for each school which it transfers through the local authority, according to an index of the number of students and the number of classes. The local authority, in turn, transfers these sums in a proportional manner to each school. The Haredi population also receives its proportional part of that budget for equipment and maintenance, but, according to the director of Zichron Yaakov's Department of Education, the Haredim receive an enlarged budget because of the large number of classes in relation to the number of students (due to separation between girls and boys, and the division into subcommuni- ties).

In visits to the education borough that the director of the Department of Education arranged during 1997, it further emerged that the use of funds that the Haredi organizations receive from the Ministry of Education does not always conform to the purposes for which the money is given. For example, the Ministry of Education's allocation also includes positions for janitors, but it became clear to the director of the Department of Education that the organizations do not employ janitors, and the money apparently serves other purposes.

### **3 Regulation and Control of the Haredi Educational System**

#### **Criteria for Granting State Recognition and Support to Educational Institutions**

The laws, rules, and regulations that pertain to the Israeli educational system are extremely complicated, and it sometimes appears as if the legislation developed in a way designed to solve problems in an ad hoc manner. Laws that were enacted after the establishment of the state exist alongside Mandatory laws and sometimes even alongside laws from the Ottoman period, and up to the present day institutions with similar functions are subject to different laws, mainly because they were founded at different times. This section will discuss clauses of the laws whose purpose is to determine standards and modes of regulation for unofficial recognized schools, exempt institutions, and community institutions of the type with which this study is concerned.

For an educational institution to be declared a recognized institution, it has to fulfill the requirement to include a “basic program” within the framework of its study program. Clause 32 of the State Education Law (1953) specifies the special prerequisites for opening an unofficial school and what is required of it in order to receive recognition. According to this clause, parents who are interested in having their children study in an unofficial (but recognized) educational institution must ensure that the institution will “have a particular study program *that includes the basic program.*” The program must be accepted by the minister, and if he is aware “that the said institution has opened, and has received real estate and equipment that ensure the provision of compulsory education in a regular fashion *according to the said program,* the minister will declare that the said institution is a recognized educational institution” (emphasis added—V.S.). Clause 34 of the State Education Law authorizes the minister responsible for enactment of the law to establish regulations that include the modes of supervision, and pertinent regulations (clause 34[3]): “the conducting of a basic program in recognized educational institutions, which are not official institutions of education, and the

supervision of its enactment.” Indeed, already in October 1953, the Regulations for State Education (Recognized Institutions) (1953) were enacted, according to which a “basic program” consists of “a number of hours accorded to subjects that are compulsory for every educational institution.” According to clause 3(c), “the basic program of a recognized institution will constitute 75 percent of the total hours of study in an official educational institution, but the minister is authorized to approve percentages different from these, on the condition that the students of the institution will attain, according to tests and examinations, the level of achievement that is customary in an official educational institution.” Clause 2 of the State Education Law, which deals with the goals of education, makes clear that a basic program is quite wide-ranging, not only in terms of its scope (as noted, 75 percent of all hours of study in an official educational institution), but also in terms of its content, which includes skills as well as values.

Additional criteria for receipt of recognition, which unofficial recognized educational institutions must satisfy, concern standards for buildings and equipment, and that the “education of the director and the cohort of teachers and workers in the institution conform to what is practiced in official educational institutions” (clause 3[a]5).

According to the above-mentioned regulations for state education, the Ministry of Education is supposed to supervise the recognized institutions, including their directors, teachers, and instructors, modes of appointment, as well as their expenditures and revenues. Likewise, the directors or owners of the institutions must announce any changes in the study program to the commissioner of the district. This regulation is meant to ensure that the institutions satisfy the conditions required of them for receipt of recognition.

What significance, then, emerges from the conditions detailed above and from their being grounded in the framework of the law? First, the basic program is designed, as noted, also for unofficial educational institutions that are interested in obtaining recognition; from which it emerges that the state indeed grants unofficial recognized institutions considerable flexibility in adapting their study program to their needs, while still, apparently, ensuring that a core of values and possibly also standards is maintained, which will be common to all of the recognized educational institutions in the country (both unofficial and official).

