

Implications of Expanding the Authority of the Rabbinical Courts for the Status of Women in Israel

In light of legislative initiatives advanced in the Knesset

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This position paper is submitted ahead of an emergency discussion at the Committee on the Status of Women regarding legislation currently being advanced to expand the authority of the religious courts. Its purpose is to provide a comprehensive analysis of the risks inherent in this legislative trend, and in particular, its implications for the status of women in Israel.¹

Background: Institutionalized discrimination and harm to democratic safeguards

The status of women in Israel is shaped within a social and legal system in which longstanding, institutionalized discrimination is present across a wide range of areas of life. Marriage and divorce laws, which fall under the jurisdiction of the religious courts, are applied according to a legal system that is inherently unequal.² Military service includes a mechanism that allows security bodies not to accept women to certain positions "if this is required by the essence or nature of the job."³ In many public spaces—particularly within the Haredi minority—norms of the exclusion of women and gender segregation become entrenched in practice, and women often find it difficult to resist them due to community-based social power relations.

Within this reality, women are significantly dependent on democratic oversight mechanisms. Underrepresentation in the political sphere, wage gaps, employment discrimination, gender-based violence, and male control over centers of religious and security power,⁴ all render the independence, resilience, and operational capacity of the

¹ The document is based on a position paper published by the Zulat Institute on the occasion of International Women's Day 2025: Nitzan Caspi-Shilony, [The Regime Revolution's Government Harms Women in All Areas of Life, Zulat](#) (9 March 2025).

² See Articles 5 and 7(c) of the [Women's Equal Rights Law-1951](#), which emphasize that the principle of equality does not apply to marriage and divorce laws, nor to the appointment of women to public religious positions. It should be noted that Israeli Muslim women are subject to Sharia law in family law matters, and that women of other religions are similarly subject to their respective religious laws, in accordance with an ordinance dating back to the British Mandate era: Article 51 of the King's Order in Council on Palestine, 1922–1947.

³ Article 6 of [Women's Equal Rights Law-1951](#), *Knesset National Legislation Repository*, 17 July 1951.

⁴ [*Selected Data for International Women's Day 2024](#), Central Bureau of Statistics, 6 March 2024.

judiciary (alongside other oversight mechanisms) essential to the protection of women's rights. When the civil system is weakened, harm to women becomes more possible, less visible, and far more difficult to remedy.

Accordingly, legislative initiatives aimed at expanding the authority of religious courts cannot be assessed in isolation from the broader course of the regime revolution, in which the powers of the civil judiciary are weakened in parallel with the empowerment of religious institutions operating under discriminatory legal norms. This process generates a shift of authority from a system grounded in equality and human rights to a religious system that does not provide equal safeguards, thereby deepening the structural imbalance between men and women.

Expanding the Powers of Religious Courts

Alongside the weakening of democratic institutions and safeguards, the current government has taken consistent steps aimed at boosting the religious establishment and expanding the authority of religious courts. These measures are not technical or marginal: they shift power away from the civil system and further entrench discriminatory legal norms that have a direct and disproportionate impact on women. This legislation is advanced even though these judicial forums operate on the basis of legal norms that are incompatible with the principle of equality between women and men.

Below is a brief review and analysis of legislation passed by the current Knesset aimed at strengthening the status of the Rabbinical Courts:

1. Unlimited Appointment of Rabbis

In January 2025, the Knesset advanced an amendment to the Jewish Religious Services Law ("The Rabbis Law")⁵ which empowers the Minister of Religious Services to make an unlimited number of appointments of rabbis and religious service employees, to create new positions, and to change rabbis' salaries. Attempts to require the approval of the Minister of Finance were rejected, and the law ultimately requires consultation only. The estimated annual cost of the amendment is approximately 40 million shekels.⁶ The bill's

⁵ [Jewish Religious Services Law-2025 \(Amendment No. 27\)](#), *Knesset National Legislation Repository*, 19 January 2025

⁶ Tali Heruti-Sover "[This is corruption': The law enabling the creation of publicly funded rabbinical positions—without limitation](#)", *The Marker* (Jan. 13, 2025)

proponents also emphasized that the Minister's authority extends to appointing female mikveh attendants and setting their salaries. However, whereas the new law enables an unlimited number of appointments to rabbinical positions, the number of mikveh attendants is inherently limited by the number of existing mikvehs in local municipalities, and in practice concerns difficult and physically demanding work in a limited number of positions. In this sense, the amendment strengthens the power of men within the public religious system and may deepen the exclusion of women from comparable positions of authority. Beyond this, the amendment's stated purpose is to provide employment and salaries at the Minister's sole discretion, in a manner that may lead to corruption.

2. Selection of the Chief Rabbis of Israel

This amendment primarily addresses the question of the committee responsible for selecting Israel's Chief Rabbis and the Chief Rabbinate Council (akin to a board of directors). Naturally, the council consists exclusively of men, but the body electing it comprises several groups of public figures: rabbis, local government heads, politicians, and others, with the latter two groups possibly including women. The amendment mandates that women constitute 20% of the electing body, slightly improving their representation on the committee. However, it also includes another provision regarding the electing body: the "rabbis" group will henceforth consist only of individuals officially certified by Israel's Chief Rabbinate, thereby keeping women out of this group. This amendment circumvents a Supreme Court ruling that required the Chief Rabbinate to consider integrating women with extensive Torah erudition, thereby effectively enshrining in law the non-recognition of women's expertise as religious leaders and Torah scholars.⁷

