Citizenship and Hegemony
The Politics of Accommodation and Control in the Jewish State

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I

Introduction: Uniqueness and Utility

There is no shortage of literature on Israeli politics and society. A country of fewer than seven million citizens, Israel attracts disproportionate study and scrutiny for its size. One of the greatest challenges for students of Israel is not only to sort through the volumes of case studies in search of relevant information, but also to piece together the normative debate behind the ‘fair-minded’ scholarly discourse. For a topic that evokes such passions as the case of Israel, the question is not whether there is a normative agenda, but to what extent and in which direction.

As Michael Barnett reminds us, Israel is a difficult case for comparativists because of its apparent uniqueness. Deliberately or unconsciously, tacitly or explicitly, we often place Israel in a category of its own, or on the other hand, place it in whatever category is convenient. Is Israel a part of the dominant Western core, part of the Third World, neither or both at once? Is it developing or developed? “For many social scientists the Israeli case represents an unapproachable challenge, its rich and complex history producing a case inappropriate for the comparative enterprise.”¹ The problem with this defeatist outlook is that it conflates uniqueness with complexity, and forgets that the utility of comparativism comes from difference as well as similarity.

Complexity, like uniqueness, can be a refuge for apologists. It means anything can be justified or ‘proven’ because of the number of causal forces in the mix. The small amount of time I have spent in Israel revealed to me that outside criticism of Israel can be met with reflexive hostility; the perception is often that the outsider lacks sufficient understanding of the complexity of the Israeli case. This phenomenon is more than a simple defense mechanism; it is related the unique identity of the Jewish homeland. Israelis have, to some extent, fetishized the uniqueness of their state. The perception that the world community has singled out Israel for disproportionate criticism, either due to global anti-Semitism or an anti-Israel bias in the mainstream European media, becomes a source
of national pride rather than a basis for international dialogue. A telling example came as the 1967 June War (or Six Day War) ushered in both the occupation of the West Bank and Gaza and an era of heightened national unity, and the song “Ha’olam Kulo Negdainu” (“the entire world is against us”) became a standard in the Israeli nationalist repertoire; Rebecca Kook cites this phenomenon as a symptom of Israel’s self-excluding behavior.

If uniqueness implies a context of desired isolation, exclusion implies an imposed isolation. Israel as a state, the study of Israel as a discipline, and Israeli national identity as a central political phenomenon all straddle the thin psychological, sociological and psycho-political line between exclusion and uniqueness. At times, however, it appears that Israel itself has opted for uniqueness, even at the price of exclusion.2

The attitude that external rejectionism is inevitable becomes a self-fulfilling prophecy when such an attitude translates to total disregard of outside opinion; when a state acts as though world opinion is irrationally and irrevocably against it, its actions will likely invite animosity. Thus, uniqueness and exclusion reinforce one another. Social scientists too are affected by such trends, and uniqueness has thus become a subject of normative debate among Israel scholars.

The pride that Israelis take in their own exclusion and uniqueness sheds light on the creeping absolutism behind even some of the most carefully nuanced analyses of Israel. Either Israel is Western or it is part of the Arab world. Either it is a state of Jews exclusively or all its citizens are equal under the law. Either Israel is a full-fledged democracy or it is a shameful apartheid state. Reality is not necessarily conducive to such essentialist final judgments that many critics and apologists suggest. Beyond the polite realm of academia, polemic discourse leads one to believe that either Israel is a criminal, colonial state that has no right to exist, or it is the most benevolent country in the world whose actions require no justification; either criticism of the Israeli government is thinly disguised anti-Semitism or the entire Zionist enterprise is racist. Such reductionist outlooks have been fortified with logic and academic ‘proof’ to the point where one can easily identify their presence in sophisticated debates about Israeli democracy. Apart from their propensity to offend and
create academic impasses, normative absolutist agendas inculcate simplistic reactions to complex situations.

A superior method is to adopt the pragmatic approach theorized by William James, where we acknowledge “all classifications are human constructs to be judged rather by convenience and utility than by their coincidence with real kinds.”3 The benefit of this approach is that it allows us to apply different, even contradictory political models to the same case, depending on the component of the case in question. It allows us to say: “Israel is X with respect to A, but Y with respect to B,” where X and Y are mutually exclusive theories, and A and B are different components of Israeli society. This non-absolutist paradigm that James calls the pragmatic method constitutes the philosophical grounding of this paper. Under James’ method, we resolve the uniqueness question by concluding that Israel is unique, in a way that other states are not unique, insofar as it is useful for us to place it in a category with no comparable states. In fact, I make few references to other states throughout this paper, and my discussion of Israel is comparative mostly in that I compare parts of Israel with other parts of itself.

I wish to focus here on Israel’s system of government with specific attention to the idea of citizenship. As a self-proclaimed Jewish and democratic state, the future of Israel depends on how both democracy and Jewishness affect the Israeli and Palestinian people. Since the 1967 war, the unity of a singular Israeli corporate identity seems to have given way to a balkanized society full of tension and hostility. Israeli democracy is indeed unique in its mixture of individual and collective rights, the symbolic and practical role of religion in public life and policy, and the explicit incongruence between citizenship and nationality. How has this specialized system served the people of the Holy Land since the establishment of the state in 1948?
One of my goals will be to avoid absolutist questions such as: Is Israel a fundamentally a democracy (as opposed to an ‘ethnocracy?’) [Yiftachel 1999, 2000]. Pragmatism should have taught us better than to engage in semantic debates of minimal utility. Instead, I will address the role of Israel’s political system in unifying a society with deeply divisive cleavages. The major political divisions in Israeli society, religious-secular, Ashkenazi-Mizrachi (pl. Ashkenazim, Mizrahim), and Arab-Jew, are the focal points of my research as they relate to the structure of Israel’s democratic system. The question before us then becomes: how are these cleavages moderated under Israel’s political system? My argument will be divided into the following sections: (1) placement of Israeli democracy in comparative context; (2) Jewish cultural identity and fragmentation; (3) Arab citizens and Israel’s system of control; (4) hegemonic analysis of Israeli citizenship.