Second, the spirit of the law is consistent with certain clauses in the International Convention for the Rights of the Child, which Israel signed in 1991. Clauses 28, 29, and 30 of the Convention deal with the right to

education.<sup>16</sup> Clause 28 confers on the child the right to free (compulsory) elementary education, the possibility of professional education, and the right to dignity which should be reflected in any disciplinary procedures of the school. Clause 29 stipulates that education must be aimed at the development of the personality and talents of the child and at preparing him for responsible life as an adult, who respects human rights and the cultural and national values of himself and of others. Clause 30 recognizes the right of the child who belongs to a minority community or special population to maintain his culture, practice his religion, and use his language. As noted above, Israeli law permits, on the one hand, the adaptation of the study program in certain institutions to the needs and outlooks of specific groups of parents. This is consistent with the right to uphold the culture of a minority, which is conferred on the child by clause 30 of the Convention. On the other hand, the law also reflects an attempt to maintain a basic compulsory program that is common to all. This is consistent with ensuring the right to education according to liberal-democratic values, that is, making it possible for graduates of *all* sectors of the educational system to realize their talents (clause 29 of the Convention).

The wish to preserve a core of solidarity and commonality, which is manifested in the requirement that all recognized institutions adopt the basic program, is also reflected in the explanatory statements of the budget proposal for unofficial recognized institutions (in the Ministry of Education's Budget Proposal for 1996): "drawing together the hearts of Jews in a formal and informal framework and realization of the notion that 'the people of Israel are one' and 'all Israel are responsible for one another'" (*ibid.*, p. 283). In other words, the goals of the budget requested for funding the Haredi educational system include, among other things, ensuring solidarity among all the Jews in the state and imparting knowledge of the land and the state. This passage can be seen as an adapted, moderated, and compromised version of the educational goals that the Haredi educational system could adopt, and as

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<sup>16</sup> One may raise the question: What is the justification for imposition of an *obligation* to learn, as defined in the Compulsory Education Law, and how does such an obligation comport with the *right* to learn, which is mentioned in the International Convention for the Rights of the Child? The response of Prof. Stephen Goldstein (1989) is that the law does not relate to the child and to his parents as of one piece. In other words, the obligation of education is imposed on the parents, and the right is bestowed on the child. The legislation guarantees the child's right to learn in relation to his parents, and not in relation to the authorities. Goldstein suggests that the justification for education does not stem from the needs of society or from a paternalistic attitude, but from the need to guarantee the right, since the holder of the right is a minor.

embodying the best essential justification for funding this system by the state.<sup>17</sup>

Clause 7 of the Compulsory Education Law reflects the responsibility that the state took upon itself to provide free compulsory education. The right to free education was granted to students in official educational institutions (the state and state-religious schools, which belong to the state and are funded by it). At the same time, the Minister of Education is authorized to stipulate in a decree that one whose learning cannot be guaranteed in an official institution may study in a different institution, and the state treasury will fund the cost of his tuition under the conditions set forth in the decree.

As noted, most of the educational institutions in the Haredi sector are unofficial recognized institutions and a minority are exempt institutions, which are not recognized and are not entitled to state support. The students in unofficial recognized institutions are not entitled to free education, but clause 11 of the State Education Law authorizes the minister, among other things, to decide whether to support these institutions. If he decides favorably, they can receive funding under certain conditions. To this end, the owners of a recognized institution must submit a request for support to the state, which must include a detailed budget proposal and information about the standards of the teachers and the salaries of the staff. Also, the State Education Regulations (Recognized Institutions) (1953) authorize the Minister of Education to support a recognized institution “at the level he deems appropriate for each institution” (*ibid.*, clause 9). Indeed, over the years various criteria were created for the provision of support, with recognized institutions actually being budgeted at changing levels of cost per student.

