# JEWISH AND DEMOCRATIC IDENTITIES: DOMESTIC POLITICAL DEBATES IN ISRAEL

*Thesis submitted to Jawaharlal Nehru University*

*in partial fulfilment of the requirements*

*for the award of the degree of*

## DOCTOR OF PHILOSOPHY

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## DECLARATION

I declare that the thesis entitled **Jewish and Democratic Identities: Domestic Political Debates in Israel** submitted by me in partial fulfilment of the requirements for the award of the degree of **Doctor of Philosophy** of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this university or any other university.

*Sonia Roy*
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## CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.

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To Bhai,

# Contents

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 I am thankful to my parents for being patient, supportive and encouraging.

I take responsibility for any and all shortcomings.


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# List of Tables and Figures

# Glossary

Agunot – A Hebrew word which literally means, "chained". This is a term used to refer to a married woman, "chained" to her marriage.

Agudat Yisrael – A political party primarily representing the Haredi population in Israel until the 1980s.

*aliya* – This term refers to the immigration of the Diaspora to the land of Israel

Ashkenazi – The term was originally applied to the Jews who made aliya to Israel from France and Germany, but later it refers to all Jews of the western origin.

Halacha – Jewish jurisprudence based on the *Torah*.

Haredi – The category of Orthodox Jews.

Sabra – This term refers to Jews who are born in the Israeli territory.

Sephardic – This term is applied to the Jews who emigrated from Spain, but the usage of the term has expanded to include Jews from Asia and Africa.

Sherut Leumi – Israel National Service

Torah – The term torah refers to the Five Books of Moses, namely the Genesis, Exodus, Leviticus, Numbers and Deuteronomy.

Torato Omanuto – This term is used to refer to those of the Haredi Jews whose main occupation is the study of the Torah.

# Chapter 1

## Introduction

As a state Israel has to contend with daily debates over its Jewish identity in a democratic state (Bloom and Arikan 2011). The definitions of what type of a Jewish identity or what type of a democratic model that the state emulates often creates tensions within the society. The outcomes of such identity clashes are often a cause of social disturbances, if not conflicts. Israel is a multi-religious (Judaism, Islam, Christianity, etc.), multi-ethnic (Arabs and Jews) and heterogeneous society with a multi-party parliamentary system. As in 2016, the Jewish segment comprises 74.8 per cent of the population; 20.8 per cent are Arabs (Muslims and Christians) while the other segments account for 4.4 per cent (**Table 1.1 and Figure 1.1**). The native born *Sabra* population contributes 75 per cent of the Jewish population. Israel identifies itself as a 'Jewish and democratic' state, thereby attracting vigorous academic debates (internal and external) concerning its multifaceted identity. This dual nature of the state—encompassing both democratic as well as ethno-national identities—often puts stress on its political system.

Israel, a diverse society, was conceived as a Jewish homeland and for the protection of the Jewish Diaspora. Jews from all parts of the world immigrated to Israel with their different and divergent socio-cultural, ideological and economic predispositions. This diversity added to its social vitality. The nature and evaluation of the state has been root cause of most of the domestic debates. This Jewish nature of the state and its democratic credentials are central to a number of other political debates in the country. In the absence of a written constitution, Israel is governed by a set of *Basic Laws*. Being a state that closely guards both its identities, and having to struggle for recognition amongst antagonistic neighbours since its establishment, the preoccupation with existence has always countermanded other state priorities. In spite of the 'existential crisis' that predominates its state affairs, the domestic arena is vivacious both politically as well as socially and debates and deliberations are integral to the Israeli daily life. The multi-party proportional elected representative system acts as a platform to vocalize various demands of its population.

**Table 1.1 Population figure**

| Year | Jews | Non-Jews | Total Population | Percentage of Jews |
|------|------|----------|------------------|--------------------|
| 1948 | 716,700 | 156,000 | 872,700 | 82.1 |
| 1950 | 1,203,000 | 167,100 | 1,370,100 | 87.8 |
| 1955 | 1,590,500 | 198,600 | 1,789,100 | 88.9 |
| 1960 | 1,911,300 | 239,100 | 2,150,400 | 88.9 |
| 1965 | 2,299,100 | 299,300 | 2,598,400 | 88.5 |
| 1970 | 2,582,000 | 440,100 | 3,022,100 | 85.5 |
| 1975 | 2,959,400 | 583,800 | 3,493,200 | 84.7 |
| 1980 | 3,282,700 | 639,000 | 3,921,700 | 83.7 |
| 1985 | 3,517,200 | 749,000 | 4,266,200 | 82.5 |
| 1990 | 3,946,700 | 875,000 | 4,821,700 | 81.9 |
| 1995 | 4,522,300 | 1,090,000 | 5,612,300 | 80.6 |
| 2000 | 4,955,400 | 1,413,900 | 6,369,300 | 77.8 |
| 2005 | 5,313,800 | 1,676,900 | 6,990,700 | 76.0 |
| 2010 | 5,802,900 | 1,892,200 | 7,695,100 | 75.4 |
| 2015 | 6,336,000 | 2,127, 400 | 8,462,000 | 74.9 |

**Figure 1.1 Israel's Population, 2016**



## Israel Population 2016

- ■ Arabs 20.8per cent
- ■ Others 4.4 per cent
- ■ Jews 74.8 per cent
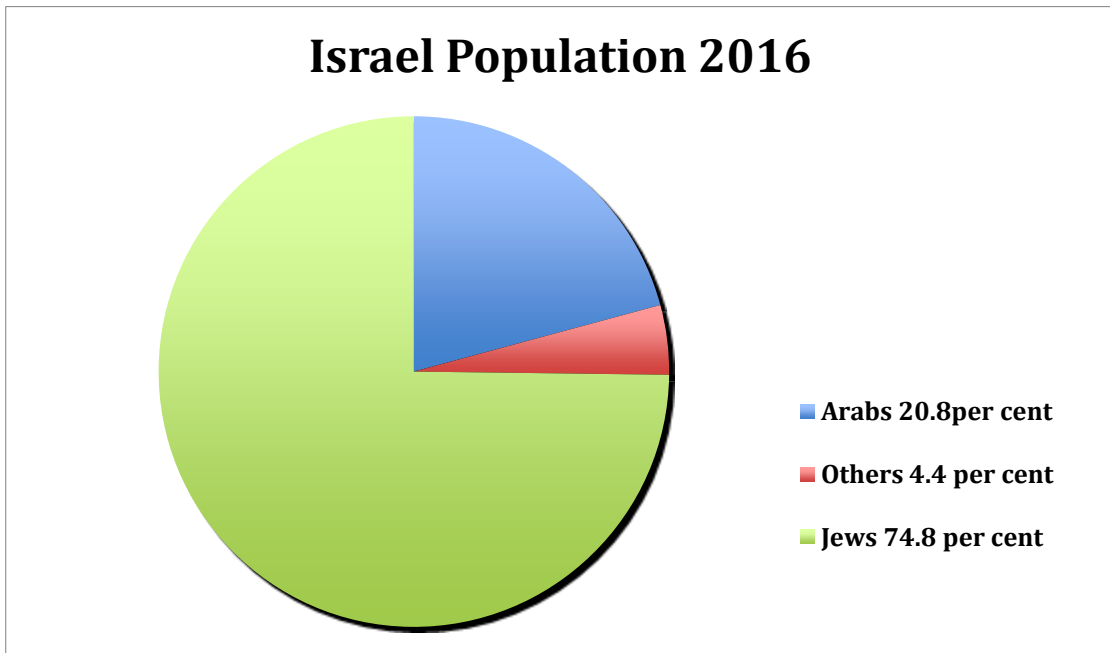
**Source: Compiled from Israel Bureau of Statistics, http://www.cbs.gov.il/**

The Jewish and democratic choice of the state characteristically becomes a part of its larger domestic debates. Israel was founded to provide a national home for its Jewish population and its laws unequivocally grant equal civil rights to all citizens regardless of religion or ethnicity; but there are certain inbuilt preferential treatments in favour of the Jewish population (Smooha 1997; Ghanem 1998). At the same time, certain laws do not strictly follow the traditional Jewish religious doctrines in relation to the definition of a Jew, thereby evoking constant criticisms and rebuke from the orthodox section of the Jewish population.

Israel was conceived as a homeland for the Jewish Diaspora and for their aspirations for a state of their own. However, the presence of the non-Jewish minority (the largest group being the Israeli Arabs of Islamic faith) is often the origin to many of these domestic political debates. The ground realities led to many changes in its state policies, making the situation more conducive for generating domestic debates. The proposed research tries to locate the interplay of the Jewish and democratic identities within the domestic debates in Israel.

During the early years, the Arab population of the state was under the military rule, treated merely as a security concern and this was lifted in 1966 (Hillel 2010). The June War of 1967 and the subsequent occupation of the West Bank, Gaza Strip and other Arab territories brought about a new political reality. The occupied territories are a cause for concern in light of the violation of the international law, especially the Fourth Geneva Convention and over the establishment of settlements (Benvenisti 1992). The latter is a critical issue that would have to be addressed by Israel in any peace settlement with the Palestinians. The occupation presents a challenge to the Israeli society and its democratic nature. Even though, it is integral to the larger question of Israel's existence, the issue of the occupied territories does not form a direct part in the domestic political debates.

Electoral politics of Israel also reflected these changes. Since the first elections were held in January 1949 (**Table 1.2**), Israeli Arabs have been a part of the Israeli political landscape. The formation of an independent Arab party however did not happen until 1988 when Arab Democratic Party was formed. Currently there are parties like Hadash, Islamic Movement, United Arab List, Balad and Ta'al, which are represented in the Knesset and articulate the interests of the Israeli Arabs (**Table 1.3**). These changing

realities and debates that they generate reflect upon the constant tussle that Israel is faced with, in preserving its democratic identity within a Jewish State.

**Table 1.2 Elections 1948- 2015**

| Knesset | Date of Election | Tenure of the Knesset |
|---|---|---|
| I | 25.01.1947 | 10.03.1949 to 08.10.1951 |
| II | 30.07.1951 | 08.10.1951 to 03.11.1955 |
| III | 26.07.1955 | 03.11.1955 to 17.12.1959 |
| IV | 03.11.1959 | 17.12.1959 to 02.11.1961 |
| V | 15.08.1961 | 02.11.1961 to 12.01.1966 |
| VI | 01.11.1965 | 12.01.1965 to 15.12.1969 |
| VII | 28.10.1969 | 15.12.1969 to 10.03.1974 |
| VIII | 31.12.1973 | 10.03.1974 to 20.06.1977 |
| IX | 17.05.1977 | 20.06.1977 to 05.08.1981 |
| X | 30.06.1981 | 05.08.1981 to 13.09.1984 |
| XI | 23.06.1984 | 3.09.1984 to 22.12.1988 |
| XII | 01.11.1988 | 22.12.1988 to 13.07.1992 |
| XIII | 23.06.1992 | 13.07.1992 to 18.06.1996 |
| XIV | 25.09.1996 | 18.06.1996 to 06.07.1999 |
| XV | 17.05.1999 | 06.07.1999 to 28.02.2003 |
| XVI | 20.01.2003 | 28.02.2003 to 04.05.2006 |
| XVII | 28.03.2006 | 04.05.2006 to 31.03.2009 |
| XVIII | 10.02.2009 | 31.03.2009 to 18.03.2013 |
| XIX | 22.01.2013 | 18.03.2013 to 14.05.2015 |
| XX | 17.03.2015 | 14.05.2015 to present |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

Where the Jewish and democratic identities are concerned, it is paramount to the democratic future of the state. Furthermore, Israel's decision of not formally annexing the West Bank (except East Jerusalem) and Gaza Strip (and its unilateral withdrawal in 2005) was governed by the possible implications for its Jewish character and democratic credentials. In the case of an annexation of the occupied territories, the Palestinian population, along with the Israeli Arabs, would dilute the Jewish majority and would have resulted in Israel becoming non-Jewish. This phenomenon is commonly referred to as the "demographic bomb" (Jabr 2004). While this research does not focus on the occupied territories, it recognizes that the June war radically influenced the attitude of the Israeli Arabs towards the state and its democratic institutions.

Though the Arab population enjoys equal citizenship rights as their Jewish counterparts, discriminatory practices by the state have been prevalent through various laws and policies. Some of these measures include: exclusionary national symbols, political parties law which prevents parties to participate in the Knesset elections if they do not recognize Israel as a Jewish and democratic state and *Absentees Property Law* of 1950 which defined and facilitated the state takeover the properties owned by Arabs who fled Mandate Palestine between 29 November 1947 and 19 May 1948. The Israel Land Administration (ILA) controls 87 per cent of the total public land, while the Jewish National Fund (JNF) controls the remaining 13 per cent (Forman and Kedar 2004). In such a scenario, Arabs face difficulties and discriminations in leasing land from these official bodies. Such discriminatory practices bring forth the fault lines of the Israeli democracy.

Israel is also a divided society. Divisions exist between Jews and Arabs, between religious and secular Jews, and in the political spectrum between the Left, Right and the Centre (**Figure 1.2**). Various positions in political outlooks occur with people having centre-left stand or centre-right. In matters of domestic and foreign policy issues, Israelis have different approach to the same issue. The extreme right fights for the exclusive Jewish credentials of the state, while the doves have a pacific outlook and many sympathise with the Palestinian cause. With regard to the peace process, the right groups often find it difficult to negotiate what it identifies as core areas of Jewish existence, particularly the issue of settlements, withdrawal from occupied territories and territorial compromise. The left and centre are more assessable and are willing to

approach for peace. The peace process, therefore, remains extremely coloured as per the views of the political parties and their ideological affiliations.

On the academic side, there are two broad narratives within Israel about the conflict with the Arabs, identified as 'traditional narrative' and 'new history'. The 'traditional narrative' essentially refers to the one where the Israelis place themselves in relation to Palestinians and the wider Arab world and in a particular version of past events. The 'new history' narrative differs sharply and reassesses Israel's own role in nature of the state being at the core of the political debate within Israel and is reflected through various domestic issues and debates (Shapira and Wiskind-Elper 2005; Shlaim 1995). On the religious side of the debate, besides the non-Jews who account for a fifth of the population, there are serious differences and cleavages within the Jewish segment as well. While former challenges the Jewish nature of the state, the latter has differences over the issues such as the definition of a Jew. There is also the issue of the secular Jews and their location within the state and personal laws for example, are heavily loaded against secular Jews (Karsh 2000; Pappe 2003; Al Haj 2005).

The laws of Israel are theoretically secular the state does not recognize any religion. Along with Hebrew, Arabic is a recognized official language and the state recognizes five religions, namely, Judaism, Islam, Christianity, Baha'is and Druze in their personal laws. The minority rights are recognized on an individual basis.

Figure 1.2: Political Parties in the Knesset
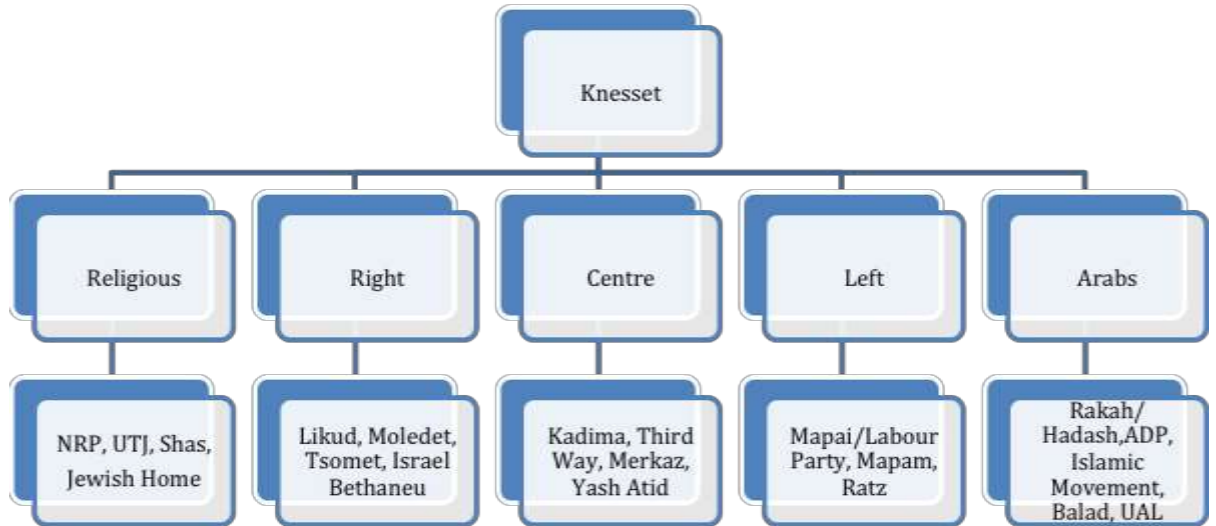


**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

# Personal Status Law

One of the major features that find reflection in the Israeli society is that of the 'Status-Quo' that the religious leaders and the secular elements of the Israeli society had agreed upon. This "Status-Quo agreement" (**Annex 4**) resulted in the unique as well as asymmetric influence of the religious elements in the Israeli society, particularly on the non-religious citizens. The personal status law forms one of the measures through which the religious elements can exert its influence on the citizens.

In the case of Israel, only the Orthodox strand of Judaism is recognized by the state. The other strands of Judaism – namely Conservative and Reform - do not enjoy state patronage. This was in accordance with the agreement by the secular leaders concluded with the religious orthodox elements in 1947. The influence of the particular strand of Judaism results in the marginalisation of the other forms of Judaism. As a democracy that by its qualities should be accepting of all forms of religious or secular typologies, the state finds its freedom of religion restricted when the personal laws are so deeply entrenched in religious dictums.

The personal status law is a continuation of the old millet system that is inherited by Israel from the Ottoman Empire. In the case of Israel, the personal status (Millet) system recognises Jews, Christians, Muslims, Druze as well as Baha'is as separate and recognised religious entities, and are accorded the civil and religious rights by the state (Sassoon 1968; Hacker 2012) (**Table 1.3**). The personal law entails issues like birth, death, marriage, divorce, adoption and inheritance. The legal system has placed these under the personal status law, where on one hand empowering the different religious sections of the society it impacts the secular non-religious space (Zeitlin 1958).

Yüksel Sezgin (2010) argues that one of the main reasons for the acceptance of the personal status law was to maintain its Jewish privilege. He contends that Israel applied the old Millet system of personal laws and the hierarchy of the Orthodox strand of Judaism over the others to provide a nation-building process for the society. *aliya* saw Jews from different parts of the world making their way into Israel as citizens. As a natural outcome, these newly Jewish citizens have had differing influences of the societies where they were a part of before coming to Israel.

**Table1.3 Israel's Ethnic diversity**

| Jews | Non-Jews |
|------|----------|
| Ashkenazi | Arabs |
| Sephardic | Circassians |
| Sabra | Druze |
| Ethiopian | Bedouins |
| Bnei Menashe | Armenians |

**Source: Adopted from Israel Ministry of Foreign Affairs,
http://mfa.gov.il/MFA/AboutIsrael/People/Pages/default.aspx**

The active choice of allowing one form of Judaism to gain prominence over the others by granting it the backing of state authority was a way to ensure social cohesion and nation building. While many scholars have argued that the "Status-Quo agreement" was a compromise that the secular leaders and the religious rabbi are reached in a state with a pronounced Jewish identity (Emmett 1997), Sezgin disagrees with this particular assessment. To his understanding, the state during its formation was strong enough to maintain democratic and Jewish identities without the need for a religious overtone that later on would come to exert an asymmetric influence over the large section of the population, Jewish as well as the non-Jewish.

Menachem Friedman (2004), a professor with the Bar-Ilan University, had previously argued under the same supposition. According to him during June 1947, the Orthodox elements, in particular the *Agudat Yisrael* was not in a politically powerful or advantageous position to force the Israeli leaders of that time to accept their demands. The Ultra-Orthodox group was a minority even in 1947, and was in no position to enforce its will on the leaders or dictate terms as to how the Jewish state would be moulded. Therefore, Friedman concludes that the political leaders made a conscious choice, not under force, in making the Orthodox strand the officially recognised religion by the state, and thereby allowing them to exert power over personal matters like birth, burial, marriage, divorce, inheritance and adoption.

The "Status Quo agreement" of 1947 was further strengthened in 1953, when the Rabbinical Court Jurisdiction (Marriage and Divorce) Law was passed by the state. This was a calculated attempt to regulate marriages and divorces within the Jewish community. Jews are a heterogeneous group, who had made *aliya* into Israel were

carrying with them varied socio-cultural as well as economic diversities. One of the prime elements of nation building is to maintain some way of uniformity into the lives of the citizens, a common denominator so to speak, to ensure a sense of common hood among the citizens. There is no alternative to the Orthodox influence in matters of marriage and divorce for an Israeli Jews, as no civil law was in place yet (Galanter and Krishnan 2001).

The passage of this 1953 Law ensured that the religious would have the ultimate control in interpretation in the matters pertaining to marriages and divorces, ensuring a commonly observed thread. Jews with their varying background – political, economic as well as geographical, would have the rabbinical appeal of the common Jewish identity among all the citizens, which would ultimately lead to a greater cohesion and unity amongst the Jewish citizens. Even though the state is not a Jewish state by a theocratic definition, the influence on these Orthodox rabbis on the daily lives have in reality, helped in re-establishing and strengthening the Jewish identity of the otherwise diverse state. The ancient Jewish law has influenced much modern day legal discourse—specifically in the personal law sphere. The Law of Succession of 1965, to take an example, is much influenced by its ancient Jewish counterpart and was done to strengthen the Jewish identity assertion in a modern state (Layish 1994).

Fogiel-Bijaui (2004) elucidates limitations in forming an alternative civil marriage institution that could be in place alongside, if not replacing, the religious courts. According to Fogiel-Bijaui, the issue of the personal laws is a mute one in Israel. The Law of the Rabbinic Courts (1953) and the Law of the Druze Religious Courts (1962) ensure that the personal laws are regulated as well as adjudicated exclusively by the Jewish, Muslim, Baha'i, Druze and Christian religious courts. In as such, the deliberate religious imposition on the personal laws restricts the mobility of a person to live a life that is not dictated by his or her religious identity.

In the case of the Jews, the orthodox rabbinate dictates the rules and proceedings of a marriage. A Jewish couple cannot get married in any other religious court of law while residing within Israel. The same holds true for the other state-recognised religious communities. This particularly affects the women in Israel. Even though religious dictates governing personal laws do not distinguish between genders, the religious

dictum of women as a property of man, and the concept of the "chained" women or *agunot*, make it difficult for women to have a secular way of life.

The limitations imposed on the women are not exclusive to Judaism alone. In the Islamic court jurisdiction, the *talaq* (the verbal declaration of a divorce pronounced by the husband) is one such instance where the women suffer inequality of rights. In the case of the Druze, the divorced or the widowed Druze women cannot remarry under the religious codes of the Personal Law. In Israel, religion and religious issues are expressed in collective terms, while the individual rights do not find the same status. While on the one hand the state and its legal system ensures that the recognised religious communities (even the non-Jewish ones) have their religious rights legally ensured, it negatively impacts the issue of choice – the right to choose to follow a religious or a non-religious way of life (Mishra and Rich 2003; Fogiel-Bijaui 2004).

Even though the personal status law was envisioned as a mechanism to ensure homogeneousness among the varied Jewish population, the situation has been quite different and difficult to navigate. The rigid orthodox definitions on who is a Jew have often created a bone of contention in the Israeli society. The influx of Jewish people into the state from countries like India, Ethiopia, and the Russian immigrants, for example, have created strains the social fabric. The Russian immigrants have had their claim to be Jews challenged in halakhic grounds by the orthodox (Ben-Rafael et al 1998; Cohen and Susser 2000).

There is also the issue of the non-Jewish sections of the population. On one hand, the state has recognised certain non-Jewish religions and has given them religious freedom. It has also managed to make distinct identity markers based on the religious lines more prominent. The lacks of alternative to the religious courts have their created problems as observed earlier. However, the mandatory religious identity imposed upon its citizen's end up making the religious identity distinct as well as well entrenched in the public domain. The issue of citizenship is what gets affected in such a scenario. Where on one hand one is a citizen of the state, the religious identity (mainly for the non-Jewish citizens) marks them different to the majority. As the Personal Status Laws have added, rather than abetted in creating fissures within society pertaining to the identity debates.

<center>**Military Service in Israel**</center>

The military service in Israel has a feature of conscription. It is mandatory, with a few exceptions, for every citizen who is above the age of 18 years of age to serve in the military. The primary reason for having the conscription is to have a well-trained population who can defend the country in case of wars. Israel has a small population, and its geographical neighbours had treated Israel as an enemy state ever since the day of independence in 1948. Another reason for the conscription was the need for the state to have a centralised institution that would work as a "people's army" in trying to instil a sense of nationalism as well as to assert the national identity on its citizens (Krebs 2006; Livio 2011).

Even when the Israeli military was envisioned as an instrument to instil a sense of nationhood and uniformity into the diverse fabric of the country, the military service has also contributed a reverse process. The first issue is that of the conscription and applies to the Israeli Jews, the Druze as well as the Circassians. It is not compulsory for the Israeli Arab citizens, the largest minority group in the country (**Table 1.4**).

**Table 1.4 Military Service**

| Group | Military Service |
|---|---|
| **Non-religious Jewish men** | **Compulsory** |
| **Religious Jewish men** | **Official exemption** |
| **Women** | **Limited exemption** |
| **Christian Arabs** | **Voluntary** |
| **Druze** | **Compulsory** |
| **Bedouins** | **Compulsory** |
| **Circassians** | **Compulsory** |
| **Muslim Arabs** | **Voluntary** |

**Source: Adopted from Israel Ministry of Foreign Affairs**,
**http://mfa.gov.il/MFA/AboutIsrael/People/Pages/default.aspx**

The Israeli Arabs have been approached by the state with a caution and suspicion. The cultural and religious proximity of the Israeli Arab citizens with the neighbouring Arab

states, who had already declared animosity against Israel's existence, made the state treat the Arabs with a differentiated approach. Till 1966, the Arab citizens of Israel were treated under the security prism, and therefore, were exempted from military service. The situation changed gradually after 1966, and provisions were made by the state to include the Arab population into its otherwise strongly Jewish Rubicon.

The Israeli Arab citizens could volunteer in the Israeli Army. An Israeli Arab may choose to serve in the army, or choose the *Sherut Leumi* or the alternative national service that is voluntary in nature. The reason behind the discriminatory measure by the state towards this section of its population was over the concerns over the divided loyalties. An Arab citizen of Israel has a cultural and religious proximity to the other Arab neighbour states that were traditionally hostile to the Israeli Jewish state, added to the Palestinian factor, and raised concerns over the loyalty of the Arab Israelis in case of a war (Sofer 2008; Bick 2013).

The *Sherut Leumi*, as mentioned above, is a voluntary national service. It was bought into force for those sections of the population, like the Jewish religious women and the religious *Haredi* Jews who do not serve in the army for religious restrictions. The Haredi men and women, who would otherwise refuse to serve in the army, form a part of this national service. This service was opened for the Arab citizens, who may choose to serve community rather than volunteer in the Israeli Army (Klein 1999; Sherer 2004).

While this is a good arrangement in theory, this divisive nature of the military service has often resulted in strains on the political system. The first element of the divisive nature of the military service is that of the exemption for the religious sections of the Jewish society as well as the exemption afforded to the Israeli Arab citizens against the compulsory service. While the reason behind the exemption is different, the outcomes of such exclusionary measure affect these two communities in different ways. For the Haredi Jews, the state provides a positive incentive for their exemption from the compulsory military service. The Haredi Jews could utilise the *Torato Omanuto* or Torah Study, to postpone joining in the military. Added to this, the Haredi Jews are granted economic benefits by the state that is a contentious issue in itself, specially seen as parasitic by the secular Jewish section (Cohen 1997, 2004). Where the Haredi Jews are economically protected by the state in the form of monetary benefits in lieu of their

Torah study, the Israeli Arab citizens are afforded no such economic protection by the state (Cohen 2007).

Whereas the Israeli Arabs were not allowed to serve in the army for long, they are now afforded the option of joining the army or choose for the voluntary national service to be a part of the state. However, the military service is linked to many benefits such as housing et cetera, which the Israeli Arab cannot avail benefits to. Those who serve in the army, either as conscripts or as a career option, are provided economic benefits by the state. On the other hand, the disadvantage of not serving in the military is to be denied those privileges. This affects the Israeli Arab citizens significantly (Kimmerling 1974, 1993).

## Heterogeneous Nature of the Israel

Heterogeneity forms a part of the basic reality of exile. It was, of course, connected with a great variability in local customs, cultural activities, and ways of life. All these especially when seen from the viewpoint of the nature of Jewish tradition and have Jewish culture, were variations of a common theme. With minor exceptions, they shared the same premises about the nature of the tradition and the collective identity of the Jewish people. The most basic thing, which they had in common throughout this long period, was the very strong emphasis the *Halacha* as the basic framework of Jewish existence. The Halacha, in its "prayer," "ritual", "study", and legal aspect was, was the common binding socio-cultural framework which held the Jewish people together and furnished the institutional context for the continuity of Jewish cultural identity (Peres 1971).

Following the Declaration of Independence (DoI) (**Annex 1**), a flood of Jewish migrants and refugees entered Israel from the Arab and Muslim world. Most were Sephardim and Mizrahim, which included Jews from the Maghreb, Yemen, Bukhara, Persia, Iraq , Kurdistan, and smaller communities from Libya, Egypt and Turkey. More recently, other communities have also arrived including Ethiopian Jews and Indian Jews. Because of the relative homogeneity of Ashkenazi Jewry, especially by comparison to the diversity of the many smaller communities, over time in Israel, all Jews from Europe came to be called "Ashkenazi", whether or not they had any connection with Germany, while Jews from Africa and Asia have come to be called "Sephardi", whether or not they had any connection with Spain.

The founders of Israel, mostly Ashkenazi Jews, are often said to have believed themselves superior to these new arrivals. With higher degrees of Western-standard education, they were better positioned to take full advantage of the emerging Western-style liberal democracy and Western mode of living that they themselves had established as the cultural norm in Palestine during the pre-state era.

Intermarriage among diverse ethnic groups was initially uncommon, due in part to distances of each group's settlement in Israel, and cultural or racial biases. In recent generations, however, the barriers were lowered by state sponsored assimilation and a common Sabra (native-born Israeli) identity facilitated extensive mixed marriages. The Jewish population too has been undergoing a phase of defining identity amidst the regional hostility. Apart from historic-religion significance to the land, everything had to be rebuilt anew. The work was initiated long before the state, with the Zionist sympathizers successfully shadowing a system ready to overtake during the transition (Martin, 1998), making aliya (immigration) and re-establishing themselves as Jews in a state of their own that ran parallel to the Israeli Arab experience of bewilderment (Ellis, 2002; Arthur, 2006; Jeff, 2008).

Whereas for the Jews it was an experience of being inducted into a Jewish state, for their Arab counterparts it has been a sense of marginalisation and alienation. The Jewish identity is also heterogeneous with religious, moderate and secular elements (Medding, 2007). Immigration meant accumulation of Jews from all parts of the globe, with differing ethnic trajectories and cultural baggage while on their way to becoming citizens of Israel (Spiro, 1957; Abbink, 2002; Saada-Ophir, 2007).

Yohanan Peres (1971), notes that Israel's ethnic relations can be best described and analysed in terms of two major relationships: between European and non-European Jews (Orientals) and between Jewish and non-Jewish (pre- dominantly Arab) citizens. This is admittedly an oversimplification. Both the European and the non-European Jewish groups are divided into many subgroups which differing languages, levels of education, income and life-style. The non-Jewish population are also ethnically subdivided.

## Israeli Arabs

The term the Arabs citizens of Israel or as Israeli Arabs highlights the dual identity of Palestinian nationality along with the Israeli citizenship. As the term itself is embroiled in a political debate that is beyond the scope of this research, this research will use the term *Israeli Arabs* to maintain an element of uniformity, as well as to distinguish this Israeli section of the Arab population from the Palestinian Arabs (Bar-Tal and Teichman 2005). The Arab Israelis enjoy equal political rights, but are exempted from military service. Their communities often complain of lower budgetary allocations, lower average per capita incomes, and a low rate of participation in public life. Even though the majority of the Israeli Arab population is Islamic (particularly Sunni), there is a Christian Arab population as well (Smooha 1990; Shavit 1990; Peled 1992) (**Figure 1.3**).

Israel recognises both Hebrew and Arabic as its official language, and the Arab population in Israel are bilingual and the state does provide for special provisions to this section of the population for the pursuit of Arabic as a language (Joubran 1995; Ram 1998, Cook 2006). One of the major challenges that the state as well as the Arab Israelis face is to reach a compromise of identity with each other as its decidedly Jewish symbolism alienates the Arab citizens (Shavit 1990; Yiftachel 1992, 1997).

The fact that the Israeli Arabs are a distinct ethno-religious minority and stand in contrast to Israel's primary identity as a Jew creates difficulties for this section of the population with that of the state (Nadim, 1998). Many scholars have looked into the psychological implication of being an Israeli Arab in a Jewish state, and of their difficulty of living as a secondary citizen beside the privileged Jewish majority (Hofman and Rouhana 1976; Seliktar 1984). The Israeli consciousness has been engrossed with certain particular problems of the society, and the Jews and the Arabs have often been noted to set mutual perceptions and attitudes towards each other, resulting in stereotyping, lack of acceptance, low tolerance, and the growth of prejudice within these two communities (Rouhana and Fiske 1995; Ram 1998; Abu-Nimer 2012).

Figure 1.3: Non-Jewish population of Israel,



**Non-Jewish Population in Israel, 2015**

4.4%

20.7%

- Arabs
- Others
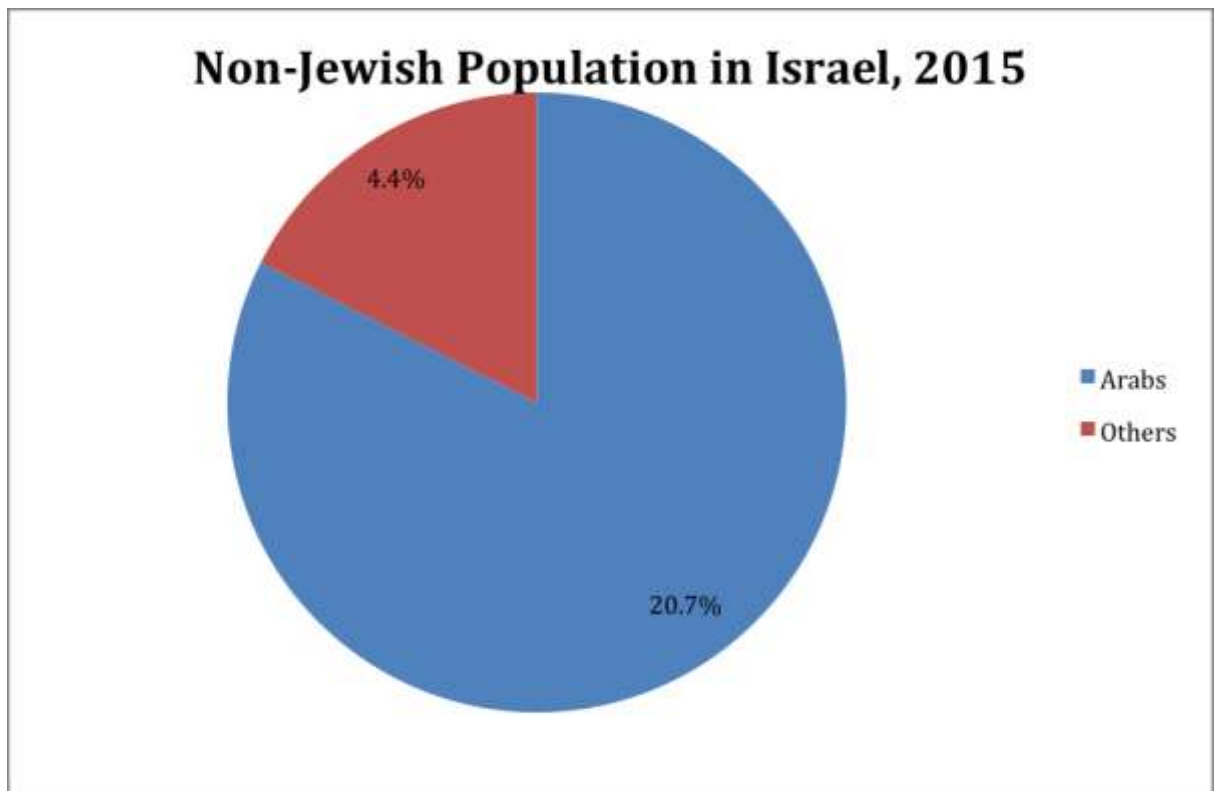
**Source: Adapted from Israel Central Bureau of Statistics**

With the establishment of Israel, the Arab population, who were in majority in the Palestinian Mandate, became a numerical minority. Those who remained in the newly independent state were automatically granted citizenship but large portions of them were subjected to military rule. The differentiated attitude of state primarily emanated from security concerns and its suspicions over the loyalty of its Arab citizens (Yehuda 1983; Benyamin 2004). The Arab citizens of the state were given the right to vote and to get elected to the Knesset but were subjected to discriminatory practices of what Hillel calls 'a carrot and the stick' policy to ensure their loyalty (Hillel 2010). A few Knesset Laws also contributed towards this practice thereby disgruntling the Israeli Arab population. The Arabs are often viewed as a demographic threat, impairment to the state's goal in the maintenance of its Jewish majority and identity (Eliezer, 1993; Bar-Tal and Jacobson, 1995; Lustick, 1999; Ramzy, 2011).

Added to this internal dimension are the larger issues of the Palestinian/Arab identity, of that of the Palestinian nationalism, issues in statehood and one-state/ two-state solution dilemma that have disconcerted the otherwise association of Arabs citizens of Israel (Sussman 2004, Nusseibeh 2011). The questions of the Palestinian identity, aspirations for a Palestinian state, problems of having to identify with a Jewish state (Bar-Tal 1998; Tessler and Grant 1998; Rekhess 2007; Lowrance 2005) and the questions on the future of its own Arab citizens perturb Israel and its citizens.

## Religious and Secular Jews

Israel being a state that has a Jewish identity, the preference of Judaism over others in the state discourse seems to create an asymmetric benefit for its Jewish citizens when compared to the non-Jewish citizens. At the same time, it is the secular space that suffers. As is the nature of such contradictory identities, the religious identity often comes into contradiction and conflict with that of the democratic norms, resulting in limiting the other. As religious codes and courts are guiding the personal laws, the secular population finds them to be limiting and restraining in matters of personal purview. In spite of being a democratic state, freedom from religious interference in personal matters is lacking for those who want a secular way of life (Ratzabi 2008; Pinto 2012).