I conclude that the history of the competing citizenship discourses in Israel has yielded major social divisions regarding the character of Israel itself. Today the stability of the Israeli political system is buckling under the weight of an increasingly divided society. Israel’s apparently stable democratic system has yielded an intense dissolution of social cohesion since the Six Day War. Furthermore, the academic tendency to separate the study of conflicts between Israel’s major socially divided groups (religious, ethnic and national) often prevents the necessary next step: the recognition that these conflicts are interconnected, and should be viewed as components of one social crisis. Managing one area of cultural division may aggravate another. It is in the interest of Israeli society to escape this dangerous zero-sum entrenchment; the future of the viability of Israeli

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1 Ashkenazim are Jews of European or North American origin – that is, white. Mizrahim (also ‘Orientals’ or Sephardim) are Jews of Middle Eastern or North African origin, (particularly Iraq and Yemen) who usually trace their lineage back to Spanish Jewry. Clearly, there are many Israeli Jews who do not fit either of these categories; e.g. Ethiopian Jews. However, the dichotomy between European and Middle Eastern Jews is very relevant as a socio-economic ethnic issue in Israel, and one that plays directly into the other two major cleavages. My exclusion of Jews outside of this ethnic dichotomy does not suggest that these groups are unimportant in Israel society, but rather that the Ashkenazi-Mizrachi cleavage is the most telling ethnic divide that pertains to a discussion of national identity and cultural hegemony, which are the topics I have chosen to address.
democracy may depend on Israelis’ ability to rethink the identity of their national home as one that makes democratic citizenship a hegemonic principle of inclusion.

II
Citizenship in Deeply Divided Societies and the Case of Israel

Models of Liberalism: Individual and Collective Rights

A modern trend in the comparative study of democratic regimes in deeply divided societies tends to focus on the administration of individual and collective rights rather than the mechanics of parliamentary or presidential leadership selection. Allegations of being ‘undemocratic’ suggest a propensity for inequality or a deficiency of civil rights. Equality within the *demos* (sovereign population of citizens) is considered a minimum requirement for democracy, though the significant boundaries of how the *demos* is constructed are often unclear. The liberal philosophy of equality translates into official constitutional policy by the concept of democratic citizenship.

Citizenship discourses will be central to our discussion of Israeli society. Citizenship represents the intersection of law and identity. By saying ‘I am American,’ ‘I am French,’ I am Zimbabwean,’ we articulate both a national orientation and our constitutionally recognized membership in a state. With this membership come the rights to which all citizens are entitled. As we will see, the idea of Israeli citizenship has deep normative implications. Nationality, religion, and ethnicity all help to define the limits of citizenship in Israel, and who becomes a citizen in the first place.

Citizenship is the legal recognition of membership in the *demos*, the source of legitimate sovereignty in a democracy, (from *demos kratia*, the rule of the people). The function of citizenship is to establish the grounding for equality, for “the principle of equal citizenship has come to be universally accepted. Every position, no matter how reactionary, is now defended under the colors
of this principle. The study of democratic citizenship structures can thus be translated into an examination of the constitutional codification of equality.

In societies with shallow cultural divisions or cross-cutting social cleavages\(^1\), notably those of the dominant Western civic model, citizenship often comprises a set of procedural civil rights granted to individuals. Each member of the *demos* is recognized in exactly the same way, and entitled to privileges and immunities such as the suffrage in periodic elections for political rulers, protection against undue burdens from the state or the dominant majority, general freedom of expression and religion, etc. Rights are enumerated to individuals exclusively, and the state is “rigorously neutral” and lacks any “cultural or religious projects or, indeed, any sort of collective goals beyond the personal freedom and the physical security, welfare, and safety of its citizens.”\(^5\)

Such a liberal framework is sometimes called procedural liberalism, civil liberalism, or Anglo-American liberalism (although it is not practiced exclusively in Britain and the United States). The terms ‘individual rights,’ ‘procedural rights’ and ‘civil rights’ are used essentially interchangeably in this paper.

Procedural liberal democracy, though cosmetically neutral, Taylor characterizes as “not so much an expression of the secular, postreligious outlook that happens to be popular among liberal intellectuals as a more organic outgrowth of Christianity;” thus, procedural liberalism strives for total neutrality, but in fact is itself a “fighting creed,” and should not be viewed as culturally unbiased.\(^6\) For example, if an observant Muslim woman in France is asked to remove her headscarf to maintain a tradition of secularism in public institutions, from the woman’s point of view, the supposed neutrality of the state becomes a form of cultural imperialism. Yet as the working

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\(^1\) The cross-cutting cleavages thesis was formulated by Seymour Martin Lipset. A social division is a cross-cutting cleavage if it “the psychological cross-pressures resulting from membership in different groups with diverse interests and outlooks lead to moderate attitudes.” [Lijphart 1969: 208] Members in various groups overlap depending on what criteria are used to divide them, so commonalities encourage cooperation.
democratic model in many Western states including the United States, the United Kingdom and France, this model enjoys leading status in democratic discourse.

The stability of these democracies can be attributed to the theory that societies with considerable overlap in group memberships are compelled to work together for compromise, and can lead to the formation of pluralistic alliances. In such a framework, national unity is encouraged based on citizenship, not on ascriptive identity such as ethnicity or religion. The corporate national identity that is formed as a result is civic, which is theoretically open to newcomers, as opposed to having an ethnic basis, in which the nation is viewed as ancestral or dependant on membership in a certain ethnic group. (Civic nations are therefore often less cohesive and generally weaker than ethnic nations, since they lack the sense of kinship that often comes from common ethnicity).