In summary, the state created a connection and a legal link between an educational institution’s fulfillment of conditions for receipt of recognition and its right to receipt of government support. Fulfillment of the various conditions (e.g., standards for buildings and equipment, standards for teacher training, and implementation of the basic program), unless the minister

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<sup>17</sup> It should be noted that the passage from the Proposed Budget Law of 1996, which in my opinion is the basis and justification for funding the Haredi system, was not found suitable for inclusion in the Budget Proposals for 1997 and 1998, and does not constitute another part of the Budget Law. Is the significance of this omission the state’s relinquishment of the attainment of these goals? Is it relinquishment of the attempt to ensure the realization of the right to education as expressed in the International Convention for the Rights of the Child? Or is this just a brave decision to omit a declarative passage that, as will be seen below, contains not a little pretense? In any case, an examination of over 130 pages that were removed from the Ministry of Education’s Budget Proposals for 1997 indicates that the omission was not accidental.

expressly waves them, determines whether he will decide to support the budget of a recognized institution, and to what extent. From the description of this situation, it emerges that the state indeed possesses the tools and laws needed to implement suitable supervision of unofficial recognized educational institutions.

## Problems of Regulation and Control

### State Control of Haredi Educational Systems: Examples from Britain and the United States

Democratic states generally permit the establishment of schools with a special religious or cultural orientation, corresponding to the religion or culture of the minority communities in the country. This is consistent with Article 5(2) of “The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.”<sup>18</sup> This clause states that “every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents.” The clause also stipulates that one cannot coerce a child to receive lessons in these subjects contrary to his parents’ wishes. At the same time, although different conventions recognize the right of minority groups to establish their own educational systems, they restrict this right. For example, the Convention against Discrimination in Education<sup>19</sup> provides that the right to religious and cultural education may not be exercised in such a way as to prevent members of these minority groups from understanding and recognizing the dominant culture and language or to participate in its activities (clause 5[1]).

Britain, for its part, explicitly excluded itself from clause 2 of Protocol No. 1 of the European Convention on Human Rights<sup>20</sup> out of fear that the state would be obligated in some way to establish and fund educational institutions for minority groups (Hamilton, 1995, p. 253). This reservation led to claims by parents who were interested in providing their children with specific religious or cultural education but could not afford to fund it privately. Out of fear of compromising the right to equality in education, it was eventually ruled in Britain that the state would also fund religious or cultural education but subject to and alongside of the British national curriculum. Moreover, in Britain, private schools are subject to quite strict regulation; thus, standing approval of the registration of a private school, as required by law, is given only after the supervisor determines that the school has fulfilled certain conditions, including required studies (*ibid.*, p. 258).

The issue of a Haredi-Jewish school in Britain—the Mahzikei Hadas Talmud Torah of the Belz Hassidim—came to litigation in the wake of a complaint

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<sup>18</sup> Adopted by the General Assembly of the United Nations, 25 November 1981.

<sup>19</sup> Adopted by the General Assembly of UNESCO, December 1960.

<sup>20</sup> Signed in the wake of the UN Declaration on Human Rights (1949).

that the supervisor submitted against the school. According to the complaint, the school did not fulfill the condition, as required by law, that education in private schools be “effective and suitable” to the students in them. The directors of the institution claimed that if the school was forced to fulfill this condition, it would constitute discrimination in relation to children of the Belz community in the United States and the other European countries. In this case, the judge recognized the right of parents to educate their children according to their worldview. At the same time, he ruled that the Secretary for Education has a right to intervene in this private educational system, even though it is not funded by the state; such intervention is required in order to ensure, on the one hand, that the students will be able to integrate into their own community and, on the other, that their education will not harm their future chances to integrate into the wider society as well (*ibid.*, p. 260).

In the United States, the Constitution prohibits religious studies in schools funded by the state. The sort of confrontation such a stipulation is likely to cause is exemplified by the school of the Satmar community of Kiryat Yoel in New York. The leaders of the Haredi population requested to establish a special school for some of the children of the community who had special needs (requiring special education). They demanded that the state fund the school, since it conformed to the definition of a regional school (the residential area of the Haredi population—Kiryat Yoel—is an autonomous local authority) and as such was entitled to government support. The court rejected their petition on the grounds that the conditions of establishment of the school, as formulated in its founding document, contravened the requirements of separation between religion and state. The court, however, left open the possibility of changing the founding document, such that the document would enable the establishment of a regional public school in an area where all of the students were children of the Satmar community. In other words, in this case, congruence was recognized between the borders of the school district and the residential district of the Satmar community. If the appropriate changes are indeed entered into the founding document, the Haredi population will be able to introduce Jewish cultural studies into the school along with the curriculum required by the state, but then it will not be able to maintain religious studies and prayer in the school (this description of the situation was drawn from a lecture by Prof. Naomi Stoltzenberg at the Van Leer Institute, November 1997).