This struggle between the Jewish and democratic identities results in severe pressure in the society and puts stress on its political system. As is discussed in the section of the

Personal Status Law, the importance given to the Ultra-Orthodox Jews is more than their demographic strength. The "Status Quo agreement" has further increased their value in the society. By virtue of having the power to intervene in matters of marriage and divorce, the Ultra-Orthodox section of the Jewish population have deeply antagonized much of non-religious part of the society but, for the very same reasons, increasingly placed themselves as an intrinsic part of this society. This shows how the Jewish-religious factor, be it in terms of religious beliefs or language spoken, enforces the Jewish identity within Israel. This has often challenged the democratic space and leads to a sense of alienation of its minorities (Brodkin 2003).

## Review of Literature

Available literature shows that while the Jewish identification of the state has been a result of the historic desire for a Jewish homeland, the democratic choice was the outcome of its desire for co-existence among diverse Jewish as well non-Jewish segments of the population. It also establishes a *modus vivendi* between the non- Jewish minority and the predominantly secular Jewish majority. As a vibrant society there are a number of issues that dominate the political debates within Israel. These include civil-military relations, religious-secular divide, gender issues, personal laws, peace process etc. The proposed research is confined to domestic debates within Israel over its Jewish and democratic identities. While the debate was accentuated by the June war and the occupation, the contest between Jewish and democratic identities has been as old as the state itself.

The review of the literature available is divided into four broad themes: (1) debates over democracy (2) domestic debates (3) conflicts over Jewish and democratic identities and (4) heterogeneous Israeli society

### Debates over democracy

Israel is one of the few democracies in West Asia, a region that is largely characterized by autocracies, dictatorship and monarchies. A vast and exhaustive literature is available to survey specific to Israel or democracy in general. Israel's democratic credentials are often traced to its historicity and unique experience as a Diaspora community, and longing for Statehood (Medding, 1990; Zeev, 1998; Jones and Murphy, 2002). Diaspora as a way of life had entrenched into the Jewish mind the need for a

homeland; being treated equally with the other and with unhindered right to exist (Ellis, 2002; Nelsen, 2006). From the beginning, Israel has been struggling with the perennial question of its identity, both in terms of self-definition as well as in the face of external threats. This has resulted in its inability to draft a constitution, or defining its borders (Immell, 2010). The state has a strong historic association with Judaism here compelling with its presence in its policies (Dowty, 1999; Rouhana, 2006).

Debate also exists internally as to the kind of democracy that the state practices. Some scholars have reasoned its Jewish association in creating a kind of ethnocracy, disregarding the other ethnic identities in its functionality (Yiftachel, 1998; Rouhana, 1998). Other scholars deny Israel to be of a liberal type of democracy, but do not challenging its structural aspects. Yet, many have rationalized the Israeli behaviour to be a product of circumstantial reality that it faces namely a significant Arab population with transnational loyalties, existential crisis in a hostile environment and need for military efficiency rather than democratic norms for survival (Asher, 1989; Asher and Gordon, 2001; Lustick, 1989).

A defining standard for 'ethnic democracy' presupposes a homogeneous nation-state, favouring one particular ethnic group, treating minorities as a potential threat and hence subjected to limited rights (Smooha, 1997). This ethnic democracy model functions on a diminished scale for its Arab citizens. Even though the model is structurally democratic, it has differentiated sense of rights for its citizens (Smooha, 2002). Others see the Israeli case as moving through periods of transition. Unlike settling at ethnic democracy, it is seen to have moved from that period through liberalizing efforts. However, a possible transition to a majoritarian political order is observed, where the majority of the population is entitled to a certain degree of primacy in society, and has the right to make decisions that affect the entire society (Peled and Navot, 2006).

This archetype model is also seen capable of serving other dominant ethnic groups seeking to maintain both their dominance and a democratic system of government (Peled, 1992). Yet, there are others who disagree with the model pointing to its dual treatment towards its minorities as antithetical to democratic norms (Ghanem et al, 1998).

## Domestic Debates

Since the very beginning, surrounded by an atmosphere of hostility, security concerns have loomed large in the Israeli psyche. The issue of survival has been the primary aim of state policy, followed by the more traditional ones. This has been reflected in the civil-military relations of the country. The civil-military associations are a widely studied subject in this regard (Barak, Oren and Sheffer, 2007; Sheffer and Barak, 2010). Debates have been raised on the issue of the influence of the military in civil life. The government being a civilian entity, as per the requirements of a democracy, the close relation between the civilian leaders and the military counterpart have raised concerns. The conscription has further tied the two in a close-knit relation. On the other hand, the exclusion of the Israeli Arabs (citing security reasons) and the religious elements of the Jewish society have created a lot of tension within the Israeli society (Jiryis, 1976; Kaufman, 2003; Koren, 2003; Jamal, 2005; Kimmerling, 2001). The added privilege that the religious segments of the Jewish society are granted by the state is looked upon as parasitic by the secular elements.

Closely related to this civil-military relation is the peace process. Israel has fought several wars, and has faced periods of extreme hostility from all its neighbours. While taking of peace, which is primarily a diplomatic concern, engaging the civilian government, the reality surrounding Israel has made the process impossible to be detached from military concerns. Within the Israeli society, the issue of settlements, an issue closely related to the peace process, has a significant impact generating debates (Miles, 1995; Kellerman, 1996). The narratives of conflict have a great impact in the vision for peace. While the majority wants peace with its neighbours, through a two-state solution, extremists in the society see the Palestinians as terrorist entities, bringing in incompatible visions for peace that ultimately result in stalemate situations. Even at the operational level, there are vast Left-Right disagreements over the means and end results (Arian, 1989, 1992; Golden, 2001; Kimmerling, 2008).

Various narratives have existed in the country surrounding the 'Other'. The predominantly state-centric narrative, have often revealed incomplete picture of the situation until the arrival of the 'New History.' Since then, not only has the Israeli society moved forward in revisiting the past and completing the incomplete version of its history, there are efforts at improving the past animosity (Gidron, 1997, 2003;

Armstrong and Bernstein, 2008). Sectors like art, cinema and academia have tried to further the cause for peace and vibrant civil society has taken up the role of addressing peace parallel to the slow efforts of the state actors (Brenner, 2003; Savir, 2008).

Another area of debate is the situation of the women. There is a dichotomy in Israeli law between religious and secular values on the gender issues, which pervades the legal system at all, levels. Women as a category can be further divided into Jewish and non-Jewish women, making the non-Jewish women a sufferer in the dual sense of the term, both in terms of the unequal gender paradigm and also from the minority angle in the predominantly Jewish state. Thus gender issues rise up to the democratic credentials of the state, and are not being limited by the religious elements (Ring, 1998; Golly, 2004; Daoud, 2006, Powers, 2006, Alperin, 2008).

One of the major features that find reflection in the Israeli society is that of the 'Status-Quo' that the religious leaders and the secular elements had agreed upon before 1948. This "Status-Quo agreement" resulted in the unique as well as asymmetric influence of the religious elements in the Israeli society, particularly on the non-religious citizens. The Personal status law forms one of the measures through which the religious elements can exert its influence on the Israeli citizens (Galenter and Krishnan 2000).

In the case of Israel, only the Orthodox strand of Judaism is recognized by the state. The other strands of Judaism do not enjoy state patronage. This was in accordance with the agreement that was formed by the secular leaders with the religious orthodox elements in 1947. The influence of the particular strand of Judaism results in the marginalisation of the other forms of Judaism. The state finds its freedom of religion restricted in reality when the personal laws are so deeply entrenched in religious dictums.

## Jewish and Democratic Identities

The Jewish and democratic State of Israel was the result of the necessity of time as well as the historic desire to coexist amongst the population, which is an ethno-national and religious mix. The Zionist leaders were largely secular in their orientation and their personal ambitions reflected a need for a tolerant society with democratic ideals (Weissboad, 1981; Hertzberg, 1997; Rose, 2004, Yakira, 2009). The status quo agreement necessitated the requirement of religious elements in the state to pacify the religious leaders during that time, a practice the state continues till date (Waxman,

2006). The Declaration of Independence identifies Israel, as a 'Jewish Nation state' while the word 'democratic' remained absent from the entire text. In response to several situations where the Jewish identity was enhanced in favour of the democratic ideal, the Israeli law (Basic Laws) upheld that the state is both Jewish and democratic, making clear the position of the state in this matter (Arahon, 1998; Peleg, 1998; Pedahzur, 2002).

In lieu of this contradictory identity that the state purports, many scholars have tried to delve into the practical possibility of such coexistence. Some scholars have out rightly rejected the possibility of Israel being able to maintain both of this identity in treating its citizens fairly while giving leverage to its Jewish population (Peretz, 1958; Edelman, 2000; Rouhana, 2006). Many others have opined that such identity is not necessarily contradictory or unworkable (Weiss, 1983; Kopelowitz and Diamond, 1998). Others have remained largely sceptic of the entire issue, viewing Israel a functionally democratic state, drawing in distinction between a state being procedurally democratic and being democratic in its substance, not unlike many such other functional democracies (Dowty, 1971; Smooha, 1989; Yakobson, 2008).

The Jewish identity of the state brings in a whole discourse on the religious and secular identities (Firestone, 2006; Hacohen, 2009). The most commonly identified democratic norm is its secular ethos. In that regard, there are debates and opinions within the society for the state to adopt more of a secular outlook to support its democratic claims. Israeli intellectuals who address this issue of secularism highlight two kinds of issues— one philosophical and the other cultural. The first involves an examination of the nature of secularism and is presented in abstraction. The second issue concerns with the significance that Judaism can offer the secular Jewish public and these include the Jewish identity of the country's secular population, place of Jewish education in the national school system, Jewish literary canon and Jewish sources of Israeli culture etcetera (Yonah, 2000; Rosenblum, 2003; Katz, 2008).

The state being founded for the Jewish people would naturally be associated with the Jewish religion. Judaism is a part of the state symbols. Israel, however, grants official recognition to five religions in its personal laws. In that aspect, even if the state discourse is immersed in the Jewish/democratic debates, there is provision for space to the segments of its population (Edelman, 2000; Cohen, 2003; Cohel-Almogor, 2005). It

is the secular space in Israel that suffers. This tussle between Jewish and the democratic identities creates serious tension in the society stresses its political system (Elizer and Peretz, 2005). Israel being an ethnic-dominated state with a strong religious connotation, it leads to a sense of alienation for its minorities (Brodkin, 2003). Religious extremism from both the Jewish as well as the non-Jewish communities is often reflected in the system. Political parties with strong religious affiliations, like those of Haredi, often further extremists' positions (Pedahzur, 2002; Friedman, 2005; Cook, 2006; Ricca, 2007).

Following the establishment of Israel, the majority Arab population in the Palestinian Mandate was suddenly transformed into a minority. Those who remained in the state were automatically granted citizenship but large portions of them were subjected to military rule till 1966. The differentiated attitude of state primarily emanated from security concerns and its suspicions over the loyalty of its Arab citizens (Yehuda, 1983; Benyamin, 2004). The Arab citizens of the state were given the right to vote and to get elected to the Knesset but were subjected to discriminatory practices as the government used 'a carrot and the stick' policy to ensure their loyalty to the state (Hillel, 2010). A few Knesset Laws also contributed towards this practice. Israeli Nationality Law favours 'Law of Return' (**Annex 2**) for the Jews, dissatisfying the Arab population. The Arabs are often viewed as a 'demographic threat', an impediment to the state's goal in the maintenance of its Jewish majority (Eliezer, 1993; Bar-Tal and Jacobson, 1995; Lustick, 1999; Ramzy, 2011).

Apart from the legalistic aspect portraying the Israeli Arab situation, substantial literature is in place looking into the various aspects of their predicament in their relation with the state. Some have pointed towards the difficulty of addressing an ethno-religious minority that stands in contrast to Israel's identity (Nadim, 1998). There are studies that look into the Israeli Arab situation from the psychological prospective, of living as a secondary class alongside the privileged Jewish majority (Seliktar, 1984). The Israeli psyche has been preoccupied with certain particular problems of the society, influencing their mutual perceptions and attitudes, such as stereotyping, acceptance, tolerance, trust, and prejudice, within communities (Ram, 1998).

Added to this internal dimension is the larger issue of the Palestinian/Arab identity. Issues of Palestinian nationalism, Statehood and two-state solution have unsettled the

easy identification of Arabs of Israel with Palestinians for various political reasons, questioning the discourse on the two-state solution (Sussman, 2004, Nusseibeh, 2011). The questions of the Palestinian identity, aspirations for a Palestinian state, the problems of having to identify with a Jewish state (Tessler and Grant, 1998; Rekhess, 2007; Lowrance, 2005) and the future of its own Arab citizens often unsettle Israel.

## Heterogeneous Israeli society

Muslim Arabs constitutes around three-quarter of the Arab Israeli sector and are mostly Sunni Muslims. Nearly one-tenth of Israel's Muslim Arabs are Bedouins. Christian Arabs form the second largest group in the Arab Israeli sector, around nine per cent of the Arab population in Israel. The majority of these Christian Arabs are affiliated with the Greek Catholic, Greek Orthodox and Roman Catholic churches. They have equal rights as citizens of Israel, but differ in terms of their civic duty, being exempted from compulsory service in the IDF (Shohat, 2003; Smooha, 2004; CBS, 2010)

In spite of being a minority in an ethnically non-neutral state, not all minorities voice their protest against the state with the same intensity. Many of these minority groups have acquiesced to the Israeli state, depending on the degree of familiarity or acceptance that they feel from the state structures (Lowrance, 2006). The Druze community in Israel is the only major non-Jewish group who are subject to mandatory conscription to the Israeli Defence Forces (IDF). They are culturally Arabs but they opted out of the mainstream Arab nationalism in 1948 and have since served in the IDF and the Border Police (Parsons, 1997). They are officially recognized as a separate religious entity with their own courts and jurisdiction in matters of personal status. They have attained high-level positions in the political, public and military spheres (MFA, 2002).

The Bedouins and the Circassians are two other minorities that are spread mainly over south and north respectively. The Bedouins comprise around 30 tribes, estimated at approximately 250,000 and form a minority within the Arabs. Unlike the conscription of the Druses, the Bedouins are encouraged to volunteer through various inducements. The Negev Bedouins volunteer for the security services, and hence rewarded with a friendly attitude, both from the establishment and from Jewish society at large (MFA, 2010). The Circassians, some 4,000 in number, are concentrated in two northern villages. Like the most Bedouins, are Sunni Muslims and do not have a cultural affinity with the larger Arab Muslims. Like the Druze, they enjoy a *status aparte*, allowing them

to maintain their separate status while being part of Israel, and are subject to mandatory conscription.

The Jewish population too has been undergoing a phase of defining identity amidst hostility. Apart from historic-religion significance to the land, everything had to be rebuilt anew. The work was initiated long before, with the Zionist sympathizers successfully shadowing a system ready to overtake during the transition (Martin, 1998), making *aliya* (immigration) and re-establishing themselves as Jews in a state of their own that ran parallel to the Israeli Arab experience of bewilderment (Ellis, 2002; Arthur, 2006; Jeff, 2008). The point of departure lies where for the Jews it was an experience of being inducted into a Jewish state, the Arab counterparts felt alienated. The Jewish identity is also heterogeneous with religious, moderate and secular elements (Medding, 2007). Immigration meant accumulation of Jews from all parts of the globe, with differing ethnic trajectories and their own cultural baggage while on their way to becoming citizens of Israel (Spiro, 1957; Abbink, 2002; Saada- Ophir, 2007).

## Definition, Rationale and Scope of Study

The Jewish and democratic identities of the state have been central to the very existence of the state. The ethno-national and religious identification of the state was a historic necessity and the purpose for which it was established. It was to be the homeland for the Jewish Diaspora, making it imperative for the state to adopt its religious identity. Democracy was the choice made by the founding leaders and reflected their desire to co-exist amongst diversity, Jews (a heterogeneous mix) and the non-Jewish population of the state. This multifaceted identity is central and has contributed to tension and debates. Democracy in the modern notion embraces secularism, which contrasts with the ethno-national and religious connotation adopted by the state.

The rationale of this research is to analyse how these Jewish-democratic identity debates are evident in the Israeli society and how these debates impact the various sections of its population. The democratic model that Israel follows is widely seen as ethnic democracy. Therefore, apart from being a democratic state with strong religious connotations, ethnicity is also a factor in play where national politics is concerned. In such a model of democracy, even though the ethnic minorities enjoy equal civil and

political rights, they are treated as second class citizens, with the dominant ethnic group favoured in the political process. In the Israeli case, the Arab minorities usually face this distinction.

Even though the domestic debates inside Israel have been studied in various capacities, there has been no substantive literature or study that exclusively focuses on these debates specifically under the Jewish and democratic framework. The focus of the research is how the Jewish and democratic identities of the state are reflected and addressed in its political arena. Even though the democratic identity primarily concerns the Israeli Arabs, the debates happen primarily within the Jewish section of the society. Within the Jewish segment, there are also debates over the status and privileges of the Sephardic Jews over the Ashkenazim and between secular and religious Jews. This research seeks to aim for a more comprehensive view of these domestic issues, treating them under the framework of the Jewish and democratic identities of Israel.

## Research Questions

1. What are the contours of the identity debates within the Israeli society?

2. What are tensions over the Jewish-democratic identity debates and how are   they manifested?

3. How do these debates influence Israel's ability to function as a democracy?

4. How has Israel been coping with the tensions between its Jewish and  Democratic identities?

## Hypotheses

1. There is an ambiguity in the state discourse regarding Jewish and democratic identities.

2. Preponderance given the Jews in the laws and their implementation hinders Israel from realizing its democratic potential.

## Research Methodology

The research is primarily deductive and sought to analyse the role that the democratic and the Jewish identities of the state play in various domestic debates that frame the country. The present model of Israel is that of a multi-party, parliamentary system. While being procedurally democratic, it has resulted in a proliferation of political parties. Due to their demographic strength the Jewish community often dominates the mainstream. Even though the democracy allows for existence of the minority (non-

Jewish) parties, their influence is restricted when compared to the mainstream. Certain Knesset laws and conventions are discriminatory towards the minorities. This plays out in such a way that the Jewish part of the state is often seen to have been at a greater leverage. This creates tensions in the society and stress to the system. The debates taking place within different segment of the Jewish community—religious, observant and secular—also add to the vibrant society.

The research has studied the debates that exist in the Israeli domestic arena, and analyse the impact of 'Jewish and democratic' identities that the state purports in certain areas of domestic debates. The primary sources used comprise of various Committee reports, the Basic Laws and various other legislations, as well as the writings of prominent political entities reflecting upon the debates taking place in the country. The secondary sources comprise of books, articles, other scholarly materials and official documents. The archives and the libraries of Ben-Gurion University of the Negev, the Jamia Milia Islamia as well as the JNU Central Library form the source for majority of the primary and secondary materials. Opinion surveys also form a vital source in understanding the positions of the various sections of the population in the selected domestic issues. A field trip to Israel was conducted as a crucial part towards the successful completion of this research.

I was invited as a visiting scholar to the Ben-Gurion Institute for the Study of Israel and Zionism for a period of six weeks (8 February- 21 March 2015). The institute is a part of the Ben-Gurion University of the Negev, Sde Boker Campus. This is also a historic place where David Ben-Gurion and his wife spend their last days. Dr. Paula Kabalo invited me to the institute, and opened the archives, library and the campus at my disposal. Handicapped with no knowledge of Hebrew, I could not access many materials. However, the staff at the BGU were most helpful is advising me how to best progress through the materials I could access.

I had the good opportunity to meet Prof. Arieh Saposnik, Prof. Oren Yiftachel, Dr. Ayelet Harel-Shalev, Dr. Ben Herzog and Dr. Michael Feige. I am extremely thankful for their interest in my research, and their advice. I also had the good opportunity to meet Prof. Efraim Inbar of BESA and Bar-Ilan University and Prof. Sammy Smooha of the University of Haifa. They were more than willing to discuss my research, and pointed out sources I would be benefitting from. As my visit coincided with the holiday

of *Purim,* the campuses were mostly empty. However, interacting with the doctoral and post-doctoral students (who were less burdened by the daily schedule during vacation) proved most rewarding, as was the experience of witnessing a state holiday/festival so deep entrenched in Jewish history.

My visit concurred with the 20th Knesset elections (17 March 2016), an experience I relished the most. Dr. Ben Herzog was most sporting in inviting me to the various debates and discussions that were held surrounding electoral issues in English medium at the BGU Beersheba Campus. This was a very well timed opportunity for a student of Israeli democracy to witness an election unfolding in front of her.

Academic undertakings and electoral curiosities aside, I am thankful to Prof. Jeffrey Gordon and his wife Yochi for opening their home to my cultural curiosity, and for imparting the daily life wisdoms of observing the weekly Shabbat and guiding me through the cultural experience of an Israeli household.

# Chapters

The second chapter titled *"Issues in domestic debates"* focuses on various issues of the domestic debates. A plethora of debates surround Israel, including civil-military relations, religious- secular tensions, peace process and the role of gender in society. The chapter studies these issues towards understanding and contextualizing the identity debate.

The third chapter titled *"Israel as a Jewish state"* primarily examines the states Jewish identity and the debates revolving around the same. As a state formed for the Jewish Diaspora, the Jewish identity is significant in the domestic debates on the various issues concerned. This is examined within the context of definition of a Jew and its implications, measures of the states to shore up the Jewish identity and the role of the state in shaping the identity debate within Israel. Even though it is not impossible to be a Jewish state along with having democratic ideals, the issue of the personal status law as well as the religious symbolism of the state (which is decidedly Jewish) becomes a problem and an issue in trying to balance its identities with each other.

The fourth chapter titled *"The Democratic identity of Israel"* focuses on the identity debates from the democratic perspective. Since democracy was a choice made by the state, the democratic identity affects Israel diverse population, namely, non-Jewish

minorities as well as various Jewish groups. Israel has to struggle with its democratic identity, not just in terms on how the state treats the minority population within its borders, but also as to how the state deals with the democratic element in its self-definition and reflection.

The fifth chapter titled *"Conclusion"* analyses the various consequences and outcome of the identity debate in Israel as the state has been struggling to reconcile between the two identities amidst domestic as well as the international environment. These identity debates impact not only the minorities, but also sections within the Jewish population. This is the final chapter, and attempts to draw the conclusions by testing the hypothesis based on the study.

# Chapter 2

# Domestic Debates in Israel

S ince its founding Israel required a strong defence system in place to meet the demands for the continuous defence of its existence and territorial integrity against Arab advances. Israel Defence Forces (IDF) form the central link to the defence-security establishment, which includes *Mossad* (external intelligence), and *Shabak* (domestic intelligence), *Mishteret Yisa'el* (Israeli Police) and *Mishmar HaGvul* (Border Police) and a network of public and private defence industries.

The importance of the IDF can be appraised by the fact that its efficiency and organisational capability have been credited with being the central instrument to implementing the state policy. From defending the country, to the absorption of hundreds of new immigrants who were drafted into its rank and to creating of new settlements along the borders, the IDF is the instrument through which Israel has been seamlessly implementing many of its policies. Scholars also credit the IDF and its impact as the reason why the Arab states and the Palestinians realized that the traditional warfare would not yield results in defeating Israel, and hence they have to look for alternative methods such as peace process and negotiations in achieving any positive outputs in their favour (Schiff 1999).

The roots of the IDF can be traced to the pre-state era, as the Jewish community in Mandate Palestine (*Yishuv*) developed as an underground defence. There were hundreds in young men and women volunteers who were being trained in the Allied armies during the Second World War. The political leaders of the Jewish community led by David Ben-Gurion anticipated that there might come a crisis whereby *Yishuv* would face a combined Arab attack. Hence, they worked to avert this danger by settling for the unilateral declaration of independence hours before the British departure from Palestine scheduled for the midnight of 14/15 May 1948. This move proved to be advantageous to Israel during the 1948 war. The relatively well-trained and organized pre-state forces, namely, Palmach and Haganah were able to defeat the combined forces of Egypt, Jordan, Syria and Lebanon and the Arabs of the Palestinian Mandate (Gilbert 1998; Shapira 1999).

Ben-Gurion, the first prime minister and defence minister (1949-53 and 1955-63) had been one of the most influential personalities both before and after independence. He was a visionary with a practical goal in determining the character of the IDF in the early days. He dismantled the *Palmach* and *Haganah,* which were functioning earlier during the British mandate and established the unified IDF. After some initial hesitation and contest, the unified army was acceptable to dissent groups like Herut. He had also envisioned that the IDF would function as a melting pot, to acclimatise and accommodate the young generation as well as those who were making *aliya* to Israel (Ben-Gurion 1954; Aronson 2010; Peres and Landau 2011).

From 1948, Israel's national security was formulated under a number of assumptions. Being a small country with no defined or recognised boundaries and with a limited population, the country needed a well-structured army to counter the quantitatively larger Arab countries that surround it. The only viable option was to form a nation-in-arms, built on the youth who made *aliya*. Israel needed a well trained army to withstand the Arab counterparts, while at the same time it could not afford to have a large standing army to due population and financial constraints. Moreover, with the versatile diversity caused by immigration, there was a need for a uniformed civic education among the masses, bringing forth values such as democracy and patriotic ideals.

## Security Discourse in Israel

The predominant line of thought that compels every Israeli's main concern has been the "security problem". This focus has seen reflected in all forms of mass media, parliamentary discussions, speeches of political leaders and writing of commentators (Horowitz 1984; Neeman 1980; Peri 1983; Rabin 1979) Israel has been faced with an existential threat in the form of aggressive neighbouring states that questioned its legitimacy and right to exist. The 1948 War between Israel and the Arab military coalition comprising of armies as well as volunteers from Syria, Egypt, Jordan, Lebanon and Iraq, along with military and artillery aid from Saudi Arabia, Yemen, Sudan and Morocco. This solidified the need for and primacy of a security discourse for Israel's survival as a sovereign state and in protecting its citizens against antagonistic and belligerent neighbours. One of the first proponents of a security-oriented discourse can be traced to Vladimir Jabotinsky, the pre-state leader of Revisionist Zionism (Kaplan 2005). His main idea for the security argument stemmed from his belief that the Jewish

people have an exclusive national right to the whole of Mandate Palestine, and spoke against any partition of the land. He envisioned a Jewish state where the Arab minority would live in peace alongside the Jews but the claim to the land was exclusive to the Jews and as such, he opposed the partition plan.

According to Dan Horowitz (1983), the genesis of the Israeli thinking on national security stems from the fact that it is locked into a conflict based on an existential crisis. On the one hand, Israel is geographically surrounded by militarily and diplomatically aggressive parties that seem to threaten not only the material aspect of security in terms of the territory and population, but its very existence, legitimacy and survival in the region. On the other hand, the larger Israeli-Palestinian struggle over the national aspirations over the same piece of territory, which for long has been seen as zero-sum game, compelled Israel to seek the support and recognition outside the vicinity of its immediate neighbourhood.

Horowitz assumes that this "mutuality of the military and political levels of the conflict is an appropriate starting point for examining what is constant and what is changing in the Israeli concept of security." (Horowitz 1999:11) Foreign and defence policies have always been very closely interlinked and is the result of the underlying assumption that Israel is always in a state of what Yitzhak Rabin called a "dormant war" (Horowitz 1983; Inbar, 1999). The continued threat to its survival resulted in a close association if not a nexus between its political and military outlooks and the prioritization of national survival as the basic goal of its foreign policy.

According to Horowitz, Rabin's concept of "dormant war" was not new and the rationale behind the term has been traced to the writings of Ben-Gurion, Yigal Allon, Moshe Dayan and Shimon Peres (Horowitz 1983). The concept underlines the presumption that Israel is always in a state of war with its enemies, even when this might not be overt in nature. According to this notion, the state of war between the Arab states and Israel is never suspended, even during a formal agreement of armistice or during peace negotiations. The defence of the country determines Israel's war aims, and therefore had a direct impact on its concept of national security.

This concept of understanding security underwent some shift, especially since the end of the Cold War and the commencement of political dialogue between Israel and its

Arab neighbours, especially the Palestinians. Horowitz explains the shift in the perception, whereby the use of military force was seen more as a deterrent force than meeting threats using military might. This phase speaks of "an approach that implied controlled use of military power in the context of 'defensive' political and strategic aims applicable to both 'low-intensity warfare' and full-scale military confrontation" (Horowitz 1993:13). In this context, when the situation indicated 'low-intensity warfare' or where there is no clear demarcation between war and peace situations, the state would make use of controlled force.

Shlomo Aronson has analysed the lessons that Ben-Gurion might have derived from the Holocaust and the 1948 War. According to him, the lessons were three fold.

> First, that Israel, Zionism and Jews as well were a unique historical phenomenon, and therefore could expect to be alone and remain alone for decades to come. That Zionism, having lost its European backbone in the Holocaust, would have problems of legitimacy unless the Jewish state would except the partition of Western Palestine and avoid ruling over a large number of Arabs, especially in the politically sensitive West Bank. Second, that every Israeli-initiated war will not be accepted by the Arabs as final, since they would recover and get ready for a new round, whereas Israel could not sustain one crucial defeat. Third, that the longer range solution to the total imbalance between Arabs and Jews in conventional terms, such as numbers, political and strategic clout, oil and vast territories must be counterbalanced by invoking unconventional deterrence (Aronson 2009:65).

Yitzhak Ben-Israel's argument also follows from the same conclusions. According to him, Ben-Gurion's security dilemma following the 1948 War was based on his understanding of the Arab-Israeli conflict in terms of "no final win for Israel, but a promised decisive win for the Arabs" (Aronson 2009:66). Ben-Gurion had assumed that the Arabs would not accept any conventional victory by Israel as final but would recover, reorient themselves and target the country again. On the other hand, given the logical reality in hand, Israel cannot afford even one decisive defeat, despite several other victories it might have garnered in the past. There is, however, much disagreement between Aronson and Ben-Israel over that point. According to Aronson (2009), Ben-

Israel incorrectly blurred together Ben-Gurion's strategic thinking with those of the others such as Allon, Dayan and Rabin.

In the view of Efraim Inbar, Israel suffers from a 'sense of insecurity' given its historical context of the Holocaust and its dimensions both in terms of territory and military. Israel is a small state depended on a small population and technological edge to counteract threats posed to its survival by the surrounding Arab countries whose size, population and military strength are far higher than Israel's. The existential threat from the Arab states that often speak of the eradication of the Jewish state has resulted in amplifying this sense of insecurity. This in turn, has resulted in Israel's heighten emphasis on self-sufficiency.

The logical conclusion of such insecurity was to make itself secure by means of a ready army, modernized military and information-technological edge that would give the state an advantage over the united Arab forces and any other belligerent state or non-state actors. Inbar also asserts that the Israeli nuclear programme was started in the 1950s with this view of an existential fear, added to the notion that in case of its defeat in a conventional warfare, Israel cannot always depend on aid from friendly governments (Inbar 1996). This factor that had pushed Israel in making the military decisions that yearn for a strong military and self-sufficient economy in order to make it strong and resilient against any foreign forces.

Dan Jacobson and Daniel Bar-Tal (1995) have explored the sense of "security problem" by studying the structures of security beliefs among Israeli university students. They have explored the concept of security as a notion, and in the context of Israel's understanding and comprehension of its notion of security and insecurity. Political scientists have studied security as a notion and focused on security as a set of international and domestic conditions that pose a threat to the existence of the state (Barrows and Irwin 1972; Hoffman 1981; Hunter 1972; Ullman 1983; Wiberg 1987). Political analyst also maintains that this threat can either be targeted at the state directly or to the lives of its citizens (Damus 1977; Trager and Kronenberg 1972). The treat can also be of a cultural or economic that they point at harming the wellbeing of both the state and its citizens (Cooper 1975; Krause and Nye 1975).

These feelings of security as well as insecurity are a part of the personal cognitive-affective repertoire, and are expressed in beliefs. These beliefs in turn arouse affective reactions and direct intentions to act. It is suggested that beliefs about security are subject to the same rules and principles as all other beliefs, which are formed on the basis of pre-existing knowledge and flow of information (Bar-Tal 1991). Accordingly, Israelis are much exposed to messages concerning security and communicate them frequently among themselves, hence bringing in the aspect of the feeling of 'insecurity', as a nation (Barak and Sheffer 2009).

According to Efraim Inbar and Shmuel Sandler (2008), Israel has always shown a preference for self-reliance and hoped to achieve a measure of security by relying on its own deterrent power and unilateral measures for self-protection, than in regional and international corporation to meet security challenges. This is primarily due to the fact that Israel has always remained sceptical of the nature of international relations. Israel had from the very outset seen the systemic threat in the world politics and assumed that in the long run, no state actor can ever be certain of its security. The Jewish historical experience of the Holocaust and anti-Semitism in general reinforced this realpolitik outlook, creating an inflated sense of insecurity and international isolation. Such an attitudinal prism was most conducive in Israel developing a strategic doctrine of self-reliance. It has had a pessimistic outlook, especially when the question of reliance on other powers for its defence and the feeling of its 'insecurity' and perceived isolation in the international arena have pushed it into the need to be self-reliant, especially in the security aspect.

In terms of influencing its sense of insecurity, the regional conflict with the Arab states have only resulted in cementing the perception of insecurity and isolation in matters of international affairs. In contrast to its regional rivals, Israel has perceived its role as a status quo power. Even during the June War, the capture of additional territories was not the objective, but an attempt to curb aggression and restore deterrence by using the territory as a bargaining chip for peace and recognition. Whereas for the Arab is has been the political destruction of the Jewish state, for Israel it has been that of survival in the region (Inbar 1993).

Israel has depended on a strategy of self-reliance and has hoped to achieve a measure of security by relying on its deterrent power, and on its capacity to unilaterally respond to

any threats to its security. This attitude that the state portrays has been the result of the historical experiences of the Jews as a community in the past, as well as shaped by the experiences of the Holocaust. This has further gained strength due to the belligerent attitude of the neighbouring Arab states, which have often called for its destruction. According to Robert Jervis (1978), alliances with world powers are an important way to secure political and economic support, as well as a good way to ensure access to modern weaponry. Extra-regional powers also help in the offset of the asymmetries of resources with the Arab world. Israel has, on the contrary, always emphasized that it did not expect or require others to fight its territorial battles or to participate in its defence of its territory. This is primarily a result its mistrust of international actors, which are seen as furthering first and foremost their own interests. For a while, Israel unsuccessfully tried to become a formal member of the Western alliance, but soon realized that such a membership would curb its freedom of action. This has fuelled its preference to fight its own wars and act unilaterally when required.

The regional conflict with the Arab world resulted in the strengthening of Israel's perception of insecurity and isolation in the international sphere. Self-reliance doctrine translated into the need to build a military force enabling it to stand alone in meeting regional threats. After the October 1973 war, Israel greatly expanded the IDF and increased its stocks of military equipment in order to minimize the requirement for extra regional support (Bar-On 2000).

Furthermore, Israel built an indigenous military industry to become self-reliant and the main motivation was the fear that weapons needed for security would be un-available on the world market due to political reasons.[1] In order to attain self-sustainability, it looked into establishing an ability to produce main platforms for each branch of the IDF, namely, air, ground and naval forces. The status quo needed to be preserved, and was to be achieved by an offensive-minded IDF because mere denial of Arab objectives of the annihilation of the State of Israel required more than defensive measures. There were also other reasons that led to this offensive posture. The need of overcoming the asymmetries in resources with Arab opponents, leading to a lack of staying power on the part of Israel, required a quick war, which could only be achieved by offensive

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[1] An example to explain this would be the situation when Israel began production of the *Kfir* airplane following the French embargo in 1967, while the British decision not to sell Chieftain tanks, in spite of Israeli contributions to its development, led Israel to build the *Merkava* tank.

operations. It was also assumed that a quick victory over one opponent would prevent a simultaneous war on two fronts.

Moreover, with the limited human resources, Israel needed to win wars quickly as well as decisively. Due to lack of strategic depth, Israel prefers to transfer the war into enemy territory through an attack or counter-attack an imperative. Attacking the enemy, by surprise if possible, was believed to confer additional political and military advantages. Furthermore, when attacked, the IDF would be in a better position to utilize its qualitative edge over the Arab armies in both manpower and in tactics. The offensive strategy was also needed to reduce casualties, a much-needed requirement on the Israeli part. Finally, it was argued by Israel's politico-military leadership that only an army capable of inflicting a clear defeat in such an asymmetric warfare could have a deterrent value (Bar Tar and Jacobson 1995; Bar On 2000).

In case of a major failure of deterrence, the Israeli doctrine postulated that only a decisive victory extracting considerable cost from the Arab side could restore deterrence. After 1973, this meant the following:

     (a) a rapid infiltration of enemy lines;

     (b) the destruction of a considerable part of the enemy's arsenal;

     (c) the capture of enemy territory for the purpose of bargaining; and

     (d) that the first three elements be achieved at a reasonable price in terms of manpower and material before triggering outside intervention (Inbar and Sandler 1995)

One of the immediate instances of the pre-dominance in the state discourse with regard to security can once again be seen in the construction of the 'separation fence' to isolate itself physically from the Palestinians in the West Bank (Trottier 2007). The question that immediately arises is that why was the construction of a fence perceived by the Israelis as the only solution. According to Israel, the separation wall would help better control its borders that it shares with the Palestinians. The rise in suicide bombings and terrorism in general were cited as the reasons for the construction of this physical barrier (Barak-Erez 2006). The most controversial aspects of the project are decisions regarding the inclusion of the Jewish settlements in the occupied West Bank. To incorporate some of the larger settlements, it became necessary to build the fence deep inside the West Bank. The "Green Line," of 1949 is not an internationally recognized

border, but an armistice line between Israel and Jordan pending the negotiation for a final border. Building the fence along that line is perceived as a political statement (Al-Haj 2000).

The securitization of the borders by building physical obstacles has several goals when Israel is concerned. This is meant to serve as an impediment to both vehicles and people. Some of them are for Israeli and Palestinian cross-traffic, and some are solely for Israeli settlers near the Green Line. Only those Palestinians who are either working on nearby lands or have commercial or other reasons to be there would be permitted to enter the zone, thereby increasing Israel's security as it controls who enters the territory. Secondly, this zone is to improve the economic situation in Israel by preventing potential terrorists from reaching the main populated areas of Israel, thus helping to revitalize the economy in addition to saving lives. A third aim of the security zone is to define a clear line between legal and illegal residents within Israel to counter the growing problem of illegal immigrants and workers.

## Electoral Instability

Proposals for reform of the electoral system date back to the early days of Prime Minister David Ben-Gurion and the foundation of Israel, but most have gained little gains. Between 1949 and 2016, there were 20 Knesset elections but 34 governments (Table 3.1) and except for two, none of the governments managed to serve the four-year term. The primary goal of electoral reform has been to reduce the number of parties in order to more easily form and maintain a government (Mesquita 2000:66). National elections for the Knesset take place once every four years, though early elections have occurred more often and few governments have completed the full four-year tenure, signifying the inherent instability in the political system. Seats in the Knesset are assigned through a system of nationwide proportional representation.

