

Ultra-Orthodox
in Israel
Series



Politics and Administration in Haredi Local Authorities



THE ISRAEL
DEMOCRACY
INSTITUTE

Series Editor:
Gilad Malach

Ariel Finkelstein



Politics and Administration in Haredi Local Authorities

Ariel Finkelstein

Text Editor (Hebrew): Meira Turetzky
Series & Cover Design: Studio Tamar Bar Dayan
Typesetting: Ronit Gilad
Printed by Graphos Print, Jerusalem

Cover photo: Emil Salman
© All right reserved to "Haaretz" newspaper

ISBN: 978-965-519-376-3

No portion of this book may be reproduced, copied, photographed, recorded, translated, stored in a database, broadcast, or transmitted in any form or by any means, electronic, optical, mechanical, or otherwise. Commercial use in any form of the material contained in this book without the express written permission of the publisher is strictly forbidden.

Copyright © 2022 by the Israel Democracy Institute (RA)

Printed in Israel

The Israel Democracy Institute
4 Pinsker St., P.O.B. 4702, Jerusalem 9104602
Tel: (972)-2-5300-800
Website: <http://en.idi.org.il>
Online Book Store: en.idi.org.il/publications
E-mail: orders@idi.org.il

This study was made possible by the generous support of The Diane and Guilford Glazer Foundation, The Russell Berrie Foundation and The Rosalinde and Arthur Gilbert Foundation.

The views expressed in this book do not necessarily reflect those of the Israel Democracy Institute.

All IDI publications may be downloaded for free, in full or in part, from our website.

Abstract

Haredi local authorities are a relatively new phenomenon in the Israeli landscape. Even though haredi society is known to isolate itself as best it can from the general population, until the late 1980s almost all haredim lived in mixed cities alongside secular Jews, national-religious Jews, and even Arabs. Only in the late 1980s did homogeneous haredi localities begin to develop. Today there are seven local authorities in Israel in which the majority of residents are haredi: four municipalities (Bnei Brak, Modi'in Illit, Betar Illit, and Elad) and three places governed by local councils (Rekhasim, Kiryat Ye'arim, and Immanuel). The total haredi population of these localities is 390,000, accounting for 35% of the haredim in Israel. Following the emergence of homogeneous haredi localities, a haredi municipal establishment came into being: local authorities headed by a haredi person and with an entirely or mostly haredi council. The result is a situation in which a population with a minority mindset, which functions on the national level as a minority, has powers on the municipal level that are generally held by the majority.

This book presents the first-ever comprehensive analysis of haredi local authorities and the changes in them over the years. The first part focuses on the political structure of haredi local authorities; the second part focuses on the administrative aspect of their routine work.

The Political Structure

The haredim are represented in the Knesset and local government by three sectoral parties: Agudath Israel represents the hasidim, Degel Hatorah represents the “Lithuanian” community, and Shas represents the Sephardic haredim. Satellite lists representing smaller communities that belong to one of those three population groups sometimes also run in local elections. The heads of local authorities and councilors represent the national party that appoints them and are expected to follow the instructions of the rabbis who guide the party.

The establishment parties generally collaborate during the stage of submitting candidates. In places where one of the three groups has an absolute majority (Modi’in Illit and Kiryat Ye’arim), the head of the authority is always affiliated with that group; in places where there are two more or less equally dominant groups (Bnei Brak and Rekhasim) they take turns, with each of them serving as mayor for five years; in places where none of the three groups has an absolute majority (Elad, Betar Illit, and Immanuel), negotiations are conducted whenever there are elections and a great deal of effort is put into agreeing on a candidate. The negotiations are not always successful. There have been several impassioned and particularly difficult election campaigns that have caused rifts and divides within haredi society. In these cases, too, however, the haredi parties in the municipal coalition have worked in concert.

The cooperation among the haredi parties is based on a combination of factors: solidarity among haredi groups, a system of checks and balances that takes into account different parties and communities in different haredi localities, and the haredi minority’s need to cooperate in the national arena. In this way haredi local authorities have managed to avoid the problems that plague many Arab localities, where the clans in

control divert most of the local government resources to their own needs and discriminate against other clans. However, each party on the council tries to take care of its specific community, and local government activity focuses on pleasing the communities.

