



Israel's Military Conscription Conundrum: A Historical Context for Today's Crisis

Jonathan Roll

Israel's two years of war, which has now been halted by a fragile ceasefire, stretched its permanent military force and its reservists more thinly than ever before in the country's history. As a small state that has faced intense security challenges since its founding days, Israel's reliance on mandatory military conscription as a necessary pillar of its security strategy is, of course, not new. Beyond the constant need for large standing armed forces, enabled only by annual, fixed-term mass conscription of most of the population, Israel's security doctrine heavily relies on the availability of a large pool of reserve troops to reinforce permanent forces on short notice. But this model of a "people's army" was always intended to confront adversaries in short, decisive wars. A longer conflict, conducted on several fronts simultaneously, means a mounting burden on the population and a need to manage the state's resources with great prudence.

Against this backdrop, with more than nine hundred Israel Defense Forces (IDF) troops killed and more than six thousand wounded since October 2023, another closely related schism within Israeli society has intensified. Technically, mandatory service applies to all of Israel's Jewish cohorts upon reaching the age of eighteen, but the ultra-Orthodox minority, estimated at some 14 percent of the total Israeli population and more than 18 percent of conscription-age cohorts, are in practice exempt from service.¹ This has been the case to varying degrees since the state's founding in 1948, and in recent decades this exemption has been the object of ongoing discontent and criticism from other societal groups, in particular the secular majority. The war, the increasing burden and sacrifice of those who do serve, and recently reemerging legal complications surrounding the exemption of the ultra-Orthodox have coalesced in recent months, pushing the topic back into the headlines and creating a stronger backlash against the practice of exemption than ever before. Ultra-Orthodox religious and political leaders, at the same time, continue their steadfast opposition to potential changes to the exemption status quo.

How did this crisis, erupting at a time of growing national security needs and social tensions, reach a crescendo only now? Why had it not been tackled earlier in Israel's seventy-seven-year history? And what can the history of Israel's relations with its ultra-Orthodox minority of more than one million people, and growing fast, tell us about potentially viable solutions to optimize burden sharing among groups at times of soaring external pressures on Israel? To answer these questions, let us take a closer look at the evolution of Israel's conscription policies toward the ultra-Orthodox, assess the factors that shaped them, and infer what can be done today to successfully address the challenge.

Here we shall examine three historical critical junctures in which these policies were shaped: the foundational period of 1947–1958, the rise in ultra-Orthodox political importance in 1975–1981, and the legal maneuvering that began in 1998 and has yet to be resolved. By looking at the events unfolding during these junctures, we can see that the current practice of exempting hundreds of thousands of men from service diverges drastically from the intent of those who initially devised Israel's conscription policies, in particular its first prime minister, David Ben-Gurion. Furthermore, we can see that Israel's political structures have had a major role in enabling the preservation of suboptimal conscription policies, considering both the country's objective needs and the fact that those policies are widely seen as unjust by Israelis. We conclude that to promote solutions, Israel's conscription crisis should be viewed as part of the broader question of state-religion relations in the country. Resolving the issue over the long term will necessarily require the formation of new domestic political alignments, involving forces from across the spectrum of Israeli politics.

FIRST JUNCTURE: THE ROOTS OF THE EXEMPTIONS POLICY, 1947–1958

Already before the founding of the state of Israel on May 14, 1948, the Jewish settlement was engulfed in what would become Israel's War of Independence against local Arab militias and, later, Arab states and expeditionary forces. Citing the need to "keep the fire" of the Jewish religious practices alive after it had been almost completely extinguished in the Holocaust, political leaders of the settlement's Jewish religious groups requested David Ben-Gurion to allow ultra-Orthodox yeshiva students to persist in their studies despite the erupting military conflict.² Their fear was that if conscripted, the students would not return to the yeshiva later on, and religious studies would be significantly diminished.³

Ben-Gurion, then de facto leader of the Jewish settlement, head of the Jewish Agency for Israel and World Zionist Organization boards, later head of the settlement's People's Administration (Minhelet Ha'Am), and, beginning mid-May 1948, the first prime minister of Israel, agreed to their request. He accepted the basic argument of the ultra-Orthodox, or the Haredis, about the need to keep a small center of religious activity to preserve the centuries-old tradition of Jewish religious studies. Another of Ben-Gurion's considerations in accepting the ultra-Orthodox request was his desire to avoid unnecessary friction between social and political factions inside Israel, and the emphasis he put on national unity and cohesion as key objectives for the young state.