The legislature's tenure may also be prolonged beyond four years, though this requires a "special majority" of eighty votes. The Knesset elects the prime minister, and also holds the power to remove the president. New laws require a simple majority vote.

> A prime-ministerial candidate must be a member of the Knesset and needs a simple majority of votes to be confirmed. Prime ministers are expected to serve a four-year term, though these may be shortened by a vote of no confidence in

the Knesset. Such votes name a replacement candidate, who is given the opportunity to form his or her government.

To form a new government, a prospective prime minister has forty-five days to fill cabinet positions and secure Knesset approval. No party has ever secured a majority in the 120-member Knesset and this requires forming of coalition with other parties. After parliamentary elections, the president invites one of the party leaders to form a government. The president does not have to extend this invitation to the party that controls the most seats in the Knesset but rather, the invitation goes to the party most capable of forming a coalition. In forming a coalition, a party leader must offer some cabinet positions to members of the smaller coalition partners, as their votes needed to pass legislation. These smaller parties tend to use this influence to further their political agendas. If a replacement candidate is unsuccessful at forming a new government, the Knesset is dissolved and new elections are held (Kaplan and Friedman 2009).

Major election reform was achieved in 1992, when direct elections for prime minister were introduced and came into force in 1996 (**Table 2.1**). This experiment, eventually reversed after the 2001 elections, demonstrated that reform was possible, but it is also underscored the pitfalls of reforms. The law was intended to strengthen the role of the prime minister and coalition-forming process, as well as to weaken smaller parties that wielded a disproportionate share of power. The reform process was largely due to grass-root efforts and was led by prominent academics and politicians who sought to end the stalemate in Israeli politics.

**TABLE 2.1 Direct Election of PM**

| Election Year | Candidates | Winning Candidate | Percentage of votes secured by the winner |
|---|---|---|---|
| 1996 | 1. Binyamin Netanyahu<br>2. Shimon Peres | Binyamin Netanyahu | 50.5 |
| 1999 | 1. Binyamin Netanyahu<br>2. Ehud Barak | Ehud Barak | 56.08 |
| 2001 | 1. Ariel Sharon<br>2. Ehud Barak | Ariel Sharon | 68 |

**Source: Knesset website,**
**https://www.knesset.gov.il/elections01/about_direct_eng.htm**

However, contrary to the legislation's intent, the new law accelerated the decline of the larger parties. The system allowed voters to split their ballots between a vote for a prime ministerial candidate from a large party and a Knesset vote for a small party thereby eliminating the earlier incentive for strategic voting; for example, voting for a larger party that has a greater chance of forming a coalition so that its leader becomes the prime minister. On the contrary, the new system increased the falsehood that some Israelis would vote their "true" preferences for smaller right-wing parties. Thus, although Benyamin Netanyahu won the premiership in 1996, both his party (Likud) and the main opposition party (Labour) won lesser seats than they had in the 1992 election (**Table 2.2** and **Figure 2.1**).

**Table 2.2:**

| Impact of Direct Elections of Prime Ministers upon Labour and Likud | | | | | |
|---|---|---|---|---|---|
| **Knesset** | **Year** | **Labour** | **Knesset** | **Year** | **Likud** |
| XIV | 1996 | 34 | XIV | 1996 | 32 |
| XV | 1999 | 26 | XV | 1999 | 19 |
| XVI | 2003 | 19 | XVI | 2003 | 38 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

A more cohesive and stable government would be better able to put long-term strategic interests ahead of short-term coalition considerations. This trade-off affects Israeli policy and although politicians widely accept the existence of a pending demographic challenge to Jewish and democratic characters, political paralysis continues to block serious steps towards a viable two-state solution. Data on Israeli Jewish opinion regarding settlements and a two-state settlement is volatile and highly responsive to the political situation. However, polls have demonstrated that a majority of Israelis are disillusioned with the settlement project and are willing to make significant territorial compromises for peace. Raising the electoral threshold could help to narrow the gap between majority public sentiment and government policy (Bain 2011).

**Figure 2.1:**
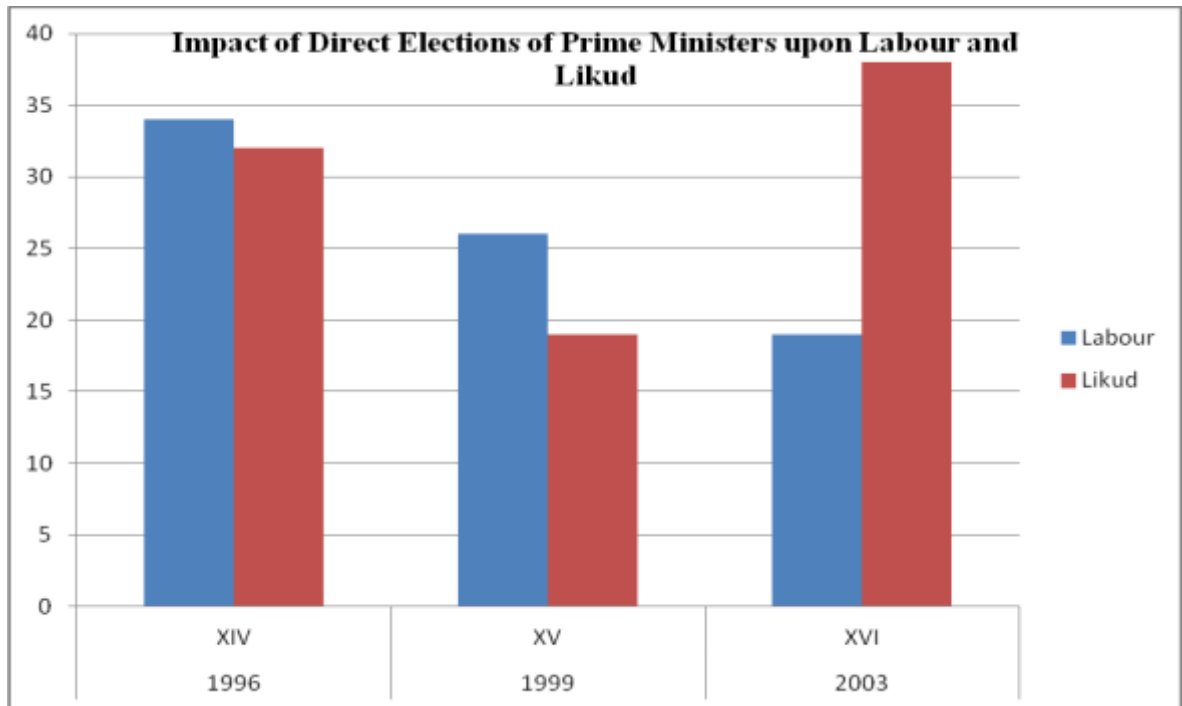


**Impact of Direct Elections of Prime Ministers upon Labour and Likud**

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

Furthermore, a more accountable electoral system that improves the linkage between governmental performance and electoral success for individual politicians could also help to spur the peace process forward. "Ultimately" Alex Bain argues, "what is needed is a system that increases accountability and stability, even at the cost of a decrease in representation for single issue and minority viewpoints. The current electoral system empowers small parties that represent the poles of the Israeli political spectrum and undermines Israel's moderate, pragmatic majority" (Bain 2011).

Scholars determine political stability by the frequency of elections and changes of government. By these measures, though Israel has a stable regime, however, it is not politically stable. One of the factors that impede stability is that many of the leading figures of the Labour and Likud parties, past and present, have broken off to form their own political parties or join others, and those two major parties have been winning fewer votes.

Israel has tried out several reform measures to ensure better accountability of the government, but mostly to ensure a stable government that can complete a full term. Instability in the political arena translates into security concerns, an issue Israel remains very sensitive to given its surrounding and circumstances. During 1996 to 2001, the Prime Minister was elected directly but this process was abandoned, as it did not give the intended benefits. Israel then went back to its original electoral methods. However, towards limiting the number and hence influence of smaller parties, the minimum threshold a party needs to enter Knesset was gradually raised from 1 per cent until 1984 to 1.5 per cent. This was done to ensure political stability by weeding out the smaller political parties. In 2003, the threshold was raised to 2 per cent and on 11 March 2014, the Knesset approved the law to raise the threshold to 3.25 per cent which came into force in the March 2015 elections (**Table 2.3**).

**Table 2.3**, Knesset Threshold Margin

| Year | Knesset | Minimum Threshold votes |
|------|---------|-------------------------|
| 1949 | I | 4,347 |
| 1951 | II | 6,874 |
| 1955 | III | 8,532 |
| 1959 | IV | 9,693 |
| 1961 | V | 10,070 |
| 1965 | VI | 12,067 |
| 1969 | VII | 13,677 |
| 1973 | VIII | 15,668 |
| 1977 | IX | 17,478 |
| 1981 | X | 19,373 |
| 1984 | XI | 20,733 |
| 1988 | XII | 22,831 |
| 1992 | XIII | 39,253 |
| 1996 | XIV | 44,604 |
| 1999 | XV | 49, 672 |
| 2003 | XVI | 47,226 |
| 2006 | XVII | 62,742 |
| 2009 | XVIII | 67,470 |
| 2013 | XIX | 75,855 |
| 2015 | XX | 136, 854 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

The 2013 election was marked by what Oren Yiftachel (2013) terms as an "ethnocratic bubble". Even when the Jewish majority did not notice its significance, Yiftachel notes a strange disappearance of 'Palestine and Palestinians' as an issue or topic of debate within the society. Earlier, the question of Palestine or Arabs had been the focal point, central to the very Israeli politics and identity. However, he notes that the "Palestinian question" has been internalized in such a manner, that it does not figure in a debate except in the semblance of references to a larger "terrorism" or "Islamic threat". Yiftachel notices that it was put aside and treated as a marginal issue by most political parties. Even when elections focused on what he terms "Jewish bubble", attention on the "Zionist-Palestinian conflict" remained muted, and there was an ostentatious silence in the campaign about the prospects of peace or the Palestinian issue in itself, which seemed unprecedented.

Another trend that Yiftachel notes is the absence from the Arab election discourse was debate or references to the "one-state solution." Many of the main advocates of this line of thought include Arab personalities such as As-ad Ghanem (University of Haifa), Nadim Rouhana (Tufts Fletcher School), Salman Natour (Druze-Palestinian writer and novelist), and Azmi Bishara (Arab public intellectual and founder of *Balad*). Similarly, the BDS (boycott, divestment, sanctions) campaign, that had gained prominence among Palestinians in the occupied territories and abroad, did not find a significant mention in the political campaign in the Israeli Arab sector. Further, the Arab-Jewish cooperation was not attempted during the election campaign, which in his view should have partially subverted the main logic of Jewish ethnocracy. These absences in the electoral discourse seem to illustrate the set-up of all Israeli citizens, including the Arabs, in the current geopolitical gridlock over the peace process.

The 2015 elections showed the current state of the electoral system and have led many critics to call for renewed attempts at electoral reform. Just before the elections, a law was passed in March 2014 to raise the threshold to 3.25 per cent. Leaders initiated the push for this reform led by Foreign Minister Avigdor Lieberman (*Yisrael Beiteinu*) and Finance Minister Yair Lapid (*Yesh Atid*) as they hoped to dissuade the smaller Arab and leftist parties and therefore to win more seats in the Knesset for the larger parties.

The Israeli electoral system has been criticized for fragmenting the constituency and awarding small parties with a disproportionately large influence on policy. These small

parties, when they help form a coalition, make demands disproportionate to their electoral strength. As an electoral "tool," raising the electoral threshold is supposed to reduce the power and significance of smaller parties. In reality, the further increase in the threshold ends ups weakening the smaller interest oriented parties, as well as the small Arab parties. The fear that scholars and analysts (Diskin and Diskin 1995) voice is that, this measure would result in disenfranchising one-fifth of Israel's population pillar, the Arabs.

Time and again, several reform measures are also forwarded by the academia, apart from the political parties themselves. Yohanan Plesner (2015), the president of the Israel Democracy Institute (IDI) argues for additional reforms including raising the electoral threshold, open list as opposed to the current closed one, and setting limitations on dissolving the Knesset. Israel's political instability is a national security threat because it undermines its ability to govern and hurts its economy, both of which are central to security.

## Major debates within Israeli society

The rationale of the proposed research is to analyse how the Jewish-democratic identity debates are evident in the Israeli society and how these do these debates impact the various sections of its population. The democratic model that Israel follows is widely seen as "ethnic democracy". A wider analysis of the type of democracy prevalent in Israel, and debates surrounding methods and functions of the democracy itself, is discussed in the fifth chapter dedicated to democracy. However, apart from being a democratic state, it is a state with strong religious connotations. The focus is on the Jewish identity of the state and tries to delve into the various discrepancies or complimentary elements a democracy with a Jewish connotation may or may not unfold.

Ethnicity is also a factor where national politics is concerned. In such a model of democracy, even though the ethnic minorities enjoy equal civil and political rights, they are treated as second class citizens, with the dominant ethnic group favoured in the political process. In the Israeli case, the Arab minority usually face this distinction. Even though the domestic debates inside Israel have been studied in various capacities (Yiftachel 1992; Dowty 1999; Naor 1999; Gavison 1999), there has been no substantive literature that exclusively focuses on these debates under the Jewish and democratic

framework. The focus of the research is how the Jewish and democratic identities of the state are reflected and addressed in its political arena.

Even though the democratic identity primarily concerns the Israeli Arabs, the debates also happen within the Jewish section of the society over the status and privileges of the Sephardic Jews vis-à-vis the Ashkenazim and between secular and religious Jews. This proposed research seeks to aim for a more comprehensive view of these domestic issues, treating them under the framework of the Jewish and democratic identities of Israel.

To understand the debate better, a few markers have been chosen by this study that has strengthened democracy, or challenged the idea. In this chapter, the focus is on the civil-military relations, religious-secular debate, and position of women in the Israeli society and peace process.

## Civil-military Relations

Civil–military relations (CMR) describe the association of a civil society with the military organization established by the state with the duty to protect it. It describes the relationship between the civil authority of a society and its military wing. For any functioning democracy, freedom of the civil society is paramount. Therefore, the studies of civil-military relations often rest on a normative supposition that civilian control of the military is preferable to military control of the state. The CMR seeks to explain how civilian control over the military is established and maintained and this aspect is vital, because, unlike the military a civil society is not regimented. A free society is one of the vital elements of a democracy.

The civil-military discourse draws from a variety of disciplines such as law, philosophy, area studies, psychology, cultural studies, anthropology, economics, history, diplomatic history, journalism, military, etc., It involves study and discussion of a diverse range of issues including but not limited to the civilian control of the military, military professionalism, war, civil-military operations, military institutions, and other related subjects. International in scope, civil-military relations involve discussions and research with a holistic perspective.

Suzanne Neilsen (2009) refers to two classic works on the American civil-military relations, firstly Samuel Huntington's *The Soldier and the State* (1957) and Morris

Janowitz's *The Professional Soldier* (1960). Both of these works deal in the issue of military effectiveness and civilian control. Huntington argues that the nature of the civilians has an important impact on military effectiveness but the manner in which he portrays this relationship is problematic for Neilsen. Janowitz discusses military effectiveness, but it seems unclear what role the civil-military relations serve in the making of an effective military. According to Neilsen, Janowitz bases his observations on the military needs of the United States in the Cold War, and in favour of such a role by the military to have a beneficial impact on the character of civil-military relations and civilian control.

Huntington, in his *The Soldier and the State*, assumes that

> it is possible to define an equilibrium called "objective civilian control" that ensures civilian control while maximizes security at the same time. He argues that "in practice, officership is strongest and most effective when it most closely approaches the professional ideal; it is weakest and most defective when it falls short of that ideal." An officer corps is professional to the extent it exhibits the qualities of expertise, responsibility, and corporateness. In addition to enhancing effectiveness, these traits also enhance civilian control because a professional military seeks to distance itself from politics. In the American context, however, military professionalism is difficult to maintain because liberalism is inherently hostile to the military function and military institutions. The classic liberal approaches to military affairs are extirpation (reduce the military to the lowest possible level) or transmutation (to civilianize it) (Nielsen 2005:64).

Therefore, in subsequent years Huntington offers a third option: "The prevailing societal values can shift away from traditional liberalism in the direction of conservatism, society thereby adopting a policy of toleration with respect to the military" (Huntington 1977: 7).

According to Nielsen, Huntington advocates that

> If obtaining a shift in the values of an entire society is not possible, the only way to maintain military professionalism in a liberal context is to ensure that the military has minimal political power. Therefore, Huntington argues that the achievement of objective civilian control in the US requires allowing military professionals autonomy within their own realm, while 'rendering them

politically sterile and neutral'. Firm civilian control and military security are complementary and mutually supporting goals (Nielsen 2005:64).

Even though

civilian control is a central concern, Huntington sought a pattern of civil-military relations that would promote military professionalism and hence, in turn, military effectiveness. However, "professionalism" as he defines it is problematic as an adequate indicator of effectiveness. This comes through clearly in his interpretation of military theorist Carl von Clausewitz. Huntington argues that "The fact that war has its own grammar requires that the military professionals be permitted to develop their expertise at this grammar without extraneous influence … The inherent quality of a military body can only be evaluated in terms of independent military standards" (Huntington 1957: 57). This extension of Clausewitz's thought is problematic because it implies that there exists a set of "independent military standards" that is valid across time and place. This is unlikely, since the characteristics of effective armed forces would vary with factors such as the resources they have, missions they must accomplish, and other aspects of their environments. In addition, reliance on "independent military standards" is also problematic given that the effectiveness of military means can only be evaluated in relation to the political ends that these means are to serve.

This is not to deny one of the major contributions that Huntington makes in *Soldier and the State* where he argues that military organizations are shaped by both functional and societal imperatives. Functional imperatives are special characteristics of military organizations driven by their need to be capable of defending the state against external threats, and societal imperatives arise from 'the social forces, ideologies, and institutions dominant within society' (Nielsen 2005: 64-65).

According to Neilsen, "Huntington has a negative view of reservists since they are not fully professional, while Clausewitz has positive words to say about people's war (war by non-professional forces) and reserve forces under certain circumstances (Nielsen 2005:65). The conclusion one can reach is that what is required for military forces to be effective is often context dependent.

Janowitz argues that relying on the creation of an apolitical military to ensure civilian control is an unrealistic approach and in the US. "where political leadership is diffuse, civilian politicians have come to assume that the military will be an active ingredient in decision-making about national security" (Janowitz 1964: 342). Janowitz argues that it is inevitable that the military would come to resemble a political pressure group, and this is not necessarily a problem as long as its activities remain "responsible, circumscribed, and responsive to civilian authority" (Nielsen 2005: 66-67). One strong guarantee of the maintenance of civilian control is the military's "meaningful integration with civilian values" (Janowitz 1964: 420).

Since the beginning, surrounded by an atmosphere of hostility, security concerns have loomed large in the Israeli psyche. The issue of survival has been the primary aim of state policy, followed by the more traditional ones. This has been reflected in the civil-military relations of the country. The CMR in Israel is a widely studied subject (Barak, Oren and Sheffer, 2007; Sheffer and Barak, 2010). Debates have been raised on the influence of the military in civil life. The government being a civilian entity, close relations between the civilian leaders and their military counterpart have raised concerns. The conscription has further tied the two. On the other hand, the exclusion of the Israeli Arabs (citing security reasons) and the religious elements of the Jewish society have created tensions within the society (Jiryis, 1976; Kaufman, 2003; Koren, 2003; Jamal, 2005; Kimmerling, 2001). The added privilege that the religious segments of the Jewish society are granted by the state is looked upon as "parasitic" by the secular elements.

Two opposite arguments are heard in political and academic discourse in Israel about the status of the IDF. One argues that the IDF possesses too much power and that military thought governs the Israeli polity (Barak and Sheffer, 2006; Ben-Eliezer, 1997; Grinberg, 2009; Michael, 2007; Peri, 2006). This argument is captured by the phrase *"A Military that has a State"* (Sheffer, Barak and Oren, 2008). Others contend that the military is over-supervised by civilian groups, thereby limiting its space for operation.

There is a distinction between control of the military and control of militarism. The former focuses on joint institutional arrangements aimed at restraining the military, which is the state's tool for exercising monopolistic control over violence. Control of the military seeks to restrain the autonomy of the elected civilians to activate the

military and limit the military's autonomy in the main areas of activity that have political implications, such as military doctrine and policies, operational plans, weapons systems, organization, recruitment, and promotion of officers. Control of the military is effective when civilian state institutions through executive and legislative branches and are able to set limits on the freedom of action of the military and its deployment. Such limits correspond with political objectives and the resources required for attaining those goals that civilians shape autonomously. These goals are regarded as expressing the will of society as a whole. The military, in turn, unquestionably abides by these civilian directives (Kohn 1997; Desch 1999, Feaver 1999; Burk 2002).

Control over the army operates mainly through institutional mechanisms that have an effect on the manner in which policy-makers deploy military. While control of the military is aimed at restraining the organization and its supervisors, control of militarism is concerned with controlling the mechanisms for legitimizing the use of force. Militarism, according to Katherine Lutz (2002) and Michael Mann (1987), refers to the extent to which war and preparations for war are regarded as normal and even desirable social activities. This outlook develops through a process of discourse involving a shift in general societal beliefs and values in ways necessary to legitimate the use of force, organization of large standing armies and their leaders, and higher taxes or tribute used to pay for them.

The principle of political supervision over the military organization was consolidated in Israel in the pre-state era, with the subordination of the main underground paramilitary organizations to political authority, largely thanks to the development of strong pre-state Jewish institutions, especially the Jewish Agency for Palestine. These funded the paramilitary organizations and recruited human resources needed, thereby establishing the material dependency of the organizations on political institutions. Central to this process of state building was the middle-class-based Labour Party, which established itself in the pre-state period as the dominant party; it held this position for about fifty years, showing impressive institution-building ability (Shapiro, 1984). Within the framework of this structure, the young state could realize the monopolistic control of the means of violence by establishing the IDF while smoothly dismantling pre-state underground organizations (Levy 2012).

In spite of this, frictions between politicians and generals did develop in early years, when the IDF carried out reprisal raids against neighbouring Arab countries and often acted independently and at times, in defiance of Defence Minister Pinhas Lavon and Prime Minister Moshe Sharett. In some cases, the IDF exceeded what the politicians approved or did not even report its cross-border activity to the prime minister (Morris 1993; Sharett 1978). Another notorious case was the "mishap" in 1954 that involved intelligence activity in Egypt, including planting bombs in several facilities, without clear or at least formal approval from the political level (Eshed 1979).

Subsequently, because of the military's dependence on state institutions, the politicians effectively solidified their supremacy. The army accepted politicians' unquestioned authority in exchange for huge material and human resources that allowed it to maintain a massive, long-term build-up, beyond the levels that existed in the early 1950s. At the same time, politicians internalized the military ways to deal with the perceived Arab threat (Ben-Eliezer 1997; Levy 1997). In practical terms, the civilian leadership upgraded political supervision over the army by formalizing a procedure for approval of military operations. Thus, the IDF formed a relation of partnership rather than instrumental obedience, with politicians. This *modus vivendi* resulted in attenuated motivation among the generals for overt intervention in politics (Peri 1983).

In 1967, this CMR partnership was called into question. Following the mass entrance of Egyptian troops into the Sinai Peninsula on Israel's border and Egyptian closing of the Straits of Tiran to Israeli shipping in May 1967, senior IDF officers exerted pressure on Prime Minister and Defence Minister Levi Eshkol to launch a pre-emptive war against Egypt. Eshkol attempted to exhaust diplomatic means to resolve the crisis, but the generals perceived this as excessive risk taking and unnecessary hesitancy. With the increasing tensions, Eshkol handed the Defence portfolio over to former Chief of the General Staff Moshe Dayan, and the government approved the offensive. The green light for war was given only after diplomatic moves had failed and the US had signalled its passive support for Israel's attack (Segev, 2008, 289–305). To some extent, the generals extended the scope of the partnership to an attempt to dictate policy to the government, but in the end, the government approved the offensive when the preconditions it had earlier set were met. Such a "revolt" has not been repeated since.

On the contrary, formal procedures that ensure political supervision of the military were consolidated, owing largely to the transition of senior officers into politics (Peri 1983).

On the formal level, two efforts were significant. In 1976, the Knesset passed the bill "Basic Law: The Military", asserting that the military should be subordinate to the government and thereby removing ambiguity in the legal status of the IDF (Barzilai, 1997). Similarly, protests during Israel's invasion of Lebanon in 1982 led to the 1992 amendment to the "Basic Law: The Government," whereby the state may begin a war only in pursuant of a government decision. This amendment was inspired by the claim that the Minister of Defence Ariel Sharon had manipulated the cabinet into launching a full scale war in 1982 while only requesting the authorization for a limited operation (Hofnung 1996).

In tandem with the enhancement of civilian control, militarism declined as well, to the extent that the political culture was militarized. Historically, militarization passed through three main stages: (1) accepting the use of force as a legitimate political instrument during the pre-state period (1920-1948), subsequent to confrontation between pacifism and activism; (2) giving this instrument a priority over political-diplomatic means in the early years and (3) military discourse gradually predominated over political discourse after the June 1967 war. Each stage was accompanied by a gradual intensification of resources devoted to war preparation and amplification of their force-oriented preferences reflected in foreign policies (Levy 1997). Consequently, previously debated issues gradually became a point of departure rather than a matter of debate, increasingly narrowing the boundaries of political discourse.

The October War and, more profoundly, the first Lebanon War (1982) marked a change in the mode of civilian control with the emergence of extra-institutional control mechanisms. Extra-institutional control is generally taken by non-bureaucratic actors (mainly social movements and interest groups) acting in public with the military or to restrain it, either directly or through civilian state institutions (Levy and Michael 2011). For Stuart Cohen (2006), this process overly undermined the IDF's professional autonomy when the media, civil rights organizations, parents and other actors entered into adversarial confrontations with the military authorities and many times subjected its performance to their priorities. For Levy and Michael (2011), collective action led to the institutionalizing or reshaping institutional control mechanisms, by legislation, court

rulings or government decisions. Administrative moves would strengthen the military's internal control, thereby enhancing civilian control.

More importantly, the growing political participation in the military realm went beyond the level of control of the military and by extension, enhanced the control of militarism. Most significant was the appearance of anti-war movements and among them were *Peace Now*, established in 1978, and later organizations by reservists (most prominent was *Soldiers against Silence* following the first Lebanon war) and by parents who were serving in the IDF (*Four Mothers* during 1997-2000). These and other forms of collective actions contributed to setting the limits on the IDF's functioning in politically debated domains and thereby enhanced the control militarism by questioning the logic and legitimacy of the use of force. Most prominent was the political discourse that emerged following the first Lebanon War and for the first time in Israel's history, the war stood depicted as a 'war of choice,' as opposed to what had previously been described as 'wars of no choice' (Lemish and Barzel 2000; Ferree and Hess 2002; Liberfeld 2009).

Multiple forms of resistance to sacrifice have appeared since the 1980s and most important was growing sensitivity towards military casualties (Lebel 2007). Largely owing to this trend, Israel deescalated its military moves, attested by the Oslo Accords (1993- 1995) by unilateral withdrawals from Lebanon (in 1985 and 2000). At the same time, the right wing also contributed to the bolstering of control of militarism with the rise of *Gush Emunim* formed in 1974. The extra-parliamentary group attempted to subject the national project to religious principles and hence challenge the dominant secular paradigm of security (Kimmerling 1993).

Nonetheless, demilitarization gave rise to remilitarization and the IDF regained its legitimacy for operating forcefully and enjoyed a high level of autonomy in implementing policies that might otherwise have been politically disputed. While it retreated under protest from Lebanon in 1985 and restricted its belligerency two years later when the first Intifada broke out, it could sustain a prolonged military conflict on the Palestinian scene, when the Al-Aqsa Intifada broke out in September 2000. Furthermore, despite its partial withdrawal from Lebanon in 1985, the IDF was able to retain control over the self-declared "security zone" in southern Lebanon and to wage guerrilla warfare against Hezbollah for another fifteen years. It withdrew only when the

casualty toll significantly increased following the helicopter disaster in 1997, during which 73 soldiers died which in turn gave rise to the *Four Mothers* movement that eventually resulted in its unilateral withdrawal in May 2000.

Scholars seeking an evaluation of the impact of civil-military relations on military effectiveness face several major challenges. As Arthur Nielsen (2009) points those are in defining effectiveness defining civil-military relations and attempting to characterize the independent impact of civil-military relations as compared to other factors that may shape military effectiveness. Effective militaries are those that achieve the objectives assigned to them or are victorious in war (Korb 1984: 42). However, as Allan Millett, Williamson Murray and Kenneth Watman point out, "Victory is not a characteristic of an organization but rather a result of organizational activity. Judgments of effectiveness should thus retain some sense of proportional cost and organizational process" (Millett, et. al. 1987: 3).

They argue that

> a comprehensive framework for measuring military effectiveness is required. Military activity occurs at multiple levels, namely, political, strategic, operational, and tactical. Because effectiveness implies different characteristics at each of these levels, multiple measures of effectiveness are needed. Some projects may benefit by narrowing their claims in such a way that they are addressing effectiveness at only one or two of these levels. In any event, it is important to acknowledge different aspects of military effectiveness and be clear about the claims being made.

> The second challenge mentioned above is that of defining the term "civil-military relations." As Paul Bracken has suggested, to assess the full impact of civil-military relations it might be helpful to move a level down and disaggregate civil-military relations into its various dimensions. Although most works in the American civil-military relations focuses on the interactions between senior members of the executive branch and military leaders, the military also interacts with Congress, industrial base, and the wider society. Each of these relationships, as well as the combined effects of them, can impact on military effectiveness…

A third major challenge is that the effectiveness of a military organization, at whatever level being discussed, is likely to stem from a number of factors (Nielsen 2005:76-77)

In many instances, there would be internal organizational factors that impact on effectiveness and changes in the security challenges a particular country faces (Goldman 1997: 43). The relative importance of internal organizational developments and civil-military dynamics would vary depending on the particular research problem being considered.

The civil-military "problematique" is the challenge of reconciling "a military strong enough to do anything the civilians ask them to do with a military subordinate enough to do only what civilians authorize them to do" (Feaver 1996: 149). It is worthwhile to note that this formulation seems to imply a tension between the two concerns—control and effectiveness that theoretically does not have to exist. A nation's armed forces could become more effective without any loss of civilian control. When thinking about trying to develop a coherent relationship between military means Feaver's formulation helpfully puts both effectiveness and control at the centre of the civil-military relations research agenda. To this point, the problem of civilian control has drawn more attention.

## Religious-Secular Debate in Israeli Society

The Basic Laws define Israel as a 'Jewish-democratic' state. A number of other important documents underscore this definition. Residents who are not Jewish, for the most part, enjoy full political rights, formally or otherwise, including the right to vote or run for office (**Table 2. 5**). Palestinians have received many rights under Israeli rule than they did in Arab countries, but the nature of the Jewish state and the size of the Palestinian population challenge the definition of Israel as a Jewish and democratic. Thus, the status of the Palestinian population and the status of the territories stood at the centre of Israel's political debate since 1967. Nonetheless, for many years, most of its political leadership, both the right and the left wing, have remained blind to the far-reaching significance of this situation (Diskin 2003).

The 'Jewish and democratic' identification of the state creates a dual identity; one that is essentially ethno-national and religious, while it also presupposes certain aspects of secular elements. A widely acclaimed characteristic of modern democracy is the

separation of the state and religious institutions. Democratic Israel is an exception to the case. Israel strongly associates itself with its religious identity, as understood by its Personal Status Laws and the Law of Return to take an example. On the democratic side, the state provides equal civil and religious rights to all its citizens. Politically, there are regular free and fair elections for state representatives, with adult franchise are provided to all its citizens. The Personal Status Law further ensures that the Israelis, irrespective of their religion, are free to practice their faith in their personal affairs.

The Zionist leaders were largely secular in their orientation and their personal ambitions reflected a need for a tolerant society with democratic ideals (Weissboad 1981; Hertzberg 1997; Rose 2004). Elhanan Yakira points out that many scholars have deemed that the Holocaust is the only legitimization that the Zionist utilized to call for self-determination of the Jews in forming a Jewish state in Israel (Yakira 2009). On a similar line, another argues:

> The politics of modern Israel is par excellence the politics of identity. Well before the phenomenon gained the sustained attention of academics and intellectuals, identity politics had shaped Israel's political landscape and cultural discourse. Since the beginning of the Zionist movement, issues of identity have engendered prolonged and agonizing debate, aroused intense passions, and fuelled bitter divisions. Indeed, the emergence of Zionism was itself due in large measure to identity politics—both that of the Jews of Europe in the late nineteenth century and that of the Christian European populations in which they lived… From Israel's establishment through the 1950s and early 1960s, Judaism was not a central element in Israeli society, and the new Israeli collective identity was defined more in terms of 'Israeliness' than 'Jewishness.' Under this more civic than ethno-religious conception of Israeli national identity, at least in principle, non-Jews could also be considered 'Israeli' and part of the new Israeli nation. Thus, Ben-Gurion declared in December 1947: 'In our state there will be non-Jews as well—and all of them will be equal citizens; equal in everything without exception; that is: the state will be their state as well.' Similarly, the 'Declaration of the Establishment of the State of Israel' on May 14, 1948, stated: 'The State of Israel. . . will foster the development of the country for the benefit of all its inhabitants . . . it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion (Waxman 2006:15).

However, in order to pacify the orthodox elements, the status quo agreement necessitated the requirement of religious elements, a practice the state continues till date. This reinforced the Jewish elements in the state, and in the life of its citizens, often causing a strain in its democratic aspirations.

The Declaration of Independence defines Israel to be a 'Jewish Nation state' even when the word 'democratic' itself has remained absent from the text. In response to several situations where the Jewish identity was enhanced in favour of the democratic ideal, the Israeli law (Basic Laws) upheld that the state is both Jewish and democratic (Arahon 1998; Pedahzur 2002). Israel has to function both as a state for the Jewish people, while embodying the principles of democracy in its function.

According to Ilan Peleg, the mode of strengthening of the religious factor in Israeli politics, which acts as a mechanism for revitalizing ethnocentric system, would not be conducive in the long run. What it would do, in turn, is to push the political system increasingly in a particularist direction, leading to the victory of the Right at the polls. According to his estimation, the religious factor has a detrimental effect on the country's political culture, thereby diminishing the democratic element (Peleg 1998: 230-250). Peled had previously noted in 1992 that the scholarly consensus was that the ethnic Jewish element in its political culture has been on the ascendance since 1967, and that the universal democratic element has been on the retreat.

In lieu of this contradictory identity that the state purports, many scholars have tried to delve into the possibility of such coexistence. Some have out rightly rejected the possibility of Israel being able to maintain both of this identity in treating its citizens fairly while giving leverage to its Jewish population (Peretz 1958; Edelman 2000; Rouhana 2006). On the other hand, other scholars have held the opinion that such identity is not necessarily contradictory or unworkable (Weiss, 1983; Kopelowitz and Diamond, 1998). Yet many have remained largely sceptical, viewing Israel a functionally democratic state and draw a distinction between a state being procedurally democratic and being democratic in its substance, not as other functional democracy (Dowty 1971; Smooha 1989; Yakobson 2008).

The Jewish identity of the state brings in a whole discourse on religious and secular identity (Firestone, 2006; Hacohen, 2009). The most commonly identified democratic

norm is its secular ethos. In that regard, there are debates and opinions within the Israeli society for the state adopting more of a secular outlook to support its democratic claims. Israeli intellectuals who address this issue of secularism raise two kinds of issues—one philosophical and the other cultural. The first involves an examination of the nature of secularism and is presented in abstraction. The second issue that occupies when Israelis discuss the meaning of secularism concerns with the significance that Judaism can offer the secular Jewish public and these include the Jewish identity of the country's secular population, place of Jewish education in the national school system, Jewish literary canon and Jewish sources of Israeli culture among others (Rosenblum 2003; Katz 2008).

Deliberating on the importance of the state symbols, which are primarily Jewish in nature, alienating the 'others', --- Cohen notes,

> It sought to create a pro-Israeli Arab rhetoric and to impel its Arab citizens to act as they spoke, at least in public. In other words, Israel wanted the Arabs to accept the state and its values and to assimilate the broad outline of the Zionist narrative. One prime example of this was the security forces' massive encouragement and inducement of Arabs to celebrate Israel's Independence Day and to disregard the day's pernicious implications for them(Most of Israel's Arabs lived, after all, under military rule, and many had relatives who had become refugees in circumstances connected to the establishment of the state. From being a majority in their country, they had become a minority with limited rights, and the lands of many of them had been expropriated.) (Cohen 2013:132)

This forceful re-enforcing of Jewish symbols and identity on the Israeli Arab population has resulted in further and more marked alienation of the two ethnic groups. On the question of separation of religion from the democratic norms, ---Yonah observes,

> First, and as previously stated, the 'constitution' does not seriously challenge the monopoly of religious courts over matters of marriage and divorce, and therefore fails to satisfy one of the main requirements of liberal democracy: the separation of state and religion. Second, it reaffirms the Jewish character of the state—defined in ethno-cultural terms—which authorizes, accordingly, public policies that promote the exclusive national interests of the Jewish people. Third, it contains a limited list of rights and liberties: while protecting individuals against official authorities, this list requires no action on part of the authorities to

secure the right to decent human existence and other social rights. Thus, this 'constitution' leaves out a wide array of social rights, including the right to education, health, and welfare (Yonah 2000:135).

According to Hillel Cohen, the consolidation of a unique Israeli Arab identity—which indeed began to take place as a result of the realities of life as Israeli citizens—did not lead the Arab citizens to abandon their Arab and Palestinian national identities completely. There were several reasons for this. First was the state's ambivalent attitude towards its Arabs, who are citizens, yet until 1966 possessed limited rights and were placed under military government. This prevented them from feeling as full- fledged Israelis and helped to preserve their Arab national identity alongside their Israeli one. Secondly, the effects of external developments like Nasserism on the Arab public in Israel whose effects were beyond the state's ability to control. The third factor that prevented the success of this project was the existence of deep undercurrents in which Palestinian national memory was preserved and fostered, not in public, but in family and social frameworks. In addition, the Israeli decision that Arabic would remain the language of teaching in the Arab schools contributed to the affiliation of Israel's Arabs with the rest of the Arab world. All these factors affected both teachers and students and made it difficult to uproot Arab nationalism completely. However, the security forces tried, through close supervision of the educational system and the sorting of teachers, to reduce these factors' influence on the younger generation (Cohen 2003: 156).