This book points out several changes that have occurred in the political structure of haredi local authorities in the past decade, creating cracks in the structure described:

Independent, non-establishment parties. In all haredi localities other than Rekhasim, independent lists and candidates have run for election in the past decade without rabbinical support—something that was almost unheard of in the past. In Bnei Brak and Betar Illit independent parties managed to win representation on the council (in Betar Illit they received three seats in 2013 and two in 2018), and in Elad and Modi'in Illit they came very close, falling short only due to internal splits. In Kiryat Ye'arim the independent list received 35% of the vote in the 2013 elections, and in 2019 an independent candidate for council head received 40% of the votes, almost managing to defeat the establishment candidate. Most of the independent parties focus on improving local affairs from a civic perspective, paying attention to individual residents rather than community leaders and communities. Therefore, unlike the establishment lists, their lists generally comprise representatives of various communities—Sephardim and Ashkenazim, Lithuanians and hasidim. Surprisingly, many of the candidates on the independent lists do not have a “modern” lifestyle, although the proportion of modern haredim on these lists is relatively high.

Alternative establishment parties. In recent years several local parties with a clear connection to an alternative national and rabbinical establishment have emerged in haredi politics. The Jerusalem Faction's gradual break with Lithuanian society led to the formation of the Bnei

Torah party; disputes among Sephardic haredim led to the establishment of the Yahad party headed by Eli Yishai, with the support of Rabbi Mazouz. Each of these parties ran several lists in the last two election campaigns in haredi localities, and some of their candidates were elected to councils. On the one hand, these parties preserve the community-establishment structure of haredi politics, which operates in complete subordination to the rabbis. On the other hand, their exclusion from the mainstream and the struggle against them places them in the local opposition and sometimes leads them to promote civic matters such as the quality of services to residents and to protest the unprofessional, sectorally biased conduct of the haredi local authorities.

Changes within the establishment. Even within the establishment itself we can identify several changes in the past decade, albeit minor ones. Several establishment parties have held primaries to choose their candidate lists for local elections, more and more public protests were held against party establishments that put up candidates who do not live locally, and in one exceptional case representatives of a local establishment list even acted against the official position of their national party.

Each of these processes on its own might be perceived as relatively marginal “background noise,” since ultimately we cannot ignore the fact that the haredi establishment still exerts powerful control over the haredi local authorities. However, a broad-based perspective reveals a significant change: In 2007–2008, elections were scheduled for all haredi localities, but in three of them (Bnei Brak, Modi’in Illit, and Kiryat Ye’arim), including the two largest haredi cities, there were no elections in the end because only one joint list representing all the establishment parties submitted its candidacy and only one candidate ran for the position of head of the authority. Moreover, in all the haredi localities except Betar Illit there were clear agreements between the

haredi parties and there was no real challenge from non-establishment groups. Therefore no haredi opposition was active in any of the haredi local authorities after the elections. A decade later, in 2018, the picture had changed completely. Elections were held in all haredi localities other than Rekhasim, independent lists ran in all of them, and the four largest haredi localities currently have a haredi opposition, which in most cases is even rather aggressive.

In practical terms, the existence of an opposition reveals problems in the haredi authorities to the public, the media, and government agencies and leads to oversight and control. From a more theoretical standpoint, its existence also changes perceptions among haredi politicians. In the words of a high-ranking political figure in one haredi locality, “In the past I would look only at the communities. Today I understand that I have to look at the individual resident, too.” This is not the reversal of a trend but a certain shift, which creates a new balance between the sectoral-community pattern of conduct and the attitude of haredi local authorities toward the residents and toward the quality of services that they receive.

The book points out two other major characteristics of the political leadership in haredi local authorities as reflected in local government work:

Pragmatism. The political leadership in the haredi authorities in general, and the heads of the authorities in particular, are more pragmatic than the national leadership, especially with respect to promoting employment. Most heads of haredi local authorities cooperate actively and openly with initiatives to promote employment, including the employment of men, even though the national haredi leadership is ambivalent toward such initiatives. This pragmatism is the result of several factors: the local leadership is closer to the people than the national leadership and is constant interacting with residents; local government in general (not

only haredi) tends to focus on current issues and is less “ideological” than the central government; the leadership of the haredi local authorities operates in an almost purely haredi environment and therefore is not suspicious of outside initiatives the way haredi Knesset members or councilors in mixed towns are.