Ben-Gurion conditioned his consent, however, on requiring that the exempted yeshiva students undergo basic military training and remain readily available for military conscription in case of emergency. Ben-Gurion's condition indicated that for him, the Jewish settlement's defense requirements were still the top consideration, and that he indeed envisioned a scenario in which all men of conscription age could be called upon for service on short notice. But his condition of basic training for all was never implemented, and the service requirement for the agreed-upon number of four hundred ultra-Orthodox men of all age groups was formally postponed.⁴

After the war ended and Israel held its first parliamentary elections, the Knesset (Israeli parliament) institutionalized mandatory conscription by enacting the Defense Service Law on September 8, 1949.⁵ Clause 12 of this law gave considerable latitude to the minister of defense to exempt citizens from conscription, and based on this, the exemption of yeshiva students continued. Ben-Gurion's coalition government had included the religious parties, but his acceptance of this continued arrangement was still, as it had been during the war, a consequence of his voluntary consent rather than the outcome of direct political pressure by the ultra-Orthodox or of the coalition-forming agreement. As the prime minister later told the Knesset about his decision: "With the founding of the state, leading religious figures spoke to me about the yeshiva pupils . . . They said that since all the places of Torah were destructed abroad and this is the sole country in which yeshivas remained, with few students, there is a need to exempt them from military service. . . . I thought they were right and instructed to exempt the yeshiva students."⁶

Through the early years of the state, the total number of exempted individuals grew, both absolutely and as a share of the overall population, as the Ministry of Defense kept approving new postponements every year for individuals enlisting in state-approved yeshivas. The exemption arrangement decreed that students must be attending the yeshivas in practice in order to be eligible for the exemption, but the state had limited capacity for or interest in enforcing this condition. In 1954, Pinhas Lavon, who replaced Ben-Gurion as defense minister, tried to enforce the recruitment of some of the pupils, believing that many of them did not actually attend their studies and only used their student status as an excuse to avoid military service. Religious leaders, including Israel's chief rabbi, strongly opposed this attempt, and the prime minister at the time, Moshe Sharett, decided to cancel Lavon's decrees. Sharett established a committee of ministers to review the issue of ultra-Orthodox conscription, but the topic fell out of public interest for several years after Lavon's attempt. In 1954, however, in light of the debate Lavon's actions had ignited, Ben-Gurion, then in temporary retirement, wrote to Lavon that "there was never an agreement between me or any religious faction exempting the pupils. I did that out of my voluntary will. . . . Besides, the rise in number of yeshiva pupils, if artificial and if not, necessitates, in my opinion, changing the exemptions system."⁷

Doubts about the feasibility of the exemptions, as the number of ultra-Orthodox kept growing as a share of the population, resurfaced on several occasions going forward, with Ben-Gurion himself expressing them in letters to senior colleagues at least twice more, in 1958 and in 1963.⁸ Defense ministers, chiefs of the general staff, and members of the general public raised

similar concerns regularly.⁹ But the arguments that first guided Ben-Gurion and the Knesset remained standing for the first decades of the state's existence, and the number of exempted pupils, albeit tripling to more than twelve hundred between 1948 and 1958, still remained relatively low.¹⁰

SECOND JUNCTURE: THE ULTRA-ORTHODOX POLITICAL AWAKENING AND KINGMAKER POSITION, 1975-1981

In the first decades of Israel's independence, the country's political leadership was concerned about the increasing number of exempted individuals, with several hundred new pupils being exempted every year. But until the mid-1970s, many members of the ultra-Orthodox sector were indeed conscripted and did not seek exemptions. In 1975, Defense Minister Shimon Peres recognized the growing political importance of the ultra-Orthodox population and political parties and removed certain previous limitations on exemptions.¹¹ Peres was seen at the time as a contender for the premiership, in political rivalry with the incumbent prime minister, Yitzhak Rabin, and was looking for political advantages by currying favor with the ultra-Orthodox. In 1977, when a political bloc led by Israel's largest right-of-center party, Likud, won an electoral majority and formed a government for the first time, the new prime minister, Menachem Begin, dropped the cap on yearly exemptions completely and extended the pathways through which young ultra-Orthodox men could receive them. Defense Minister Ariel Sharon removed additional limitations on exemptions in 1981.¹²

The policy changes of the 1975-81 period had a crucial impact upon the share of ultra-Orthodox men in Israel's population who were exempted from service. In 1975, 1.9 per one thousand citizens were exempted through these channels; in 1987, the ratio rose to 4.5 per thousand; and in 1992, to 5.4 per thousand. This should also be compared to a ratio of 0.8 per thousand in 1958, when numbers were still close to what early Labor Party leadership (then called Mapai) found acceptable.¹³