This, in turn, shows the dilemma and dichotomy that the citizen and the state face upon its identity. The Jewish identification of the state is closely linked to its democratic aspirations, so much so that, one cannot be completely separated from the other. In this respect, any discussion on the Jewish identity of the State of Israel remains incomplete without understanding its democratic ethos. In a similar manner, any reading of the democratic structures and elements of Israel cannot be fully comprehended unless the Jewish (both as an ethno-national as well as religious category) identity is touched upon. This is a unique feature of Israel, among the other modern democracies of the world.

In case of Israel, the preference of Judaism over others in the state discourse seems to create an unequal advantage for Jews over the other non-Jewish Israelis. At the same time, it is the secular space that is compromised. The close association between

particular religions with democratic norms always ends up limiting the other. The issue of the secular Jews is discussed in the subsequent section. Personal Laws being guided by religious codes, the secular population finds it constraining in pivotal matters such as birth, death, marriage, adoption et cetera. In spite of being a democratic state, freedom from religion in personal matters is largely lacking for those who desire a secular way of life (Ratzabi 2008; Pinto 2012).

This tussle between the Jewish and democratic identities creates tension in the society and puts severe stress to its political system. The importance of the Orthodox Jews is much more than their numerical strength. The Status Quo agreement of 1947 has further increased their importance in the society. By keeping the public at large under constant pressure, Ultra-Orthodox Jews have deeply antagonized much of nonreligious society but, for the very same reasons, increasingly regard themselves as an intrinsic part of this society. This ever-stronger social rootedness is best reflected in language. By no means have Ultra-Orthodox renounced their language—Yiddish as the vernacular and rabbinical Hebrew, spoken in an Ashkenazi inflection, for religious activity. The major fact here, however, is that in addition to and often instead of these languages, Ultra-Orthodox turn more to modern Hebrew, which, despite their initial resistance to what they once saw as the 'Zionist disrespect for the holy tongue,' has practically become their main vernacular. This Hebrew, it is true, is often characterized by 'yeshivish' enunciation, heavy use of religious phrasings, rampant borrowing from Yiddish, and code switching. Although it is a marked Hebrew, it is nevertheless Israeli Hebrew in its major intonations and vocabulary and it is on this basis that the Ultra-Orthodox are expanding their relations with society at large and, especially, with the other religious sectors closest to them outside their neighbourhoods (Elizer and Peretz 2005). This shows how the Jewish-religious factor, be it in terms of religious beliefs or even the language spoken at home, enforces the Jewish identity within Israel. This has often undermined the democratic space within Israel.

## Israeli Jews see democracy as compatible with Jewish state ...

*% of Israeli Jews who say Israel can be both a democracy and a Jewish state*

| | No | | Yes |
|---|---|---|---|
| **All Jews** | | 20% | 76% |
| **Haredi** | | 36 | 58 |
| **Dati** | | 17 | 79 |
| **Masorti** | | 15 | 80 |
| **Hiloni** | | 21 | 76 |
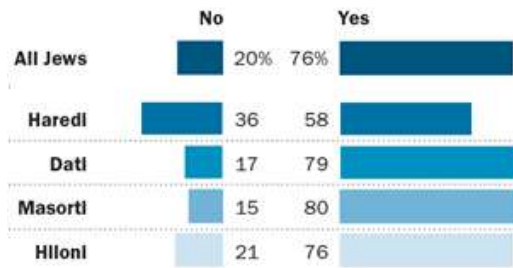
## ... but are divided on whether democratic principles or religious law should take priority

*% of Israeli Jews who say ... should be given preference if there is a contradiction between the two*

| | Halakha | | Democratic principles |
|---|---|---|---|
| | | 24% | 62% |
| | | 89 | 3 |
| | | 65 | 11 |
| | | 23 | 56 |
| | | 1 | 89 |
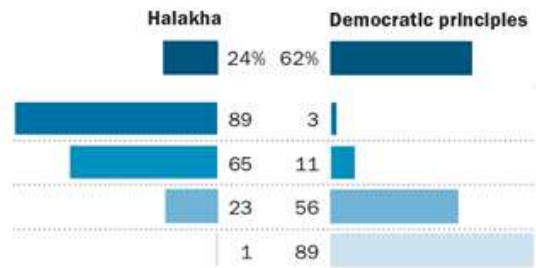
Source: Survey conducted October 2014-May 2015. Neither/Both/Don't know/refused responses not shown.

Israel being an ethnic-dominated state with a strong religious connotation, leads to a sense of alienation for its minorities (Brodkin 2003). Even though it is functionally democratic, recognizing five religions in its personal laws and having no state religion, religious extremism from both the Jewish as well as the non-Jewish communities is often reflected in the system. Political parties with strong religious affiliations, such as those of Haredim, often further extremist positions (Pedahzur 2002; Friedman 2005; Cook 2006; Ricca 2007).

Secularism in the context of Israel is a varied definitional term. The secular Jew, or *hiloni*, can be divided into various categories. The first category comprise of those who are ideologically secular, that is, those to whom think that secularism is a matter of conviction and a way of life. A second definition of secular within the Jewish context is the absence of a belief in God. Many Israeli Jews who defined themselves as secular were characterized by the fact that they do report that they believe in God. A third definition for *hiloni* refers to one who has a non-religious conception of Judaism. The notion that Judaism is a culture or a civilization of which religious practice and belief is only a part is prevalent among this group. This is in contrast to a religious conception of Judaism, who holds that the Judaism is constituted by Jewish law (*halacha*) (Ferziger 2008).

As of 2008, 82.7 per cent Of the Arab Israelis were Muslims, 8.4 per cent were Druze, and 8.3per cent were Christians. Just over 80 per cent of Christians are Arabs, and the majority of the remaining is immigrants from the former Soviet Union who immigrated with a Jewish relative. About 81 per cent of Christian births are to Arab women.

The secular Jews cannot completely discard their Jewish identities. Israel being a Jewish state, its policies are framed in such a manner that the Jewish (or non-Jewish) identity remains paramount to the state institutions. One such example is the institution of the IDF. Conscription is mandatory for all Israeli Jewish citizens with certain exception. In such a case, the obligation to the state is tied closely to the Jewish identity. The military service also translates into other facilities such as housing, job opportunities et cetera. The IDF itself is a secular institution, built on a model of modern military suited to the needs of the state. As per the architects of the Israel, the IDF acts as a melting pot for the Jewish population, coming with their varied economic, social and political outlook.

These secular Jews treat the Jewish identity as a part of their larger national identity of being an Israeli, and often look down upon the religious Jews (Haredim) for their exception to the military service. The Haredim seek to justify state support and freedom from army service by arguing that the Jews and the Jewish state exist by virtue of their adherence to religious study.

The increasing influence of the religious over the secular is a phenomenon noticed from the 1970s. until the late 1980s the Jewish religious fundamentalism within the country drew relatively little interest from the dominant secularly oriented Israeli society.

> It is religious-nationalists who carry the conviction of political identity most forcefully in Israeli politics. Their identity remains indivisible from a mythic attachment to a land, which regards territorial compromise as anathema to the logic of a Zionism perceived in eschatological terms. In short, whatever benefits Israel may derive from a peace process can never compensate a community whose very identity remains mortgaged to continued Jewish dominion over the West Bank and East Jerusalem. … Rather, it is about defining the political balance to be struck in Israel: a state for the Jews or a Jewish state? (Clive and Murphy 2005:125)

For the secular Jews residing in Jewish Israel, the question often comes down to this, 'a state for the Jews or a Jewish state?' If it is understood to be the former, the secular Jewish population does not have any problem with it. However, if the emphasis is laid upon the Jewish state, the encroachment of the secular space by the religious dictums, it becomes increasingly problematic and the religious and the secular elements remain at a constant tussle. For the secular Jews, the secular space is of primal importance for the democratic institution of the country. Israel being a Jewish state is not the main factor but which part of the Jewish definitional identity is being highlighted remains instrumental. If it is the ethno-national Jewish identity that is upheld, Israel can maintain being 'Jewish and democratic' but if the Jewish state implies strong religious underpinnings, the democratic (and in turn the secular) space is bound to suffer.

> Most of the arguments expounded by Jewish secularists are apolitical in nature. Their secularism is indifferent to the significant fact that Israeli secularists live within a sovereign state. Instead, their thinking is guided by hermeneutic questions, such as what can a secular Jew find in religious tradition? What

philosophical significance can be assigned to this tradition? How does Jewish sensibility find expression in Israeli society? What is a secular reading of the Bible and what is the secular meaning of Jewish holidays? What kind of insights can religious texts provide the secular person wishing to understand their life and seeking to make spiritual decisions? What does Halacha offer to the modern individual in search of techniques of self-control that will facilitate his integration into a technological society?

If there is a political aspect in the perspective of Jewish secularism, it is limited to an analysis of the influence and power wielded by the religious community within Israeli institutions and to devising methods for resisting this power—which has been referred to above as the politics of containment. Secularism is perceived as a total source for 'all the answers'—answers opposed to those provided by religion, of course— actually brings secularism and religion closer together while generating the illusion of a polemical relationship (Katz 2008).

Such a fundamental difference means that both the proponents lack 'a common language' to communicate to one another. (Katz 2008).

A most significant conclusion regarding the barrenness of the Israeli secular discourse is that considerable intellectual efforts invested in finding a place for Judaism in secular life, and in Israeli society ignores the most important elements in this challenge. Religious culture is not their principal rival and universalistic, post-Jewish secularism is an internal, diffuse culture and has a steady role to play in the secular sensibility.

The Jewish and democratic identities of the state have been central to the very existence of the state. The ethno-national and religious identification of the state was a historic necessity and the purpose for which the state was established. It was to be the homeland for the Jewish Diaspora, making it imperative for the state to adopt its religious identity. The 'Jewish and democratic' identity is perhaps the core to all the major internal identity debates that are reflected in the academia and civil society. The non-Jews, such as the Israeli Arabs (both Muslim and Christian), Druze, Circassians, Baha'is and the various denominations of the Christian sects are also affected differently by this Jewish identity. Whereas the Druze have acquiesced to the Jewish state structures, the Israeli Arabs (with their historical and ethnic proximity to the Palestinian Arabs) often find it difficult to adapt to its overtly Jewish structures. However, this chapter deals with

primarily the Jewish identity of Israel, and particularly how it impacts upon the Jewish Israeli citizens within the country. The state being formed for the Jewish Diaspora, and as a national homeland for the Jews, Israel has managed to juggle its democratic ethos well with the religious underpinnings.

This does not mean to imply that there are no problems in the dual contradictory identity. The Jewish population of Israel is the majority contributing approximately 75 per cent of its demographic strength. This Jewish population is a heterogeneous mix, with secular, moderate and religious divisions on one hand, and geographical lineage on the other. Divisions exist not only between Jews and Arabs, between religious and secular Jews, and in the political spectrum between the Left, Right and the Centre. Various combinations and permutations in political outlooks occur with people having centre-left strands or centre-right.

## Women in Israeli society

Susan Markham of the National Democratic Institute has complied a comprehensive report on the role of women as agents of change in society and politics. This paper was commissioned by the World Bank Group based on The World Bank's World Development Report on Gender Equality and Development (2012). The adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1975 was a watershed year. "Through the conferences, declarations and action plans, a consensus has emerged that 1) women should be able to play an equal role in politics; 2) temporary special measures, such as quotas, are an effective means to increasing women's political roles; and 3) quota legislation is insufficient on its own to achieve the full and equal participation of women in politics." Women constitute "as voters, political party members, candidates and office holders, and members of civil society. Although the exception, laws restricting women's rights to vote and to stand for election persist in a handful of Middle Eastern countries, like Saudi Arabia" (Markham 2013). In emerging democracies, women have acquired voting rights only in the past 50 years, whereas in more established democracies, women have had the legal franchise for almost 100 years.

A survey conducted by the International Foundation for Electoral Systems (IFES) in Libya shows that

while 88 percent of men voted in the 2012 GNC Elections, just 66 percent of women voted. Explanations for this gap in voting turnout range from structural or legal barriers to social or cultural norms; but the gap is evident across most demographic categories, including age, education, household income, and so forth. While there has been incremental progress in the gains of women's political participation globally, the numbers of women heads of state or government has remained relatively low (Markham 2013).

According to this report, excluding monarchs and ceremonial appointments, since the1950s, approximately 80 women have served as heads of states or governments. In Asia, almost all women leaders have come power from political dynasties whereas in Latin America, their ascendance was linked to assassinated husbands or other family connections. Since 2006, only nine women have come to power in Latin America, Africa and Europe, mostly without family linkage.

An area of debate is the situation of the women within Israel. There is a dichotomy in Israeli law between religious and secular values as regards gender issues, which pervades the legal system at every level. Women as a category can be further divided into Jews and non-Jews, making the non-Jewish women a sufferer in the dual sense of the term, both in terms of the unequal gender paradigm and that from the minority angle in the predominantly Jewish state. Thus gender issues form a rising force in the social sphere, where the aim is to eventually rise up to the democratic credentials of the state, and not being limited by the religious elements. The Jewish and democratic issues have touched gender issues in Israel severely (Ring, 1998; Golly, 2004; Daoud, 2006, Powers, 2006, Alperin, 2008).

Orna Sasson-Levy (2003), in her article looks into the aspect of the Israeli women role in the "masculine" army structure. According to her, those feminists who concern themselves with the women' role in the military can be broadly divided into two categories. The liberal-feminist approach, emphasizing on gender equality, believes that women should be incorporated fully and completely in the army. According to their point of view, only when women are fully integrated into the military and serve roles as their male counterparts, can military be a truly equal institution. The other group of liberal feminists, such as Judith Steihm, believes that women in the military will challenge the dominant masculine character of the army. As Steihm writes, "If the

military does depend on women' absence, it can be subverted or radically altered by joining it, especially by joining it in large numbers and full partners." (Steihm, 1989:225) Radical Feminist such as Gilligan (1982) and Peach (1996) however, hold that women have a distinct approach to ethics based on caring, responsibility et cetera. The joining of women in the army is making the women a part of the typically masculine violence culture.

The first wave of feminism came in the pre-statehood Yishuv period and manifested in the demand for women inclusion in the public sphere. Rooted in the socialist Zionist discourse, women sought to enter the male world as equals in the pioneer training camps, kibbutz, political parties and Histadrut (Bernstein, 1987; Fogel-Bijaoui, 1992c; Izraeli, 1981). They also sought to preserve their distinctiveness and gain civil equality through contribution as women and mothers (Herzog, 1992).

The second wave of feminism in Israel can be traced around the October war and its impact upon the wider Israeli society. Despite Golda Meir being the prime minister in 1973, women were excluded from the three major role of the war effort, namely military leadership, civilian administration, and war production. Their role was confined to helping and treating the wounded, widows, and orphans or looking after family members who remained at home, especially in the wake of mobilization. At the same time, the war and its devastating effect upon the Israeli psyche rekindled an awareness about the role of women and their in society

Left of the centre *Ratz* was the first political party to establish a causal link between the dominent security discourse and the inequality of women. In 1975, the International Year of the Woman, Prime Minister Yitzhak Rabin appointed a commission to examine the status of women and the commission submitted its report in 1978. The report examined the place of women under the law and in education, military, labour market, family, and in decision-making and revealed the scale of gender inequality in Israel (Herzog, 2014).

The term "Mizrahi feminism" has been increasingly used to refer to the liberal Israeli feminist discourse pertaining to women originating in Arab/Muslim countries. It aspires to include rights those Jewish women from Muslim and Arab countries who reside in Israel and are an integral part of the multi-culture and society (Ella Shohat, 1994). This

challenges two basic struggles of Israeli feminism; one tension between the rights of the individual and citizens as expressed in liberal democratic political theory and the rights of groups of the marginalized due to their ethnic, racial and cultural backgrounds. A second tension exists between liberal feminism, which opposes the exclusion of women and fights gender inequality (S. Okin Moller, 1998). The multicultural feminists oppose the sisterhood relations of the liberal feminists (Hooks, 1984) and fight discriminations shown them by those who call themselves their sisters. In denouncing the contributions of Ashkenazi women, the Mizrahi feminists noted that the acclaim existed even when the discriminatory attitudes towards them were also recognized. Mizrahi women were often aware that Ashkenazi women were indifferent to their experiences and power relations. However, as a group Mizrahi women are too weak to change their situation (Greniman, 1999)

## The Peace-Process

Closely related to the civil-military relation is the peace process. Israel has fought several wars, and has undergone periods of extreme hostility from all its neighbours. While taking of peace, which is primarily a diplomatic concern, engaging the civilian government, the reality surrounding Israel has made the process impossible to be detached from military concerns. Within the Israeli society, the issue of settlements, an issue closely related to the peace process, has a significant impact generating debates in society (Miles, 1995; Kellerman, 1996). The narratives of conflict have a great impact in the vision for peace. While the majority wants peace with its neighbours, through a two-state solution, extremists in the society see the Palestinians as terrorist entities, bringing in incompatible visions for peace, which ultimately result in stalemate situations. Even at the operational level, there are vast Left-Right disagreements over the means and end results (Arian, 1989, 1992; Golden, 2001; Kimmerling, 2008). There are various narratives that have existed in Israel surrounding the 'Other'. The predominantly state-centric narrative, have often revealed incomplete picture of the entire situation until the arrival of the 'New History.' Since then, not only has the Israeli society moved forward in revisiting the past and completing the incomplete version of its history, there are efforts at improving the past animosity (Gidron, 1997, 2003; Armstrong and Bernstein, 2008). Sectors such as art, cinema and academia have tried to further the cause for peace and vibrant civil society has taken up the role of addressing peace parallel to the slow efforts of the state actors (Brenner, 2003; Savir, 2008).

On the question of the origin of the Arab-Israeli conflict, both sides have a different and conflicting narrative, for long, it was seen as a political conflict between the Jews and the wider Arab world. The Jewish political aspiration to establish nationals home for themselves in the overwhelmingly Arab populated Palestine was seen as usurping the territory that has remained Arab for centuries. Gradually, this acquired a tangible territorial component of Palestinians. The Balfour declaration of 1917 and the subsequent British mandate over Palestine were seen as an imperial colonial enterprise to disposes the native population. The Jewish-Zionist narrative plays the same process within the two millennium old context of Diasporic existence, statelessness and longing for a national home.

The contested Israel-Palestinian narratives took a decisive turn when the debate over the origin of the Arab-Israeli conflict was internalised. This happened through the emergence of a new breed of Israeli academics commonly known as the New Historians. Through their narratives and reconstruction of the 1948 war they challenged and questioned the origin of the refugee crisis. Until then, the official historiography attributed the transformation of the majority Palestinian into the minority Israeli-Arabs as well as large-scale exodus of the Palestinians to them voluntarily leaving their homes. Some even argue the Arabs of Palestine were urged by their leaders in exile to leave their home so that the Arab armies could inflict a decisive victory over the newly founded state. With documentary evidence the New Historians argue that the issue was more complicated than it was commonly presented. In their assessment, it was not possible for Israel to disassociate itself from the negative consequences of the 1948 war and the refugee crisis (Morris 1997, 2004; Pappe 2004, 2007; Shlaim, 1995; and Flapan 1979).

Even before this there was a significant internal debate within Israel over the official attitude and response towards the Arab neighbours and the Palestinians. The Suez War in 1956 and the June War of 1967 had enjoyed considerable domestic support both during and after the conflict. This, however, was not the case in subsequent years. The IDF, which is often depicted as a people's army and a unifying force, came under greater public scrutiny, criticisms and even rebukes. The tectonic shift among the Israeli public towards the institution of IDF can be traced to the October 'surprise' of 1973.

The inability of the military intelligence to accurately read the Egyptian military objectives undermined the credibility of the IDF (Hattis-Rolef, 2000).

The October War also brought political and diplomatic gains for Israel. Following the Jerusalem visit of Anwar Sadat, Egypt seized to be a military adversary of Israel. As happened to 1949 Armistice Agreement, in 1978 Egypt became the first Arab country and the third Islamic country (after Turkey and Islamic Republic of Iran) to recognise Israel and to normalise relations with it. Despite facing internal opposition within the Likud, Prime Minster Begin successfully implemented the Sinai withdrawal that led to the exchange of ambassadors between the two countries. The crucial supports provided by the opposition Labour Party enabled Begin to partly overcome criticisms from within the Likud and from other right-wing elements.

However, the internal debates over military were intensified in the wake of the first Lebanon War of 1982. The Israeli invasion of threat country in June 1982, and the *Sabra and Shatila* massacre in September (Al-Hout 2004) unleashed a backlash against the government headed by Prime Minister Menachem Begin. The war depicted as 'war of choice' as against 'war of no-choice' until then and the origin of various grass-root level peace movements and activist groups can be traced to the 1980s and growing disagreement over the use of force to pursue Israel's foreign and security objectives in the region. From the anti-war protest over Lebanon emerged *Peace Now* – the most widely known peace group in Israel.

While Israel captured the West Bank and the Gaza Strip during the June 1967 war, 'occupation' remained a dormant issue until the late 1980s.  The outbreak of popular uprising or Intifada in December 1987 changed the ground reality. With Yitzhak Rabin as defence minister the National Unity government headed by Yitzhak Shamir resorted to militarily 'solving' the Palestinian uprising. Not only this approach proved futile, Israel faced tremendous criticisms from countries and groups which where traditionally sympathetic towards it. The military approach to the Intifada transformed the Palestinians as the new David and Israel as the new Goliath.

Internally, the intifada spurred debates over occupation, the political rights of the Palestinians and their statelessness. Until then, the Palestinian leadership represented by the Palestine Liberation Organisation (PLO), headed by Yasser Arafat, was viewed as

terrorists and an enemy of the Jewish people. The Intifada also accentuated the ideological debate between the left and the right; the former seeking a political accommodation with the Palestinians and the latter inclined towards militarily resolving the problem. While the Intifada was unable to end the Israeli occupation, it questioned, challenged and demolished the notion of benevolent occupation.

Against the backdrop of the Intifada and the subsequent Kuwait Crisis, the US and the then USSR co-sponsored the Madrid Conference in October 1991. Under Israeli pressures, the conference accepted a few parameters, namely, direct negotiations with the parties; all talks would be bilateral; progress in one would not be linked to progress or lack of it in another; and the Palestinians would be represented by a joint delegation with Jordan. The diplomatic space for the Palestinians has shrunk in the wake of Arafat's support for President Saddam Hussein over the Kuwait Crisis. In return, however, Israel agreed to the land for peace formula vis-à-vis all its interlocutors, including the Palestinians.

Lack of progress in the bilateral talks with the Palestinians compelled both the sides to look for an out-of-the-box approach. This resulted in the Oslo Accords, which began with the signing the Declaration of Principles (DoP) in the White House lawns in September 1993. The historic Rabin-Arafat-Clinton handshake was preceded by mutual agreement of Israel and the PLO. Conscious of the complexities of the problem, both sides agreed to defer and resolve the core issues, such as Jerusalem, refugees, settlements and borders, during the final status negotiations.

This confidence-building measure (CBM) approach to resolving the Israeli-Palestinian conflict, however, could not materialise. Both the leadership had to face considerable domestic opposition. Opponents of the Oslo process sought to delegitimize the signatories and derail the process. The Palestinian militant group, Hamas, which was founded during the First Intifada led the anti-Oslo forces and carried out a campaign of terror against Israel and its citizens. Most of the terrorist attacks were carried out within the June 1967 borders. These attacks in turn raised doubts among the Israeli public over the wisdom of pursuing 'peace' amidst the violence inside Israel. At the political level, the Likud led the opposition to the Oslo Agreement and political accommodation with the PLO. The internal rift between the left and the right over the Oslo process

manifested through the assassination of Prime Minister Yitzhak Rabin in November 1995.

The assassination of Rabin indeed symbolised the deep divisions within the society. Emotional outpouring during the funeral and the swift Israeli withdrawal from the Palestinian towns in the West Bank (except Hebron) in late 1995 signalled a support for the Oslo process and the wisdom of seeking an accommodative political settlement with the Palestinians. At the same time, Rabin's murder exposed deep-seated opposition to the Oslo Accords. Indeed, more Israeli civilians were killed after 1993 than before. Far from achieving peace, the Oslo process brought more deaths. The Israeli disappointments were accompanied by a similar sentiment from the Palestinians who could not see the end of occupation. The Palestinian statehood remained as elusive as before while settlement activities were intensified after 1993.

**Table 2.4 Major Arab-Israeli peace efforts**

| YEAR | MAJOR PEACE EFFORTS |
|------|---------------------|
| 1949 | Armistice Agreement |
| 1967 | UNSC Resolution 242 |
| 1978 | Egypt-Israel Camp David Accords |
| 1991 | Madrid Conference |
| 1993 | Oslo Accords |
| 1994 | Israel-Jordan Peace Agreement |
| 2000 | Camp David Talks |

**Source: MFA Homepage, www.mfa.gov.il**

With the benefit of hindsight, it is obvious the Oslo Agreement was concluded between a section of the Israeli polity and a section of Palestinian leadership. The anticipated mutual confidence to resolve the complex issues proved futile as both sides were bogged down in internal conflicts. Moreover, it was relatively easier for the leaders of Israel and the PLO to move away from the erstwhile perception of the other being their enemy and see one-another as peace partner. Such as transition at a popular level needed considerable time and effort that were shortened by Rabin's assassination. Since

the mid-1990s, therefore, the Israeli-Palestinian negotiations have been futile, ineffective and largely ceremonial. There were a number of regional and multi-lateral efforts such as Camp David Talks (2000), Arab Peace Initiative (2002), Quartet Roadmap (2005) and the Annapolis Conference (2007) (**Table 2.4**). None of them were able to bridge the gap between the two sides. If the Al-Aqsa Intifada, which broke out in September 2000 eroded the peace camp inside Israel, the death of Arafat in November 2004, robbed the Palestinians of the international symbol.

Since the futile Camp David Talks of 2000, the Israeli-Palestinian engagement has been sporadic and is dominated by periodic cycle of violence, sanctions and other forms of coercive methods by both the parties. While there is a recognition for a political settlement of the problem, the space within Israel for a political settlement has been shrinking since 2000. Erstwhile supporters of a recognition of and accommodation with the PLO, such as New Historian Benny Morris, had retracted from some of their earlier positions (). The diminishing representation of the Labour Party in the Knesset and the corresponding increase in Likud's, especially since 1993, is an indication of the lessening influence of the Israeli left (**Table 2.5 and Figure 2.2**).

**Table 2.5:**

| Representation of Labour and Likud in Knesset, 1949-2015 | | | | | | |
|---|---|---|---|---|---|---|
| **Knesset** | **Year** | **Labour** | | **Knesset** | **Year** | **Likud** |
| I | 1949 | 46 | | I | 1949 | 14 |
| II | 1951 | 45 | | II | 1951 | 8 |
| III | 1955 | 40 | | III | 1955 | 15 |
| IV | 1959 | 47 | | IV | 1959 | 17 |
| V | 1961 | 42 | | V | 1961 | 17 |
| VI | 1965 | 45 | | VI | 1965 | 26 |
| VII | 1969 | 56 | | VII | 1969 | 26 |
| VIII | 1973 | 51 | | VIII | 1973 | 39 |
| IX | 1977 | 32 | | IX | 1977 | 43 |
| X | 1981 | 47 | | X | 1981 | 48 |
| XI | 1984 | 44 | | XI | 1984 | 41 |
| XII | 1988 | 39 | | XII | 1988 | 40 |
| XIII | 1992 | 44 | | XIII | 1992 | 32 |
| XIV | 1996 | 34 | | XIV | 1996 | 32 |
| XV | 1999 | 26 | | XV | 1999 | 19 |
| XVI | 2003 | 19 | | XVI | 2003 | 38 |
| XVII | 2006 | 19 | | XVII | 2006 | 12 |
| XVIII | 2009 | 13 | | XVIII | 2009 | 27 |
| XIX | 2013 | 15 | | XIX | 2013 | 31 |
| XX | 2015 | 24 | | XX | 2015 | 13 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

**Figure 2.2:**
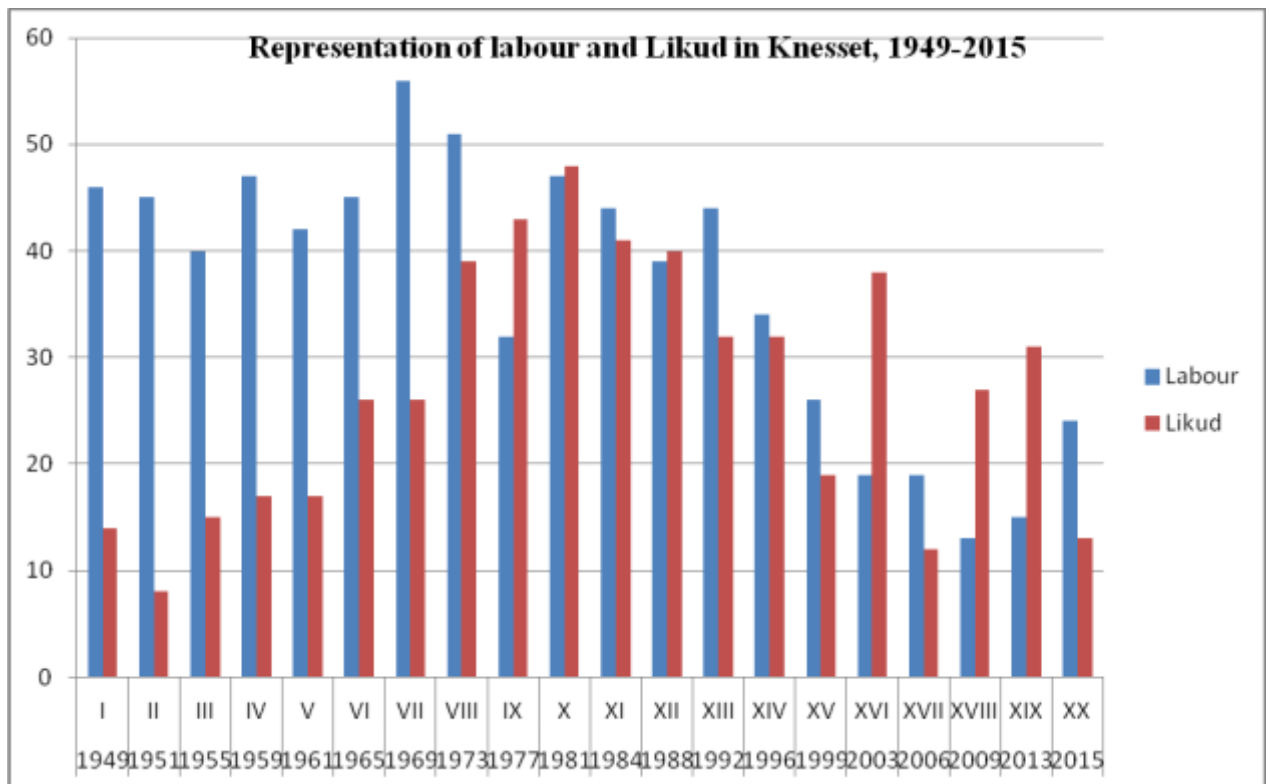


Representation of labour and Likud in Knesset, 1949-2015

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

# Conclusion

The research, at the outset, had a few research questions to contend with. One of those research questions is, "What are the contours of the identity debates within the Israeli society?" This chapter sets out to answer this particular question in trying to define, elaborate and analyse the identity debates that have grappled Israel. This research seeks a more comprehensive view of these domestic issues, treating them under the framework of the Jewish and democratic identities of Israel. There were four thematic identifications were done in order to better understand and explain the debates such as, gender, peace process, civil-military relations and role of secular-religious tussle. In it in this context that Jewish and democratic identity debates within Israel would be analysed.

# Chapter 3

# Israel as a Jewish State

In their research Bloom and Arikan (2011) probe into the differential effect of religious beliefs and religious social context on the varying attitudes towards democracy, making use the heteroskedastic maximum likelihood models. The study is based on an analysis of 45 democracies using data from the fourth wave of the World Value Survey (Bloom and Arikan 2011: 249-250). They find that while in some cases religiosity seems to pose a challenge to democracy, in some others, religiosity might also have a positive effect and in turn, a positive contribution to a democracy. According to their findings, religiosity is best explained as what they term as a 'double-edged sword'. According to their analysis, while the effect of religiosity is positive and strong for democracies in catholic majority countries, the opposite holds true for Muslim countries. Through their study, they find that the negative effect of religious belief on democratic support is much stronger in Muslim identifiers when contrasted with that of a catholic one.

To place the findings of the aforementioned study in a wider canvas of analysis, they finds that the anti-democratic attitudes for Hindu identifiers, Orthodox Jews, Catholics and Muslims identifiers have more pro-democratic attitudes, when equated to those who do not identify with a major religion. This study further finds that there are typically no statistically significant effects for Protestants, Evangelicals, or Buddhists identifiers. Another significant finding is that the religiosity factor not only impacts democratic attitudes, but also affects the contradiction between democracy and democratic behaviours and thus the study concludes that while at the level of a personal belief system, religiosity seems to contrasts with that of the principles of democracy, at the group level religion serves as a cohesive social institution which finds an increase in the homogeneity component of one's social network. This results in an active minority group, which is a beneficiary of democratic framework, eventually leading to an overall increase in support for democratic regime.

Mark Jurgensmeyer (1995) notices what he perceives to be an interesting, and a disturbing trend in the post-Cold War period that there has been a resurgence of

religious politics. When on the one hand communism took a backseat with the disintegration of the erstwhile Soviet Union, a dark cloud of religious politics accompanied the perceived victory of liberal democracy over the communist ideology. Finding resonance with Samuel Huntington (1993) and his 'the clash of civilizations', Jurgensmeyer notes that there is a growing trend of the establishment of radical religious parties in Iran, Algeria, Egypt, Sudan, India, and Afghanistan and Palestine. He prefers to call these parties as 'religious nationalists', as their goals and motivations are both religious as well as political. One of the important contributions of such 'religious nationalist' parties is that they are of the belief that a religious alternative can be a viable challenge to the liberal democratic model, and that the religious element would provide an element of cohesiveness to these societies along religious lines. This helps in building a coherent and strong national identity and eventual sense of nationalism.

Jurgensmeyer further invokes the works of Benedict Anderson (1983) as well as Ninian Smart to further strengthen his hypothesis. Anderson (1983, 1991) had suggested that both religion as well as secular nationalism form a part of what he terms as an 'imagined community'. Smart (1983), on the other hand, regarded secular nationalism, as well as religious ones as 'world-views'. These scholars agreed that the religious nationalists have an influence in understanding the social character of nationalism. Like its secular counterpart, religion can also play a cohesive role in nation building and a sense of nationalism. This would also explain in a familiar light some of the conclusions reached by Bloom and Arikan (2011) on their 'double-edged sword' analogy in studying the differential effect of religious beliefs and religious social context on the attitudes towards democracy.

Jurgensmeyer study concludes that this new resurgence of the religious nationalism, instead of challenging the secular nationalist model of governance, finds itself as a new alternative. The nation state as a phenomenon has gained a centre stage in the modern world but the post-Cold War rise of the religious nationalism has held its ground in accommodating the notion of nationalism. What has happened as a result is that the religious nationalist model of Iran, for example, serves the same purpose of nation building, even though it differs in its value when compares to the western secular liberal model. Jurgensmeyer notices an almost Hegelian dialect between the two forces of social order. While one is based on secular nationalism, the other simply draws on

religion. In the case of the latter, a synthesis is noticed between religion and nationalism, giving rise to a new ally of the nation-state, which was thought to be predominantly secular otherwise.

Understanding that there is a rise in an alternative notion of nationalism, namely religious nationalism, which flourishes simultaneously with the liberal western model of secular nationalism in state building, cannot be contextualized unless one understands the whole notion of what comprises the secular nation-state building enterprise. Viet Bader's study provides an interesting insight (1999). It is a common understanding that modern secular states require a complete and compartmentalized separation of legal, administrative, political as well as cultural kind from the church (Parsons 1936; Audi 1989; Carter 2002; Baker 2004). This is the common point of departure for many political theories, like liberalism, republican, socialism, and feminist political theories. Bader (1999) takes up two major cases as his point of reference. In England, there is a 'farcical anachronism' between its constitutional claims and historical position of the Anglican Church. If one goes by the reductionist definition of the separation of church and state, there has to be a complete separation between the two. However, it is argued that the religious groups, Catholic, Jewish or Hindu (to name a few), often question the merit in complete artificial separation. Drawing on the unique history of the state, an argument follows that integration of various religious sentiments into the state system would reduce a system of alienation and in turn, would reduce religious and political polarization in the society.

In the United States, Ronald F. Theimann (1999) had brought forth an interesting and lively debate about the "Religion in Public Life". Drawing on this premise, Bader notes that this debate brings forth several points of interest, which look into the question of the relationship between religion and state in a liberal political system. Drawing on the history of the US in the separation of religion from the public life, Theimann agreed with others like Ackerman (1989) and Carrens (1997) in upholding the complete separation of the church and the state as a vital constituent element for a secular nation state. Bader tries to challenge the assumption of complete separation, and look into the possible prospects of institutionalised religious pluralism.

Bader (1999) notes that the principle of complete separation of church and state does not necessitate the best form of political system. The relationship that exists between the

organized religion and the state should not always be seen from the prism of complete separation into watertight compartments for the best and effective system. If a democratic system includes what he terms a 'balanced practical adjudication' of constitutional rights, plurality in society can be better managed and addressed than an artificial separation of religious pluralism and secular state. The major question that follows is how does one institutionalize religious pluralism? This, if possible, would be an answer to a more sensitive and rational political system that would be better able in addressing issues of religious and social plurality when safeguarding constitutional rights.

There is a conscious intent in attempting to introduce this chapter with the above selected case studies. All the three case studies, in some way or the other, explore the possibility of coexistence of a religious identifier with that of a democratic state. In any normal dialectic discussion on the relationship between religion and state, the general starting point usually depicts the oft-repeated and yet vital question of the relationship and viability of a co-existence between religious identities with that of a democratic state (Parsons 1936; Audi 1989; Fox 2007). In keeping with the view of the first hypothesis raised in this research, the intent is to rise above and beyond the natural question of white and black depictions of religious identities contrasted with that of democracy. The intent is to establish that even when there may at times be an element of ambiguity in the apparent contradictory relationship it is not impossible.

This theoretical exposition of the possible relationship between religious identities with democracy will now be explored in the case of Israel. The chapter will explore into the notion that while it is understood that a democratic nation-state may grant positive recognition to religious pluralism, it does not undermine democracy in itself. The usual explanation of the necessity of a secular notion for a democratic state is a western construct, and even though it is a complimentary attribute to a good democracy, it is by no means the established norm or the only possible alternative.

According to Guy Ben-Porat (2013), secularization forms a complex process, which is influenced by ideological perceptions and demography among other factors. He finds that secularizing individuals and societies do not mean a natural decline and eradication of religious values in society. There are some religious beliefs that continue to prevail in spite of a process of secularization. Secularization, therefore, must be refined and

studied according to its different analytical distinctions. In spite of the stated aims of secularism, religion has often resisted marginalization and religious organizations continue to struggle for formal and informal influence and authority.