Conceptions of politics and broad-based policy. Haredi local authorities have relatively little to do with broad-based strategic policy. First of all, many haredim believe that the politicians’ main job is to help the community overcome concrete bureaucratic hurdles, i.e., essentially to act as a benevolent society. Second, haredim view politics as a sectoral space, and therefore the councilors focus on aiding their own communities, paying little attention to general issues that affect the welfare of the entire population of the town. The heads of local authorities, in contrast, are required by their jobs to deal with general issues as well. Because haredi society holds haredi politicians responsible for all aspects of the welfare of the haredi population, the haredi local authorities also deal with government ministries and private actors to promote policy on matters that are not within their purview, such as local public transportation.

Administration

Financial management. The economic background data on haredi local authorities are not simple. The average budget per capita and the proportion of independent income are lower than in non-haredi Jewish localities and on a par with those of Arab localities. This situation is the result of the paucity of businesses within haredi localities (with the exception of Bnei Brak) and the high percentage of residents entitled to discounts on local property tax due to low income. Nevertheless,

the financial management of haredi local authorities, especially the large ones, is relatively good—much better, in fact, than the financial management of Arab local authorities and even better than that of many non-haredi Jewish local authorities. This is manifested mainly in a low accrued deficit and small scope of loans. Contrary to popular opinion, the tax-collection rate in haredi localities is around the national average and in most large haredi localities even higher than average. Furthermore, in only two cases have supervising comptrollers been appointed for haredi local authorities, and since 2016 no supervising comptroller has been appointed by the Interior Ministry for any haredi locality. Significantly, scores of other local authorities have had supervisory accountants, sometimes for long periods of time.

Management of human capital. In most haredi localities the municipal apparatus is very “skinny”; it is not bloated to give jobs to people with connections. In contrast, the process of advertising positions and hiring in haredi local authorities is not conducted on the basis of purely professional considerations; sometimes jobs are “fixed” in advance. Even then, however, the candidate’s professional qualifications are an important factor, and few positions are filled on the basis of political affiliation or outright nepotism. The need to provide good service to residents requires the heads of haredi authorities to strike a balance between professionalism and politics (specifically community affiliation in most cases).

The centralized administration favored by heads of haredi authorities and the weakening of the position of the director-general hinder the separation between the policymaking echelon and the echelon that carries out policy, intensify political involvement in decision-making, and interfere with the creation of orderly, systematic administrative procedures.

Considering the social and political context of haredi society, the state of human capital in haredi local authorities seems to be highly reasonable. In the past decade a new generation of workers has started to emerge that is more professional and has a broader service awareness than was previously customary in haredi local authorities. Aside from the political need to improve services to residents, other factors contributing to the change are an increase in higher education and a trend toward promoting haredi women to senior positions in local authorities. It seems that in many cases the new generation is looking to increase professionalism and to minimize the impact of narrow community interests on the functioning of the haredi local authorities. So far, however, this has been only partially successful, as they are still bound to the existing political frameworks, which are subject to the community-based organization of haredi society.

Planning, building, and land allocation. The policies of haredi local authorities are consistent with the urban planning principles currently popular among planners: high-density housing, mixed-use, and commercial streets. Other noticeable features of haredi localities are a severe shortage of space for building synagogues, a lack of industrial and commercial space, a planning policy that is almost totally opposed to sports facilities and swimming pools, and attempts by the local government to make it as easy as possible to obtain building permits.

Land allocation for building is often not done in accordance with official procedures. Many political considerations are involved, at times causing infringements of the principle of equality. Oversight of the procedures is inadequate and in many cases areas zoned for public use have been rezoned for commercial use.

Enforcement of planning and building requirements is extremely lax; sometimes the haredi local government takes no action at all against

building violations within their jurisdiction. The lax enforcement in the case of private building violations usually results from deliberate policy, as most residents want to have as large a home as possible. In the public space, in contrast, the lax enforcement stems from a deliberate policy of turning a blind eye to these violations or narrow political considerations, even at the cost of harm to the general public. An interesting trend in this regard in recent years is that residents, nonprofit organizations, and elements in the opposition have been contacting the courts, the State Comptroller, government officials, and the media to criticize the conduct of haredi local authorities. At times this has led to the overturning of decisions by haredi local authorities and forced them to reconsider their actions.

Welfare and social services. In the field of welfare and social services, haredi local authorities have to maneuver between their status as governmental bodies with powers conferred by the secular legislature on the one hand and subordination to the rabbis' instructions and representation of the interests of the various communities that make up the haredi population on the other. The social services departments in haredi local authorities operate in accordance with the law and comply with professional requirements, but at the same time they have developed models of cooperation with rabbis and community leaders and are as responsive as possible to the needs of the haredi communities. In this way they win the trust of the haredi residents and use it for the benefit of the population.