The examples presented above illustrate two central points: first, it is not unusual for a democratic state to regard itself as entitled to intervene in the study programs of community or special schools in order to guarantee their students the right to equality of educational opportunity. Second, even when



such a school does *not* receive government support, the state may see itself as entitled to intervene in its study program to a certain extent (as in Britain), and all the more so when the school does receive this support. In other words, it is improbable that a state will relinquish the right of intervention when it funds an educational institution.

### **Control of Funding**

The possibility of public control of the allocation process depends, first and foremost, on the transparency and availability of data and of the criteria according to which funds are allocated, and on reports of performance. The allocation process in Israel is characterized by great opaqueness, which makes supervision difficult. Much has already been written about the difficulties that members of the Knesset experience in carrying out their roles as overseers and guardians of the budget. The funding of the Haredi educational system is an especially salient example of an obscure process, as manifested in the budget books of the relevant ministries, which do not enable proper calculation of the size of the budget. The budget proposals do not always include specification of the criteria according to which resources are allocated, and many of the clauses lack quantitative data (e.g., numbers of students and numbers of classes), or present general estimates, in which retroactive revisions are made in the budget proposal for the subsequent year.

These problems appear all the more grave when one gets the impression that the obfuscation is not accidental but intentional. The budget proposals, which after their approval become the Budget Law, are one of the main sources from which one may learn about the budget. However, in the transition from the Budget Law of 1996 to the Budget Law of 1997, some 130 pages “dropped out” of the Budget Proposal of the Ministry of Education, or about one-third of the material (see also note 18 above). These pages included the most essential explanations and data, as well as the ideological argumentation for the request for a budget for unofficial recognized education. The Budget Proposal for 1996 could not be considered transparent and clear; but the Budget Proposal for 1997 appears to be a *deliberate attempt at obfuscating information*—not only about funding the Haredi educational system but about funding the educational system as a whole.

The unavailability of information on the budget also stems from budgetary transfers during the course of the year, which are not expressed by means of the designated budget of the relevant government ministry. These funds are conveyed directly to certain educational institutions, or indirectly through

mechanisms of the local authorities. Examples of budgetary transfers in midyear, which were not carried out through the designated budget of the relevant ministry, are plentiful in the reports of the State Comptroller. One example will be presented below, pertaining to the budget for Haredi culture (State Comptroller, *Annual Report for 1995*, pp. 396-414).

The Ministry of Education supports Haredi organizations that conduct Torah lessons outside the framework of formal studies, and funds the administration of the Jewish Heritage for New Immigrants program. Early in 1994 the Department of Haredi Culture was established in the ministry, and was given responsibility for supporting Haredi organizations, a task formerly in the hands of the Department of Torah Culture. According to the Budget Law, the Department of Haredi Culture's budget in 1994 totaled NIS 21.5 million, yet in December of the same year, that is, a month before the end of the budgetary year, the Knesset Finance Committee approved additional funding of NIS 10.1 million (an increase of 47 percent!) for this department. According to the State Comptroller, "No explanations were presented for this large supplement to the budget." The total annual budget—NIS 31.6 million—was distributed to 21 organizations for activities carried out during 1994, and an additional organization received funds after settling accounts for the previous year. The Comptroller's findings concern false reports on activities, defects in supervision, as well as defects in the procedures of transfer of support funds. Regarding the latter, it was found that in 1994, 4 of the 21 organizations also received support from the Ministry of Education through other budget items, and that 20 of them also received support from the Ministry of Religious Affairs for "Torah and Haredi cultural activities." In addition, it was found, in a random check that the Comptroller conducted that same year, that three organizations received grants from two of the ministries for the very same activities.<sup>21</sup> Seven of the organizations received support from the Ministry of Religious Affairs for various fields of activity, two were also supported by the Ministry of Labor and Social Affairs, and 14 received aid from local authorities throughout the country. The total support that the different government ministries provided to these 21 organizations in 1994 (not including aid from the local authorities) amounted to NIS 59,512,650. In light of this data, one must conclude that the government ministries that provide grants, and which do have access to the financial reports of the organizations that receive the grants, find it difficult to examine the data in depth and to