Ben-Porat points to several studies that deal with the relations between religion and ethnic/national identities. Works of Herbert J. Gans (1994), David Braddon-Mitchell (2006) and Neil C. Sandberg (1974) among others put forward the notion that many religious identities are actually ethnic in nature, with little overt religious nature.

What religion does, however, is to provide the nation with a sense of history, destiny and moral understanding, which then help demarcate boundaries that define inclusion and exclusion. Concerning the issue of the secularization in Israel, Ben-Porat puts forward three arguments.

> First, religion continues to play an important role in public life as it defines national boundaries and provides the legitimacy for their existence. Second, not only ideological opposition to religious authority drives secularization. Therefore, … economic and demographic changes can underpin secularization. And, third, consequently, secularization does not amount to a comprehensive political agenda, is at most partially related to a liberal worldview, and challenges only limited aspects of religious authority (Ben-Porat 2013: 246)

## A Jewish State

In his article in the *Journal of Democracy* published in 2000, Alfred Stephen explores the relationship between religions and democracy, calling them the 'twin toleration',

> Democratic institutions must be free, within the bounds of the constitution and human rights, to generate policies. Religious institutions should not have constitutionally privileged prerogatives that allow them to mandate public policy to democratically elected governments. At the same time, individuals and religious communities ... must have complete freedom to worship privately. In addition, as individuals and groups, they must be able to advance their values publicly in civil society and to sponsor organisations and movements in political society, as long as their actions do not impinge negatively on the liberties of other citizens or violate democracy and the law (Stephen 2000:39-40)

The term 'Jewish' in the Israeli context does not imply the necessary reinforcement of any element of theocracy. The term merely implies that the state was formed as a Jewish homeland and for the protection of the Jewish Diaspora. While this had Judaism acquire an integral part in the state structures, it does not in any way implicate that the subjects of the state need to follow any particular variety of Judaism to belong to the state of Jews coming from different parts of the world immigrated (made aliya) to Israel with their different and divergent socio-cultural, ideological and economic pre-dispositions. Such diversity also supplemented social vivacity and cultural milieu. It can be said that the very nature and formation of the state has been root cause of most of the domestic debates (Stypińska 2009).

This Jewish nature of the state and its democratic credentials are core to a number of other political debates in the country. The establishment of Israel was widely identified with the successful conclusion of the Zionist movement spurred by Theodor Herzl. The Zionist ideology is based on the premise that the Jews are a distinct nation like all the others, aspiring for the establishment of a national home in the Eretz Israel, the biblically claimed land for the Jews (Auron 2012).

As discussed in the second chapter on 'Democratic Identity' elaborates on this point, wherein Israel has always strived to maintain its democratic credentials along with its Jewish identity. Since the first elections were held in January 1949, Israel held 20 Knesset elections until March 2015 (**Table 1.1**) and during the same period, it witnessed as many as 34 governments (**Table 3.1**). Despite this seeming instability the country only had 13 prime ministers between 1948 and 2016 (**Table 3.2**). The Arab citizens who enjoy political rights, participate in the electoral process and the voting among the Arab sector has been on par with the Jewish sector (**Table 3.3**) and has been significantly higher than the voting pattern in many western countries. For example, only 54.9 percent for the American voters took part in 2012 when President Barack Obama was re-elected but voting among Israel's Arab sector has been consistently higher than 60 percent.

**Table 3.1 Lifetimes of Governments**

| Knesset | Years | No. Of Government |
|---|---|---|
| I | 10.03.1949 to 08.10.1951 | 2 |
| II | 08.10.1951 to 03.11.1955 | 4 |
| III | 03.11.1955 to 17.12.1959 | 2 |
| IV | 17.12.1959 to 02.11.1961 | 1 |
| V | 02.11.1961 to 12.01.1966 | 3 |
| VI | 12.01.1965 to 15.12.1969 | 2 |
| VII | 15.12.1969 to 10.03.1974 | 1 |
| VIII | 10.03.1974 to 20.06.1977 | 2 |
| IX | 20.06.1977 to 05.08.1981 | 1 |
| X | 05.08.1981 to 13.09.1984 | 2 |
| XI | 3.09.1984 to 22.12.1988 | 2 |
| XII | 22.12.1988 to 13.07.1992 | 2 |
| XIII | 13.07.1992 to 18.06.1996 | 2 |
| XIV | 18.06.1996 to 06.07.1999 | 1 |
| XV | 06.07.1999 to 28.02.2003 | 2 |
| XVI | 18.06.1996 to 06.07.1999 | 1 |
| XVII | 04.05.2006 to 31.03.2009 | 1 |
| XVIII | 31.03.2009 to 18.03.2013 | 1 |
| XIX | 18.03.2013 to 14.05.2015 | 1 |
| XX | 14.05.2013 TO PRESENT | 1 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

**Table 3.2 List of Prime Ministers**

| Prime Minister | Political Party | Period |
|---|---|---|
| 1.  David Ben-Gurion | Mapai | May 1949- January 1954 |
| 2.  Moshe Sharett | Mapai | January 1954 –November 1955 |
| 3.  David Ben-Gurion | Mapai | November 1955 – June 1963 |
| 4.  Levi Eshkol | Mapai | June 1963 – February 1969 |
| 5.  Yigal Allon | Alignment | February 1969-March 1969 |
| 6.  Golda Meir | Alignment | March 1969 – June 1974 |
| 7.  Yitzhak Rabin | Alignment | June 1974 – June 1977 |
| 8.  Menachem Begin | Likud | June 1977 – October 1983 |
| 9.  Yitzhak Shamir | Likud | October 1983-September 1984 |
| 10. Shimon Peres | Labour | September1984 – June 1996 |
| 11. Benjamin Netanyahu | Likud | June 1996 – July 1999 |
| 12. Ehud Barak | One Israel/ Labour | July 1999 – March 2001 |
| 13. Ariel Sharon | Kadima | March 2001- April 2006 |
| 14. Ehud Olmert | Kadima | April 2006 – March 2009 |
| 15. Benjamin Netanyahu | Likud | March 2009 - Incumbent |

*Table 3.3 Percentage of voting in the Arab sectors*

| Knesset | Election Date | National Average | Arab Sector |
|---|---|---|---|
| I | 21 January 1949 | 86.9 | 79 |
| II | 30 July 1951 | 75.1 | 86 |
| III | 26 July 1955 | 82.8 | 90 |
| IV | 3 November 1959 | 81.6 | 85 |
| V | 15 August 1961 | 81.6 | 83 |
| VI | 2 November 1965 | 83.0 | 82 |
| VII | 28 October 1969 | 81.7 | 80 |
| VIII | 31 December 1973 | 78.6 | 77 |
| IX | 17 May 1977 | 79.2 | 74 |
| X | 30 June 1981 | 78.5 | 68 |
| XI | 23 July 1984 | 79.8 | 72 |
| XII | 1 November 1988 | 79.7 | 74 |
| XIII | 23 June 1992 | 77.3 | 69 |
| XIV | 29 May 1996 | 79.3 | 69 |

**Source**: Kumaraswamy (1998).

Despite these, the Basic Law of 1985 shows the importance Israel has given to its Jewish Identity, the negation of which will result in a political party being barred from participation in Knesset elections. This shows the importance of the Jewish identity to the state discourse, particularly in its identity debate (**Table 3.4**).

Table 3.4 Laws Governing Citizenship

| Year | Laws |
|------|------|
| 1950 | Law of Return |
| 1952 | Law of Citizenship |
| 1952 | Nationality Law |

**Source:** Israel Ministry of Foreign Affairs, www.mfa.gov.il

On the question of Israel being a Jewish state, Ezra Kopelowitz and Matthew Diamond (1998) observe that the land of Israel forms an integral part of what they see as the cultural structure of the public discourse. The geographic area of the biblical Israel, which attains a central symbolic significance in Judaism, is seen as the religious focal point to many of the regularly observed ceremonial rituals as well as state holidays. These scholars point that rituals like the weekly observance of Shabbat, as well as the holidays that the state dedicates in the memory of the destruction of the ancient Jewish kingdoms dating back to over two thousand years, play an integral part in the identity formation of the state. All of them form a part in reinforcing the primacy of Judaism in the lives of the Jewish people of Israel.

Judaism as a religion forms an integral part of the state discourse. The very notion of Israel rests on its claim to the Jewish identity. The Jewish and democratic choice of the Israeli state quintessentially becomes a part of its larger domestic debates. Israel was founded as a national home for the Jewish people and its laws explicitly grants equal civil rights to all citizens regardless of religion or ethnicity but they also give preferential treatment in certain aspects to individuals under the Law of Return. At the same time, the Law does not strictly follow the traditional Jewish religious law in relation to the definition of a Jew, thereby forcing serious criticisms from the Orthodox segment of the Jewish population.

From 1948, Israel had to face certain fundamental existential questions on a wide range of subject such as meaning and nature of the Jewish state, what was to be its constitutional nature, what role would the Jewish traditional heritage play in the public life, what would be the role of religion in the ethnic-particular state, etc (Ben-Gurion 1954; Albert 2001; Goldberd 2011) While the state was facing such difficult question concerning its internal dynamics, Israel was also fighting a war for its survival surrounded by antagonistic neighbours (**Table 3.5**). These internal questions, added with the external belligerency, shaped the initial policy outlook of the state.

**Table 3.5 Major War fought by the IDF**

| Year | War |
|---|---|
| 1948 | War of Independence |
| 1956 | Suez Crisis |
| 1967 | June War |
| 1973 | October War |
| 1982 | Lebanon War |
| 1987 | First Intifada |
| 2000 | Al-Aqsa Intifada |
| 2006 | Gaza War |

Source: MFA, www.mfa.gov.il

When the elections for a constitutional assembly were held in January 1949, which later became the first Knesset, the main structures for the state institutions were already in place. Drawing from the Yishuv and Jewish historic heritage, the Zionists had a well-placed structure shadowing the Mandate government and were ready to take over when the British left Palestine. This was true for the religious segment of the population and the three major religious parties that dominated Israel's political landscape trace their roots to the yishuv period (**Table 3.6**).

**Table 3.6: Religious parties in Israel**

| Party | Year of establishment |
|---|---|
| Augudt Israel | 1912 |
| National Religious Party | 1956 |
| Degal Hatorh | 1988 |
| Shas | 1984 |

**Source**: Ministry of Foreign Affairs, MFA, www.mfa.gov.il

Thus, when seen from the point of view of state building, having a constitution for the state was not a compelling necessity, but an act of faith that could be deliberated in the Knesset and addressed at a later date (Goldman 1969; Kedourie and Sylvia 1982) The mechanisms for state building were ready, and the Declaration of Independence and the Basic Laws were to fill the void till a proper constitution was in place. The predominant political culture of the time and contingent problems determined the constitutional debate's final outcome.

As Emanuele Ottolenghi (2001) has observed, there are certain predominant factors that guides the foundations for the state. Israel being a home to a diverse category of people (both in terms of Jewish and non-Jewish nature), made it necessary that the element of political accommodation be well laid to embrace the divergent strands of interests of its people. Secondly, drawing from maintaining political accommodation, it became necessary that there is no conflict between the religious and secular elements regarding the nature of the state. Thirdly, in the light of the belligerency that Israel found itself in, it was deemed of primordial importance that the executive be granted maximum autonomy in handling emergencies under the light of the permanent state of war. The Zionist goals were to form a basic tenet in the formulation of the State of Israel and as such, they were instrumental in discouraging the adoption of a formal constitution, which would have guaranteed well-established civil and political rights to all citizens and judicial power to enforce those rights against executive and legislative encroachment. In these circumstances, courts lacked both a formal constitutional framework within which to uphold civil rights and a political culture that could be on that could be receptive enough to rights-oriented judicial decisions. Similarly, lack of constitutional constraints gave more credibility to the political options available for expounding agreements.

Eliezer Ben-Rafael (2008) investigates the dynamics of the relations between religiosity categories as they play out in Israeli society. He divides the Israeli Jews into four categories. According to his findings,

> When Israeli Jews are asked to define their attitudes towards their religion, they tend to fall into four categories. As recent findings have shown, about half (51%) see themselves as 'non-religious', one-third – 32 per cent - opt for a 'traditional' category, one-tenth, or 11 per cent, perceive them- selves as 'religious', and a small minority of 6 per cent choose the label of 'ultra-Orthodox'. The ultra-Orthodox (who represent approximately 7–7.5 per cent of the population) tend to be underrepresented in survey samples as they generally avoid being interviewed (especially the women)(Ben- Rafael 2008:89-90)

Further expanding on this multicultural aspect within the Israeli society, Ben- Rafael perceives that, even after 60 years after the declaration of the state, "…one may speak of 'Israeli Jewishness' anchored in a notion of sovereignty and a conviction—whether or not objectively justified—that it enjoys more freedom of action than any other form of Jewishness" (Ben- Rafael 2008: 90).

The collective challenges of Jewishness compel Israelis to accept aliya through the Law of Return and express and nourish the Jewishness of the Israeli identity. The Israeli Jews are perhaps the only group for whom Jewishness forms a primary collective identity without posing a tension or rivalry vis-à-vis a non-Jewish national identity.

The Jewish identity of Israel, therefore, has a transcending notion within itself, where it tries to shelter various ethnic Jews from all parts of the world, its Diaspora. The Jewish state, in that sense, is a cementing ground for all Israeli Jewish population, acting as a mechanism of national integration. According to Gad Barzilai (2010), debates about identities, including the question of 'Who is a Jew?' are not just confined to religious and cultural practices but a static question or a fixed dilemma, as it usually treated in the academic discourses. Rather, it is "a dynamic construction of political interests amid struggles of communities over political power." (Glen and Sokoloff 2010:28) Therefore, the question of the Jewish identity is not as an autonomous problem that needs to be solved using legal or political methods, but is rather "a social language that serves the political purpose of social engineering" in understanding the concept of who is a Jew (Glen and Sokoloff 2010:28).

As Shlomo Sand (2009), in his exploration for the historical lineage of a common Jewish ancestry, had noted the proclamation of independence, which forms the founding charter for the state reflects this element of contradiction. On the one hand, Israel seems to meet the UN requirements regarding the state's democratic character—promising "complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; [and] freedom of religion, conscience, language, education and culture". On the other hand, it embodies the Zionist vision that its founders envisioned to implement "the right of the Jewish people to national rebirth in its own country' through 'the establishment of a Jewish state in Eretz-Israel."(Sand 2009: 282)

While Israel has a significant non-Jewish minority population, it is primarily identified as a Jewish state. According to the Central Bureau of Statistics, Israel has a population of 8.522 million inhabitants (74.8 per cent), as of 2016 (**Figure 1.1**)**.** Of them, 20.8 per cent are Arabs, and the remaining 4.4 per cent are defined as 'others' by the state.[2] To this non-Jewish population, the Jewish nature of the state is problematic. The state symbols being entirely Jewish, the non-Jewish sections find themselves excluded. In this way, on one hand the Jewish identity of the state goes beyond religion to solidify the ethno-national identity of its Jewish citizens and on the other it has alienated 'others' from forming a symbolic attachment to the state.

Jonathan Fox and Richard Rynhold (2008) have carried out a study to understand the effect of government involvement in religion in Israel as compared to other democracies. The central question that they raise is that can a country strongly endorse a religious identity and still be democratic? One of their main reason for choosing Israel as their case study in trying to understand the complex relationship is that, this question has been oft debated within Israel both in the political as well as the academic circles. According to their valuation, "the discussion which takes place in the Israeli context can be said to provide an excellent microcosm of the larger issue of religion and democracy" (Fox and Rynhold 2008: 508).

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[2] The 'others', as defined by the state, constitute family members of Jewish immigrants who are not registered at the Ministry of Interior as Jews, non-Arab Christians, and non-Arab Muslim residents who do not have an ethnic or religious classification.

# The Question of Citizenship

The Law of Return reflects the unique national-religious preference of the otherwise functionally democratic state. Being a 'Jewish and democratic' state, Israel was to be the homeland to all the Jews in the Diaspora. The Law of Return of 1950 and the Israeli Nationality Law of 1952 expand upon the conditional criteria through which Jews in the Diaspora can 'return' to their homeland, and can become its citizen.

The Knesset, giving Jews around the world the legal basis to return to, and the right to live as its citizen, passed the Law of Return on 5 July 1950. According to the Law, "every Jew has the right to come to this country as an oleh."[3] The Law states that "Every Jew who has immigrated into this country before the coming into force of this Law, and every Jew who was born into this country, whether before or after the coming into force of this Law, shall be deemed to be a person who has come to this country as an oleh under this Law."[4] This Law was upheld not only for the return of the Jewish population for the Diaspora to Israel, but also as an absolute and natural right to every Jew in the world for immigrating into Israel. The law is ethnocentric by its very nature (Haj 2004; Doron et al. 2013).

The Law of Return was followed by the Citizenship Law of 1952 (**Annex 3**), which grants automatic citizenship rights to any Jew who enters Israel under the auspices of the Law of Return (Rolef 1987). Since this Law, debates have taken place over its imminent social and political consequences. M. D. Gouldman suggests that the Israeli nationality law is a reflection of the prevailing national ideology, which is inseparably linked with the notion of Israel as being a Jewish State (Gouldman 1970).

The Law of Return was initially restricted to only Jews as per the halakhic definition. In 1970, an amendment was made that widened the state definition of 'Who is a Jew'. According to the Halacha [5], a person is recognised as a Jew if his/her mother is Jewish by faith. Judaism is a matrilineal religion in that sense. After the 1970 amendment, the definition of a Jew was expanded to include 4A(A), as

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[3] In the Jewish context, those (Jews) who immigrate from the Diaspora to the Land of Israel (Eretz Yisrael), is said to be making an *aliya*. The person(s) who makes the *aliya* is termed as Oleh (masculine), Olah (feminine) or Olim (plural).

[4] Law of Return 5710-1950, Israel Ministry of Foreign Affairs, <http://www.mfa.gov.il/mfa/mfa-archive/1950-1959/pages/law%20of%20return%205710-1950.aspx>

[5] Halachah is the Jewish law, drawing its sources from both written as well as oral tradition such as the Torah, the rulings of the rabbis as well as the long standing religious customs in Judaism.

The rights of a Jew under this Law and the rights of an oleh under the Nationality Law 5712 – 1952, as well as the rights of an oleh under any other enactment, are also vested in a child and a grandchild of a Jew, the spouse of a Jew, the spouse of a grandchild of a Jew, except for a person who has been a Jew, and has voluntarily changed his religion.

This creates a conflict between the religious reading and state recognition as to whom or under what circumstances constitute a person to be validated as Jewish.

The Orthodox section does not recognize a person to be Jewish unless s/he is a child of a Jewish mother, or has converted to Judaism according to the Orthodox Jewish norms. According to the 1970 amendment, if a person, who may be by birth Jewish converts to any other religion, he ceases to be a Jew. The Orthodox would recognize such a person as Jewish even if he does not follow Judaism, as they hold the matrilineal rule. In such a case, the Rabbinical and state discourses come into conflict with each other, as the person cannot exercise the 'right to return' to Israel or gain citizenship. Therefore, the state recognizes a significant number in population as Jewish, but they are not recognized as Jewish according to the Orthodox Judaism and vice-versa. This creates complications for the state as well as the Jewish Israeli citizens, when the question of Personal Law or the Status quo agreement is brought into focus.

The Nationality Law of 1952, on the other hand, defines the guidelines whereby a person can be granted Israeli citizenship. While the Law of Return deals exclusively with the Jewish question, the Nationality Law[6] brings in the democratic elements of the society, dealing with non-Jewish citizenship as well. The Nationality Law (1952) relates to "Persons born in Israel or residents therein, as well as to those wishing to settle in the country, regardless of race, religion, creed, sex or religious belief. Citizenship may be acquired by birth, the Law of Return, residence and naturalization" (MFA 2010).

This Law serves a larger democratic purpose of citizenship even though it follows the jus sanguinis principle.[7] Citizenship by birth is applicable to all those who are born to

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[6]    'Acquisition    of    Israeli    Nationality',    *Israel    Ministry    of    Foreign    Affairs*, http://www.mfa.gov.il/mfa/aboutisrael/state/pages/acquisition%20of%20israeli%20nationality.aspx

[7] 'Jus sanguinis (Latin: right of blood) is a social policy by which citizenship is not determined by place of birth, but by having a parent(s) who are citizens of the nation. It contrasts with jus soli (Latin for 'right of soil')'. Source: Princeton University,
http://www.princeton.edu/~achaney/tmve/wiki100k/docs/Jus_sanguinis.html

an Israeli citizen, even if the latter are born outside the state. The need is for one parent to hold an Israeli citizenship during the birth of the child to be eligible for citizenship. The residence factor was intended for those non-Jewish persons such as Arabs, Druze, Bedouins, etc. who were in Mandate Palestine during the period immediately prior to the 1948 War, and remained within the borders of the newly formed state during the time. Israel also provides for naturalization of citizenship[8] as well as provisions for dual citizenship.

There are, of course, certain exceptions to the citizenship. Even if the citizenship laws provide for citizenship rights with a Jewish bias (the Law of Return being the case in point), the state does not recognize the 'right to return' of the Palestinian refugees of the 1948 War in the same light (**Table 3.5**). Israel holds that it wants recognised and secured borders, and one of the condition of the 'right to return' would depend on the refugees' acceptance of Israel as a Jewish state. This clash between the 'right to return' and the 'Law of Return' affects its population differently. Whereas a Jewish person has certain favoured conditions owing to which s/he can "return" to Israel, an Arab trying for Israeli citizenship has to face certain unfavourable conditions.

## Personal Law

The laws in Israel are secular in nature. It has no officially recognized state religion. However, when it comes to the question of official language, Arabic is also a recognized official language along with Hebrew. The minority rights are recognized on an individual basis. This constant struggle between religion and democratic norms create a tension in society, causative to the domestic debates (Asher 1985, 89; Bard 2007; Auron 2012)

From the beginning, Israel has recognized principles of religious freedom and non-discrimination. The Declaration of Independence states that,

> … it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations(See Annexure)

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[8] This process is at the discretion of the Ministry of the Interior.

To that effect, Israel officially recognizes all five religions, belonging to or branched out of the Abrahamic family of religions: Judaism, Christianity, Islam, Druze and Baha'ism (Smooha 1978). Israel maintains no separation between of synagogue, mosque, or church and the state. The government provides funds to religious authorities for matters such as maintenance of places of worship; holy sites, cemeteries, and other matters of relevance belong to the various recognised religious communities. Since 1940, the religious monopoly over personal laws was maintained, which finds its historical basis in the pre-First World War Ottoman rule in Palestine. During that time, different communities, identified by their religion, were granted formal recognition and accorded full autonomy to regulate their own internal affairs pertaining personal law. This practice, also known as the Millet system, was solidified in the status-quo agreement that was reached between the religious and the secular communities during its independence (Goldstein 1991; Sezgin 2010).

Personal Laws appear as an antithesis to the secular discourse within the Israeli legal system. While they ensure that all the recognised religions are granted full freedom in their sphere of religious beliefs, they encroach upon secular space when it comes to personal area of existence. Personal issues such as birth, death, marriage, adoption etc. are under the purview of Personal Laws, thereby engulfing the legal secular space. Fogiel-Bijaui (2003) notes that

> The discourse on civil law that has endeavoured, in the last decade, to advance the cause of democracy and human rights in Israel has systematically overlooked the matter of personal law—except to note that a particular existing or proposed law does not or will not affect the status of existing personal status laws… It is also interesting to examine the meaning of the campaign for a 'consensual constitution' that is being advanced in Israel's media to prepare the way for the enactment of a constitution. It seems rather clear to me that this 'consensus' is geared to serve the interests of Orthodox, heterosexual, well-off Jewish men—at the expense of everyone else, that is, the majority of Israel's citizens (Fogiel-Bijaui 2003:32)

Even in the field of academia, he further points out

> It's amazing to see the extent to which Israel's Zionist and post-Zionist academics can debate the subject of Israeli democracy in the context of occupation and war, the army and militarism, the courts, the neo-liberal

economy, and so on, without relating to the central institution upon which the country's 'ethnic democracy' or 'theodemocracy' or 'ethnocracy' rests, namely, the family.' On the very existence of Personal Laws in Israel, she notes 'Personal law in Israel, according to the Law of the Rabbinic Courts (1953) and the Law of the Druze Religious Courts (1962), is regulated and adjudicated exclusively by the Jewish, Moslem, Christian, and Druze religious courts. No comparable state of affairs exists in any other liberal democratic country, because all the world's 'enlightened' states provide for civil marriage and divorce. This is hardly a trivial matter in the constitution of a democracy (Fogiel-Bijaui 2003:32)

These Personal Laws are reflected in a series of statutes. Most of them legislated during the first decisive years of independence and enabled the religious bodies to have full power over personal matters such as life, death and marriage of the citizen, thereby eradicating any meaningful distinction between the Church and the State. This close association of religion in the state structures, while maintaining other secular features such as equal civil and political rights among its citizens (irrespective of whether they were Jewish or not), is a feature unique to Israel.

## Secular-Religious Status Quo Agreement

The secular-religious status quo is an agreement regarding the role Judaism would play in the state concluded between David Ben-Gurion with the Orthodox parties prior to Israel's independence. The basis of this agreement was a letter sent by Ben-Gurion to Agudat Israel on 19 June 1947 (**Annex 4**). According to Alan Dowty (1991), the religious-secular relations assume a special significance as Israel lacks a clear separation of religion and state blurring the civil and religious matters in the Jewish day-to-day life. In the Jewish tradition, the 'religious' and 'secular' matters often overlap. The Zionists, who keeping in mind the historical baggage of religious Judaism, carried this forward and made way for compromise between religious and secular. This feature often creates a constant struggle as well as uneasy compromises over the role that religion will play in politics in the state. As Dowty observes, "the religious politics in Israel, as much as any part of the system, reflect the bargaining pattern in Jewish political tradition" (Dowty 1991: 160). This tradition has enabled Israel to deal with the

religious divisions more successfully than most, who are engaged in the conflict of religious identities in the region.

There is a consociational pattern to the religious-secular politics that is played out in Israel. Alan Dowty points to the "maintenance of separate institutions, the organization of religious Jews to procure a share of the resources and benefits of government, the ability of religious parties to cast a veto on religious issues, and the general pattern of accommodation and negotiation rather than confrontation and decisive outcomes" (Dowty 1948:160-161). Another social scientist, Eliezer Don-Yehiya (1973) concludes similarly that the consociational democracy model helps in explaining to a large extent how the Israeli political system has managed to resolve all the religious conflicts by using compromise and peaceful methods, thereby preserving the democratic stability of the state. There are several other scholars how agree with this view (Harel-Shalev 2010; Rosman and Stollman 2013).

The Chief Rabbinate has authority over kashrut, Shabbat, Jewish burial and personal status issues, such as marriage, divorce, and conversions. The Haredi areas are closed to traffic on the Jewish Sabbath. There is no public transport on the Sabbath, and most businesses are closed. The Chief Rabbinate must certify restaurants and shop that wish to advertise them as kosher (Cohen and Susser 2000). Import of non-kosher foods is prohibited in Israel. Despite this prohibition, a few pork farms supply white meat, due to demand among specific sectors, particularly the Russian immigrants. However, status quo agreement was challenged by the Supreme Court, which decided that local municipalities must allow the sale of pork if a majority of residents demand it in 2004.[9] Nevertheless, some breaches of the status quo have become prevalent, as several suburban malls remain open during the Sabbath. Though this is contrary to the law, the government largely turns a blind eye (Mazie 2006; Barak-Erez 2007).

The Chief Rabbinate's has a say over issues such as Jewish weddings, divorce proceedings, conversions, and question of who is a Jew for the purposes of immigration. The state forbids and disapproves of any civil marriages or non-religious divorces performed within the country. While it enables freedom of religion for all of its citizens, there is no provision for civil marriage. Secular Israelis have challenged this status quo

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[9] 'Court blocks Tiberias ban on pork sales', *Ha'aretz*, 5 January 2004, http://www.haaretz.com/print-edition/news/court-blocks-tiberias-ban-on-pork-sales-1.60935

time and again and their frustration has strengthened parties such as *Shinui*, supporting separation of religion and state. While the secular Israeli Jews claim that Israel as a democratic modern country should not force the observance upon its citizens against their will, the Orthodox Israeli-Jews claim that the separation between state and religion would contribute to the end of Israel's Jewish identity (Don-Yehiya 1973; Mazie 2006; Ben-Rafael 2008).

Besides taking part in the Knesset elections, the Ultra-Orthodox parties seek to safeguard their sectarian interests and also try to implement Talmudic laws pertaining to prohibiting work or public transportation on Shabbat and sale of non-kosher food. Their religious convictions command them to involve themselves in all Jewish matters, including the lives of secular Jews (Cohen 1987; Cohen 1989; Bober 1992).

Over time the ultra-Orthodox have found them absorbed and interacting more closely with the Israeli-Jewish society; Hebrew has become more common than Yiddish and their women often work outside the community. This expansion of Hebrew, from the street and in their newspapers, together with their participation in the political sphere on both local and national levels, point to the fact that although they are undoubtedly anchored in ultra-Orthodox lifestyle, this section of the population are decidedly 'Israeli'. This is evident by a not insignificant percentage of their ballots in general elections going to non-ultra-Orthodox parties in direct contradiction to rabbis' directives.

Another example is that of the special military units that are created for ultra- Orthodox youth, who are ready to serve in the army despite that fact that the state has a standing exception for them in terms of compulsory conscription that the others face (Snippet 2008:94).

There remains a fundamental conflict between the ultra-Orthodox Jews and tenants of the dominant culture. The *Haredi* section that seeks to imprint its inclinations on the social order upon the whole community, religious and secular alike confronts the non-religious Jews. The ultra-Orthodox are ready to denounce their self-image as the true and exclusive holders of authentic Judaism, which should be abided by all Jews. As such, they definitely represent a conflicting factor of anti-status quo, aiming at the limitation of the non-religious' freedom of action (Aviad 1983; Don-Yehida 1984; Aran 1991).

This demand is unacceptable to the liberal and secular public and a case in point is the control of personal status by the religious establishment (as there is no civil marriage in Israel) and the subsequent denegation of the universal right of individuals to marry a spouse of their choice (especially its involvement in inter-religious unions). Moreover, the simple right of individuals to opt for a non-religious wedding is also denied by Israeli authorities under the pressures of the religious establishment. Major streams in Judaism such as the Reform and Conservative movements enjoy only limited recognition this country, often creating dissatisfaction among its citizens. Married women, as stipulated by customary Jewish regulations, encounter great difficulties when seeking a divorce *(get)* from their husbands. Given their growing influence, the ultra-Orthodox can no longer be seen as a 'cloistered community'.

> However, in the multiculturalism that characterizes Israel, boundaries of this community appear to be less clearly defined than in the past. An increasing number of ultra-Orthodox individuals find themselves both inside and outside the community, and there are those who decide to leave and start their life anew. Yet, those who remain loyal to their historical and cultural past undoubtedly continue to constitute a focus of deep disagreement and confrontation with the public that identifies with the dominant culture (Ben-Rafael, 2008).

Mizrahi immigrants were characterized by low socioeconomic status, due both to the estrangement towards them by the Ashkenazi-dominated establishment and their own weak human capital in the labour market.

Over time, however, education, military service and work experience partly mitigated the youth and as a result,

> A considerable number have succeeded in business or service enterprises, or pursued higher studies and entered professional careers. Most often, the socially mobile integrated middle-class strata, although predominantly of Ashkenazi origin, have illustrated an open 'all-Israeli and all-Jewish' secular model. Hence, this mobility had limited impact on those who remained in the ethnic community, which continued to be generally marked by deprivation and relative aloofness from the dominant culture. This actually preserved its relative traditionalism (Ben-Rafael 2008).

New religious Mizrahi elite gradually crystallized which has been less secular than the majority Ashkenazi population. Thus, "while Ashkenazi ultra-Orthodox rabbis find no support outside their own constituency, ultra-Orthodox Mizrahim remain an integral part of non-ultra-Orthodox traditional communities" (Ben-Rafael,2008). It is within this context one should look at the emergence of Shas in the early 1980s, which sought to capitalize on the 'Mizrahi' and 'Sephardic' identities and wider communal grievances. It was the "contention of their leader, Rabbi Ovadia Yossef, that the Sephardic culture was predominant among Jews in the Land of Israel for hundreds of years, and thus constitutes the only variant of Judaism that is 'truly' attached to the Land"(Ben-Rafael 2008).

It is perhaps important to point out that while the secular Jewish claim that Israel as a democratic modern country should not force the observance thereof upon its citizens against their will, the Orthodox Jewish- Israeli claim that the separation between state and religion will contribute to the end of Israel's unique Jewish identity. For the secular Israelis, a 'status quo' based on the conditions of the 1940s and 1950s seem no longer relevant, and there is an increasing demand to abandon it with changing times. Issues such as the Orthodox control of personal affairs such as marriage, divorce etc., lack of entertainment and transportation options on the Jewish Sabbath are increasingly resented upon. The debate has also reached the question of religious Jews and their exemption from military service. The fact that the religious sections of the Jewish society have a 'parasitical' existence, dependent on state funds while not serving in the IDF is seen by the secular Jews with disdain (Katz 2008; Evans 2011).

Ultra-Orthodox Ashkenazim are the major adversaries of the dominant culture. A small but active minority created the Agudat Israel party founded in Poland, in 1912 and has aspired to mitigate the influence of modernity and agnosticism in Jewish communities. They see themselves as the bearers of the 'true' Jewish tradition and tend to keep themselves from 'undesirable' influences and maintained an exclusive educational system of their own (Ben-Rafael 2008).

## Tussle Between the Jewish and Democratic Identities

The 'Jewish and democratic' identification of the state creates a dual identity; one that is essentially ethno-national and religious, while it also presupposes certain aspects of secular elements. A widely acclaimed characteristic of modern democracy is the

separation of the state and the religious institutions. Democratic Israel is an exception to the case. Israel strongly associates itself with its religious identity, as understood by its Personal Status Laws and the Law of Return. On the democratic side, the state provides equal civil and religious rights to all its citizens. Politically, there are regular free and fair elections for state representatives, with adult franchise provided to all its citizens. The Personal Status Law further ensures that the Israeli's, irrespective of their religion, are free to practice their own faith in their personal affairs.

The Zionist leaders were largely secular in their orientation and their ambition was to build a tolerant society with democratic ideals where the Jews and the non-Jews could live in a harmonious situation (Weissboad 1981; Hertzberg 1997; Rose 2004). In his book *'Post Zionism, Post-Holocaust: Three Essays on Denial, Forgetting and the De legitimization of Israel'*, Elhanan Yakira shows that the Holocaust was used as a legitimizing technique by the Zionists to call for self-determination of the Jews in forming a Jewish state in Israel. Otherwise, the Zionists were secular in nature, influenced much by the western political system. Yakira explores the concept of the Jewish identity of the state in a historical framework (Yakira 2009). According to Waxman,

> The politics of modern Israel is par excellence the politics of identity. Well before the phenomenon gained the sustained attention of academics and intellectuals, identity politics had shaped Israel's political landscape and cultural discourse. Since the beginning of the Zionist movement, issues of identity have engendered prolonged and agonizing debate, aroused intense passions, and fuelled bitter divisions. Indeed, the emergence of Zionism was itself due in large measure to identity politics—both that of the Jews of Europe in the late nineteenth century and that of the Christian European populations in which they lived… From Israel's establishment through the 1950s and early 1960s, Judaism was not a central element in Israeli society, and the new Israeli collective identity was defined more in terms of 'Israeliness' than 'Jewishness.' Under this more civic than ethno-religious conception of Israeli national identity, at least in principle, non-Jews could also be considered 'Israeli' and part of the new Israeli nation. Thus, Ben-Gurion declared in December 1947: 'In our state there will be non-Jews as well—and all of them will be equal citizens; equal in everything without exception; that is: the state will be their state as well.' Similarly, the

'Declaration of the Establishment of the State of Israel' on May 14, 1948, stated: 'The State of Israel. . . will foster the development of the country for the benefit of all its inhabitants . . . it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion.' (Waxman 2006:15).

However, in order to pacify the orthodox elements in the state, the status quo agreement necessitated the requirement of religious elements, a practice the state continues till date. This reinforced the Jewish elements in the state, and in the life of its citizens, often causing a strain in its democratic aspirations.

Michael Langer (1987) has made a case of inconsistencies of democracy and religion in the Zionist future for Israel. To his understanding, a secular state is an essential element for a democracy to function, sustain and flourish. Israel being a Jewish state, according to his reading, undermines the essence of democracy as was enshrined in the Declaration of Independence. He further asserts that the Jewish nature of the state not only undercuts the democratic feature of Israel but it also undermines the Zionist enterprise that is the heart of the state formation and identity.

Langer draws heavily from the western notion of secularism and for him, political Zionism was a product of the western enlightenment. As such, a close association of the state with Jewish identity would countermine the aspirations that the Zionist leaders had as the homeland for the Jews. The Labour Zionist movement, in particular, had summarily rejected the docile nature of a Jewish state. As against the ultra-Orthodox call for a messiah, the Labour Zionism firmly believed in the agency of the person in the establishment of the homeland for the Jewish people. It was naturally set in contradiction to the halakhic definition of a state.

As many others who have voiced the same reservations (Elazar 1971; Arian 1985; Carmon 1993; Cohen-Almogor 2005), Langer saw the Jewish nature of the state as a failure of the democratic aspect of the state. The state recognition of the halakhic interpretation of Judaism and the Status Quo agreement were seen as the prevalence of one particular strand of Judaism, that is, the Orthodox Judaism, over the other strands like cultural Zionists.

The separation between the Jewish religious influences from the Zionist state was considered a necessity for the renewal and revival of cultural Zionism. A necessary

condition for the democratic functioning of the Jewish state requires plural voices within Judaism to flourish. However, in the case of Israel, different strands of Judaism (like reformist, revisionist or cultural, or secular) are subdued by the Halakhic interpretation of the law. This further undermined the Declaration of Independence and its ideals (Berkovitz 1979; Aviad 1983; Cohen 1989).

The Declaration of Independence defines Israel to be a 'Jewish Nation state' while the word 'democratic' remained absent. In response to several situations where the Jewish identity was enhanced in favour of the democratic ideal, the Israeli law (Basic Laws) upheld that the state to be both Jewish and democratic, making clear the position of the state in this matter (Arahon 1998; Pedahzur 2002).

According to Ilan Peleg,

> … the strengthening of the religious factor in Israeli politics as a mechanism for invigorating the ethnocentric system proved costly in the long run. It pushed the Israeli political system increasingly in a particularist direction, leading eventually to the victory of the Right at the polls. The impact on the country's political culture was unmistaken (Peleg 1998: 230-250).

Peled noted earlier in 1992 that the scholarly consensus was that, the ethnic Jewish element in Israel's political culture has been on the ascendance since 1967, and that the universal democratic element has been on the retreat.