Unlike non-haredi local authorities, the social services departments of haredi authorities have a high proportion of dysfunctional parents and teenagers and of clients with medical problems and disabilities. On the other hand, despite high poverty rates in haredi society, they have a relatively low percentage of clients in the category of "poverty and income difficulties." This is because in haredi society poverty is the

standard way of life for most of the population, not something that in itself would justify the intervention of social services. Most haredim do not perceive themselves as poor and the extent of poverty in haredi society does not necessarily attest to an inability to provide essential needs, in part due to community welfare mechanisms.

In the past decade, there has been a tremendous increase in the number of children who have become clients of social services in haredi localities due to having experienced violence, and especially sexual molestation. This book shows that the increase stems both from a change in haredi attitudes toward the issue and from growing trust in the haredi local authorities. Another area in which real change has occurred in the past decade concerns youth at risk. Haredi local authorities currently invest extensive resources in professional attention to the problem of youth at risk and dropout prevention. Previously the public and the local authorities would wash their hands of these youths and fight against them; today they include them more and feel a sense of responsibility for them.

Education. The haredi education system is almost entirely private. Therefore the local authorities' responsibility for education is more limited than in non-haredi localities, and it focuses mainly on administrative aspects. Nevertheless, education is one of the most complex issues in running a haredi local authority, as haredi education is community-based and therefore has significant political elements. Haredi local authorities have played a major role in reducing cases of children without a suitable school placement; in recent years they have also taken action to improve the quality of teaching, identify school dropouts, and prevent students from dropping out of school. Nevertheless, the political-community element of the system sometimes leads haredi local authorities to make discriminatory decisions in matters such as budgeting and allocations. For the most part, however, even in these respects decisions are made

with an eye to maintaining a balance between the main communities in the locality. On more ideological matters, such as the attitude toward state-haredi schools, there is genuine concern that the conduct of the haredi authorities is not free of bias and that they are preventing the establishment of such schools even when there is a demand for them.

Religious services. The area of religious services offers a good illustration of the important status of the local government in the eyes of the haredi population and leadership, especially among the Lithuanian and hasidic groups. For fear of intervention by the central government, haredi local authorities have developed an alternative model whereby public religious services are provided through the local authority rather than through a religious council subordinate to the Ministry of Religious Services. The haredi authorities are prepared to pay more in order to preserve absolute autonomy and to supply religious services on a level satisfying the requirements of the haredi residents.

Employment. In recent years the haredi local authorities have been more open to promoting employment initiatives for haredim, including men. It seems that as in other issues, here, too, the relative pragmatism of the heads of haredi authorities and their intimate understanding of the people's needs are conspicuous. Because the law says nothing about the role of local authorities with respect to employment, a variety of projects and models can be found in haredi localities. Nor does the central government have a uniform policy regarding the involvement of haredi local authorities in promoting employment among haredim.

The Policy Proposed to the Government

At the end of the book, a series of concrete policy recommendations for the government and the Knesset are presented. These recommendations pertain to the work of haredi local authorities in a wide range of fields. The fundamental conception underlying the recommendations is that the policy of the central government vis-à-vis haredi local authorities (as well as vis-à-vis non-haredi authorities) is too centralized, especially with respect to finances and routine management, and that this centralization hampers the work of the authorities. The policy proposed is therefore a devolution of powers. However, because there are areas in which oversight and regulation are too weak, it is recommended that the devolution be accompanied by a three-step process:

(1) Efforts by the haredi establishment to hamper non-establishment lists and candidates or prevent them from running in elections for haredi local authorities should be opposed. To this end the police and State Attorney's Office must enforce the law when necessary and bring the full force of the law to bear on the guilty parties in order to create a deterrent.

(2) Internal democratic mechanisms should be protected and strengthened. The Interior Ministry should closely supervise the conduct of local authorities with respect to protecting the opposition's rights. Action should be taken to strengthen the status and powers of the opposition in order to increase oversight of the authority's work. The institution of the comptroller of the local authority should be reinforced.

(3) There must be systematic monitoring of the enforcement activities of the haredi authorities, especially with respect to planning and building. It is worth considering the possibility of employing government

enforcement mechanisms alongside those of the local authority, and when the authority's work is not up to par in this respect, stripping it of its powers of enforcement.



www.idi.org.il