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<sup>21</sup> On the procedures for provision of support funds of the Ministry of Religious Affairs, the involvement of members of Knesset, the lack of supervision, false reports, and defective budgetary implementation, see also State Comptroller, *Annual Report for 1994*, pp. 161-236, and State Comptroller, *Annual Report for 1996*, pp. 294-319.

coordinate between them any order of priority for the allocation of various funding support.

Even when there is a specification in the budget proposal, this is not always enough to provide a clear picture of the situation. For example, added to the Budget Proposal of the Ministry of Religious Affairs for 1998 is a specification for data on the rates per student in a supported institution and the number of students, along with data on the institutions themselves. Yet all of the support funds for the institutions and the grants for institutions and students are concentrated in a single budget line. In 1998 the expenditures in this single budget line totaled NIS 959,578,000, or 62 percent of the ministry's annual budget for that year! It is clear that this manner of recording the budget gives the internal committees of ministries wide room to maneuver in allocating funds for various purposes, and certainly does not facilitate effective control of allocations and expenditures.

Indeed, the State Comptroller criticized the allocations from this budget line in the most severe terms: "Until mid-1993 there was no control whatsoever over the accounting system of the institutions and over the payments transferred to them." The Comptroller's review found that hundreds of students who received scholarships on the basis of the declaration that "Torah is their occupation" actually worked in other occupations (State Comptroller, *Annual Report for 1993*, p. 360). The Comptroller also had stinging criticism for the Ministry of Religious Affairs over its "Haredi Torah Culture" budget line. The Comptroller asserted that "for years the ministry has failed in its handling of everything connected to support funds for Torah culture" (State Comptroller, *Annual Report for 1996*, p. 310). The criticism focuses on the lack of enforcement of the criteria for payment.

## **Regulation of Subject Matter and Teaching**

### **The Independent Educational System**

In the Ministry of Education's Budget Proposal for 1997, the chapter dealing with Independent education opens with a "general" section on the preceding year. The chapter discusses the ministry's obligation to supervise "the institutions of Independent education from a pedagogic and administrative standpoint, including their carrying out the basic program, the planning and implementation of the budget, [and] the proper operation of the schools of Independent education at all of the levels, including Talmud Torahs, which

are exempt institutions.” The budget proposal further states, in the section dealing with forms of activity, that these forms will include: “study of general and scientific subjects, preparation of students for involvement and active participation in the entirety of the life of the nation on the basis of the Torah, and loyalty to the people of Israel and the State of Israel.” Also mentioned is the intention to bring about the “institutionalization of the Independent education system from an administrative and organizational standpoint as part of the general educational system.”

These quoted statements seemingly indicate a sort of pact: the state will fund the Haredi educational system including its exempt institutions, and in return the studies in this system will include general and scientific subjects, and its institutions will operate according to the accepted standards of the official educational system. Likewise, the ministry will be authorized to apply various forms of control and regulation in order to ascertain that the institutions are indeed fulfilling the conditions required of them.

In actuality, it is difficult to obtain official, straightforward information on what occurs in practice in the different kinds of Haredi educational institutions. The information about the content of study is based mainly on testimonies of senior figures in the Haredi sector itself, on secondary research sources, and on informal conversations with clerks and supervisors in the Ministry of Education. The ministry indeed employs an array of supervisors, but they are representatives of the different Haredi streams. It emerges from conversations with workers at the ministry that these supervisors are far from representing the Ministry of Education’s stance toward the Haredi institutions; on the contrary, their main concern is to prevent, as far as possible, the ministry’s interference in the workings of “their” system. Not infrequently, disputes arise between supervisors and other officials in the ministry, and sometimes the political leaders of the Haredi sector are even called in to prevent, for example, enforcement of standards in the area of teacher training. In a discussion with a senior figure in the ministry, it became clear that the Independent education system does not tolerate interference in the content of the teaching it conducts and that, in the past, when it was thought that the ministry’s demands were excessive, the dispute indeed went all the way to the political echelon of the Haredi sector.