However, when the state assumes the neutral role of ‘benign neglect,’ as Will Kymlicka puts it, it “cannot help but give at least partial establishment to a culture.” The most obvious example of the inevitable breakdown of supposed neutrality is the use of a dominant language in public discourse. “The state can (and should) replace religious oaths in courts with secular oaths, but it cannot replace the use of English in courts with no language,” says Kymlicka. Therefore, in societies with deep, non-overlapping divisions, scholars such as Taylor, Kymlicka, and Lijphart argue that the Anglo-American model is insufficient as a means of achieving equality and stability.

Juxtaposed with procedural liberalism is the discourse that demands active recognition of collective identities by the state. Under this framework, in addition to securing basic individual rights, the state is charged with administering certain group rights, “so long as the basic rights of citizens who have different commitments or no such commitments at all are protected.” Granting positive collective rights enables the state to recognize and differentiate among groups that demand administration outside of a homogenizing liberal framework where individuals, not groups, are
entitled to rights. Collective rights can be ‘internal,’ aimed at protecting a group from fragmentation and assimilation, (by allowing groups to regulate traditional practices and restrict the actions of their own communities), or ‘external,’ which protect a group from potentially hegemonic decisions made by the majority or dominant power in the state. Collective rights often take the form of land claims, marriage law and language rights. Adherents to this model, which holds that the state should play an active role in facilitating the needs of cultural identity groups, are sometimes called republicans or communitarians. They see procedural liberalism as having a homogenizing effect on the population in favor of a specifically Anglo-American culture. The outlook of communitarians is articulated well by Gershon Shafir and Yoav Peled:

For communitarians politics is a communal affair, and citizenship is an enduring political attachment. Citizens are who they are by virtue of participating in the life of their political community, and by identifying with its purposes. Members of such a community experience their citizenship not intermittently, as merely protective individual rights, but rather as active participation in the pursuit of a common good.12

Canada, Switzerland, Belgium and Malaysia are all states that recognize the rights of specific groups as well as individuals.

The communitarian model is sometimes criticized as being illiberal, contrary to individual rights or equality, or for the potential that one group’s collective demands will lead to another group’s marginalization. There is also a concern that internal group restrictions allow undemocratic traditionalist norms to trump the individual liberty of the group’s own members. Women are frequently said to be at particular risk if patriarchal cultures are given the right to enact gendered policies in the name of self-determination. The Anglo-American liberal tradition in particular is wary of the principle of collective rights, since individual liberty is seen as the bedrock of the liberal tradition, and equality implies constitutional homogeneity.

The third and final citizenship discourse that will be relevant to our discussion of Israel is an ethno-nationalist model. As the name indicates, citizenship in this model is expressed through
membership in an ethnic group, rather than an individualized or collectivized civic *demos*. If nationalism is the creed that the nation (imagined political community)\(^1\) is entitled to governing its own affairs in a sovereign nation-state, then the ‘ethno’ component adds the stipulation that the nation is defined as a politicized ethnic group. It is therefore fixed, and precludes assimilation or civic fusion. Language, religion, historical memory, and other indicators of cultural identity mark off members of the nation from non-members, who are necessarily excluded from participation.\(^{14}\) This proscriptive discourse is notably practiced in Japan, where the Japanese nation has historically been imagined to exclude non-members of the dominant ethnic group, such as the Burakumin.

Most democratic regimes witness a combination or competition among two or more citizenship discourses. Who is given citizenship, as well as the limits of citizenship for the purposes of equality are highly relevant variables in classifying various species of democracies. The utility of analyzing democracy as a dependent variable with respect to individual and collective rights derives from the simple fact that in deeply divided societies, (those where divisions are not cross-cutting and therefore do not create incentives for centrality and integration), democratic success or failure is often gauged in terms of group-to-group equality. [Ghanem, Yiftachel & Rouhana 1998; Sa’di 2000] Stable democracy is always difficult in deeply divided societies, because group memberships are sharply exclusive and “generate an antagonistic segmentation of society.”\(^{15}\) The growing agreement among theorists [Taylor, Habermas & Appiah in Gutmann 1994; Kymlicka 1995; Lijphart 1996; Smooha 2002] is that procedural liberalism is an unacceptable model in such societies.

**The Democracy Continuum**

\(^{1}\) A nation is imagined, says Benedict Anderson, as both limited and sovereign. It has limited, finite boundaries that distinguish it from other nations, and it gages its freedom on self-determination in a sovereign state. [Anderson 1991: 6-7]
Societies rely on varying democratic models for political stability, depending on the ethnic or national mix and the official position of the state in addressing difference. The procedural-liberal citizenship discourse lends itself to a simple majoritarian electoral system. Since ethnicity and identity are privatized in this model, (except for the corporate national identity fostered by participation in the civic national community), participation in the democratic process is individual, not communal. Each individual’s vote is identical, so elections and policies are a matter of simple arithmetic. Groups are free to organize and participate in the ‘free-market’ political environment, but the state treats them as political factions comprising individuals rather than identity groups seeking self-determination. Group claims are recognized only insofar as they are a means to individual liberty.

For the communitarians, Arend Lijphart’s model of consociational (power-sharing) democracy is the way to preserve group distinctiveness and moderate conflict. A political system is consociational if the following conditions are met: (1) Government includes a grand coalition parliament in which all significant identity groups are accounted for; (2) these groups enjoy a large degree of cultural autonomy; (3) political representation and appointments are proportional; (4) minority groups reserve the right to veto policy decisions relating to minority rights and self-determination. A key ingredient in the success of consociational democracy, according to Lijphart, is the deliberate action of political elites “to counteract the immobilizing and unstabilizing effects of cultural fragmentation.” The prospect of preserving the integrity of the state, and of preserving the national identities of groups that would otherwise be marginalized or assimilated, creates an incentive for elites to work together in a consociational framework.