In lieu of this contradictory identity that the state purports, many scholars have tried to delve into the practical possibility of such coexistence. Some have out rightly rejected the possibility of Israel being able to maintain both of this identity in treating its citizens fairly while giving leverage to its Jewish population (Peretz 1958; Edelman 2000; Rouhana 2006). Others have opined that such identity is not necessarily contradictory or unworkable (Weiss, 1983; Kopelowitz and Diamond, 1998). Others have remained largely sceptic of the entire issue, viewing Israel a functionally democratic state, drawing in distinction between a state being procedurally democratic and being democratic in its substance, not as many such other functional democracies (Dowty 1971; Smooha 1989; Yakobson 2008).

The Jewish identity of the state brings in a whole discourse on the religious and the secular identity (Firestone, 2006; Hacohen, 2009). The most commonly identified

democratic norm is its secular ethos. In that regard, there are debates and opinions within the Israeli society for the state to adopt more of a secular outlook to support its democratic claims. Israeli intellectuals who address this issue of secularism write about two kinds of issues—one philosophical and the other cultural. The first involves an examination of the nature of secularism and is presented in abstraction. The second issue that occupies Israelis when they discuss the meaning of secularism concerns with the significance that Judaism can offer the secular Jewish public and these include the Jewish identity of the country's secular population, place of Jewish education in the national school system, Jewish literary canon and Jewish sources of Israeli culture etcetera (Rosenblum 2003; Katz 2008).

On the question of separation of religion from Israel's democratic norms, Yonah observes,

> First, and as previously stated, the 'constitution' does not seriously challenge the monopoly of religious courts over matters of marriage and divorce, and therefore fails to satisfy one of the main requirements of liberal democracy: the separation of state and religion. Second, it reaffirms the Jewish character of the state—defined in ethno-cultural terms—which authorizes, accordingly, public policies that promote the exclusive national interests of the Jewish people. Third, it contains a limited list of rights and liberties: while protecting individuals against official authorities, this list requires no action on part of the authorities to secure the right to decent human existence and other social rights. Thus, this 'constitution' leaves out a wide array of social rights, including the right to education, health, and welfare (Yonah 2000:135)

The state being founded as a home for the Jewish people would naturally be associated with the Jewish religion. Judaism is a part of the state symbols. In that aspect, even if the state discourse is immersed in the Jewish/democratic debates, there is provision for space to the segments of its population (Edelman 2000; Cohel-Almogor 2005).

Discussing on the importance of the state symbols, which are primarily Jewish in nature, that alienates the 'others', Cohen notes that,

> It sought to create a pro-Israeli Arab rhetoric and to impel its Arab citizens to act as they spoke, at least in public. In other words, Israel wanted the Arabs to accept the state and its values and to assimilate the broad outline of the Zionist

narrative. One prime example of this was the security forces' massive encouragement and inducement of Arabs to celebrate Israel's Independence Day and to disregard the day's pernicious implications for them(Most of Israel's Arabs lived, after all, under military rule, and many had relatives who had become refugees in circumstances connected to the establishment of the state. From being a majority in their country, they had become a minority with limited rights, and the lands of many of them had been expropriated (Cohen 2013: 132).

This forceful re-enforcing of Jewish symbols and identity on the Israeli Arab population has resulted in further and more marked alienation of the two ethnic groups in Israeli society.

In Hillel Cohen's words,

But the consolidation of a unique Israeli Arab identity—which indeed began to take place at this time as a result of the realities of life as Israeli citizens—did not lead Israel's Arab citizens to abandon their Arab and Palestinian national identities completely. There were several reasons for this. First was the state's ambivalent attitude toward its Arabs, who on the one hand were citizens, yet on the other hand possessed limited rights and were placed under military government. This prevented them from feeling such as full- fledged Israelis and helped to preserve their Arab national identity alongside their Israeli one. Second, add to this the effects of external developments— mainly Nasserism— on the Arab public in Israel, effects that were beyond the Israeli state's ability to control. The third factor that prevented the success of this project was the existence of deep undercurrents in which Palestinian national memory was preserved and fostered, not in public, but in family and social frameworks. In addition, the Israeli decision that Arabic would remain the language of teaching in the Arab schools contributed to the affiliation of Israel's Arabs with the rest of the Arab world. All these factors affected both teachers and students and made it difficult to uproot Arab nationalism completely. But the security forces tried, through close supervision of the educational system and the winnowing of teachers, to reduce these factors' influence on the younger generation(Cohen 2003: 156)

This, in turn, shows the dilemma and dichotomy that the citizen and the state face over identity. The Jewish identification of the state is closely linked to its democratic aspirations, so much so that, one cannot be fully separated from the other. In this respect, any discussion on the Jewish identity of Israel remains incomplete without understanding its democratic ethos. In a similar manner, any reading of the democratic structures and elements of Israel cannot be fully comprehended unless the Jewish (both as an ethno-national as well as religious category) identity is touched upon. This is a unique feature of Israel, among the modern democracies of the world.

The preference of Judaism over others in the state discourse seems to create an unequal advantage for Jews over the other non-Jewish Israeli's. At the same time, it is the secular space that suffers. The close association between religions with democratic norms end up limiting the other. The issue of the secular Jews will be discussed in the subsequent section. Personal Laws being guided by religious codes, the secular population finds them to be constraining in vital matters such as birth, death, marriage, adoption etc. In spite of being a democratic state, freedom from religion in personal matters is largely lacking for those who desire a secular way of life (Ratzabi 2008; Pinto 2012).

In order to understand the major approaches the relationship between democracy and religion, three major models can be identified. They are Consociationalism, liberalism and libertarianism. The first approach of Consociationalism was proposed by Don-Yehiya, who viewed the religious–state relations in Israel in terms of consociational democracy. Don-Yehiya's approach views democracy in terms of finding a balance between the legitimate rights of communities and individuals. The second main approach, proposed by Neuberger, is explicitly liberal in definition; while it recognised the existence of group rights, it gives absolute priority to the rights of the individual. The third approach, proposed by Baruch Kimmerling (1989), implicitly defines democracy in libertarian terms but do not recognise the legitimacy of communal rights. For him the close relationship between the religious tradition and modern Jewish nationalism means that religion and democracy are part of the debate concerning the legitimacy.

This tussle between the Jewish and the democratic identities creates serious tension in the society and puts stress on the political system. The importance of the Ultra-

Orthodox is much more than its numerical strength. The Status Quo agreement has further increased their importance in the Israeli society. By keeping the public at large under constant pressure, Ultra- Orthodox have deeply antagonized much of nonreligious society but, for the very same reasons, increasingly regard themselves as an intrinsic part of this society. This shows how the Jewish-religious factor, be it in terms of religious beliefs or even the language spoken at home, enforces the Jewish identity within Israel. This has often undermined the democratic space within Israel. Israel being of a Jewish majority state with a strong religious connotation, leads to a sense of alienation of its minorities (Brodkin 2003).

Following the establishment of the state of Israel, the Arab population, who were in majority in the Palestinian Mandate, became minority in the state. Those who remained in the state were automatically granted citizenship but large portions of them were subjected to military rule till 1966. The differentiated attitude of state primarily emanated from security concerns and its suspicions over the loyalty of its Arab citizens (Yehuda 1983; Benyamin 2004). The Arab citizens of the state were given the right to vote and to get elected to the Knesset but were subjected to discriminatory practices as the government used 'a carrot and the stick' policy to ensure their loyalty to the state (Hillel 2010). A few Knesset Laws also contributed towards this practice. Israeli Nationality Law favours 'Law of Return' for the Jews, dissatisfying the Arab population. The Arabs are often viewed as a demographic threat, an impediment to the state's goal in the maintenance of its Jewish majority (Eliezer, 1993; Bar-Tal and Jacobson, 1995; Lustick, 1999; Ramzy, 2011).

Apart from the legalistic aspect portraying the Israeli Arab situation, substantial literature is in place looking into the various aspects of their predicament in their relation with the state. Some have pointed towards the difficulty of addressing an ethno-religious minority who stands completely in contrast to Israel's identity (Nadim, 1998). There are studies that look into the Israeli Arab situation from the psychological prospective, of living as a secondary class alongside the privileged Jewish majority (Seliktar 1984). The Israeli psyche has been preoccupied with certain particular problems of the society, influencing their mutual perceptions and attitudes, such as stereotyping, acceptance, tolerance, trust, and prejudice, within communities (Ram 1998).

Added to this internal dimension are the larger issues of the Palestinian/Arab identity, Palestinian nationalism, statehood and two-state solution that have unsettled the easy identification of Arabs of Israel (Sussman 2004, Nusseibeh 2011). The questions of the Palestinian identity, aspirations for a Palestinian state, the problems of having to identify with a Jewish state (Tessler and Grant 1998; Rekhess 2007; Lowrance 2005) and the future of its own Arab citizens often unsettle Israel.

## Secular Jews in Jewish Israel

Because the categories of Jewish religiosity are more easily defined in Israel, discussion of their religiosity is more straightforward than a similar discussion in the Muslim population of Israel (Hleihel 2011). Distinctions are normally made among the following numerically important groups such as ultra-orthodox, religious, traditional and secular and non-religious. These religiosity categories are closely associated with fulfilment of religious commandments (such as observance of Sabbath), affiliation with particular religious political parties, specific religious education for children, and particular religious communities (Sharot 1991; Hleihel 2011). The ultra-Orthodox have a commitment to extreme segregation from the secular world. As Friedman (1991) discusses, the ultra-orthodox groups stem European Enlightenment and they shun all contacts with the outside culture and live in segregated neighbourhoods and towns.

At home, Israel is often said to be a 'non-liberal democracy' (Peretz and Doron 1997; Kimmerling 2001) as it has the domination of Orthodox strand of Judaism over Jewish religious life. This is often understood as being ingrained in non-liberal and ethnocentric attitudes in society. Even though the religious courts recognize other minorities, Judaism being the primary guidance for state laws in the public life is often interpreted as equating with discriminatory practices towards its minority population (Ben-Dor et al. 2003; Ben-Porat and Feniger 2009; Sagiv-Shifter and Shamir 2002). The national religious movement, which also originated during Enlightenment promotes contact with the outside world while maintaining Jewish culture and practices (Friedman 1991) and are generally integrated into Jewish Israeli society. According to a 2009 survey about 10 percent of the adult Jewish women aged 20 and above identified themselves as religious (CBS 2010).

The largest group of adult Jews, at 41 per cent, define themselves as secular or not religious (CBS 2010). Substantial segment of women who identified themselves as

secular occasionally observance of religious commandments, attend synagogue during major holidays, and rate religious ceremonies as very important in their lives. Secular, when spoken in context of Israeli Jews, form a part of a structure which is not completely devoid of the influences of Judaism on the state and its citizens.

According to a study conducted by Epraim Tabory (1993), "considerable amount of social isolation characterizes the general relationships between religious and non-religious Jews even when they live together. Both groups prefer their social circles to be with persons of similar levels of religiosity." His study shows the polarity and the elements of mutual distrust between the two sections of the society. The ultra-Orthodox tend to separate them physically from the non-religious by living in segregated communities, neighbourhoods, and settlements (Samet, 1979; Shilhav, 1983, 1984, 1991), and such patterns are noticed in the more moderate religious population as well (Gutmann 1981). Religious separatists argue that segregated religious institutions such as a separate school system, a university, and even military service programmes for those religious Jews who do serve and select such programme prevent exposure to outside influence, which can undermine religiosity. The separate programmes also indicate the illegitimacy of those non-Orthodox practices and institutions that could otherwise undermine the religious community (Smooha 1978).

According to Professor Eliezer Ben- Rafael (2008), about half (51 per cent) of Israeli Jews see themselves as 'non-religious'. Almost half of the World Jewry defines themselves in secular terms. Secularism in the context of Israel is a varied definitional term. The secular Jew, or *hiloni*, can be divided into various categories. The first category comprises of the ideologically secular, that is, those who think secularism is a matter of conviction and way of life. A second definition of secular in the Jewish context is the simple absence of a belief in God. Many Israeli Jews who defined themselves as secular were characterized by the fact that they do report that they believe in God. A third definition of secular Jew refers to adherents of a non-religious conception of Judaism. The notion that Judaism is a culture or a civilization of which religious practice and belief is only a part is prevalent among this group. This is in contrast to a religious understanding of Judaism that holds that the faith is constituted by Jewish law (*Halacha*).

According to Charles S. Liebman and Yaacov Yadgar,

> The creation of the state of Israel, along with the influx of new immigrants breathed new life into secular Judaism. Jewish symbols were now adapted to build and to strengthen national identity and loyalty and to Zionize the new immigrants many of whom were tied to traditional religious practice. Israel's civil religion, however manipulative and distorting it might have been, was built upon traditional Jewish symbols and still is. The problem is that the civil religion itself no longer evokes the allegiance and the emotion that it did in the past and the older secular rituals have been largely forgotten. Furthermore, in most cases, as is true of other innovative ritual; rituals lose relevance very rapidly, especially in a changing society. What is important to note, a point to which we return in subsequent sections, is that the Zionist enterprise, Zionist ideology and Zionist commitment, were inextricably tied to Jewish ethnicity and a sensitivity to Jewish history and Jewish symbols. It is fair to say that Zionism sought to nationalize Judaism. It succeeded to a great extent but this … has also been the undoing of secular Judaism in Israel(Liebman and Yadgar 2009:7)

The secular Jews, therefore, cannot completely discard their Jewish identities. Israel being a Jewish state, its policies are framed in such a manner that the Jewish (or non-Jewish) identity remains paramount to the state institutions. One such example will be that of the institution of the IDF (Israeli Defence Forces). Conscription is mandatory for all Israeli Jewish citizens with certain exception. In such a case, the obligation to the state is tied closely to the Jewish identities. The military service also translates into other facilities such as housing, job opportunities etc. The IDF in itself is a secular institution, built on a model of modern military suited to the needs of the state. As per the far-sightedness of the architects of the modern State of Israel, the IDF acts as a melting pot for the Jewish population, coming with their varied economic, social and political outlook. These secular Jews treat the Jewish identity as a part of their larger national identity of being an Israeli, and often look down upon the religious Jews (Haredim) for their exception to the military service. Most Israeli religious Jews, especially the Haredim community, justify state support and freedom from army service by arguing that the Jews and the Jewish State of Israel exist by virtue of their support of religious study(Allon 1970; Cohen 1995).

It is only from the 1970s that one notices increasing influence that the religious factions have over the secular. As Shahak and Mezvinsky (1999) have observed, the element of religious fundamentalism has not been a major point of interest or concern to the Israeli society until 1988.

As Clive and Murphy put it,

> It is religious-nationalists who carry the conviction of political identity most forcefully in Israeli politics. Their identity remains indivisible from a mythic attachment to a land, which regards territorial compromise as anathema to the logic of a Zionism perceived in eschatological terms. In short, whatever benefits Israel may derive from a peace process can never compensate a community whose very identity remains mortgaged to continued Jewish dominion over the West Bank and East Jerusalem. … Rather, it is about defining the political balance to be struck in Israel: a state for the Jews or a Jewish state? (Clive and Murphy 2005:125)

## Conclusion

The Jewish and democratic identities of the state have been central to the very existence of the state. The ethno-national and religious identification of the state was a historic necessity and the purpose for which the state was established. It was to be the homeland for the Jewish Diaspora, making it imperative for the state to adopt its religious identity. The 'Jewish and democratic' identity is perhaps the core to all the major internal identity debates that are reflected in the academia and civil society. The non-Jews, such as the Israeli Arabs (both Muslim and Christian), the Druze, Circassians, the Baha'is and the various denominations of the Christian sects are also affected differently by this Jewish identity. Whereas the Druze have acquiesced to the Jewish state structures, the Israeli Arabs (with their historical and ethnic proximity to the Palestinian Arabs) often find it difficult to adapt to the overtly Jewish structures of Israel.

This does not imply that there are no problems in the dual contradictory identity. The Jewish population of Israel is the majority contributing 75 per cent of its demographic strength. This Jewish population is a heterogeneous mix, with secular, moderate and religious divisions on one hand, and geographical lineage on the other. Divisions exist between Jews and Arabs, between religious and secular Jews, and in the political

spectrum between the Left, Right and the Centre. Various combinations and permutations in political outlooks occur with people having centre-left stand or centre-right.

# Chapter 4
# Israel as a Democratic State

To understand the democratic challenges, it is necessary to make an appraisal of the demography of the minority in the otherwise Jewish majority state. Muslim Arabs constitutes "around three-quarters of the Arab Israeli and are mostly Sunni Muslims. Nearly one-tenth of Israel's Muslim Arabs are Bedouins" (CBS, 2016). Christian Arabs form the second largest group in the Arab Israeli sector making up around nine per cent of the Arab population in Israel and most of the Christian Arabs are affiliated with the Greek Catholic, Greek Orthodox and Roman Catholic churches. Arabs have equal rights as citizens of Israel, but differ in terms of their civic duty, being exempted from compulsory service in the Israeli Defence Forces or the IDF (Shohat, 2003; Smooha, 2004)

In spite of being a minority in an ethnically non-neutral state, not all minorities voice their protest against the state with the same intensity. Many of these minority groups have acquiesced to the Israeli state, depending on the degree of familiarity or acceptance that they feel from the state structures (Lowrance, 2006). The Druze community is the only major non-Jewish group who are subject to mandatory conscription to the IDF. They are culturally Arabs but they opted out of the mainstream Arab nationalism in 1948 and have since served in the IDF and the Mishmar HaGvul (Border Police) (Parsons, 1997; Firro 2001). They are recognized as a separate religious entity with their own courts and jurisdiction in matters personal. They have attained high-level positions in the political, public and military spheres (Yiftachel and Segal 1996; Kaufman 2004).

Bedouins and the Circassians are two other ethnic minorities who inhabit mainly south and north respectively. Bedouins comprise around 30 tribes, estimated at approximately 250,000 and form a minority within the Arabs. Unlike the conscription of the Druses, the Bedouins are encouraged to volunteer and through various inducements. The Negev Bedouins volunteer for the security services, and hence rewarded with a friendly attitude, both from the establishment and from Jewish society at large (Parizot 2001).

The Circassians, with around 4,000, are concentrated in two northern villages. Like most Bedouins, they are Sunni Muslims. They are neither Arab nor share the cultural background of the larger Islamic community. While maintaining a distinct ethnic

identity, they participate in Israel's economic and national affairs without assimilating either into others. Like the Druze, they enjoy a *status aparte*, allowing them to maintain their separate status while being part of Israel, and are subjected to mandatory conscription (Stem 1989; Kreinder et al. 1991).

One of the hypotheses that this thesis proposes to test is that there is an element of ambiguity between Jewish and the democratic identities of Israel. This chapter focuses on the democratic identity. The Jewish identity is significant in the domestic aspect on in day-to-day life of the citizens. From Hebrew being one of the official languages, to the national flag and anthem[10] as well as state holidays, Judaism resonates in the Israeli way of life. This would be examined within the context of both religious and secular Jews, and their implications on the state affairs. This chapter would primarily examine Israel's democratic identity and the state's treatment of its demographic diversity, in particular the non-Jewish minority, is the primary measure to examine how it lives up to its democratic credentials.[11]

A close interlink is apparent between religious and democratic identity. The questions that primarily result from formulating such a case-study analysis are:

1. Can a Jewish majority state function as a democracy, especially with respect to non-Jewish population, or those who do not identify with its Jewish character?

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[10] The state symbolism being of Jewish identity has been an area of debate and contention for a long time in the Israeli society. In an address to the Arab and Jewish children at the Himmelfarb High School on 29 May 2016, the President Rivlin touched on the complexity of this issue of the imposition of the yearning for a "*Jewish spirit*" in the national anthem *Hatikvah.* The close juxtaposition of the national identity with that of the Jewish identity alienates a large part of the non-Jewish citizen, who form an integral part of the nation building. See "Rivlin: Rethink national symbols, anthem to be more inclusive for Arabs", *Times of Israel*, Jerusalem, 30 May 2016.On the other hand, both Jewish as well as the non-Jewish population face restrictions in terms of the imposed Jewish identity of the state, which resonates beyond the symbolism into daily life. The personal laws, while ensuring freedom to pursue religious way of life, prevent a break away from the religious impositions. Marriage, divorce, adoption et cetera are strictly regulated by the religious community. See Borschel-Dan, Amanda (2016), "In Ottoman holdover, Israel double downs on marriage restrictions", *Times Of Israel*, Jerusalem, 2 June 2016.

[11] In any state, the primary yardstick of its democratic credential comes from how it treats its minorities. In a discussion on Islamic states in the West Asian region, P. R. Kumaraswamy holds that, "It is essential to distinguish *tolerance* from *equality*" (Kumaraswamy 2003: 248). A democracy may uphold certain rights and privilege for all its citizens, however, unless there is equality in the rule of law of a country for all its citizens, disparities will exist. Using the situation of the Kurds in Turkey, Kumaraswamy shows how a uniform nation-building project can undermine minority in a state by undermining their autonomous and distinct identity in favour of a national identity, uniform and partial to the majority population.

2. Can the religious and democratic identities exist side-by-side in a state that has a heterogeneous composition, not only between Jews and non-Jews, but also within various Jewish denominations?

## Democratic Identity

Democracy as an idea can popularly be traced to ancient Athens, and the Greeks are generally credited as the first political community who built city-states (*poleis*), and laid down democracy, as it is understood today. The word owes its origin to Greece and the term *dēmokratía* means 'rule of the people'. In the ancient times, the rule of the 'people' was confined to propertied and powerful classes in the society—the political elite. However, the genesis of the term is not constrained to that of the Greece-origin theory. According to John Keane (2009), the common understanding that the term owes it ancestry to the western political thought constitutes a myth. Keane, in an attempt to 'democratise' the history of democracy, finds that the concept can be traced to the ancient civilizations of Syria-Mesopotamia, effectively breaking the notion that it has exclusive western origins. Victor Ehrenberg (1950) had also reflected on similar views earlier, although remaining well within the western discourse.

There is no consensus among scholars with regard to what constitutes as 'democracy.' Laza Kekic (2007) opines that there is no agreement on how democracy is to be measured, and there are a lot of contested definitions of democracy that have contributed to a vital debate on the subject. W.B. Gallie has argued 'democracy' as one of the best examples for what he terms as an 'essentially contested' concept that is the focus of endless disputes that, "although not resolvable by argument of any kind, are nevertheless sustained by perfectly respectable arguments and evidence" (Gallie 1956:169). Therefore, it can be argued that there exists no single, comprehensive definition reflecting upon what it means, or can be generally understood as the definition of the term democracy. It remains a multi-faceted term, evolving in its nature.

In order to arrive at a broad understanding of the term, many scholars have spelled out what they consider to be the basic tenets or characteristics to be called a democratic system. David Held (1992) defines the term as a form of government in which the people rule. Democracy, according to him, involves a political community in which there exists some form of political equality among the people. Joseph Schumpeter (1942) understood democracy as a system in which collective decisions are made

through a competitive struggle for votes. Robert Dahl has pointed out five unique criteria that must be met for a state to qualify as a democracy. In an ideal democracy, Dahl believed, there should be effective participation of the citizens in all-political and civic matters. He also believed that there should be equal voting rights granted to every citizen. No citizen should have a vote that holds greater value than her counterparts. Thirdly, there should be equal opportunity for all the citizens, so that they can make the choice that would be in their best interest, thereby arriving at an atmosphere what Dahl understood to be of an enlightened understanding. Fourthly, the demos (or the people) should have a say in what constitutes the agenda for political discussion and deliberation. Finally, just like the equal weightage of votes to every citizen, there should be an element of inclusiveness within the state to ensure equality among citizens (Dahl 1989).

Further, according to Larry Diamond, there are certain key elements that make up what is understood as a democratic system. Firstly, there has to be space for is free and fair elections for both choosing and replacing the government. Secondly, citizens take an active role in both the civic as well as the political life of the state. Thirdly, there has to be provisions for ensuring the basic human rights for the citizens and finally, the prevalence of the rule of law should be equal for all the citizens (Diamond 2004).

These definitions focus on various dynamics of the democratic process that take place in a given society. A state may have various institutions in place for successful democratic procedures, but it still may not be accepted as a democracy. A case of regular elections with a larger popular participation do not automatically ensure that the state provides for a democratically elected representative, if there are severe restrictions on who can contest or if the elections are not free and fair. There are varying parameters of what comprises a democratic system, and the defining parameters have undergone changes over the years. As David Held (2006) noted, democracy has many shapes and forms, and needs to be continuously debated. It is not a stagnant phenomenon. E. H. Carr (2011) explores various gamut of the evolution of the understanding of the democratic process. In what he understands to be the panoply of democracy he concludes that there are several factors at play in understanding, defining and redefining the understanding of the term democracy.

Liberal definitions of democracy are concerned with the contestation and participation, including notions like accountability, representation of citizens, and universal participation (Bollen 1993; Chan 2012). Social definitions of democracy maintain the institutional and rights dimensions found in liberal definitions of democracy, focusing on the social and economic rights (Berman 2005; Carlssons and Lindren 2007). However, certain core elements such as equality before the law, rule of law, political freedom to speech and expression, and free and fair elections are considered vital in the understanding and defining of democracy. The nature of the state, its demographic composition, as well as the form of governance all play a part in the type of democracy[12] a state adopts for itself.

The idea that democracy is a form of governance based on a degree of popular mandate and collective decision-making has largely been accepted over time. However, the inclusion of additional features has produced renewed debates over definitions. Within the realm of procedural democracy, there are two types – 'representative' and 'direct' form. Philippe C. Schmitter and Terry Lynn Karl define modern democracy as "a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives" (Schmitter and Karl 1991:76).

In a procedural democracy, the citizens do not have much influence over the state as compared to a liberal one. Here, the assumption is that the electoral process is at the core of the authority placed in elected officials and it ensures that all procedures of elections are duly complied with as a matter of procedure. In such cases, one finds that only the basic structures and institutions are in place. Like in the case of Egypt, Namibia or Angola, elected representatives often resort to electoral malpractices to stay in power against the common wish of the people, thus upsetting the establishment of a full-fledged democracy (Dahl 1979; Gordon 2001). A substantive democracy is a form of democracy that functions in the interest of the governed. The adult franchise plays an actual role in carrying out its political affairs and as a result democratic institutions

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[12] According to an extensive study conducted under the supervision of the University of Sydney, the research team associated with the Sydney Democracy Network has discovered that there are in total 507 theories of democracy in existence. These different hybrids of democracies all contribute to the wider understanding of democratic theories in the world today(http://sydneydemocracynetwork.org/wp-content/uploads/2014/11/Democratic-Theories-Database.pdf.) In order to maintain a understanding, only the traditional categorisations of the democracy as a form and system of governance are discussed in this chapter.

function in substance. This type of democracy can also be referred to as a 'functional democracy' (Doherty and Mecellem 2012).

Democracy is a political institution that for popular participation through electoral process. Robert Dahl (1991) defines democracy based on two-principle features namely political participation and political contestation. Political participation is where the adults can freely exercise their right to elect their representatives in a free and fair manner. Political contestation refers to citizens' ability to express their discontent against the elected body, without the repercussions from the state. These are primarily what make a liberal form of government.

In the field of comparative politics, the scholars distinguish democracies based on the nature of government. There are primarily two types of governance in a democracy – direct and representative. This can be done referring to the kind of governance and social structure that allow citizens to participate in the political system – either directly, or indirectly. Direct democracy is a system where all power rest in the hands of the individual. Democracy is a rule by the demos; this is a system where the people vote directly for reforms and legislations. In the absence of intermediaries, each person is treated as equal, and has the opportunity to directly influence the policy through a referendum. Ancient Athens and present day Switzerland are the two examples for this form of democratic governance. The downside of such a system is that it can be possible only in states with a small population.

The second major and more common type of democracy is representative model. Here, the political arrangement establishes an intermediary political actor (or actors) between the individual and policy makers. Through regular elections, one person or a group of persons are elected and assigned with the task of making decisions on behalf of the group of citizens that they represent. Electoral defeat serves as a mechanism of checks and balances if a group strays from the preferences of their constituency.

The broad categorisation of 'direct' and 'representative' democracy can be further classified into 'systems' of democracy. The representative democracies can be further categorised into various subtypes. There is Electoral democracy, Parliamentary democracy and Presidential democracy to name a few of the popular models of representative democracy, where the people choose a representative body to govern.

In the case of a 'direct' democracy, one finds mixed regimes. Most of the democracies around the world are 'representative' in nature. By and large, there are two types of systems of governance in such representative democracies. First is of parliamentary in nature, and the latter a presidential type. As compared to the parliamentary system, there are fewer presidential democracies in the world and concentrate power in the executive branch hence tend to be less representative but more stable. The United States of America and Zimbabwe are among the few who are categorised by the presidential system of governance. The strict separation of power between the executive and legislature often acts as an impediment to the otherwise smooth functions of the presidential system of governance.

The parliamentary system of governance is the more popular alternative within the ambit of representative democracy. Such systems have the distinct feature of a retaining a strong legislature. Examples for this type of system are India, Israel, Germany and the United Kingdom. The executive controls the legislative process and sets the policy agenda. The head of state, is ceremonial with limited powers, unlike their counterparts in a presidential system. There is a close cooperation between executive and legislative branches of the government, thereby promising more stability. This system of governance sometimes employs a proportional representation model in its electoral mechanism leading to a better representation of the diverse political interests of the society. The diversity of interests creates significant internal dissension within the legislature, and often leads to the form of coalition governments.

### Democracy and Religion in the context of Israel

Israel defines itself as a 'Jewish and democratic state'. This self-definition has reflected its willingness to maintain a Jewish identity alongside its democratic credentials as a modern state. Israel promises that it would ensure full equal rights, both personal and civil, of all citizens of the state, Jewish or non-Jewish. While Judaism has been, and remains an integral part of the state discourse, constant struggle between maintaining its democratic elements in a 'Jewish' state is perhaps the biggest challenge for Israel.

Since the first Knesset elections held in January 1949, various religious parties have sought influence the Israeli politics through their active electoral participation. Like their secular counterparts most of the political parties that represented the religious segment of the population trace their roots to the yishuv period. The mainstream

National Religious Party (NRP) represented the religious Zionist stream and was active until 2008 when it was dissolved to form the HaBayit HaYehud (Jewish Home) party (**Table 4.1 and Figure 4.1**).

The Agudat Israel and Degel Hatorah represented the Ashkenazi Haredi population and often contested the Knesset elections as United Torah Judaism and were part of most of the coalition governments in Israel (**Table 4.2** and **Figure 4.2**).

Shas was founded in 1984 and sought to represent the Sephardic community and other marginalized segment of the population (**Table 4.3 and Figure 4.3**). Likewise, in terms of religious practices, the Jewish community is divided as Ashkenazi; Sephardic, Mizrahi etc.,

**Table 4.1:**

| Knesset Representation of NRP, 1949-2006 | | |
|---|---|---|
| **Knesset** | **Year** | **Seats Won** |
| I | 1949 | 16 |
| II | 1951 | 8 |
| III | 1955 | 11 |
| IV | 1959 | 12 |
| V | 1961 | 12 |
| VI | 1965 | 11 |
| VII | 1969 | 12 |
| VIII | 1973 | 10 |
| IX | 1977 | 12 |
| X | 1981 | 6 |
| XI | 1984 | 4 |
| XII | 1988 | 5 |
| XIII | 1992 | 6 |
| XIV | 1996 | 9 |
| XV | 1999 | 5 |
| XVI | 2003 | 6 |
| XVII | 2006 | 9 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

**Figure 4.1:**
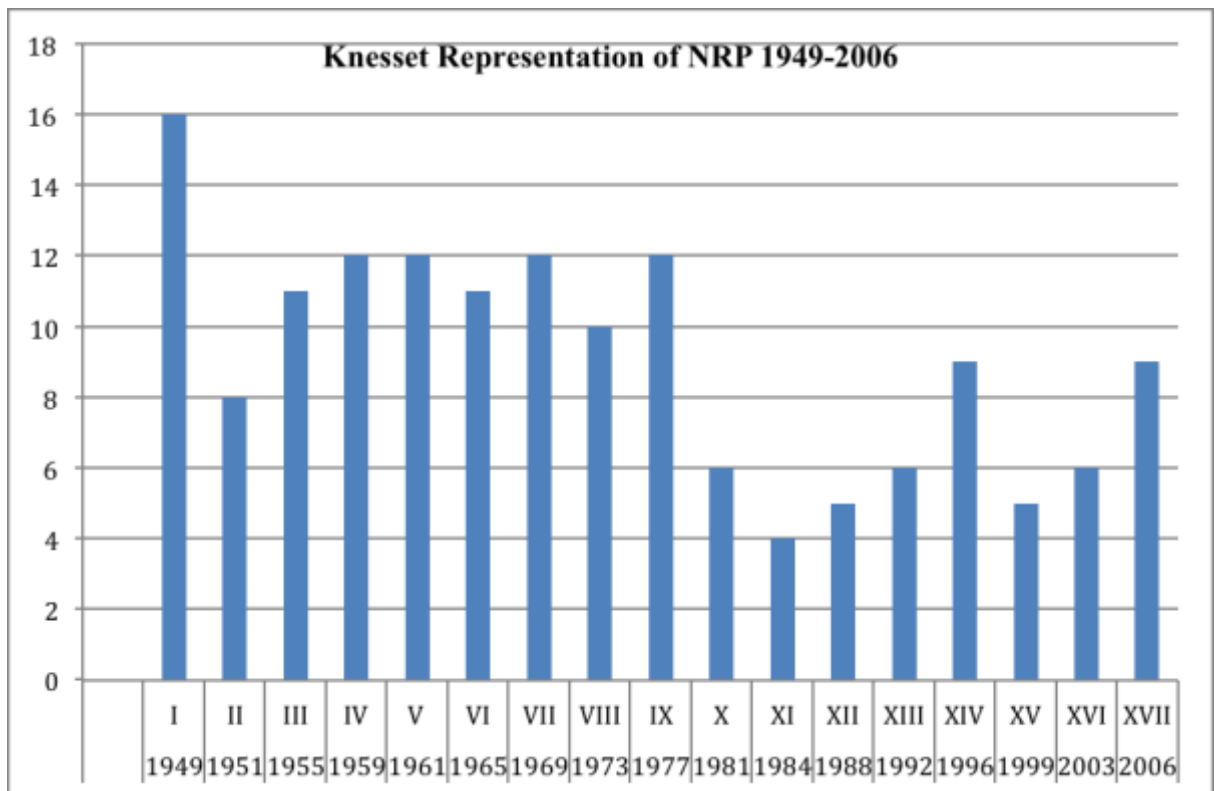


Knesset Representation of NRP 1949-2006

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

Table 4.2:

| Knesset Representation of Haredi Parties, 1949-2015 | | |
|---|---|---|
| **Knesset** | **Year** | **Seats Won** |
| I | 1949 | 16 |
| II | 1951 | 5 |
| III | 1955 | 6 |
| IV | 1959 | 6 |
| V | 1961 | 6 |
| VI | 1965 | 6 |
| VII | 1969 | 6 |
| VIII | 1973 | 5 |
| IX | 1977 | 4 |
| X | 1981 | 4 |
| XI | 1984 | 2 |
| XII | 1988 | 7 |
| XIII | 1992 | 4 |
| XIV | 1996 | 4 |
| XV | 1999 | 5 |
| XVI | 2003 | 5 |
| XVII | 2006 | 6 |
| XVIII | 2009 | 5 |
| XIX | 2013 | 7 |
| XX | 2015 | 6 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

**Figure 4.2:**



Knesset Representation of Haredi Parties, 1949-2015

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

Table 4.3:

| Knesset Representation of Shas, 1984-2015 | | |
|---|---|---|
| **Knesset** | **Year** | **Seats Won** |
| XI | 1984 | 4 |
| XII | 1988 | 6 |
| XIII | 1992 | 6 |
| XIV | 1996 | 10 |
| XV | 1999 | 17 |
| XVI | 2003 | 11 |
| XVII | 2006 | 12 |
| XVIII | 2009 | 11 |
| XIX | 2013 | 11 |
| XX | 2015 | 7 |

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

Figure 4.3:



Source: Adapted from Knesset Home page,
https://www.knesset.gov.il/description/eng/eng_mimshal_res.html

**Table 4.4:**

| Knesset Representation of UAL, 1996-2015 | | |
|---|---|---|
| **Knesset** | **Year** | **Seats Won** |
| XIV | 1996 | 4 |
| XV | 1999 | 5 |
| XVI | 2003 | 2 |
| XVII | 2006 | 4 |
| XIX | 2013 | 4 |
| XX | 2015 | 13 |

Source: Adapted from Knesset Home page,
https://www.knesset.gov.il/description/eng/eng_mimshal_res.html

**Figure 4.4:**



Knesset Representation of UAL, 1996-2015
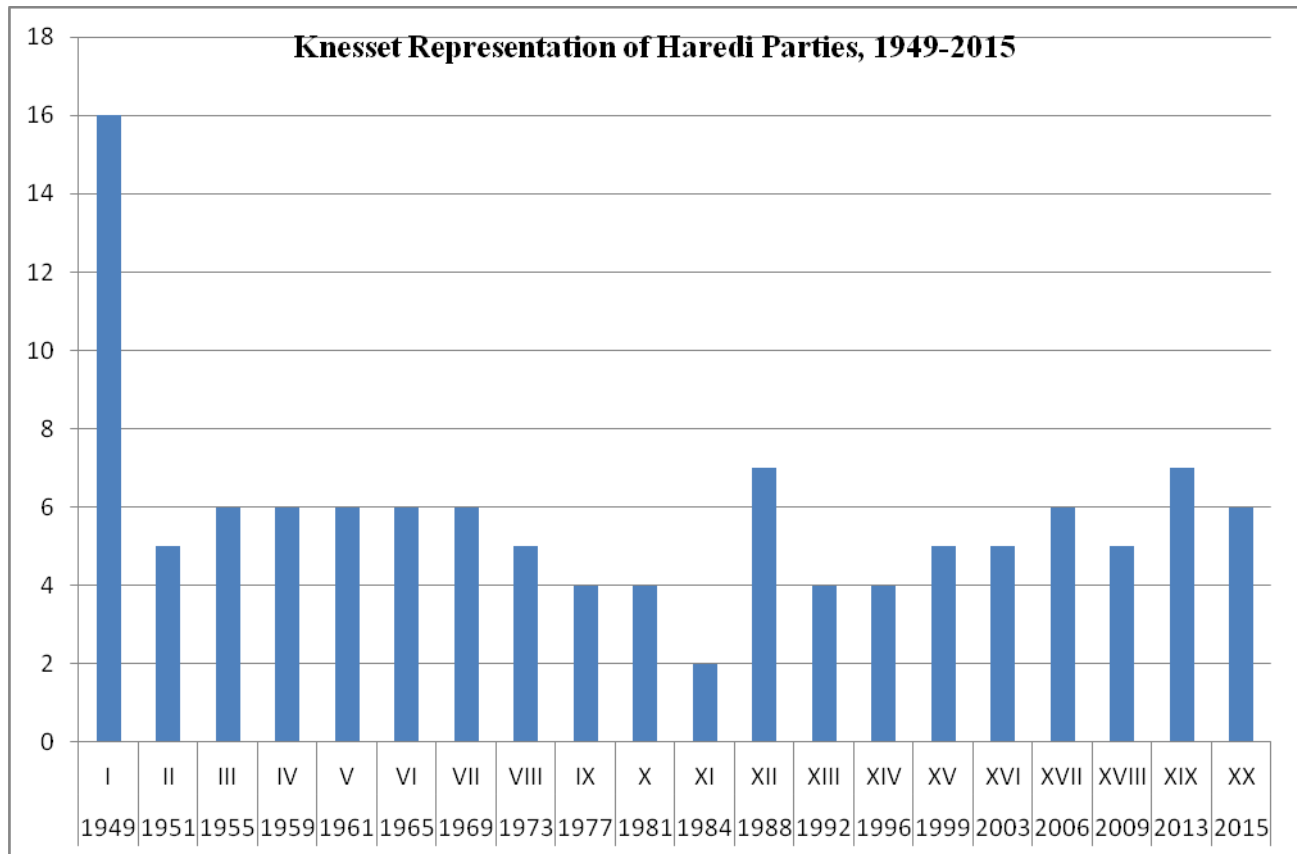
**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