According to senior figures in the ministry, mathematics and Hebrew are taught in Haredi elementary education, but in secondary education only religious studies are offered. Following the intervention of ministry officials, the leaders of the Haredi institutions were persuaded to allow the study of the historical context in which the Talmudic sages functioned, as well as the study

of topics related to the Hebrew language that arise in the framework of Gemara studies. Thus, the supervisor could confirm that in the Haredi secondary educational institutions, five subjects “for matriculation” were studied (even though the students themselves do not participate in the matriculation examinations): Bible, Talmud, Hebrew language, Hebrew grammar, and Jewish history. The question is: is the fact that matriculation examinations are held in these subjects sufficient in order to categorize them as “general subjects”?

According to Ministry of Education officials, the safeguarding of girls against foreign ways of thought is less strict: girls engage in secular studies, such as foreign languages, computer studies, and even accounting, and are tested in full matriculation examinations. At the same time, according to researcher Tamar El-Or (1990), the status of Haredi education for girls reflects a basic paradox. On the one hand, education occupies a central place, and much time and effort are devoted to it; on the other, the content of study is designed to ensure that the girls will be similar to their mothers. Their role is to preserve the tradition, and they have to learn how to manage a household, how to deal with worms that find their way into the lettuce, and how to raise children, exactly as their mothers had to learn. Women do not have access to the materials that the Haredi men study; hence, according to the Haredi sector’s criteria, they cannot be thought of as educated.

Despite the relative flexibility concerning girls’ education, the Independent education system can still be characterized as a system that strives to prevent its students from being exposed to other ways of life, while presenting the modern secular way of life as the essence of what is bad. Shilhav and Friedman (1989, p. 9) offer an explanation for this closed approach. According to them, the Haredi sector “is characterized . . . by the desire to be as distinct as possible from the society that surrounds it. The main expressions of this distinctiveness have to do with areas of residence and with the contents of what is studied by the younger generation in Haredi society.” The Haredi sector feels threatened by the modern world that surrounds it, and is pursued by fear lest its young people prefer to “cross the lines” and join the general secular society, as had occurred during the Enlightenment period when many young people adopted enlightened ideas and liberalism and left the fold of religion. This constant sense of threat is the main explanation for the almost complete absence of secular studies, that is, “general studies,” from the curriculum, especially the curriculum of the secondary schools. Religious studies, explain Shilhav and Friedman, “are the sole legitimate cultural content. From this arises the aim of denying general education to every youngster during the entire period of socialization, at least until marriage” (*ibid.*, p. 6).

The statements of Rabbi Yisrael Eichler (1996) on the possibility of exposure to “strange” ideas fit in with the above explanation:

The inquirer asks: It seems, therefore, that the entire Haredi viewpoint is built on the rejection of secularism. Does the Haredi person not have enough spiritual immunizations to withstand secularism or the foreign culture that beckons to him? Such claims are often heard in debates about the path of Judaism (“the youth must be sufficiently immunized to withstand foreign opinions and outlooks”). The answer is unequivocal: a mother who gives her son petrol instead of milk, on the claim that his stomach has to be sufficiently hardened against poison, is a cruel mother. The parent who abandons his children’s souls to the opinions of heresy and to information containing obscene material, destroys his Judaism.

### **The El Hamaayan System**

The sense of threat and the fear of being swept toward modernity that characterize the Ashkenazi Haredi sector do not characterize the Sephardi Haredi sector, most of whose sons and daughters study in the El Hamaayan network. This community is less closed and maintains ongoing contact with the secular environment. Even though most of its members have adopted the style of dress of the Ashkenazi Haredim, and despite the fact that they too have established communities in geographically demarcated areas, the Haredi society stemming from the Sephardi communities is not enclosed in ghettos and opens its doors to all who are interested in joining it.<sup>22</sup> At this stage of development of the educational institutions of El Hamaayan and their parent party, Shas, it is impossible to tell whether the tendency is toward segregation or involvement. For now, the relative openness of the Sephardi Haredi sector is to some extent manifested as well in the content of study in its institutions. For example, the El Hamaayan system has recently introduced studies in technology and foreign languages, according to newspaper reports. This approach can help train the graduates of El Hamaayan for working life and for involvement in modern society—something the Ashkenazi Haredi sector strives to prevent.