The driving force behind these policy changes has been the growing number of ultra-Orthodox voters, and their growing political importance in a multiparty, coalition-based electoral system. After the left-of-center Mapai was starting to lose its political hegemony as a consequence of the 1973 Yom Kippur War, political competition between Mapai and Likud intensified, with Likud's head, Begin, identifying the ultra-Orthodox as potential political allies. Politically, this scheme was successful. After the formation of Likud's first coalition government in 1977, the ultra-Orthodox parties became to a considerable degree "kingmakers" within the Israeli political system, having leverage over both left and right blocs and being able to choose with whom they would form a governing coalition. While their freedom of choice was not always complete, all major political parties recognized the value of the ultra-Orthodox as political allies, and sought, at the very least, not to antagonize them by adopting policies controversial to them. The ultra-Orthodox parties, then, leveraged their political power to extend the exemptions, among other core issues they prioritized, to which both Likud and Mapai attached lesser immediate importance.

THIRD JUNCTURE: LEGAL MANEUVERING, FROM 1998 ONWARD

With the number of formally exempted individuals reaching over twenty-seven thousand in the mid-1990s, and their share of each conscription cohort mounting to some 8 percent, the public debate about the exemptions reignited, and Israel's Supreme Court decreed for the first time, in response to appeals, that exemption practices must be anchored in parliamentary legislative acts and could no longer be based on the provisional authorities of the defense minister alone. In its decision, the Supreme Court stated that "opposition to exemption among the public increased; the estrangement of the population whose sons are being conscripted from those whose sons attain . . . exemption from service . . . increased as well."¹⁴ The growing importance of the issue, both in the eyes of the public and in absolute terms, then, was one of the justifications the court mentioned for its view that the issue could no longer be managed without parliamentary involvement.

In 1999, Prime Minister Ehud Barak formed the Tal Committee, headed by a former Supreme Court judge, to review the problem and propose solutions that would constitute the basis for future legislative acts, as instructed by the Supreme Court. The committee was asked to propose legislation that would be politically viable, and therefore it had to consider the realities of both ultra-Orthodox and secular views on conscription. In 2000, the Tal Committee published its recommendations in a report stating that "the beginning of success would be in creating a trend of decreasing the estrangement and the social schism of the ultra-Orthodox population in Israel from the other parts of society."¹⁵ The committee's recommendations, however, were largely in alignment with the status quo ante and represented an overall acceptance of the existing practice of exempting large numbers of ultra-Orthodox men from service—provided that a legislative act would anchor the defense minister's authority on the matter and that control and supervision of the yeshivas and the exempted individuals would be tightened. One important proposal by the committee was that yeshiva students would be allowed to enlist in the military at an older age for a shortened service period of one year, a proposal intended to incentivize ultra-Orthodox men to conscript and later integrate within the larger society, something the law sought to encourage. In 2002, the Tal Act was approved by the Knesset, adopting most of the committee's suggestions. It did include a provision, recommended also by the committee, requiring that the act be reapproved by the Knesset every five years.

The passing of the Tal Law triggered significant opposition by the general Israeli public. Several appeals were sent to the Supreme Court, contending that the law was creating and enabling inequality among different segments of society, but the court rejected these appeals. The law permitted exempted ultra-Orthodox men of certain ages to choose to leave the yeshiva and enlist for a shortened national/military service of one year, as the committee had proposed. Based on this and related clauses, the Supreme Court stated that while the Tal Law is indeed unequal, this inequality can be justified by the higher purpose of the law: to create the potential for future increased willingness by the ultra-Orthodox to integrate into the job market and perhaps also into national/military service. The court, however, noted in response to appeals against the law that its constitutional legitimacy was dependent on the

premise that it would indeed be able to reverse the trend of an ever-increasing number of exempted individuals and would succeed in its stated aim of greater assimilation of the ultra-Orthodox into general society.¹⁶

Why did the Tal Committee choose to mostly align with the exemption status quo, at least in the short term? The prevailing assessment upon which the committee's members relied was that it would be impractical to conscript a large number of ultra-Orthodox men against their will, and that any process that would lead to broader conscription should be implemented gradually and with greater consent. Importantly, the committee was formed in alignment with the coalition agreement between Yahadut HaTorah, one of the Knesset's ultra-Orthodox parties, and Ehud Barak's Labor Party in 1999. Therefore, the mandate given to the Tal Committee was dependent on the consent of ultra-Orthodox politicians and was shaped, *inter alia*, by their preferences.¹⁷

The law was reviewed and extended for five years in 2007. In 2012, however, the Supreme Court postulated that the Tal Law could not be extended for a third five-year period. The court stated that the law did not achieve any of its stated aims, including decreasing the number of yearly exemptions and integrating ultra-Orthodox men into the job market. Rather, exemptions spiked after 1998, and according to some estimations, 22 percent of exempted individuals were not attending yeshiva studies as mandated and were illegally employed elsewhere.¹⁸