**Table 4.5:**

| Knesset Representation of Communist Parties, 1949-2015 | | |
|---|---|---|
| **Knesset** | **Year** | **Seats Won** |
| I | 1949 | 4 |
| II | 1951 | 5 |
| III | 1955 | 6 |
| IV | 1959 | 3 |
| V | 1961 | 5 |
| VI | 1965 | 4 |
| VII | 1969 | 4 |
| VIII | 1973 | 4 |
| IX | 1977 | 5 |
| X | 1981 | 4 |
| XI | 1984 | 4 |
| XII | 1988 | 4 |
| XIII | 1992 | 3 |
| XIV | 1996 | 5 |
| XV | 1999 | 3 |
| XVI | 2003 | 3 |
| XVII | 2006 | 3 |
| XVIII | 2009 | 4 |
| XIX | 2013 | 4 |
| XX | 2015 | 13 |

**Source: Adapted from Knesset Home page,**
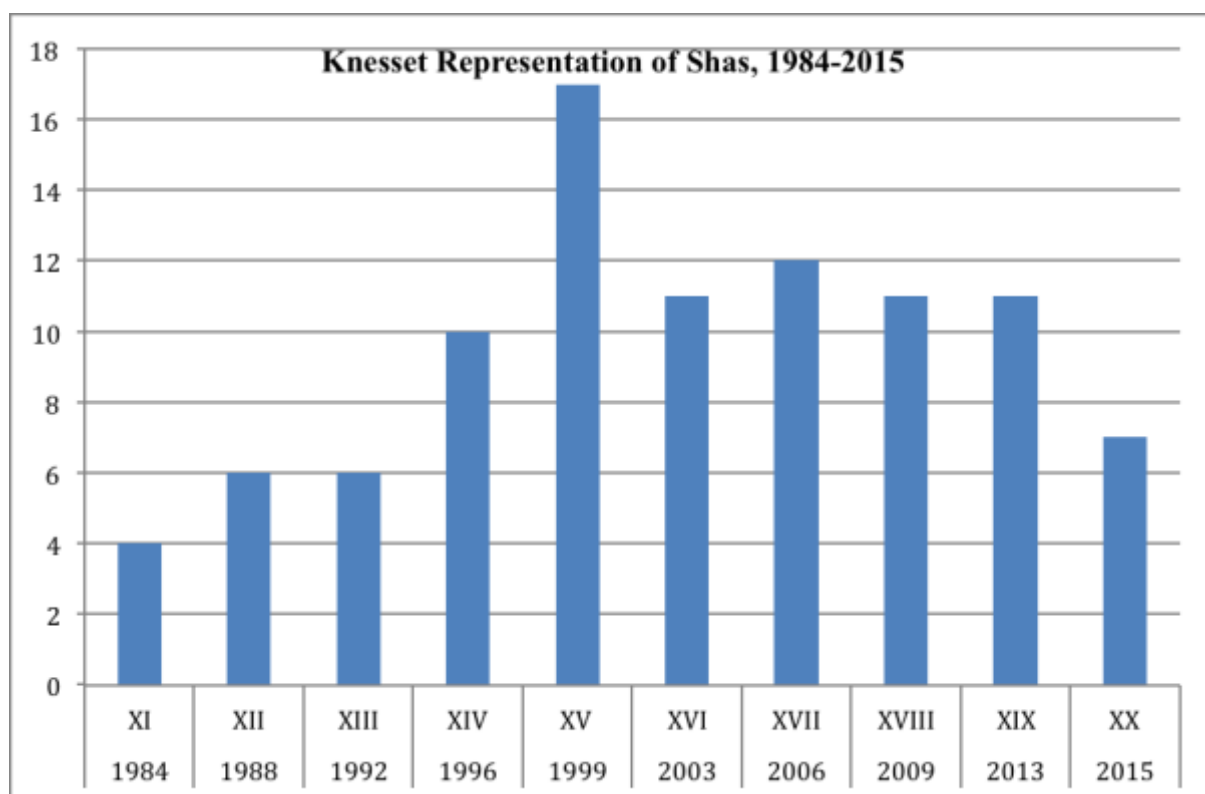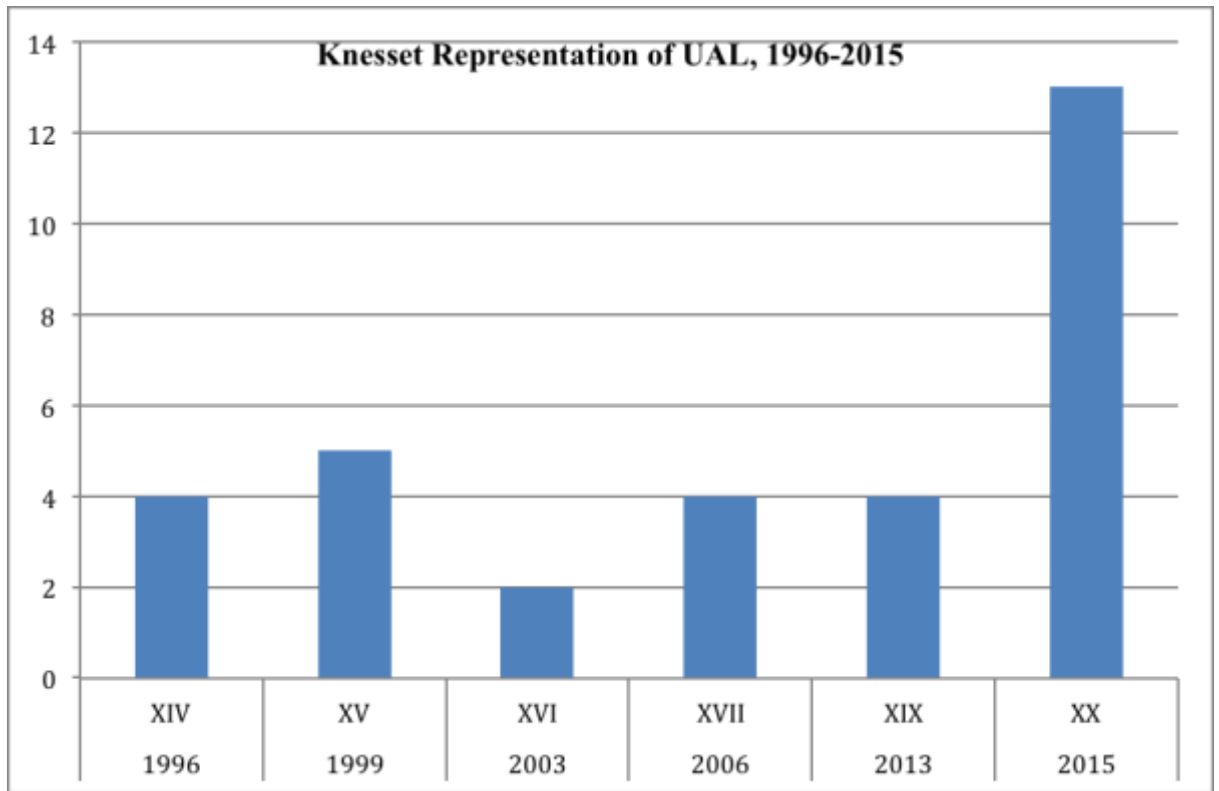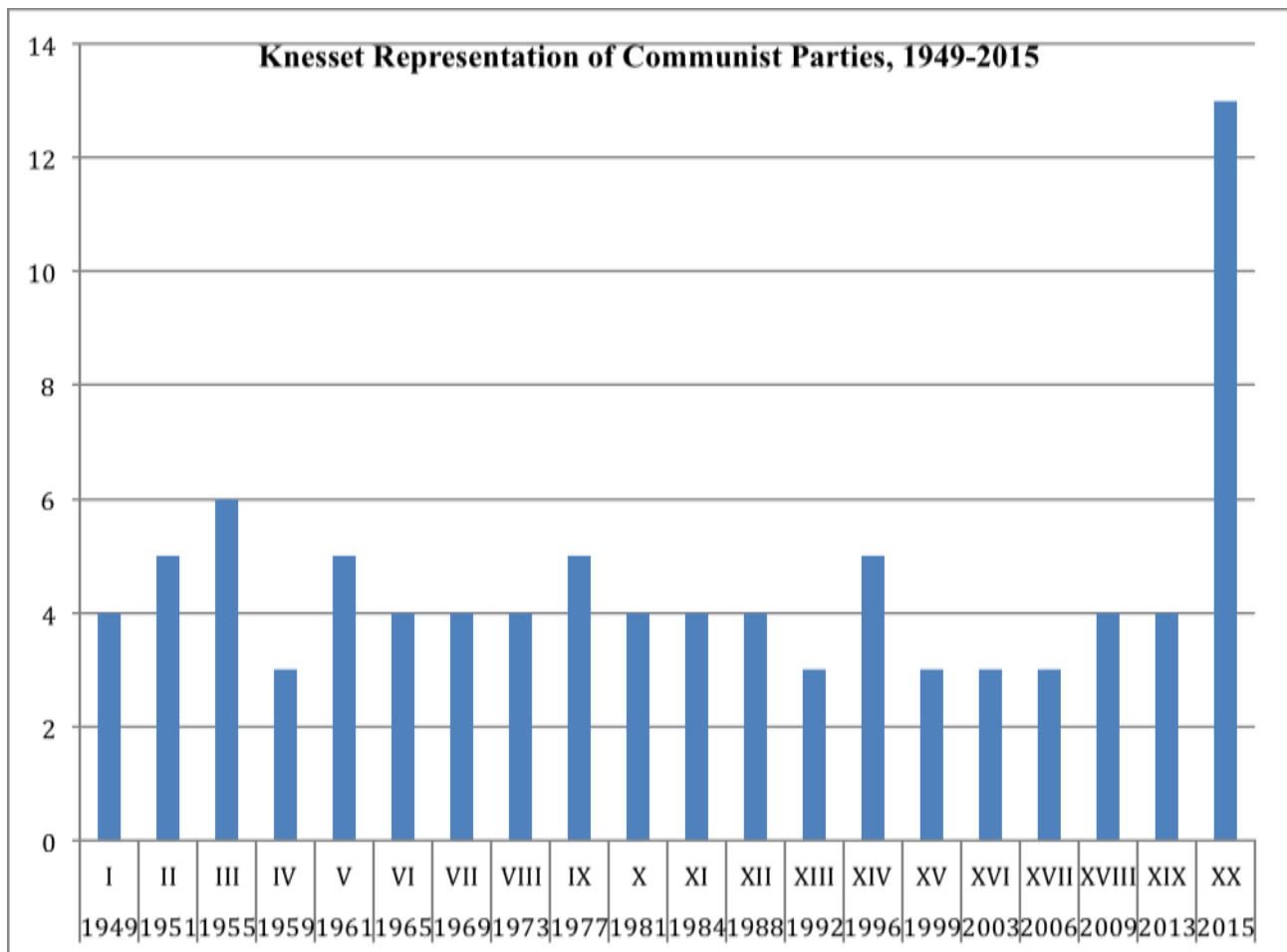**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

**Figure 4.4:**



Knesset Representation of Communist Parties, 1949-2015

**Source: Adapted from Knesset Home page,**
**https://www.knesset.gov.il/description/eng/eng_mimshal_res.html**

The term 'Jewish and democratic' appear to be as an oxymoron in its juxtaposition. The separation of religious institutions and state, the basic premise of a secular democracy, is missing in the Israeli case. As professor Shlomo Sand reflects,

> It was Professor Sammy Smooha, a sociologist at Haifa University, who meticulously exposed the problematics and anomalies of a democracy that called itself Jewish. In 1990 he borrowed from Juan José Linz, a political sociologist at Yale University, the term 'ethnic democracy' and applied it to Israel. Over the years, he developed and perfected a ground breaking analysis that placed Israel very low in the hierarchy of democratic regimes. Methodically comparing it with liberal, republican, consociational and multicultural democracies, he concluded that Israel did not fit into any of these categories. Instead, it could be classified, along with states such as Estonia, Latvia and Slovakia, as an 'incomplete democracy' or a 'low-grade democracy' (Sand 2009: 295).

Azmi Bishara[13] (2002) noted that any attempt to find a link between Judaism and democracy, or any religion and democracy, remains problematic. He points that when one observes the relationship between religion and democracy, it is not religion per say, but patterns of religiosity that needs to be examined. The character of the state is usually determined by the characteristics of its majority. As such, Israel tries to be Jewish in essence and democratic in character, as opposite to being democratic in essence and Jewish in character. He holds that any state that lacks clear territorial and demographic boundaries cannot be democratic in essence or character. Israel is more or less a secular state, with a parliament, separation of powers, civil rights and general regular elections. However, it is also a state with no boundary where the debates in the Knesset effect and impact of the religious elements in political matters. The close nexus between the parliamentarians and religious diktat makes a challenge for democracy to flourish completely.

The rationale for the Jewish identity was reflected in the Declaration of Independence whereby was perceived as a sanctuary for the Jewish. Moreover, it pledged to

> ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion,

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[13] Azmi Bishara is an Israeli Arab intellectual and politician, who was stripped of his parliamentary immunity forced to take refuge in Qatar after he was accused of providing "assistance to the enemy" during war.

conscience, language, education and culture; it will safeguard the holy places of all religions;

In effect, from its independence, Israel has tried to maintain its Jewish character along with its democratic ethos, fundamental for its non-religious as well as non-Jewish population.

The term Jewish has an in-built ethno-national as well as religious identity. In a way, the term Jewish is multifaceted by its very definition and does not necessary indicate a religious symbolism, but rather that of a ethno-national identity of Jewish people, who fall on the spectrum from religious, moderate to the secular. In that sense, the Jewish identification of Israel remains a wide area that can theoretically embody the non-Jewish religious and other minorities in its fold. Though there had been provisions state such as Arabic being the national language alongside Hebrew; and the provision of personal laws, Israel keeps reflecting its Jewish character through the very symbolism it associates with thereby creating a sharp sense of alienation for those who do not adhere to the Jewish way of life, such as its non-Jewish population.

On one hand Israel has always strived to maintain its democratic credentials, it held strong its Jewish identity as a national homeland for the Jewish people. Nevertheless, the Basic Law of 1985 shows the importance given to its Jewish Identity, the negation of which will result in a political party being barred from participation in Knesset elections.

The 'Jewish and democratic' identity creates a duality; one that is essentially ethno-national and religious, while also presupposing certain aspects of secular elements. A widely acclaimed characteristic of modern democracy is the separation of the state and the religious institutions. Democratic Israel is an exception as it strongly associates itself with its religious identity, as understood through the prism of its Personal Status Laws and the Law of Return. On the democratic side, the state provides equal civil and religious rights to all its citizens. Politically, there are regular free and fair elections for state representatives, with adult franchise provided to all its citizens. The Personal Status Law further ensures that the citizens, irrespective of their religion, are free to practice their faith in their personal affairs.

There was a general consensus within the Zionist movement that a Jewish State could only be established in the historic homeland of the Jews – the historic Palestine. However, there was no consensus within the World Zionist Organization about the nature that this Jewish homeland is supposed to embrace (Vital 1982: 273-277, 281-285, 344-346). When David Ben-Gurion read the Israeli Proclamation of Independence in Tel-Aviv on 14 May 1948, the standing assumption was that that the Zionists were 'declaring' the Jewish State in Palestine in asserting their biblical-historical claim, not creating a new state. Nevertheless, there was no unanimity or any sense of certainty on what was meant by the words 'Jewish State.' Israel does not specify any state religion but only proclaims that the state belongs to the Jewish people. In reality, Orthodox Judaism functions in Israel as the state religion. Israel was characterized as the 'homeland for the Jewish people'. Even though Theodore Herzl used the word 'Jewish state' in 1896, the Zionist organization maintained a secular approach during the initial years. Israel was recognized as a state for the Jewish people in the Diaspora, but not a religiously Jewish state, hence making an attempt at differentiating between the religion and national elements in its separation.

The Ministry of Religious Affairs had safeguarded that all recognized religions are to receive state funding on a proportional basis, reflecting upon acceptance to the non-Jewish elements within the society by the state. Jews constitute the major percentage of the population and is common that the Jewish institutions would receive the major share of the state funds. The state law established local and national Religious Councils responsible to a Chief Rabbinate to administer to the religious needs of the Jewish community namely maintenance of synagogues, cemeteries, and ritual baths, the supervision of kashrut and the appointment of marriage registrars. Orthodox Judaism was recognized by the state while Conservative (Masorti), Reform (Liberal), and Reconstructionist Judaism were not conferred the benefits and acceptance of state recognition by the religious status quo arrangements. These institutional arrangements imply that Orthodox practices govern the lives of the entire Jewish population in important areas of personal affairs such as marriage, divorce, conversion, adoption and burial. By contrast, in other contemporary Western societies, these are seen as the domains of an individual's personal choice and aspects of religious freedom (Rubenstein 1967; Barzilai 1998; Kook et al. 1998).

Nevertheless, in order to pacify the orthodox elements, the status quo agreement necessitated the requirement of religious elements, a practice the state continues till date. This reinforced the Jewish elements in the life of its citizens, often causing a strain in its democratic aspirations.

**Democracy and the Arabs**

In a discussion on the democratic identity of Israel, it becomes essential to understand the position of its Arab citizens. A most important yardstick for any democratic country is the treatment the state provides to its minorities. The Arabs are an ethno-national as well as a religious minority, comprising around twenty per cent of the population. Such a sizable minority becomes a matter of importance when one attempts to understand the democratic process and its implications. Charles Wagely and Marvin Harris (1958) identify five unique characteristics in identifying minority groups. They are powerless vis-à-vis the dominant group but share distinctive and different culture and/or physical characteristics. Their powerlessness distinctiveness transforms them into a self-conscious social unit. Moreover, the group membership is transmitted by descent and they practice endogamous marriages.

A minority group can be defined as "people who are singled out for unequal treatment and who regard themselves as objects of collective discrimination" (Encyclopaedia of Nationalism 2001). The most important and perhaps the quickest yardstick of measuring the practical impact of democratic institutions in a state are to look into the condition of the minorities that exists within the state boundaries. The same holds true for Israel. There are several difficulties one comes to face while studying minorities in any country, particularly in a turbulent region like that of West Asia. One can classify the minorities in the West Asian region into five broad categories, namely, (1) religious minorities, (2) ethno-national minorities, (3) heterodox Islamic minorities, (4) political minorities and (5) marginalized majorities (Kumaraswamy 2003: 246-247). While studying the Israeli Arabs under these lenses, they are both an ethno-national as well as religious minorities. Inis L. Claude has broadly defined a national minority as

> … a national minority exists when a group of people within a state exhibits the conviction that it constitutes a nation, or part of a nation, which is distinct from the national body to which the majority of the population of that state belongs, or when the majority element of the population of a state feels that it possesses a

national character in which minority groups do not and perhaps cannot, share (Claude 1955: 2).

This becomes problematic when the Israeli Arabs are concerned. At one level, they are formally a part of Israel, and as their identification suggests, they are Israelis of Arab ethnic origin. The state has a national identity in being 'Israeli', which has the space for accommodating other non-Jewish elements within its fold. The Druze, Baha'is', Circassians as well as the Israeli Arabs enjoy complete citizenship rights, which in turn contrasts and conflict with their ethno-national identity.

The Arab citizens of Israel are not identified as a national minority by the state and are granted ethnic distinction, and the state also allows for Arabic to be an official language along with Hebrew. There is also the provision of the personal laws, which provide separate religious space in the private aspects of their life such as birth, death, marriage, divorce and adoption. These religious courts provide a space for the non-Jewish groups, such as the Israeli Arabs, to retain their personal and particular identity.

In terms of political participation, their presence has been significant. During 1949-77 period, the Labour party had a separate Arab list to cater to the minority segment of the population (**Table 4.5**).

Until the founding of the Arab Democratic Parry (ADP) in 1988, the communist party (Maki and Hadash) were the prime option for the Israeli Arabs (**Table 4.5**). though some Zionist parties like Mapai, Mapam and to a limited extent Likud provided representation, until the mid-1988 the communist party was their only non-Zionist option (**Table 4.6**).

*Table 4.6: Percentage of voting in the Arab sectors*

| Knesset | Election Date | National Average | Arab Sector |
|---------|---------------|------------------|-------------|
| I | 21 January 1949 | 86.9 | 79 |
| II | 30 July 1951 | 75.1 | 86 |
| III | 26 July 1955 | 82.8 | 90 |
| IV | 3 November 1959 | 81.6 | 85 |
| V | 15 August 1961 | 81.6 | 83 |
| VI | 2 November 1965 | 83.0 | 82 |
| VII | 28 October 1969 | 81.7 | 80 |
| VIII | 31 December 1973 | 78.6 | 77 |
| IX | 17 May 1977 | 79.2 | 74 |
| X | 30 June 1981 | 78.5 | 68 |
| XI | 23 July 1984 | 79.8 | 72 |
| XII | 1 November 1988 | 79.7 | 74 |
| XIII | 23 June 1992 | 77.3 | 69 |
| XIV | 29 May 1996 | 79.3 | 69 |

**Source**s: Derived from ***Statistical Abstract of Israel,*** (Jerusalem: Central Bureau of Statistics), for various years.

Even though Ben-Gurion, saw the role of the Israeli army as serving as a melting pot for its heterogeneous components to find a common ground, this option was not available to the minority Arab population. To understand the main problem and point of contention between the Israeli Arabs and the Israeli Jews, one should look into the differing narratives that had come up during and the immediate years of Israeli independence. About 90 per cent of the Palestinians (residents of the territory of the Palestinian mandate) became refugees. The 1948 War is called the *Al Naqba*, or 'The Catastrophe' by the Arabs, signifying the context, which formed Israel on a territory that was previously populated by an Arab majority before and during the British Mandate. It was a catastrophe for them because the war resulted in only just a huge Arab population who were turned minority and refugees overnight, but it was also seen as an humiliating act for the Arab states in the face of the success of the Zionist enterprise in forming an internationally recognized state for the Jewish Diaspora.

At the same time, the Jews read the same events as the War of Independence. This war was the positive outcome of their struggles over the centuries in forming a state for their own, and the declaration of independence over the territory which was a part of the biblical Eretz Israel, lost to the Jews for years while in Diaspora. The war provided the opportunity and necessary background for the creation of a Jewish state largely free of Palestinians. It resulted in the independence of a Jewish majority, the erstwhile Arab majority in the Mandate were transformed into stateless people, refugees or second-class minority citizens in the territory which before 1948 was their home where they had resided in a numerical majority (Masalha 2008; Kimmerling 2008).

The Israeli Arabs were promised equal rights and cultural independence, and participation in the achievements of the state, but they could not be expected to share in the dream of a Jewish national home. Their cultural and religious reference groups and national symbols were located beyond the borders, in Arab countries that are at war with Israel. The Jews, at the same time, seemed as a reference group for modernization, technology, economic advance, social welfare, and democratic processes (Cohen 2010).

Meanwhile, following the establishment of Israel, the Arab population became minority in the state. Those who remained were automatically granted citizenship but large portions of them were subjected to military rule for long. The differentiated attitude of state primarily emanated from security concerns and its suspicions over the loyalty of its

Arab citizens (Yehuda 1983; Benyamin 2004). Added to this dilemma had been the expectation of education, contacts with the West Bank, and the growth of the relatively new concept of a Palestinian nationality. Education brought new opportunities, but it also increased frustration and radical feeling. Education had not brought them the opportunities, power, or status they hoped and remained resentful of the rule of the Israeli establishment. Comparing their progress with that of the Jewish academic, they were sensitive to real and imagined slights and condescension, and often seek nationalist or radical explanations for the sources of their dissatisfaction. Radical sentiments, which oppose Israel's legitimacy, were widely held in the rapidly growing Arab student body in Israeli universities boding ill for political integration. At the same time, the more educated would express the dissatisfaction of those whose advancement was restricted because they had little schooling (Carmon 1993; Okun and Friedlander 2015).

This Arab-Israeli conflict has often led to challenging Israel's right to be called a democracy. Even with wars that it had to fight, Israel has never suspended its democratic processes. Another important fact is that all of citizens (including its non-Jewish Arab citizens, Muslim and Christian) enjoy the right to vote and have exercised that right by electing representatives to the Knesset. There have been many questions domestically about their loyalty to the state, but so far, this has never been used as excuse to restrict their franchise. Moreover, in contrast to several neighbouring countries that are still under the state of emergency, Israel has retained its democratic character, after having repealed certain emergency measures enacted in the 1950s (Liebman 1995; Kimmerling 1999).

The social and cultural ethos of the country has been emphatically egalitarian. This has been partly due to the influence of the social or socialist variety of democracy that predominated during the early decades of its existence. Coalition governments have in some ways sharpened the perpetual democratic conflict between satisfying the will of the majority and responding to minority interests. Although this kind of conflict exists in all contemporary democracies, it turns out to be problematic for Israel, which under a system that rewards small parties representing special interests and often gives them extraordinary leverage in return for the one or two votes that they may contribute to the coalition's majority. The state has carried out several electoral reforms over the years to address this issue (Hazan 1996; Hazan and Rahat 2000).

The Arab minority problem in nation building process in Israel is more difficult. A few intellectuals wrote articles, some radicals made speeches in the Knesset. However, the larger feeling was that neither they neither accept the Arab minority as the member of the nation, because of Jewish nationalism and the theory of nation building in Israeli, nor they were ready to recognise the Arab as a nation that is Palestinian.

The problem of Arab integration in Israel is not only social and economic, but also a question of ideology. The Zionist ideology affect the Jewish population in Israel and influence them to extent to which Jews were unable to absorb Arabs into the whole complex of life in Israel. Zionism and the State of Israel were two dependent subjects to consider. The Jew in Israel whatever culture s/he came from, tended to leave that culture, the previous behaviour, pervious way of living and got assimilated into the new culture.

To understand the situation of the Arab in Israel one must see the situation in Palestine before 1948. At that time there were two structures, two peoples, two cultures side by side. Until the establishment of Israel, the two remained integrated in a same political unit. The first suggestion for the partition of Palestine was made in 1939 when the Royal commission visited Palestine and its intention was the division of Palestine. The Zionist movement had decided to establish a homeland for the Jewish people. During the whole period from the first aliya to the establishment of the state of Israel, there could never be any real rapprochement between the two communities. On their part, the Arabs resented the people who were coming to what they believed to be their home. Jews seems to be occupying it and building in it their own national entity.

When the United Nations General Assembly (UNGA) applied the partition plan, the Jewish Yishuv at that time had a democratic identity. In effect, the institutions and the state was actually all there, waiting in the wings for an official declaration of the state. The Arab, in contrast, lived in complete chaos (Pappe 1999). The tragedy of Palestinians was that the War of Independence of Israel (1948) reduced the population of Palestinian Arabs from 1,320,000 in the whole of Palestine to only 156,000 in the area in which the State of Israel was established.

The Arabs who remained is Israel after the state was established felt very insecure and did not know what their future was to be or how to behave vis-à-vis the more dynamic and progressive society. The government appointed a minister of minorities to deal with

Israeli Arabs. The inbuilt assumption was that the Arabs had problems different from others. There was the question of future relation with all Arabs, which they linked with the problem of peace and war in West Asia. Secondly, in most of Israel after 1948 the Arabs were governed by military administration.

S.N. Eisenstaedt (1967) had argued that a central issue in this problem was the relation between the specifically Jewish orientation of the state, perceived as the epitomization of Zionist goals, and coupled with the universalistic and secular truths of a modern state, based on equality of all its citizens and dissociated from full identification with any one religious or ethnic group. Within the legal sphere, universalistic and secular factors were predominant. Full equality of citizens of all nationalities and religions was fully established with the declaration of independence. In addition to their rights as citizens the minority religious communities were granted full religious autonomy. Arabic is the second official language used in the Knesset and in the government offices in Arab districts.

In Arab schools it is the main language with Hebrew being taught as the second language.

> …the states proclamation gave an official stamp to the division of Israel's inhabitants into Jews and Arabs and ended once and for all the traditional Oriental pattern of division into different religious communities. This new division is supported by the different patterns, which govern everyday activities; Jewish and Arab schools have separate curricula based on national differences. The Arab child studies Arabic Hebrew and English in that order, the Jewish child Studies Hebrew and English with a choice of Arabic and French. The Arab child studies Arab history at length and Jewish history only briefly. The reverse is true for the Jewish child. Jewish and Arab children are set apart by their different major languages Hebrew and Arabic respectively which divide the inhabitants into two different nations and perpetuate this situation through a separatist national conscious education to different school (Eisenstadt, 1967:404).

The greatest problem was the considerable deterioration in the thinking of the two generations on both sides of the divide. The older Jewish population had a liberal thinking and attitude towards members of other national groups. But the opposite was in

case for the Arabs. The comparison between Israeli society and Arab minority clearly shows that culturally and educationally, Arabs rank lowest by all criteria, lagging behind even the new immigrants from Asia and Africa who have the lowest educational level among the Jewish population (Schmelz et al 1990). Besides the large educational gap between men and women, the inequality in the distribution of education is greatest among, the women. These inequalities not only persist in socio-economic and political set up, but also persist over geographical space. For example, in 1963, 87 per cent of the Jews and 25 per cent of the Arabs (who constitute a mere 3.6 per cent of total urban population) in habit urban areas. On the other hand, the rural population constitutes 41 per cent of Israel's total rural population. The clash of the historical narratives is perhaps another vital reason that separates and distances the Israeli Arabs from the state. Mohammed S. Dajani Daoudi and Zeina M. Barakat raises several important questions as far as these clashes in narratives are concerned, "Why does the Palestinian narrative conflict and contrast sharply with the Israeli narrative? Why do Israelis and Palestinians object to the national interpretation of the other? Is there a solution to their conflicting claims and is this solution attainable peacefully, and without force and violence?" (Daoudi and Barakat 2013)

These are perhaps the most pertinent question, which, if successfully answered and resolved, would pave a way for peaceful co-existence in the conflict prone region. Scholars such as Nadim N. Rouhana and Daniel Bar-Tal observe this varied, conflicting claim on narratives on the history of the 1948 War. According to the Palestinian historiography, they were disposed and displaced by the Jewish settlers who came from outside while the Zionist historiography saw the homeland project as the liberation and redeeming of the process of national revival. "The Jews gathered their exiles in the land of their forefathers to establish their state, which was attacked by hostile, non-accepting Arabs at its birth. As an outcome of Arab aggression and defeat, the Palestinians became refugees" (Rouhana and Bar-Tal 1998: 763).

Sari Nusseibeh further points out,

> It stands to reason that only one of the two accounts is true, while the other is false, or that they are both false. Both cannot be true… Are there one truth and only one possible account of it, or is there nothing out there but a set of (possibly inconsistent) different narratives, reflecting different perspectives or contexts? (Nusseibeh, 2005: 89 and 91)

He considers the difficulties one faces while writing the history of the Arab-Israeli conflict. Even though it was the same event, it has been differently interpreted, understood and disseminated from Arabs and the Jewish viewpoint. Each group try to portray themselves as the victims, and, as remains the nature of writing one's own history, self-appreciative.

Israeli Jews see their history, particularly of the 1948 war, different from that of their Arab counterparts. The Arabs in general, as well as the Israeli Arabs, regarded the 1948 War as the Al Naqba. The Jews celebrate the same as the War of Independence; signifying centuries of struggle for an independent state for the Jews in the biblical land of Israel come to fruition. However, the narrative is again not unanimous within all segments of the Jewish population. The ultra-Orthodox refuse to acknowledge the 1948 war as the War of Independence (resulting in the Israeli state), as they uphold the messianic view of a mythical messenger from God, which will eventually lead to the ultimate independence of the Eretz Yisrael (Land of Israel) (Kelman 1999; Golani and Manna 2011).

Simha Flapan in his book, *The Birth of Israel: Myths and Realities*, refer to this differentiated understanding of the Palestinian problem, and points at a wishful bridging of gap, in understanding the state history. He analyses the Israeli policies and propaganda structures. To his understanding,

> ...But review of the contributing Arab myths, conceptions . . . must be done by an Arab . . . Certainly the ideal way to fulfil this undertaking would have been a joint project by an Israeli-Palestinian Historical Society. I hope this is not wishful thinking, and that someday such a common effort will produce a study free of the deficiencies and limitations of this one (Flapan 1988:39).

This throws light on how the historical narratives, and understanding, can lead to separation and alienation of the two groups within Israel– the Israeli Jews, and the Israeli Arabs – and are reflected on the larger issue of the democratic process. The Law of Return is often cited in contrast to the Right of Return as allowed by the state, as an example. On the one hand, where the Right to Return is a legal provision, backed by the international jurisprudence, the reality this right is not adequate for the Palestinian Arab citizens (who were displaced during the 1948 war) to enter and settle within the Israeli territory. As the Basic Law upholds, a citizen has to recognize Israel as both a Jewish

and democratic state, the acceptance of which often becomes an electoral and political issue for the Arab section of the Israeli population (Scham, Pogrund and Ghanem 2013).

With the Declaration of Independence, the Jewish Diaspora found them with an option to return to their historic-biblical homeland. The most significant aspect of the establishment of the modern state in Israel was that the Jews had finally found a state unique to their own identity.

The Jewish fulfilment of their long cherished dream resulted in the Arab disenfranchisement from the land. Overnight, with the creation of the state, they were relegated as a minority in their own homes. The Arab residents lost their homes, and it is often debated that whether they left voluntarily or were forced out by the Jewish forces. With the exception of the few Arabs who remained within the boundaries of the newly formed state in Israel, the rest of the erstwhile majority population became stateless, homeless and became refugees in the geographically neighbouring states (Al-Haj 1988; Paine 1995; Gan et al. 1996; Forman and Kedar 2004).

In such a scenario, those who chose to remain within the territory were granted citizenship, though it was not of the same as their Jewish counterparts. The very notion that the strangers to the land, the Jews in Diaspora who have never lived within the boundaries of the present day Israel, were made full-fledged citizens, while the native Arabs were being relegated to a secondary position, was not acceptable to the large population. For those who chose to stay behind, not only did they find themselves in a state that is Jewish, speaking Hebrew and following Shabbat, they were treated under the 'security prism', as a threat to the state they were born and brought up in (Yehuda 1983; Benyamin 2004).

The Israeli Arabs were transformed from a being a powerful national majority into a small, helpless minority in a Jewish nation-state. The Arab citizens were given the right to vote and to get elected to the Knesset but were subjected to discriminatory practices as the government used 'a carrot and the stick' policy to ensure their loyalty to the state (Hillel 2010). A few Knesset Laws also contributed towards this practice. Israeli Nationality Law favouring 'Law of Return' for the Jews, distressing the Arab population. The Arabs are often viewed as a 'demographic threat', an impediment to the state's goal in the maintenance of its Jewish majority (Eliezer 1993; Bar-Tal and Jacobson 1995; Lustick 1999; Ramzy 2011).

Apart from the 'security prism', which was used to keep tract of its Arab citizens, education played a part in further disenfranchising the Arab citizens of Israel. There are studies that further look into the Israeli Arab situation from the psychological prospective, of living as a secondary class alongside the privileged Jewish majority (Seliktar 1984). The Israeli psyche has been preoccupied with certain particular problems of the Israeli society, influencing their mutual perceptions and attitudes, such as stereotyping, acceptance, tolerance, trust, and prejudice, within communities (Ram 1998). Such attitudes are often, in turn, reflected in the law making authorities, and the legal system. However, it is to be noted that among the states in the region comprising West Asia, Israel has a high degree of freedom as indicated by the Freedom House surveys, Human Rights Watch and reports of Amnesty International. However, these bodies, along with Israeli NGOs such as Peace Now come out with reports time and again highlighting the fault lines, which affect the minorities in the state (Hall-Cathala 1990; Feige 1998).

Those who argue that Israel is a democratic country point out that the Palestinians living in Israel have the right to vote and that there are Palestinians in the Knesset. However, Adalah notes that the reality is that Israel's Arab citizens do not enjoy equal rights like their Jewish counterparts. In a publication *Adalah: The Legal Centre for Arab Minority Rights in Israel*, states:

> Israel never sought to assimilate or integrate the Palestinian population, treating them as second-class citizens and excluding them from public life and the public sphere. The state practiced systematic and institutionalized discrimination in all areas, such as land dispossession and allocation, education, language, economics, culture, and political participation. Successive Israeli governments maintained tight control over the community, attempting to suppress Palestinian/Arab identity and to divide the community within itself. To that end, Palestinians are not defined by the state as a national minority despite UN Resolution 181 calling for such; rather they are referred to as "Israeli Arabs," "non-Jews," or by religious affiliation (Adalah 2011).

Apart from obvious psychological discriminations, Arabs are also discriminated economically within the Israeli state. However, it does not imply that the Arabs are intentionally discriminated on economic basis by the formal and/or informal state structures. Some of the signs for low economic development within the Israeli society

were found to be the lack of quality educational facility and geographical locations within the state. The latter would imply the availability of better (or less) work opportunities.

These signs are present both for the Israeli Arabs as well as for the Israeli Jews, specifically the Jews who had migrated from poor developing countries of the South, from Asia and Africa. What has further implicated the low economic development of the Israeli Arab sections is that they are not allowed to serve in the national army. As the Arabs are treated as a security concern by the state, not serving in the army gets reflected in terms of job availability, housing facilities and other social and employment opportunities. The state funds are also comparatively less for the Arabic medium schools, an area of continuous complaint every year during resource allocation (Joubran 1995; Ram 1998, Cook 2006, Cohen 2010).