3. Authority of the Rabbinical Courts to adjudicate child support

In November 2025, the Knesset approved Amendment No. 6 to the Rabbinical Courts Jurisdiction Law as a temporary provision, authorizing the joinder of child support claims to divorce proceedings. In doing so, the legislation altered the Sharagai ruling (1969), which held that child support claims must be adjudicated separately from divorce proceedings unless both parents agree otherwise. The amendment was advanced through a rapid political process, involving the distortion of proper legislative practices, and with the stated purpose of "aligning" with coalition interests. One of the central risks inherent in this change—beyond the potential harm to the best interests of the child—is that child support will be used as leverage to pressure women into accepting harmful conditions in

⁷ בג"ץ 7583/22 [המרכז לקידום מעמד האישה ע"ש רות ועמנואל רקמן באוניברסיטת בר אילן נ' הרבנים הראשיים לישראל](#) (14.1.2024).

exchange for receiving a get (Jewish bill of divorce), consistent with examples reflected in case law indicating situations in which women are forced to relinquish their children's rights in order to obtain a get. Granting the Rabbinical Courts this authority is expected to further intensify this phenomenon.

The current legislation: authorizing religious courts to conduct arbitration in civil proceedings

Immediately following the establishment of the government, two bills were introduced in the Knesset seeking to expand the authority of religious courts, so that they could also conduct arbitration in civil proceedings, such as monetary law, contracts, corporations, and labor relations. The bills were merged into a single bill, which passed its first reading in November 2025 and is currently under discussion in the Constitution, Law and Justice Committee, in preparation for its second and third readings.

The bill blurs the fundamental distinction between civil law and religious law and, in practice, creates a parallel judicial system that is inconsistent and unequal—state-sponsored and publicly funded.

This move is expected to have far-reaching harmful implications for women's rights in Israel. First, establishing a broad arbitration system within the religious courts will increase the weight of judicial forums in which women cannot serve as judges, thereby deepening the exclusion of women from public decision-making centers. There are currently no women serving as dayanim (rabbinical judges) in the Rabbinical Courts, and in the Sharia courts only one woman has been appointed as a qadi since the establishment of the State. Expanding judicial authority to forums from which women are already excluded strengthens gender inequality at the institutional level and will broaden symbolic discrimination against women in public systems.

Second, the religious law applied by the courts within their jurisdiction is based on a fundamental distinction between men and women. Rules of evidence, testimony, and property in many cases assign an inferior status to women, in a manner that limits their ability to be heard and to be adjudicated on equal terms. When civil proceedings are conducted on the basis of such law, there is a real concern that discriminatory norms will also be applied in areas of law that are currently considered gender-neutral.

Third, arbitration in family-related matters cannot be regarded as a process based on free consent. Unequal power relations between spouses who are in the midst of divorce proceedings undermine women's ability to resist agreements imposed upon them, thereby enabling the stronger party—most often the man—to prefer a religious forum that operates under gendered legal norms that are not based on equality. The absence of genuine consent is not limited to the family sphere: in labor relations systems, where women are sometimes in a position of clear disadvantage, agreements to arbitrate may be the result of coercion rather than free choice—particularly in communities where socio-cultural pressure is exerted to comply with religious courts.

In addition, arbitration proceedings are characterized by a lack of transparency and the absence of an appeal mechanism. The courts are not bound by rules of evidence, their decisions are not published, and the system does not enable effective public oversight. These features increase the risk of harm to vulnerable parties, and particularly to women. When disputes are adjudicated behind closed doors and in a manner that does not allow scrutiny, the concern arises that distortions inherent in religious law will deepen.

Finally, expanding the authority of religious courts by granting them arbitration powers will impose an additional burden on the rabbinical court system and will come at the expense of allocating judicial time to women who are agunot or who are refused a get. Significant delays already exist in the handling of these cases, and reduced resources will severely harm women, who are in any event the primary victims of this halakhic reality.

Conclusion and Findings

The laws and initiatives described in this document do not constitute a random collection of legislative amendments, but rather reflect an ongoing systemic trend: the transfer of legal, public, and normative power from the civil system—grounded in principles of equality, transparency, and scrutiny—to male religious institutions that operate under a legal framework that is inherently unequal. Expanding the authority of religious courts, alongside far-reaching moves to reshape religious institutions and the boosting of the religious establishment, creates a new legal and social structure in which women find themselves increasingly excluded and more exposed to violations of their rights.

This process directly weakens civil society and democratic oversight mechanisms, while strengthening an alternative system that is religious, hierarchical, and unequal—one in which women have virtually no foothold in decision-making positions. In practice, the result is broad harm to women across all spheres of life: as citizens whose access to justice is diminished; as workers whose labor rights may be undermined; as women going through divorce proceedings who may find themselves before a forum operating under discriminatory legal norms; and as mothers of children whose child support and life arrangements may be determined within a system that does not guarantee the best interests of the child.

These implications are not limited to the gendered dimension alone. The transfer of judicial authority from independent civil bodies, operating under Israeli law and the State's unwritten constitution, to religious bodies that are not subject to the same principles of scrutiny, transparency, and legal consistency, undermines the core of Israeli democracy. It constitutes a gradual shift of centers of power from the civil sphere to a discriminatory religious sphere, creating a parallel judicial system that is inconsistent and unequal—state-sponsored and publicly funded, and that threatens the principle of equality before the law and the cohesion of the judicial system.

Accordingly, the continued advancement of legislation expanding the authority of religious courts poses a real danger to gender equality in Israel, to democratic values, and to the foundational principles of civil law. In this situation, protecting women's rights and safeguarding Israel's democratic character requires consistent and resolute opposition to the expansion of the powers of religious institutions that operate without effective oversight mechanisms. This is not only a matter of protecting women here and now, but of defending the nature of Israeli society and the future of Israeli law as a system that guarantees equality, liberty, and protection for every citizen.