Consociational democracy, like majoritarian democracy, is based on a civic national discourse, that is, an inclusive, constructed conception of citizenship; naturalization, integration
and assimilation are not problematic as far as the state is concerned, even where ethnic or national divisions are deep. Majoritarian democracies encourage homogenizing processes, while consociational democracy aims toward preserving group distinctiveness. The source of national identity and unity is equal membership and participation in state institutions, although the specifics of how groups manifest their participation vary in a collectivist system.

As Israeli sociologist Sammy Smooha points out, in addition to the civic models, “there are some states that are manifestly ethnic.” Their *raison d’etre* is not the formation of a civic national society through a liberal citizenship discourse, although the relevance of equal citizenship is not eliminated entirely.

The ethnic nation, not the citizenry, shapes the symbols, laws and policies of the state for the benefit of the majority. This ideology makes a crucial distinction between members and non-members of the ethnic nation. Members of the ethnic nation may be divided into persons living in the homeland and persons living in the diaspora. Both are preferred to non-members who are ‘others’, outsiders, less desirable person who cannot be full members of the society and state. Citizenship is separate from nationality.

This controversial model is known as ‘ethnic democracy.’ Because it excludes non-members of the dominant ethnic majority from full participation and blocks their ability to shape the national mission of the state, Smooha asserts it is “a diminished form of democracy.”

Ethnic democracy incorporates elements of both majoritarianism and consociationalism. As in the liberal tradition, all citizens possess the same procedural individual rights, regardless of ethnicity, religion, gender, etc. However, certain collective rights are also enumerated to the majority and the minority groups; these rights are not meant to facilitate equality or universal self-determination, but to define the boundaries of minority participation and the primacy of the dominant group. Slovakia, Estonia and Sri Lanka fit this description. Although the state’s *raison d’etre* is the proliferation of the ethnic nation, not the equality and well-being of the citizenry, members of the “out-group” can, according to the theory, improve their status incrementally within
the framework provided by the state. The out-group is, nonetheless, relegated to a second-class status symbolically, psychologically and legally by the ethno-national character of the state. [Smooha 1999, 2002, 2002a]

Majoritarian, consociational and ethnic democracies are useful comparative models, but they represent points on a continuum rather than mutually exclusive categories. Ethnic democracy resides somewhere between the other two, as it combines individual rights with limited collective rights, as well as the potential for limited participation in coalitions, and possible cultural autonomy, (though it is an uphill battle for ethnic minorities). The dominant ethnic nation derives its dominance from both superior collective rights (republican) and a clear arithmetic majority (procedural). Ethnic democracy can also be placed on a perpendicular axis running from non-democracy, (or herrenvolk, where the dominant group has a monopoly on all individual and collective rights, e.g. South Africa under apartheid), to consociation (see figure below). The full range of ethnic democracy is arbitrary, as are all the theoretical models discussed here. Within the boundaries of Smooha’s ethnic democracy model are three subtypes: (1) ‘standard’ ethnic democracy occupies the middle of the continuum between the other two types; (2) ‘hardline’ ethnic democracy is highly restrictive of all types of rights at the will of the ethnic nation. The freedom of the minority is diminished considerably. (3) The ‘improved’ subtype “possesses mild elements of consociationalism…Citizenship is highly meaningful, rights are better protected, cultural autonomy and representation in the national power structure are extended to the minority, and control is selective.” Ethnic democracy violates the liberal tenets of equality and state ethnic impartiality, but it upholds the procedural components of free elections and universal suffrage. Ethnic democracy completes our democracy continuum; we can now turn to the case of Israel and see how the alleged archetype of ethnic democracy actually functions relative to Smooha’s theoretical model. As we
will see, all three citizenship discourses, procedural, republican and ethno-national, have played important roles in Israeli society.

**Figure 1: Comparative Placement of Ethnic Democracy**

![Diagram showing the comparative placement of ethnic democracy within the democracy spectrum.]

**Israeli Democracy? A Pragmatic Approach**

Since ethnic democracy occupies a position inside of the democracy spectrum as opposed to one of its poles, it contains components of the other types. In Israel, the segment of society we examine will determine which component of its political structure provides the most useful framework.

On May 14, 1948, David Ben-Gurion announced “the establishment of a Jewish State in Eretz-Israel, to be known as the State of Israel.” The Declaration of the Establishment of the State of Israel did not explicitly call for the establishment of a democracy; nor did the majority of Zionist settlers in the pre-state Jewish community (*yishuv*) in Mandatory Palestine bring a liberal worldview from their homes in the *galut* (Diaspora, literally ‘exile.’) “Actually, the deeper commitment of the Zionist fathers – the vast majority of whom came from Russia and Eastern Europe, not from a liberal democratic heritage – was to collectivism rather than to individual rights.” Israeli democracy developed from this tradition, where
less attention, on both the fundamental and operative levels, was given to… components of democracy such as political tolerance, especially the recognition of the role of the opposition as a check against the abuse of political power and civil rights, both in the sense of equality before the law and protection of the individual from an arbitrary exercise of power.  

Nevertheless, the Declaration states that Israel will “foster the development of the country for the benefit of all its inhabitants,” and “ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex.” Under this text, Israel was formed as and continues to be both a democratic and a Jewish state. I will return to what it means specifically to be a Jewish state in the next chapter. For now, it should be readily apparent why these two features are inherently at odds. In a democracy the state derives legitimacy from the consent of the governed, the *demos* or citizenry. A Jewish state suggests that Israel is the state of the Jewish people as opposed to its citizens; Jews are the sole owners of the state, so the relevance of citizenship in and of itself is reduced.

Israel is widely accepted as a democracy in mainstream social science; it has free elections in a parliamentary system of proportional representation. The prime minister (PM) requires the confidence of the majority to retain office. Citizens vote for a party, not individual representatives; the electoral threshold, (minimum proportion of votes needed for a list of candidates to enter the Israeli parliament, the Knesset), is 1.5 percent. This is sufficiently low to allow small parties, notably of religious or Arab constituencies, to run on party lists without building a pre-election coalition.