Since 2012, the Supreme Court has directed successive Israeli governments to resolve the conscription dilemma by a new act of legislation that will cease the unequal conditions the Tal Law created. The governments have been granted extension after extension, unable to resolve the issue due to constant ultra-Orthodox political opposition and to the interest of almost all senior Israeli politicians in not antagonizing ultra-Orthodox leaders, lest they lose them as potential coalition partners in present or future political constellations. In 2017, the Supreme Court canceled a new conscription law proposed by the Knesset and gave it a one-year extension to complete another legislative process. The Knesset was not able to agree on a new law by then that would be accepted by the Supreme Court, which led to several more extensions. In June 2023, the Supreme Court refused to give the Knesset any additional extensions, and the policy since then has been that all ultra-Orthodox men who reach conscription age should be recruited. However, the government has not enforced conscription in full force, even though existing law would mandate it, a practice that has triggered appeals to the Supreme Court from various civil society bodies.

As Israel's governing coalition has to date been unable to agree on new legislation, despite the Supreme Court's stipulations and the demands of the vast majority of Israelis, the court announced in June 2024 that the state funding of related yeshivas would cease until new legislation is approved and yeshiva students are being conscripted. Meanwhile, the IDF postulated the number of ultra-Orthodox men it would be able to recruit in 2024–25, capping its recruitment aims at 4,800 for the coming year, a number the IDF expects to increase each year going forward.¹⁹ Amid widespread public protests and staunch opposition by members of the ultra-Orthodox public and its political and religious leaders, in 2024 428 Haredi men

were conscripted out of twenty-four thousand conscription warrants the IDF issued to ultra-Orthodox cohorts.²⁰ In late July 2025, the IDF announced that it would begin arresting individuals who did not abide by the warrants, considering them deserters.²¹ However, it is clear that the state has neither the capacity nor the will to arrest thousands of deserters each year. A satisfying solution for Israel's conscription crisis seems to remain out of reach, at least in the short term, as the current government's stay in power hinges on ultra-Orthodox political support. Nevertheless, this crisis must be resolved—and sooner rather than later, because the longer it remains unresolved, the more intractable it becomes.

ASSESSMENT AND CONCLUSIONS

Examining the three critical historical junctures described above sheds significant light upon the roots of Israel's current conscription crisis, regarding both the creation of the crisis and the long-lasting inertia of the policies that triggered it. First, it is apparent that the leadership in Israel's early years was mindful of the need to keep the number of young men exempted from service and attending religious studies low. When these numbers were starting to dramatically grow as a percentage of conscription cohorts in the 1970s, the ultra-Orthodox political leadership had already been gaining political support from the electorate. On the other hand, due to unrelated reasons, the Mapai party, ruling continuously between 1948 and 1977, started losing public support, a process that resulted in serious political competition between Mapai and the right-of-center bloc led by Likud. This new formation of two competing political blocs, divided over core issues of security, diplomatic, and economic policies, enabled the ultra-Orthodox parties to position themselves as kingmakers, picking their alignments in the 1970s, 1980s, and 1990s primarily based on the extent to which each bloc (left or right) acquiesced to their particularist demands.

The multiparty coalitional structure of the Israeli electoral system, therefore, has in practice enabled for decades the implementation of policies to which the majority of the population is opposed. This was possible also because this same majority was more strongly divided and interested in other policy questions—mainly the handling of the Israeli-Arab conflict, national security policy, and macroeconomic affairs. But the exacerbation of the problem over time, due to the growing number of individuals exempted from service, has by definition also meant that the ultra-Orthodox share of the electorate and its importance within the political system have increased. The two processes are intertwined, affected by the same changing demographic trends. This circumstance has inevitably made the conscription problem more complex to solve politically, at the same time that it has continuously become more daunting.

When in 1998 the Supreme Court first accepted appeals against the exemptions and decided to intervene, the exemptions had already become a deeply entrenched practice, and the approach adopted by the Knesset and the Tal Committee was pragmatic and cooperative. The idea was that by not coercing or intimidating the ultra-Orthodox, and by proposing a structured scheme for integration into service, the yeshiva students would acknowledge the infeasibility of the status quo due to their increasing numbers and would gradually integrate

by free will (this was supposed to support the even more ambitious aim of integrating the ultra-Orthodox youth into the general society and job market). When this plan of action eventually failed and the Supreme Court demanded in 2012 that the Knesset resolve the issue with a new act of legislation, the political system had already become polarized and heavily reliant on the prospects of partnership with the ultra-Orthodox parties. The ultra-Orthodox exhibited an uncompromising stance throughout, based on their awareness of their own political influence and the genuine importance of the issue from their perspective, allegedly acting in defense of the Torah world, which is, for them, the ultimate cause. So far, the Israeli political system has been unable to find viable, widely accepted solutions.