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<sup>22</sup> In Fischer’s (1991) article about Shas as opposed to the Ashkenazi Haredim, the author compares Shas to an all-embracing church, whereas he likens the Ashkenazi community to a sect—closed and rejecting.

## 4 Summary and Conclusions

The leaders of the Haredi sector frequently complain about discrimination against the Haredi educational system with regard to the funding it receives. Yet a comparison of the available data on funding of Haredi educational institutions and those in the state educational system, to the extent that it is possible, indicates that the Haredi educational system is not subject to discrimination. Indeed, in certain areas it even seems to enjoy a clear preference relative to the general system, especially with regard to weekly hours per student, and also in the funding of secondary education, particularly boarding schools. In the latter case, its educational institutions receive very substantial budgetary supplements from the Ministry of Religious Affairs in addition to the regular budget provided them by the Ministry of Education. These supplementary funds make possible the lengthening of the study day into the evening hours.

The allocation of weekly hours to elementary education and the funding of secondary education with the aid of the Ministry of Religious Affairs are carried out in an ongoing fashion, and are linked to the number of students, which changes each year. Hence, the annual budgeting cannot be viewed as a form of corrective discrimination, even if there was any need for it. The preference that was given in 1997 to the construction of classrooms for Haredi education can, indeed, be regarded as a closing of gaps, since for many years this area was neglected in the Haredi sector. However, since today the construction of classrooms is carried out according to the special needs of the Haredi sector, a situation may well emerge in the future in which it is actually the state (including state-religious) educational system that is discriminated against.

In light of this situation, it appears that under conditions of a limited budgetary pie, which does not meet the needs of many groups of students (Arabs, new immigrants, those with learning disabilities and various special needs, and even the regular students in the state system), there is a place for public discussion of the meaning of equality in education and the criteria according to which resources are allocated in the education budget. The role of the leaders of the Haredi sector is, indeed, to ensure that the state does not

discriminate against their community in allocations for education (as in other areas). Nevertheless, the state is obligated to ensure that the Haredi educational system fulfills the criteria according to which it is entitled to funding, and that a balance be preserved between the right of the Haredim to educate their children according to their worldview, and the right of the children to an education that is in accordance with the requirements of the law, ministry regulations, and the International Convention for the Rights of the Child.

The State of Israel, through the Ministry of Education, implements a completely different educational policy toward children in the Haredi sector than it does toward the rest of the children in Israel. In the administrative unit that was established to deal with the Haredi educational system, the supervisors come from the sector itself, and see it as their duty to safeguard this system's values and order of priorities. At the same time, despite declarations to this effect, no substantial effort is made to apply the laws and regulations; this pertains to the implementation of the basic program, inclusion of general studies, and fulfillment of the standards concerning teaching staff. No one at the ministry seems to know what, for example, the basic program contains, even though it is the basis for other requirements. Ministry officials were indeed aware of the general requirements as set forth in the explanatory statements for the budget. They assumed, however, that five subjects of study, each of which is an inference from Gemara studies, were sufficient to fulfill the condition of conducting a basic program because it is possible to take matriculation examinations in these subjects.

For historical and political reasons, the state accords clear preference to the Haredi sector's right to determine the education of its children over the right of the child to develop and practice his abilities. By abandoning the linkage between funding of the educational system and the system's obligation to implement the requirements of the law, the state has taken a substantial step toward undermining the statewide approach to educational policy. This differs from the practice in other democratic states, and it compromises the equality of opportunity of a large group of children.