Despite this apparently straightforward liberal, parliamentary electoral system, there is considerable disagreement as to the best way to classify the essence of the Israeli political system. Israel has been called a liberal democracy by Benyamin Neuberger, a semi-consociational democracy by Lijphart (1977), a herrenvolk democracy by Baruch Kimmerling (2003), and an ethnic

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i This may change soon; there is a proposal to raise the threshold to 2% that recently passed in committee, which if adopted, would encourage the absorption of small parties into larger coalitions.
democracy by Sammy Smooha (2002). Smooha’s ethnic democracy model is the most obvious fit, in part because the theoretical model seems based on the Israeli case. Israel extends homogeneous procedural rights to all of its citizens, but in order to keep the identity of the state overtly Jewish, collective rights are differentiated in a way that advantages the Jewish people. Arab citizens are perceived as a constant threat to the existence of the Jewish state, which operates in “a permanent state of emergency with unlimited powers to suspend civil rights in order to detect and prevent security infractions.”

To Oren Yiftachel, among other critics of Smooha’s model, such a political system is not worthy of a democratic label. While many scholars accept the democratic nature of the Israeli regime as “well known and requir[ing] no proof,” Yiftachel has emphasized the inherently undemocratic essence of the Israeli system. The label he chooses for Israel is ‘ethnocracy.’

The fusion of the three forces – settler society, ethno-nationalism, and the ethnic logic of capital – creates a regime-type I have called ‘ethnocracy.’ An ethnocracy is a non-democratic regime which attempts to extend or preserve disproportional ethnic control over a contested multi-ethnic territory. An ethnocracy, which like ethnic democracy seems to be modeled after the specific case of Israel, possesses important democratic features, but rights and privileges derive from ethnic membership, not citizenship. In fact, the 

Additionally, “a dominant ‘charter’ ethnic group appropriates the state apparatus,” and partial civil and political rights are granted to non-members of the titular ethnic nation.

Rather than ‘choosing’ from among the available labels for Israeli democracy, the approach I take here is to treat the Israeli political system differently depending on the identity group under question. With respect to the relationship between religious Jews and secular society, it makes the most sense to treat Israel as a consociational democracy. Thanks to the communalist national tradition of the early Zionist community in Palestine, the republican citizenship discourse has been the most central among the Jewish population itself. Regarding Israel’s Arab population, however, a
non-democratic frame of reference based on ethno-nationalism is more accurate. Liberalism, republicanism and ethno-nationalism are all relevant to the Israeli case. In the following sections, I will discuss the application of these discourses to Israeli society. I will not attempt to resolve these components into one model that accurately captures the entirety of the Israeli political system. Instead, I will discuss Israel’s specific arrangements in moderating ethnic divisions; I will examine how these arrangements historically came about, how they are currently changing, and how the Israeli system contributes to social fragmentation.

III
Intra-Jewish Boundaries in Israeli Citizenship

The major cleavages that divide the Israeli Jewish polity, religiosity and ethnicity (or origin), have received a considerable amount of scholarly attention, particularly since the ascendancy of divisive political parties such as Shas (party of ultra-Orthodox Mizrahi Jews) in 1996 and Shinui (party based on ultra-secular reform) in 2003. What is not articulated as clearly and often as it should be is the crucial link between internal conflict within the Jewish nation and the obviously tense relationship between Jews (or the state) and Palestinian citizens of Israel. In this chapter I will discuss the sources of intra-Jewish fragmentation and the decline of the accommodationist framework; in chapter IV, I will discuss the relationship between the state and the Arab citizens. In the last section, I will discuss changes in the Israeli citizenship model and Israel’s future as a Jewish and democratic state.

Ultra-Orthodox and Secular Society

Zionism and Judaism: An Uneasy Alliance

In 1894, Alfred Dreyfus, a Jewish artillery officer in the French military, was wrongfully convicted of treason, signaling the incontrovertible reemergence of anti-Semitism in Europe after a
period of egalitarian optimism following the French Revolution. The Dreyfus Affair might have been a relatively unremarkable event, had it not been for a passionate, secular, highly assimilated Austrian-Jewish journalist named Theodore Herzl, who covered the Dreyfus Affair for his home newspaper. Two years later, Herzl published Der Judenstaat (The State of Jews), in which he made the radical claim that the Jewish people were, though a minority in every country they inhabited, a singular nation in need of their own homeland. The Jews thus joined the struggle under the dominant international ethos of late nineteenth century Europe: the rediscovery of the volk. Although Herzl was not ideologically attached to Palestine as the location for this homeland, he came to recognize its unique attractive power as the biblical home of the Jewish people. Thus, Jewish nationalism, or modern political Zionism, was born out of a distinctly European and secular tradition.

The waves of Jewish immigration to Palestine (aliyah, pl. aliyot) picked up force in response to the mobilization of the Zionist movement, as well as severe anti-Semitic violence, notably the infamous Russian pogroms. The largely socialist Jewish immigrants of the second and third aliyot (1904 – 1914 and 1919 – 1923) were working toward the development a self-suffient agrarian society in Palestine. Since these Labor Zionists, the dominant strain of Zionism in the yishuv, believed in the principle of “conquest by labor,” it was important that Jews build their own national home from the ground up. Although manifestly colonial in its origins and behavior, the Zionist movement was less concerned with the notion of establishing juridical control of a state than they were with developing a communal relationship with the land itself; they viewed themselves as pioneers rather than conquerors, and indeed, their tools of colonization were kibbutzim and moshavim (Jewish farming communes), not weapons. Jewish agrarian settlement was a socialist means of redeeming the land itself after two-thousand years of exile.32
The first wave of Jewish immigration (1882 – 1903), or *aliyah*, was largely made up of Jews interested in religious or cultural principles associated with *Eretz Yisrael* (the Land of Israel); this group had few political ambitions, and the idea of state sovereignty did not interest them as much as the fulfillment of a messianic dream. The arrival of the second (1904 – 1914) and third (1919 – 1923) *aliyot*, largely young, educated and socialist Jews from Eastern Europe, dramatically changed Zionist society in Palestine, making it overtly political in orientation. These Jews formed the backbone of the Labor Settlement Movement (LSM) of the agrarian Zionist establishment in Palestine. The LSM was to outshine other factions in the *yishuv*, and eventually become Israel’s dominant political party, Mapai, under the leadership of David Ben-Gurion. The combination of social egalitarianism and national exclusivity in pre-state Palestine resulted in the exclusion of non-Jewish labor on Zionist land. The LSM therefore did not allow Arab tenets to continue to work on the Jewish owned land that became the Labor Zionists’ agrarian communes. This exclusivity denotes the Labor movement’s explicit interest in establishing a Jewish state, rather than a simple polity among the Arab communities.33