Due to the religious-cultural proximity of the Israeli Arabs with that of the Palestinians, the state justifies the security measures and a touch of caution that it practices when dealing with the Israeli Arabs (Hillel 2010).

This shows the complexity, as well as the suspicion that the Israeli Arabs face with regard to their cultural proximity to the Palestinians. They have a fluctuating identity with the state, of being Israeli Arabs, Arab citizens of Israel, Palestinian Arabs, Palestinian Israeli and the such as. The fluidity of their identity, which rests on varied end of the spectrum of being an Israeli and a Palestinian, blur their focal point through which they can better articulate their grievances against the state structures and democratic processes in Israel (Naor 1999; Cook 2006; Kanaaneh 2008; Nusseibeh 2012; Haklal 2013; Troen 2013).

### Redefining democracy for Israel

In Israel, debate exists internally on the kind of democracy the state practices. Some scholars have reasoned its Jewish association in creating a kind of ethnocracy, disregarding the other ethnic identities in its functionality (Yiftachel 1998; Rouhana 1998) There are others who, while denying Israel being a liberal democracy, do not challenge its structural aspects. Many scholars have rationalized the Israeli state behaviour to be the outcome of circumstantial reality that it faces. The factors, such as having a significant Arab population with transnational loyalties, existential crisis in a

hostile environment and need for military efficiency rather than democratic norms for survival come to play (Asher 1989; Asher and Gordon 2001; Lustick 1989).

Israel has many similarities with the liberal type of democracy. The citizens of the state do enjoy legal equality, though, non-Jewish minorities, especially that of the Israeli Arabs, are found to have some limitations on their citizenship rights. As Sammy Smooha explains in his model of ethnic democracy, the Arab citizens are treated as second class, with limits on their political, economic and legal rights by the state. A simple understanding of ethnic democracy is provided here to facilitate discussions on other models for comparisons or criticisms. An ethnic democracy being an archetype holds few primary tenets: The political system comprises of ethnically distinguished groups, which makes it easy for the system to identity their distinctive characteristics and differentiate them from one another.

In such a political system, there is one ethnic group that is in majority, and holds the maximum political influence within the system. The other ethnic groups within the state has been granted distinguished recognition by the state structures, but treated as second-class citizenship, with limited political and legal rights. They do, however, enjoy full cultural, social and religious freedom as the ethnic majority of the state.

In labelling Israel as an 'ethnic democracy', it presupposes a homogeneous nation-state, favouring one particular ethnic group, treating minorities as a potential threat and hence subjected to limited rights (Smooha 1997). This ethnic democracy model functions on a diminished scale for its Arab citizens. Even though the model is structurally democratic, it has differentiated sense of rights for its citizens(Smooha 2002) The citizens of the state enjoy legal equality, though, the status of non-Jewish minorities, especially that of the Israeli Arabs, are found to have some limitations on their citizenship rights. The Arabs are treated as second-class citizens, with limitations on the political, economic and legal rights enforced by the state. His model was met with several critical reviews, resulting in both acceptance as well as negative criticisms. Scholars such as Oren Yiftachel and Nadim Rouhana rejected the model as a mere façade put forward in defence of the state to maintain an illusion of democracy. There are others such as Alan Dowty who accept the relevance of the model to a large extend, redefining the very definition of democracy as a term.

Dowty remarks over the semantics of the term democracy. He observes that the question of whether Israel, or any other country is democratic depends on the definition used to justify and understand the political system. There is a difference between the substantive and structural aspects of democracy, and a state can be identified as democratic while having both or either aspects to its political make-up. The model of ethnic democracy instigated a tremendous response both for and against it, and has served as a discussion point of sorts where Israeli democracy is concerned.

There are several fundamental features of ethnic democracy or a democratic ethnic state: "ethnic democracies combine the extension of political and civil rights to individuals and certain collective rights to minorities with institutionalised dominance over the state by one of the ethnic group" (Smooha 1990:391).

He further notes that

> In ethnic democracies, minorities are disadvantaged in many spheres but they can avail themselves of democratic means to negotiate better terms of co-existence. Once the Palestinian question is settled one can envisage the elimination of restriction over Arabs, Arab willingness to serve in the army and recognition of Arabs as national minority. Since these reforms can be extended from current arrangement, they can be negotiated and implemented without presenting a threat to the Jewish majority. The change is possible because democracy in Israelis as basic and robust as Jewish dominance (Smooha 1990:411).

This archetype model is also seen capable of serving other dominant ethnic groups seeking to maintain both their dominance and a democratic system of government(Peled 1992) Yet, there are others who disagree with the model as it point towards dual treatment towards its minorities, which is antithetical to democratic norms (Ghanem et al. 1998).

It is possible for some ethnic countries to become ethnic democracies, but the reverse is not true. Not all ethnically divided societies can become ethnic democracy, there has to be certain prior conditions that need to be present for the possibility of any such transformation (Smooha 1990; 1997). In the case of Israel, there are deep divisions between the Arab minority and Jewish majority. In such a scenario, democracy will imply the transformation of the Jewish state into Israeli state, a secular state in which

ethnicity has to be relegated into the background, with the emergence of a new all encompassing Israeli identity in which both Jews and Arabs can freely merge (Lijphart 1977; 1985; 1994; Dowty 1999).

In the case of Israel, the state provides all democratic measures such as that of universal franchise, fair elections, civil rights, free press, and independent judiciary, ensuring its democratic credentials for all its citizens. At the same time it contains elements of a Jewish state. The state institutions, symbols and the day of rest are exclusively Jewish, with no reflection of the minority. The Law of Return further ensures that the Jews born and living elsewhere can enter and settle in Israel but the same does not hold true for the Arabs. The land and settlement policies adopted by the state often reflect bias tilting towards the interests of the Israeli Jews. Such preferential treatment on the part of the state is often perceived as its deliberate intention of preserving the state's identity of being Jewish in spite of calling it a democratic state.

With regard to the status of the minority, Smooha observes that the Israeli Arabs make five major demands, namely, "the wish to make Israel non-Jewish and non-Zionist, to make it recognise Palestinian nationalism, to lift all restriction on Arab individual rights, to grant Arabs certain national collective rights and to accept them as a legitimate power sharing group" (Smooha 1990: 395).

Zionism forms an integral part of the modern State of Israel and as such, it will not forgo Zionist ideals and become either a secular democratic state or a consociation bi-national state. There is necessity of reforms within Israel's own ethnic democracy in the form of ideological change, and gradual acceptances towards the Israeli Arabs (Smooha and Hoffman 1976) The situation of the Israeli Arabs remain a matter of domestic concern, and thus, he sees no reason to link this issue with the foreign policy issue of the larger 'Palestinian Question'. In case of the establishment of any independent territory for the Palestinians in future, the Israeli Arab population will not be taken into account as they are already a part of the well established Jewish state in Israel, which has enough space in its democratic mechanism to address the issues and grievances of its minority population.

Israel, while broadly considered a democracy; it cannot be fitted into any of stereotypical categories of democracy. As the constitutionally defined "state of the Jewish people," which nonetheless has a substantial non-Jewish citizen-Israeli Arab

minority, Israelis not neutral with respect to the ethnic/religious identity of its citizens (Peleg 2004). It reflects onto what Rogers Brubaker (1996) has called a "nationalizing state," and what Ilan Peleg has described as an "ethnic constitutional order," where it actively and openly fosters the interests of those it defines as Jews. "The nationalism of the Israeli state is not 'Israeli nationalism' (an inconceivable idea for most Israelis) but Zionism, that is, Jewish nationalism. It is clearly not a liberal democracy, and therefore hence, by definition, cannot be considered a multi-cultural democracy by any stretch of definition" (Peled 2004).

The question of the national identity becomes important in the context of the modern state. Most of the modern states were established along the lines of the national identity discourse. Benedict Anderson, in his book *Imagined Communities*, defined a nation to be "an imagined political community - and imagined as both inherently limited and sovereign"(Anderson 1991:58). He imagines community, which takes the form of the national identity, to be something that is based on a common platform of shared identities, experience and historical experiences. He understands "the nation is always conceived as a deep, horizontal comradeship" (Anderson 1991:58), based on these common, and imagined commonalities.

Antony Smith, in his seminal book in *National Identity*, notes that there are assumptions and demands that remain common to all nationalists, and even granted significant acceptance by its critics. "A nation can therefore be defined as a named human population sharing an historic territory, common myths and historical memories, a mass, public culture, a common economy and common legal rights and duties for all members" (Smith 1991:14).

Expanding on his understanding of the ethnic basis of national identity, Antony Smith (1991) notes that there are certain common characteristics of an ethnic community, which helps it to form into a national identity. Notions of common ancestry, shared memory of the past, elements of common culture and a sense of belonging to ancient homeland solidify the shared identity and emotional bonding of significant number of the population.

In explaining the Jewish case, Smith notes that the Jews trace their ancestry to Abraham, their liberation to the Exodus and their founding charter to Mount Sinai, These myths that are deeply ingrained in their culture; they retain their religious potency

even today. For the secular Jews, these myths are transformed into ethnic identification with the land and nation. Such as the Greeks and the Armenians, "there is a felt filiation, as well as a cultural affinity, with a remote past in which a community was formed, a community that despite all the changes it has undergone, is still in some sense recognized as the same community" (Smith 1991: 33). To him,

> The Jews have been exiled from both for nearly two thousand years… Certainly this (cultural affinity) is true of statehood, the Hasmonean being the last truly independent Jewish state — unless we include the kingdom of the Khazars. The land of Israel was at times more than a symbol of messianic restoration; groups of Jews made their way there from time to time and founded synagogues. Yet here too the yearning for Zion was often more spiritual than actual, a vision of perfection in a restored land and city (Smith, 1991: 33-34).[14]

Oren Yiftachel, however, identifies Israel as 'ethnocracy'. As in relation to the model of ethnic democracy, an ethnocracy is not explained in terms of democratic elements, rather bringing to light some of an ethnic majoritarian tyranny over the political system(Yiftachel 1998) As'ad Ghanem and Nadim Rouhana also understand the state to be an ethnocracy, in agreement with Yiftachel. They disagree with Smooha's model of ethnic democracy; as such a model provides for differing treatment to its minorities, making it undemocratic in its very essence. An ethnocracy is neither democratic nor authoritarian, and the rights and capabilities of the political majority depends primarily on ethnic origin and geographic location of the group in power. Yiftachel believes that the mainstream Israeli Jewish intellectuals, such as Alan Dowty and Sammy Smooha, have carefully utilized manipulative measures in maintaining the illusions of democracy in Israel. Yiftachel also mentions other similar Ethnocractic societies in Sri Lanka, Serbia and apartheid South Africa.

This Judaization of Jewish democracy is one of the major challenges Israel would will need to overcome if it yearns to be a truly democratic state. His main argument is that the Israeli ethnocratic regime, which facilitates the Judaization of Israel, has made the

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[14] For a detailed discussion on the ethnic basis of national identity, see Chapter 2 in Smith Anthony D(1991), *National Identity,* UK: Penguin Books: 19-42. For an alternative to Antony Smith's definition of National Identities, see Guibernau, Montserrat (2004), "Anthony D. Smith on Nations and National Identity: A Critical Assessment", *Nations and Nationalism,* 10(1/2): 125-141. In this article, the author challenges Smith's understanding of national identity, which does not allow the existence of nations without states. This paper offers an alternative view on how national identity is constructed in the present global era.

Ashkenazi Jewish ethno-class stronger within Israel, adversely affecting and silencing the voices and grievances of not only the 'Palestinian Arabs', but also the peripheral Mizrahi Jews in Israel (Yiftachel 2000).

According to Dowty, the Kibbutz played a significant part in ensuring the continuation of democratic traditions within Israel, in spite of it being a Jewish state. He makes a distinction between the traditional Israel, etched in history, with that of the modern Israel. He understands that the present day state is working towards a synthesis of these two ideals, in trying to find a path between the religious extremism and the democratic liberalism (Dowty 1998). He agrees to a great degree on the concept of an ethnic democracy, suggesting that Israel would be understood as a democratic state, or a Jewish state depending on what definition of democracy is being used. Democracy has many aspects to it, and to Dowty, remains a substantive, if not a completely procedural democracy (Dowty 1999).

Dowty is in agreement in so far as he points that Israel does rank towards the ethnic end of the continuum, when judged by the democratic standards as understood commonly by the western scholarship. Nevertheless, Dowty also points to the fact that there is no unanimous or a particular standard that a state needs to reach at, in order to be qualified as a democracy. There are many states that 'confer citizenship by descent or ethnicity (or both) to those who can establish an ancestral link' (Dowty 1998: 210). It is simply one of those many unique states that provide citizenship to Jews as Israeli's, as France for French. The fact that Israel scored high on the ethnicity does not posit a sufficient reason, according to Alan Dowty, to question its democratic credentials.

Other scholars see the case as moving through periods of transition. Peled and Navot (2006, 2015) provide an interesting theoretical explanation in democratic credentials to the Jewish state of Israel. They see the Israeli case as moving through periods of transition, and in a state of motion. In such a settling at ethnic democracy or ethnocracy, the democratic movement is seen to have shifted from a lesser democratic period through one that has been seeing liberalizing efforts. However, a possible transition to a majoritarian political order is observed, where the majority of the population is entitled to a certain degree of primacy in society, and has the right to make decisions that affect the entire society (Peled and Navot 2006).

They divide Israel's political period into four phases, identifying each phase with a different aspect of governance, which reflected the then present realities of the state.

Israel's democratic credentials are found in the historical functioning of the Yishuv, which had regular elections and appointed posts, creating a historic backdrop for the state to mould itself in (Medding 1990; Zeev 1998; Jones and Murphy 2002). Many scholars have rationalized the Israeli state behaviour as the product and outcome of the circumstantial reality that it faces, such as a significant Arab population with transnational loyalties, existential crisis in a hostile environment and need for military efficiency rather than democratic norms for survival. This survival instinct has resulted in the state moving from democratic to a non-democratic spectrum, reflecting the needs and necessities of the time. For these scholars, rather than trying to analyse and understand the Israeli political system through a set of standard democratic models, and their possible deviations, it is productive to see the state and it democratic elements as a result of reflection of the political realities that surround Israel (Asher 1989; Asher and Gordon 2001; Lustick 1989).

Yoav Peled and Doron Navot (2015) have made a further contribution to the whole democracy debate. They analyse the existing debates surrounding the entire theme, and reassess their understanding of the Israeli democracy under that light. The Israeli social scientists has noted long that Israeli democracy fell short of the ideal of liberal democracy and was therefore a problematic form of state. The first Israeli social scientist to make the distinction between what he called a "substantive" (i.e., liberal) and a "formal" (that is, procedural) democracy was Yonathan Shapiro (1977: 191–194). He had based his argument on an analysis of the Zionist Labour Movement as an organization of power operating in the service of a political elite. Shapiro did not pay particular attention to the status of Arab Israeli citizens in his analysis. However, that question has occupied the centre stage of the debate over Israeli democracy since the publication of Sammy Smooha's (1990) seminal article, "Minority Status in an Ethnic Democracy: The Status of the Arab Minority in Israel." Sammy Smooha had used a minimalist definition of democracy to argue that Israel can be called an "ethnic democracy", which can still qualified as a democracy, even if of a limited nature. This model of ethnic democracy, (which has been discussed earlier), was adopted with some modifications, by Peled (1992) and Gavison (1998), while Sa'di (2002) and Peleg (2004) preferred "illiberal democracy." The model was criticized, among others, by

Oren Yiftachel (2000), who has claimed that Israel should be called an "ethnocracy" there seems to be a predominance of a Jewish 'ethnos', while the Israeli 'demos' has been relegated secondary place. Navot (2002) argues that Israelis not a democratic state but merely a "majoritarian" one because of the structural 'tyranny' as is practiced by the Jewish majority.

Peled and Navot (2015) considers both the current state of the debate that exists over the understanding of Israeli democracy and the state of Israeli democracy itself through the lens of the citizenship status of Israel's Palestinian citizens. For that purpose, they analyse the two main positions in this debate focusing on the "framework decisions". After assessing the merits of each position, they argue that the question of Israel's democracy "should be viewed dynamically and historically, and that the Israeli state has been evolving from a state resembling non-democratic ethnocracy, through ethnic democracy, toward non-democratic majoritarianism". This seems to be in agreement with their earlier analysis (Peled and Navot 2006) of Israeli democracy, where they had predicted that the Israeli democracy has been moving from different phases into a possible future of non-democratic majoritarianism. To them,

In terms of its democratic character, as reflected in the citizenship of its Palestinian citizens, the history of the Israel has been divided into four periods by them. The first period is from 1948–1966, which they signify as the period of the military administration, when the political order could indeed be characterized as ethnocratic rather than democratic. The second period is of Ethnic democracy from 1966 to 1992. There were some liberalization efforts made by the state during 1966 to 2000. However, from 2000 to the present, Peled and Navot see a possible transition to a majoritarian political order (Peled and Navot 2015).

These scholars see the main element of differentiation between Israel at present, when compared to the one a decade ago to be of that is during the Rabin government, Israel "acted to enhance the citizenship of Israel's Palestinian citizens and weaken the tyranny of the Jewish majority". In contrast to that, the present Israeli political government is trying to reinforce what they identity as tyranny "and diminish the citizenship rights of the Palestinian citizens". According to their argument, in the period between 1992 and 2000, "Israel's ethnic democracy was evolving toward liberal democracy; since 2000 it has been evolving toward a non-democratic, majoritarian political order" Labelling the

Occupation as the cancer to the democratic credentials to the state, they conclude that their argument "do not wish to claim that Israelis already a majoritarian state, only that it has launched itself on the dangerous road toward becoming one" (Peled and Navot 2015: 23-24).

Amal Jamal (2010) makes the use of critical theoretical models to explain complex socio-political realities in Israel and to open some space for constructive change. The "ethnic democracy model," to Jamal, is a justification of the existing state structure in Israel in which democracy is selective and differential when compared to the various other social groups in the society. His argument makes a systematic critique of an ethnic democracy model and demonstrates that Israeli sociologists have turned the ethnic nature of Israeli democracy into an ideal-type and adopts multiculturalism as a normative theory to explain the socio-political reality. The state recognition of the political benefits of differentiated citizenship and group rights, Jamal argues, would reduce rising ethno-cultural tension in the Israeli society.

There are many eminent personalities, especially those involved in statecraft in some capacity or another, who also write on democratic process in the country and their fault lines. Though these works do not form direct a part of the mainstream academia, as in, they do not prescribe to the methodological approach that is required to analyse an issue by a research scholar, they also form a part in how democracy is viewed by the Israeli population. They often bring our facets of thought processes that have great significance within the general debate. Danny Danon, former Member of Knesset (MK), currently serving as the Israeli envoy to the United Nations, and a Zionist by his political ideology, point to certain aspects of debates within Israel that has very important bearing on the debate of on democracy, in his book *Israel: A Will to Survive*. He makes an outright dismissal of the Palestinian issue and is a champion for Zionist endeavours. He remains disillusioned with the peace process. Being a Zionist and a firm believer in the land of Zion, he calls for a three-state solution for addressing the refugee issue. To his view, this three-state solution is to be a regional agreement between Jordan, Egypt and Israel to absorb and naturalize the refugees of the 1948 War. Even though the arguments do not directly form a part of the democratic debate within Israel, it certainly contributes to it. The outright dismissal of the Palestinian issue, referring to it in geographic terms, add to the vibrant debate on the question of the Palestinian issue, as well as the ultimate solution of Israel's own Arab citizens. His book raises several

questions: What is to be the nature of the Israeli state, if the Jewish element is given official preference over the democratic one? What will be the situation of the minorities within Israel– not just the non-Jewish section, but also the Jewish non-observant and secular Jews? If the Palestinian issue is downsized to a geographical issue, how will the peace process shape up to? (Danon 2012)

Natan Sharansky is a one-time Soviet political prisoner and has been a member of the Israeli Knesset. His books, *Defending Identity: Its Indispensible Role in Defending Democracy* and The Case for Democracy throws light into two aspects of democratic debates within any democratic country. Though his works are not directly linked to Israeli domestic democratic debates, the issue of identity, its importance in preserving democracy, has significance within the Israeli domestic debates (Sharansky 2004 2008). The democratic values that he proposes also have significance to Israeli political system. Identity politics have always played a part in Israeli democratic and religious debates.

Elazar Stern picks on a different aspect of Israeli society, that of the army and the civil-military relations. He has been a source of pride within the Religious Zionist community, being a member of the first generation of shomer Shabbat[15] generals. He started his military career from joining the paratroopers and eventually became the commanding officer of a platoon. Choosing a military career over furthering his religious studies, such as most religious Jews often choose to do, he rose through the ranks to become the commander of the IDF officer school and then the Chief Education Officer. His last post was as the IDF Manpower Chief.

In his book, *Struggling over Israel's Soul,* he contemplates the 'loss of manpower' that Israel faces every year, as the religious Jews refuse to serve conscription citing religious studies. According to his view, it must be the national duty for every Israeli to serve in the army, as it is the greatest way to serve the nation. His book raises the important issue of whether Jewish and democratic are really very exhaustive aspects? He believes that the State of Israel can be both Jewish and democratic, as Judaism has enough scope for democratic norms. The aspect of the close civil-military relations, as well as the notion of complementarity between the Jewish and democratic identity forms an

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[15] This term refers to a person who observes the *mitzvot*, or commandments, as is associated with *Sabbath*, the Jewish day of rest.

important contribution of his work in the larger domestic debates (Stern 2012). Yuval Dishkin, the former head of Israel's shadowy internal security service Shin Bet, warned in 2013 that unless Israel could find peace with the Palestinians, and soon, "we will certainly cross the point of no return, after which we will be left with one state from the river to the sea for two peoples. The consequences of such a state for our national identity, our security, our ability to maintain a worthy, democratic state, our moral fibre as a society, and our place in the family of nations would be far-reaching" (Dishkin, 2013)[16]

Sari Nusseibeh is a Palestinian, a professor of philosophy and had been the president of the Al-Quds University in Jerusalem. Until December 2002 he was the representative of the Palestinian National Authority (PNA) in that city. He is largely seen as a moderate voice due to his political leanings. In his book *What Is a Palestinian State Worth?* He holds on to the view that the Israeli state can internalize its Arab citizens within its state structures, as it has enough democratic provisions in place that would address the issue of being a non-Jewish in the state of Israel. His argument lies on the positive side of the debate on whether a Jewish state can be democratic and vice-versa, bringing in fresh ideas to instigate the democratic debate within the country.

In her 2013 book titled *Israel Unmoored: The Fault Lines of the Jewish State*, Diana Pinto portrays Israel as "autistic," a state that "cannot think" of itself as "living in a world populated by others," a state that is brilliant yet socially isolated. In that case, Israel desperately seeks to ignore the neighbourhood where it is located. She also paints Israel as "fragile," and Israel's antagonists have done their "utmost to aggravate the psychological condition of their neighbour, a neighbour that had fallen on their head without their being responsible for the Holocaust, but whose minuscule territorial presence they should have accepted early on." Pinto argues that the "hatred of the Arab and Muslim world," rooted in anti-Semitism, is disastrous for the fragile nation "with an autistic penchant" (Alexkale, 2013).

The major fault line of the Israeli Democracy is the absence of any formal definition of the term itself by the state. Even though the state is a parliamentary democracy, with

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[16] Detailed argument by him can be accessed by an article written by him in the Tablet Magazine. The article argues that if Israel continues to avoid a peaceful solution with the Palestinians in territorial issues, there might be a time when it will become a zero-sum game, with Israel on the losing side of international pressure. The article can be accessed at http://www.tabletmag.com/jewish-news-and-politics/138007/yuval-diskin-two-state-solution

regular and impartial elections, the absence of the type of democracy that the Israeli state adheres to remain absent and cause for tensions. Even when the Basic Laws have detailed out the state identification of being "Jewish and democratic", such a formal declaration. Even though the state has legal mechanism in place, and personal laws providing for the religious freedom of the identified minorities within the state structure, Israel remains a Jewish state. In all its symbolisms, the orthodox and secular Jews reached state holidays, and status-quo agreement while the non-Jewish minorities remained a mere spectator, accepting the state decisions.

Following the previous point, the Arab citizens of Israel are treated as a security concern, especially due to their sympathy for the Palestinian cause. This in turn had led the state to deliberately limit the role and scope of the Israeli Arab population within the state institutions. The Israeli Arabs are not allowed to join the Israeli national army. There is a provision for voluntary service in the Israeli Defence Forces (IDF), but the number of Arab Israeli's have always remained low. In the political sphere, there were no independent Arab parties before 1988. Today, there is a plethora of Arab political parties within Israeli political system, but the Basic Laws and their provisions make it difficult for these Israeli Arabs to participate and form political parties. The states allows for the registration of political parties only if they agree that Israelis a Jewish and democratic state, and promises no incitement to violence or racism.

If the concept of ethnic democracy is to be accepted as the best possible explanation for the kind of democracy that of Israel follows, then the fault lines become clear. The refusal to identify the Arab citizens as a national minority, and accepting the fact that they are secondary in the same state, where the Jews get a preferential treatment, is undermining the concept of democracy. Even though it is not touched upon in the chapter, (as it goes beyond the scope of the study being attempted at) the Occupied Territories will continue to undermine Israeli democracy as long as the state maintains a territorial control over these lands. Israel has mainly put for forward two major arguments justifying its possession over the OTs. The religious section puts forward the argument that the entire land was given to the Jews by God, and thus it is not an occupation, rather a reclaiming of the land. The secular and non-observant Israeli's cite the 'Land for Peace'. Whatever be the rationale, the Occupied Territories will continue to remain the major hurdle for peace with Israel's neighbours, and challenge the democratic essence in its domestic arena. Within the Jewish community themselves,

there are fissures on the state mechanism for democracy. The secular and non-observant Jews find the status-quo agreements difficult and restrictive. The observances of Sabbath and Kosher as provided in the status-quo agreement are seen as an infringement on their personal rights. Even the personal laws create tensions and stress among the Jewish sections, as it regulates all aspect of personal life.

## Conclusion

The identity debate has been at the heart of the state's existence. The Jewish as well as the democratic identity is strongly entrenched into the nature of the Israeli state. On the one hand, the acceptance of the status quo agreement, as well as the larger identity of the state strongly advocates its Jewish nature. On the other, the architects for the state project saw the need for democracy as a medium to absorb Jews as well as the non-Jewish population into the state fabric. Zionism, in its pre-State form, had well in place the democratic structures that were then easily translated into the democratic identity of the state.

However, this dual identity has become the core to all the foremost internal identity debates that are reflected both in the academia and civil society. The non-Jewish population, such as the Israeli Arabs (both Muslim and Christian), the Druze, Circassians, the Baha'is and the various denominations of the Christian sects are affected differently by this Jewish identity. Where on the one hand the Druze have acquiesced to the Jewish state, the Israeli Arabs (with their historical and ethnic proximity to the Palestinian Arabs) often find it challenging to acclimate to the blatantly Jewish outlines of the State. The state being formed for the Jewish Diaspora, and as a national homeland for the Jews, Israel has accomplished to maintain its democratic ethos well with the religious underpinnings so far.

The Jewish population of Israel is the majority in the state making approximately 75 per cent of its demographic strength. The Jewish population itself is a heterogeneous mix, with secular, moderate and religious divisions on one hand, geographical descent on the other. Added to this Jewish diversity is the larger division between Jews and Arabs, between religious and secular Jews, and in the political spectrum between the Left, Right and the Centre. Various combinations and permutations in political outlooks occur with people having centre-left stand or centre-right. Where the secular Jewish citizens no longer want the stringent Status-Quo agreement, the religious Jews – the

Orthodox, see this as an infringement on their hold over the Jewish society, and as a challenge to the Jewish identity of Israel itself. In the jurisdiction of Personal Laws, which is regulated by the religious courts, the secular space suffers on a daily. The challenge for the state is in complimenting its Jewish identity with the democratic norms in such a diverse and divided society.

For the secular Jews, the fact that the religion has such a strong influence on the state is always a matter of concern. The Secular Jews, therefore, find it very difficult to separate their daily activities from their (religious) Jewish identities. Being a Jewish state, the state policies uphold the Jewishness of the state. Even in the case of conscription, which is mandatory for all Israeli Jewish citizens (with certain exception), the obligation to the state is tied closely to the Jewish identities.

On the one hand, the IDF retains a secular institution, built on a model of modern military, in order to act as a 'melting pot' for the divergent Jewish population. On the other hand, there are religious exceptions to the Jewish population, and the military has special provisions for the religious abiding members within its fold. This is a constant reminder of the religious nature of the otherwise democratic state, is a constant reminder of the strong and close relationship that the Israeli democracy enjoys with its religious identity. The non-Jewish minorities feel a constant sense of alienation, be it in the state holidays, or the observance of Shabbat which are a constant reminder of their separate identity in a Jewish state.

Israel has to face a constant tussle between its religious and democratic identities. At times, it has to compromise one at the cost of the other. The state faces a constant struggle to balance the differing values of a religious identity, with that of the challenge of maintaining its democratic credential. For Israel, maintaining a balance between the two is a daily challenge. This is the price the state has to pay, to bring address effectively the stress to its political system, to bring about the contradictory values enshrined in its very identity.

# Chapter 5

# Conclusion

The rise of nationalism in the 19th century in Europe ushered in a feeling of kinship and identity among the people, where they began to think in terms of "national identity" and "national interest". Language, race as well as ethnicity began to play an important part in the feeling of belonging to a particular identity (community), one that is distinct from others. This political atmosphere influenced the Zionist to think along the lines of forming a state with a national identity based on the unique features and shared history of the Jewish people in the Diaspora.

The Declaration of Independence (DoI) which announced the establishment of Israel embodied in itself the modern notions reflective of equality, liberty and values of freedom. The notion of the national identity—the belonging to one nation--fashioned Israel into a Jewish state. It was meant for the Jewish Diaspora to return to their historical homeland (making *aliya*) not just to built and populate a newly declared country, but also to move into a home, that is, accepting the unique Jewish identity amidst the rampant discrimination and persecution that the Jews faced in history. As envisaged in the DoI the state was set to ensure legal and political rights to all its citizens irrespective of their national or religious identities.

At the time of its declaration, Israel became a home also to a large number of non-Jewish and predominantly Arab population (majority who were Sunni Muslims, but there were also Christian Arabs, Armenians, Circassians and Baha'is) who choose to remain in Israel during and after the first round of Arab-Israeli War of 1948. The Jewish population was itself an amalgamation of people with different geographical, socio-economic and cultural background. The state needed to build a nation for the diverse the sections of the population. In the early years, the state had to address the issue of the aliya and absorption and unite the diverse population. The Israel Defence Force was seen integral to the nation-building process and Israel's leaders visualised it to be a melting part of assimilation of Jews into a national identity as well as a "people's army".

However, the search for a state based on Jewish national identity that resulted in Israel also resulted in identity disputes. The pronounced Jewish identity of the state became a problem not only to the non-Jewish population but also to its Jewish citizens. For the non-Jewish population, the symbolisms of the state—flag, national anthem and state holidays to name a few—became alien to their Arab or non-Jewish identity. Similarly the haredi section of the Jewish population also had reservations over to the state symbols. Even though measures were carried out like ensuring Arabic an official language along with Hebrew, the steady identification of the state with the Jewish identity was resonant in many of its policies like the Law of Return (1950) and the exclusion (not compulsory) of the Israeli Arabs from military service.

*aliya* saw Jews from different parts of the world making their way into Israel and becoming its citizens. As a natural outcome, the new immigrants have had differing influences upon Israel. For the Jewish population, a ready fissure was apparent between the religious and the secular sections. The state acceptance of the orthodox interpretation of Judaism, in spite of their small numerical presence, gradually became a point of contention. On religious grounds the Haredi Jews are exempted from the compulsory military service but are financially compensated for not joining conscription and this overtime became a sore point to the rest of the population. "Status-Quo agreement" that the religious and secular agreed on the eve of Israel's founding has established a unique and asymmetric religious influence upon the Israeli society, particularly its non-religious citizens. The personal status law forms one of the crucial measures through which the religious elements exert overwhelming influence on entire population.

It is the Orthodox strand of Judaism that is recognized by the state and was in consonance with the agreement that secular leaders concluded in 1947.

There is also the issue of the non-Jewish population. On one hand, the state has recognised certain non-Jewish religious and has given them religious freedom. The personal status arrangement recognises Jews, Christians, Muslims, Druze as well as Baha'i as separate and recognised entities, and accords civil and religious rights over issues pertaining to birth, death, marriage, divorce, adoption and inheritance. However, the absence of a secular framework in handling personal affairs has been problematic.

The mandatory religious identity imposed upon the citizens ends up making the religious identity distinct as well as well entrenched in the public domain. The issue of citizenship is what gets affected in such a scenario. Where on one hand, one is a citizen of Israel, the religious identity (mainly for the non-Jewish citizens) differentiates them different from the majority Jewish population. As such the Personal Status Laws have added, rather than abetted in creating fissures within society pertaining to the identity debates that the state confronts.

The Israeli Arabs have always been approached by the state with caution. The cultural and religious proximity of the Israeli Arab citizens with the neighbouring Arab states, who had already declared animosity against Israel's existence at its time of independence, made the state treat the Arabs will a differentiated approach. Until 1966, the Arab citizens of Israel lived under a military rule and were exempted from the compulsory military service. The situation changed gradually after 1966, and provisions were made to include the Arab population into its otherwise strongly Jewish Rubicon. The reason behind the discriminatory measure by the state towards this section of its population was its concerns over divided loyalties.

Unlike the rest of the population, drafting in the army is not a compulsory element for the Israeli Arabs. In recent years, they could choose to serve in the IDF or the alternative *Sherut Leumi* or national service. The *Sherut Leumi* was originally introduced for the benefit of Jewish religious women Haredi men who do not serve in the army due to religious restrictions. The Haredi men and women, who would otherwise refuse to serve in the army, form a part of this national service. This service is now open also for the Arab citizens of Israel and gain benefits granted to those doing military service.

While this is a good arrangement in theory, this divisive nature of the military service has often resulted in strains on the political system. The first element of the divisive nature is that of the exemption granted to the religious sections of the Jewish society as well as the exemption afforded to the Israeli Arab citizens against the compulsory service in the Israeli Army. Reasons behind the exemption are different and the outcomes of such exclusionary measure affect these two communities in very different ways. For the Haredi Jews, the state provides a positive incentive to being exempt from the compulsory military service. Directly or indirectly Conscription is linked to many

social benefits such as employment, education housing loans etc., which the Israeli Arab cannot avail. Unlike the haredi population, they are not 'compensated' for their exclusion from conscription.

The research posed four questions, and two working hypotheses. The four questions that had been raised are answered in this research. The first question this research raised was *What are the contours of the identity debates within the Israeli society?* and was addressed in the second chapter on "Issues in domestic debates" This focused on various debates surround Israel, including civil-military relations, religious-secular tensions, peace process and the role of gender in society. Attempts have been made in trying to understand and contextualize the identity debates on these identifiers.

The second question raised in this research was *What are tensions over the Jewish-democratic identity debates and how are they manifested?* Third and fourth chapters, focusing on the Jewish and the democratic identity respectively, tried to demarcate the tensions in the society due to the interplay of the dual identity. In spite of asserting a Jewish identity, Israel has to ensure a democratic structure for all its citizens. Such situations often create stress in the system. Where does the Jewish identity end and democratic elements take precedence? In spite of having a significant non-Jewish population, the Shabbat and the symbols are exclusively Jewish and this alienates a section of the population.

The third research question takes forward the second and asked: *How do these debates influence Israel's ability to function as a democracy?* The fourth chapter of this thesis focuses on the identity debates from a democratic standpoint. Since democracy was a choice made by the architects of the state, Israel has to contend with its democratic identity, not just in terms on how the state treats the minority population who reside within its borders, but also as to how it deals with the democratic elements in its self-definition and reflection. In spite of being a Jewish state, Israel has no state religion and its legal system ensures that the Personal Laws of different religious communities are protected by the state

The fourth question that this research advances looks into, *How has Israel been coping with the tensions between its Jewish and Democratic identities?* Even though religious rights are respected by the state, the religious courts often end up restricting or limiting the secular life of the individual. Israel only permits marriage in accordance with the

Halakhic regulations, giving rise to the "chained" women making it difficult for Jewish women to be granted a get (divorce) easily without the husbands consent. There is an increasing demand for an alternative civil marriage institution to meet with this limitation. This is true for non-Jewish citizens of Israel who are 'chained' to their respective religious personal laws.

Both the hypotheses raised in the research have been validated. Regarding the first hypothesis—*There is an ambiguity in the state discourse regarding Jewish and democratic identities*—the research finds that there is a deliberate ambiguity in the state discourse when it concerns the issue of the identity and it consciously chose categorically define the Jewish and democratic identities it projects. As with every other social group, Jews are not a homogeneous community and it would have been impossible for the state to standardize the identity parameters for its Jewish citizens. The preponderance given to Orthodox Judaism in matters relating to Personal Status cause discomforts. At the same time, while embracing the Jewish identity, for example, the Law of Return, Israel keep halachic definition of 'Who's is a Jew?'

In terms of democratic identity, there are considerable academic and political debates and discussions whether Israel can be defined as ethnic democracy or ethnocracy. The truth lies somewhere in between. Even though the Jewish identity is pronounced in its state structures, the state has and enforced safeguarded legal means to ensure equal rights to all its citizens since 1948. Therefore, keeping ambiguity over the democratic and Jewish identities has been a conscious choice of the state.

As state conceived as a homeland for the Jews, it became inevitable that there is an inbuilt element of preference for the Jews in the state system. In such, it may be noted that the Jewish predominance have at times hindered Israel from reaching its democratic potential and this validates the second hypothesis—*Preponderance given the Jews in the laws and their implementation hinders Israel from realizing its democratic potential*. Nevertheless, this should not be construed as a deliberate tilt towards the Jewish population by the legislative and Judicial branch at the expense of the non-Jewish minorities. Rather it is indicative of the continuous struggle in the state system in managing the Jewish identity with its democratic credentials.

The identity debates in Israel are deeply entrenched within its social fabric. The state has to confront and address the Jewish-democratic duality. Even when there are

provisions to accommodate the non-Jewish elements into its fold, the Jewish identity does create a sort of tension, and alienates the non-Jewish citizens as well as the secular Jewish population. The debates over the type and nature of the Israeli democracy has been constantly debated by academia—whether it is an ethnic democracy, ethnocracy or some other variation thereof—and this adds to the stress. The presence of the Occupied Territories in the wake of the June war, and continued stalemate in the Israeli-Palestinian negotiations is also a major fault lines in Israel's democratic credentials. For the peace process to succeed, sooner or later, Israel would have to settle the internal identity debate and accommodating its Arab citizens is a precondition for Israel's understanding with the larger Arab population of the West Asian region.

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