One lesson from the attempts made to date to solve the conscription conundrum by adopting legislation that would be equal, fair, and helpful from a security perspective is that the ultra-Orthodox political leadership is unlikely to compromise or voluntarily show a greater degree of cooperation. Approaches relying on an expectation for greater pragmatism by the ultra-Orthodox political leadership have been attempted, in various forms, for several decades but have led the Israeli society and political system to their current impasse on conscription. On the other hand, given the size of the yeshivas, with some 160,000 students across the country, of which some 60,000 presently hold formal “postponed for service” status, it is clear that any process of integration will have to be done gradually, with real success achieved only after several years of concentrated effort and sound policies.²²

Ultimately, the question is not only about whether ultra-Orthodox men will be conscripted, but also about the quality of manpower the IDF will get by recruiting them. A demoralized cohort of troops (preferring to have stayed in the yeshivas or directed to do so by the rabbinic establishment), characterized by relatively low human capital due to the current structure of the ultra-Orthodox pre-eighteen education system, would be helpful to the IDF only to a limited extent over the long term.²³ Therefore, solving the conscription challenge would require addressing the root-cause problems of Israel’s relations with its ultra-Orthodox minority. These measures include tackling the differences between the general and the ultra-Orthodox (now separate) education systems, and a significant reduction of funding for the yeshivas and the current ultra-Orthodox way of life that largely avoids participation in the job market and relies, to a considerable degree, on state subsidies. The idea of a small group of elite students dedicated to preserving Jewish scholarly traditions could persist in a scope similar to what was first envisioned and approved by Ben-Gurion, but it is unfeasible to attempt to preserve this objective in larger numbers from national security, social cohesion, public policy, and macroeconomic perspectives.

To attain the needed overhaul of current policies, a new political realignment inside Israel must be formed, which would in turn mean the end of the ultra-Orthodox ability to play the kingmaker role in Israeli politics (but would of course invite them to join governing coalitions, on terms largely shaped by mainstream parties). Such a realignment would represent the needs of the state and likely align with the preferences of most of the Israeli population. It would prioritize addressing the issue of state-religion relations, and of the state’s relations with the ultra-Orthodox minority, more highly than Israeli mainstream political parties usually do and have done, in particular throughout the last several decades.

NOTES

All titles and quotations from works originally published in Hebrew have been translated by the author.

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3. Mey-Ami, "Recruitment of Yeshiva Students."
4. Asaf Malachi, "'People's Army' Challenges: *Haredi* Conscription over Time," *Parliament* 81 (2018), <https://www.idi.org.il/parliaments/22242/22248>. While Ben-Gurion, and all defense ministers after him, officially signed off on a *postponement* of service for the ultra-Orthodox men each year, in practice the meaning of these postponements was akin to full exemption. Each individual's service postponement was in place for several years during which time they were technically allowed to choose to serve, until a certain age at which the postponement status was changed to indefinite exemption. Changes in technical details regarding this process, which were made over the years, for example in 1958, are of lesser importance here. They do affect official data on the total number of individuals who were exempted from service for any given year, because the data contains only individuals who are formally defined as "postponed for service," and not individuals who were postponed in the past but have now reached final exemption age and are defined as "exempted." Additionally, changes to the Israeli law that were made on several occasions, such as reducing the age at which an individual's status changes from postponed to exempted, affect the data.
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23. In most ultra-Orthodox middle schools and high schools, teenage boys do not have the same curriculum as pupils in the Israeli general education system. Particularly, subjects such as mathematics, sciences, languages, and more are not being taught. Instead, the teachings in ultra-Orthodox schools for boys focus on the study of religious texts. Accordingly, most ultra-Orthodox high school pupils do not attend or cannot successfully pass the standard final high school exams taken by a majority of Israel's general education system students at the ages of sixteen, seventeen, and eighteen. At conscription age, they consequently have on average fewer skills commonly needed by modern militaries.



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ABOUT THE AUTHOR



JONATHAN ROLL

Jonathan Roll is the Barry and Teri Volpert Family Postdoctoral Fellow at the Hoover Institution, Stanford University. His PhD degree in international relations was completed at Tel Aviv University in 2024. His research areas include international relations theory, the nexus between economics and foreign policy, and Israeli foreign policy.

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