By embracing a secular reading of Jewish nationalism, the Zionist movement was ironically assimilated into the *modus operandi* of Western modernity, even while it sought to preserve Jewish ethno-national distinctiveness. The growth of the *yishuv* brought a mix of cultural traditions, united only by their common identity with the Jewish religion.34 So while secular Zionism was the only universalizing movement to emerge out of the European Jewish experience, religion remained an important component of legitimization for the LSM. “Claiming to speak in the name of world Jewry, both internally and externally, Zionism needed at least the tacit approval of those universally recognized as the Jewish spokesmen – the Orthodox rabbis.”35 Zionist leaders were aware, (and

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1 The Mapai party was the predecessor of the modern Labor party. Its major opponents were the Labor Zionist Mapam, from the left, and the Revisionist Zionist Herut, from the right, the predecessor of Likud.
remain aware to this day), that immigration to Palestine would largely depend on Zionism carrying a
tone of religious restitution; at very least, Zionism needed to avoid total rabbinical disapproval.

Nadim N. Rouhana articulates this secular-religious dilemma cogently:

The paradox here is that Zionism, wholly secular in essence, expresses its raison d’être in a law based
on halachic [religious legal] terms and uses a principal moral justification for establishing a state in
Palestine based on religious narrative (though not using religious terms).36

In other words, the aims of Zionism were secular – a Jewish nation-state equivalent to other nation-
states on the world stage; but the rationalization and justification for these aims were rooted in
religion. Thus, the lack of national enthusiasm on the part of religious leaders in the yishuv, or in
some cases blatant opposition to the Zionist ethos, was troubling to institutional leaders in Mandatory
Palestine. This predicament led to the development of an institutional framework of accommodation
that falls under the republican citizenship discourse.

The scholarly consensus is that the major social segments of the yishuv operated in a
consociational framework, which kept the peace among the various divides within pre-state Jewish
society; the secular-religious cleavage was the one area in which it endured after the establishment
of the state.37 Today, the tension between Israel’s secular and Orthodox communities is by far the
most rhetorically fierce, and from a standpoint of national unity, the most threatening of the intra-
Jewish conflicts. It has led to violence on several occasions. It is a conflict over the basic meaning
of Jewish identity, symbolically and legally. It is also a source of much ambiguity regarding
Israel’s self-projected image as a Jewish versus a democratic state. For the legitimation of Israel’s
Jewishness, the dominant secular majority often grudgingly accepts the public authority of the
religious community, particularly the haredim (non-Zionist ultra-Orthodox). Secular leaders’
recognition of religion as a necessary component of Jewish-Israeli identity has sustained the
consociational arrangements.
Orthodox Judaism, while it today seems to be increasingly accepting of secular nationalist principles, originally represented “a conscious reaction of traditional Judaism to the challenge of Westernizing secularism.” Thus, Orthodox Judaism is also a modern reactionary phenomenon rather than the unwavering continuity of the ancient past it advertises. No wonder, then, that some of the loudest anti-Zionist voices continue to come from the highly observant branches of Orthodox Judaism.

Yet the variety of Orthodox reactions to Zionism are diverse. Gershon Shafir and Yoav Peled argued that the Orthodox community is divided two ways with respect to Zionism; there is the pragmatic-principled axis which determines willingness or unwillingness to weigh political situations against theological ones; from this outlook derives an attitude toward Zionism between accommodation and rejection. Most haredi Jews reject Zionism as a messianic or redemptive movement, but may be reluctantly willing to participate in Zionist undertakings in a limited capacity, exemplified by the early yishuv party Agudat Yisrael (AY). Cooperating with the Zionist institutions was akin to “cooperating with non-Jewish governments in the galut, although the former is viewed by some [haredim] as a greater abomination than the latter.”

The spectrum of Orthodox attitudes towards Zionism, ranges from all out rejection to neo-Zionist accommodation. This variability shows that while the numbers have historically favored rejectionism, there is by no means a consensus among the Orthodox community. This is to say nothing of the diverse national attitudes held by non-haredi religious Jews, including the post-modern Reconstructionist movement and fundamentalist groups like Gush Emunim (Bloc of the

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\[^1\] There has been an ethno-national groundswell within the Orthodox community since 1967. Religious Zionists are becoming more observant while many Orthodox are becoming more nationalist. The resulting doctrine is an Orthodox strain of neo-Zionism, a modern nationalist variant with a strong religious component. Since the Six Day War, Z. Y. Kook, the son of the chief Ashkenazi rabbi of Palestine from 1921-1935, has led accommodative Orthodox Jews towards adopting increasingly militaristic and nationalist attitudes, including the notion of entitlement to all of Eretz Yisrael (Jewish manifest destiny). [Shafir & Peled 2002: 138-140]
Faithful) that combine extreme religiosity with a fierce commitment to neo-Zionist expansionism. Excluding the most hard-core rejectionists, the religious reactions to Labor Zionism in the pre-state years left the prospects for cooperation open.