In light of new social and sociological developments, there is, indeed, a need to reconsider the appropriateness of the statewide approach to education. In keeping with the current ideological mood, community and multicultural approaches are taking their place on the public agenda, and these favor the granting of wide autonomy to the community in the management of its educational institutions and in the determination of the content of its children's education. In the State of Israel, which is characterized by a variety



of communities on the basis of nationality, country of origin, religion, and level of religiosity, there is undoubtedly room to assess educational policy in light of these approaches. At the same time, there is no place for the undermining of the statewide approach by indirect means and for political reasons, and this pertains especially to the involvement, and sometimes even control, by political parties of educational subsystems that are budgeted by the state. This signals a return to the prestate period and the earliest years of statehood, and it is divisive and dangerous to democracy.<sup>23</sup> Just as the division and internal fragmentation in Israeli society tend to justify the transition to a more heterogeneous educational system, this fragmentation also justifies, on the other hand, the placing of emphasis on unitary factors, that is, on themes of solidarity that are common (or hopefully will become common) to all citizens of Israel.

As long as it involved a small community, closed and limited in reach, the state could allow itself to support that community's small and unique educational system from a budgetary standpoint and from the standpoint of tolerance toward its educational conceptions and prevalent norms. Today, however, when this system encompasses over 10 percent of all Jewish students in Israel, there is a need to reassess the situation. The discussion of the granting of autonomy to the Haredi community to manage its educational system should go hand in hand with the discussion of the *appropriate limitations of that autonomy*.

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<sup>23</sup> On the intervention of members of Knesset in operative decisions involving the support funds of the Ministry of Religious Affairs, the State Comptroller asserted that "this was a blow to sound public administration and a violation of the principle of separation of the authorities that is one of the foundations of a democratic regime" (State Comptroller, *Annual Report for 1996*, p. 310).

## Sources

- Budget Directives for 1997* (January 1997). Jerusalem: Ministry of Education, Culture and Sport (Hebrew).
- Budget Proposal for Fiscal Year 1996 and Explanatory Statements, Ministry of Education, Culture and Sport* (October 1996). Jerusalem: Ministry of Education, Culture and Sport (Hebrew).
- Budget Proposal for Fiscal Year 1997 and Explanatory Statements, Ministry of Education, Culture and Sport* (1996). Jerusalem: Ministry of Education, Culture and Sport (Hebrew).
- Budget Proposal for Fiscal Year 1998 and Explanatory Statements, Ministry of Religious Affairs* (October 1997). Jerusalem: Ministry of Education, Culture and Sport (Hebrew).
- Eichler, Y. (December 1996). "Thus the Supreme Court Rescued the Haredi Outlook." *Meimad*, 8, pp. 16-19 (Hebrew).
- El-Or, T. (1990). *Educated and Ignorant Girls*. Ramat Gan: Hemel (Hebrew).
- Fischer, S. (1991). "Two Patterns of Modernization: An Analysis of the Ethnic Problem in Israel." *Teioria V'bikoret*, 1, pp. 1-22 (Hebrew).
- Goldstein, S. (1989). *The Right to Education: Studies in the Rights of the Citizen in Israel*. The Association for Citizens Rights in Israel (Hebrew).
- Hamilton, C. (1995). *Family, Law and Religion*. London: Sweet & Maxwell.
- Israel Statistical Yearbook, 1996, No. 47*. Jerusalem: Central Bureau for Statistics (Hebrew).
- Sebba, L. and Shiffer, V. (1998). "Tradition and the Right to Education: The Case of the Ultra-Orthodox Community in Israel," in G. Douglas and L. Sebba (eds.), *Children Rights and Traditional Values*. Ashgate: Dartmouth, pp. 160-193.
- Shilhav, Y. and Friedman, M. (1989). *Growth and Segregation: The Haredi Community in Jerusalem*. Jerusalem: Jerusalem Institute for Israel Studies (Hebrew).
- State Comptroller, *Annual Report for 1993, No. 44*. "Support for Torah Educational Institutions," pp. 344-361 (Hebrew).
- State Comptroller, *Annual Report for 1994, No. 45*. "Support Funds from the Budget for Torah and Haredi Culture," pp. 236-261 (Hebrew).
- State Comptroller, *Annual Report for 1995, No. 46*. "Support Funds from the Budget for Cultural Activities for Haredim," pp. 396-414 (Hebrew).
- State Comptroller, *Annual Report for 1996, No. 47*. "Support Funds from the Budget for Torah and Haredi Culture," pp. 294-319 (Hebrew).