A cooperative settlement came in 1947 in the form of a letter sent by David Ben-Gurion to the leadership of Agudat Yisrael as a gesture to win the anti-Zionist party’s support on behalf of the new state. (Agudat Yisrael had seceded from the yishuv institutions in protest of the enfranchisement of women in the 1920’s). This famous document, and the arrangement that resulted, are known as the status quo agreement. The status quo settled an otherwise intractable impasse by maintaining the religious policies that held in the yishuv after the formation of the state.

Observance in public institutions of kashrut – Jewish dietary laws – and the Sabbath would continue to be the rule. The dominance of religious law with regard to marriage and divorce would carry on, as well. Similarly, the position of the Yishuv’s religious institutions and the independence of religious education would be preserved. Thus was the consociational system of the yishuv imported into the State of Israel in 1948.

Throughout Israel’s history, the arrangement has been maintained by avoiding final moral outcomes and relying instead on de facto Orthodox veto power and self-restraint by the secular majority in capitalizing on its clear numerical primacy. As Lijphart argues, consociational arrangements rely on the elite governing cartel’s “commitment to the maintenance of the system and to the improvement of its cohesion and stability.” Asher Cohen and Bernard Susser, in their analysis of the historical consociational arrangements between secular and Orthodox Israelis, say that “the common goal of achieving Jewish statehood and the urgent need for unity in the face of the hostile forces that threatened from without drove the constituent groups of the Yishuv to value institutional integrity above their own immediate interests.” Leaders from both camps recognized that the consequences of non-cooperation would be catastrophic for Jewish unity in Palestine, making accommodation the only rational choice.
There is no doubt that during the early years of statehood, David Ben-Gurion’s Mapai party (the electoral manifestation of the Labor Zionist tradition) was so dominant that from an electoral standpoint, it could afford to ignore the demands of small religious parties; yet early Mapai leaders chose to include the Orthodox Mizrachi party in their coalition as a means of conflict management and popular legitimization. This fits Lijphart’s ‘grand coalition’ scheme quite well; in this case, the dominant faction could have exercised uncompromising majoritarian rule, but it willingly chose accommodation in the greater interests of state and nation. With respect to the other components of consociational democracy, cultural autonomy, proportional representation and a minority veto, a number of compromise solutions were negotiated that hold to this day.

These arrangements can be divided to match Will Kymlicka’s distinction between internal and external collective rights: (1) Authority over the symbolic expressions of the state (internal) and (2) communal autonomy (external). The twist in this application of theory is that the ultra-Orthodox’s ‘internal’ rights to self-determination give them the authority to define the meaning of officially sanctioned Jewishness for all of Israel, not just the religious or haredi community. These rights are ‘internal’ to the Jewish community as a whole, and the haredim possess the authority to symbolically govern the Jewish population. Number (2) is more straightforward; it protects the cultural lives of haredi Jews from the constraints of secular society. The nature of these arrangements, particularly number (1), goes well beyond self-determination; rather, the consociational system gives the ultra-Orthodox real authority over the governance of the lives of all Israelis, secular and religious alike. Recently, however, the increasing fervor of antagonism between the haredim and many secular Israelis suggests that the accommodative system is weakening under a heavy burden of conflicting cultural interests. The mutual animosity among these Jewish communities has everything to do with Israel’s identity as a Jewish state.
Internal Accommodation: A Symbolic Monopoly

Israel is a Jewish state; this is a legally codified constitutional trait in Israeli law, and a hegemonic principle\(^1\) in Israeli, (and non-Israeli for that matter), Jewish society. Additionally, there are about one million non-Jewish citizens in Israel; therefore, being a Jewish state does not mean that only Jews can be included in the body politic. In itself, a ‘Jewish State’ suggests two things: that Jewish people are the majority, and the collective ownership of public institutions is Jewish. How then should we read this ownership with respect to Israeli citizenship? I have presented three citizenship discourses in chapter I: Procedural liberalism, republicanism (which can be liberal, as Switzerland, or non-Liberal as in South Africa under apartheid), and ethno-national (never liberal). If a Jewish character simply means a Jewish majority, this is akin to calling Turkey a Muslim state or America a Protestant state.\(^{47}\) In this model, the Jewish nation is identified with the state by sheer demographics, and elects leaders who advance the causes of Zionism. We can readily see how this reading fails to apply to our case. It relies on a liberal-majoritarian model of democracy, where all citizens receive equal recognition based on citizenship, not ethno-national membership. This is not the case in Israel, which administers collective rights in order to define its identity as a Jewish state.

Perhaps, then, Israel’s Jewishness fits better into the republican discourse. Under this reading, Jews possess the state through unequal collective rights in their favor in addition to a demographic majority. This model accounts for collective advantages of the Jewish majority, but not of the entire Jewish nation; the Law of Return (1950) says Israel will offer citizenship to all Jews in the Diaspora, facilitating the Jewish demographic advantage. In other words, not only do Israeli Jews have collective rights, but potential Jewish citizens are also granted rights by the state. The

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\(^1\) A belief is hegemonic if it is so firmly established that it is not perceived as a belief or opinion, but as ‘a given, as a natural and presumptively unchangeable expression of immutable circumstances.” [Lustick 1996: 143] It cannot be challenged internally, because it is never recognized as anything but inevitable.
Jewish character of the state therefore also fails the republican test, because Israel aspires to be the state of all Jews, not just the ones in the Israeli *demos*.

We are therefore left with the ethno-national discourse, where Israel’s *raison d’etre* as a Jewish state derives not only from the Jewish *demos*, but also from the Jewish nation in the diaspora. This is a subtle difference that may not appear significant at first, but in actuality shapes the dynamics of political identity in Israel. Rouhana is correct when he says that the meaning of Israel’s Jewish character is “a constitutionally exclusive ethnic state:”

Israel is a Jewish state in the sense that it is the exclusive state of the Jewish people in Israel and worldwide and not the state of those citizens who are not Jewish. According to this meaning, Israel is the political tool of the Jewish people regardless of citizenship. So it is membership in the Jewish people, not citizenship in Israel, that is the sole criterion for the claim of state ownership.48

The important implication is this: An ethno-national Jewish state gives Judaism, the religion, a major role to play in practical politics, for even secular Jewish identity is reliant on religion as a source of ethno-national realization. Thus the religious community, particularly the haredim, despite its small numbers (roughly 10% of the citizenry), possesses an enormous amount of authority in defining what it means for Israel to be a Jewish state. Indeed, to say that the haredim have historically had a monopoly on the most important aspects of Jewish state symbolism in Israel is not unfounded.

Let us examine some of the major symbolic manifestations of the Jewish state. The national anthem, *Hatikva* (“the hope”) and the Israeli flag are overtly Jewish in nature, although *Hatikva* is basically a secular Zionist poem. These are important in that they accentuate the state ‘in-group’ as the Jews, which psychologically ‘others’ the non-Jewish citizens. However, by using the term ‘symbolic’ I do not limit the discussion to visual and aural symbols alone. Symbolic here is not meant to imply impracticality or toothlessness; rather, it refers to the status of religion as a badge of the state, which has real legal and political implications. It is in these areas that the ultra-Orthodox are in charge of public policy.
One of the obvious intersections of religion and state, in liberal democracies as well as Israel, is state recognition of religiously sanctioned marriage. Marriage does not lend itself to separation between church and state, since it is both a legal and religious institution. However, many countries sanction marriage by a secular judicial authority in addition to clergies. Secular marriage does not exist in Israel. Israel’s Rabbinical Courts Jurisdiction (Marriage and Divorce) Law of 1953 gives the ultra-Orthodox a monopoly on all marriage and divorce in the country. The non-Jewish religious communities live under similar laws. Not only does this system preclude secular marriage, but inter-religious marriage as well. Thus, the rabbinical administration of family law helps keep Jews and non-Jews separate and distinct within their respective ethno-religious communities.

This political arrangement was meant to protect Jewish national unity. The concern was that institutionalizing non-religious marriage would have prevented Orthodox Jews from marrying less observant ones, causing a schism in the Jewish polity. In fact, Orthodox Jews seldom marry outside their religious denominations anyway, and the religious divisions within Israel are in fact dangerously deep from a national standpoint. The policy has been a failure in this regard.

Of the other symbolic authorities the ultra-Orthodox hold, none is more relevant than the policy regarding ‘Who is a Jew?’ Israel’s Law of Return, Nationality Law and Law of Population Registry, among others, all depend on a legal definition of religious affiliation (as the determinant of nationality). Under religious-halachic law, a Jew is a person born of a Jewish mother. Religious observance is irrelevant – the criteria are wholly bio-ethnic. The modern secular definition on the other hand is liberal, a matter of free choice independent of ethnic origin or religious law.

An important dispute over Jewish identity arose in 1958 when the Minister of Interior initiated a policy where

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i The Orthodox definition is too narrow to accommodate the Zionist goal of increasing Israel’s Jewish population, so the Law of Return was amended to only require a returnee to have one Jewish grandparent – an ethno-national but secular criterion.
any person declaring in good faith that he is a Jew, shall be registered as a Jew and no additional proof shall be required.’ This directive expressed the liberal, rather than ethno-national, conception of nationality, in that it made entry into the Jewish national collectivity a voluntary matter, distinct from belonging to Judaism as a religion. Precisely for this reason that directive was very short lived.”

The 1958 definition was unacceptable to the Orthodox but Zionist-friendly National Religious Party (NRP), which enjoyed a place in the Mapai party’s governing coalition. Due to Mapai’s total dominance during Israel’s early history, the NRP was irrelevant from a coalitional standpoint – Prime Minister Ben-Gurion did not need Orthodox votes to maintain parliamentary confidence. Yet when the NRP threatened to quit the coalition, Ben-Gurion offered accommodation, working within the de facto consociational system. The state would oversee a ministerial committee responsible for determining ‘Who is a Jew?’ The committee would consult religious leaders around the world, and the government promised to adopt the position of the majority. The Orthodox definition won out, though some claimed the process was rigged. “The government thus retreated dramatically from the guidelines it had formerly accepted and in so doing demonstrated the depth of its consociational commitments.” As an additional act of accommodation, Moshe Shapira, the leader of the NRP, was appointed as interior minister, who promptly nullified the existing guidelines. Since then, religious parties have traditionally controlled the Ministry of the Interior.

The ‘Who is a Jew?’ question is also significant because it speaks directly to the identity of the state itself. If Israel is a Jewish state, defined in religious terms, then how is this compatible with the identity of secular Israelis? It thrusts a minority conception of Jewishness upon a population that also values Israel’s democratic and secular components. Israel, after all, is officially a secular state, and a self-proclaimed liberal democracy, which is also a hegemonic ideal in the Israeli mind. A disagreement over the very meaning of Jewish national identity and the primacy of democracy versus Jewishness is bound to result in cultural conflict.
External Accommodation: Cultural Autonomy

Arend Lijphart’s consociational model includes a component of cultural autonomy to preserve collective rights and self-determination; the premise is basically twofold: a liberal perspective, that not allowing groups to govern their own internal affairs is a form of discrimination, and a practical perspective, which realizes that denying a group’s right of self-determination would undermine the legitimacy of the state and lead to the decay of inter-group cooperation.

The major application to our case of external accommodation is the ultra-Orthodox exemption from military service. In Israel, the ultra-Orthodox live in separate communities, abstain from major political participation, and interact minimally with secular society. Since haredi men are expected to spend their adult lives at full-time religious study, physical labor and military service are frowned upon. Military service is compulsory in Israel for Jewish men and women as well as Druze and Ciraceous men (these are small Palestinian religious minorities with benevolent relations with the state and its Jewish majority). Muslim Palestinians are not conscripted, and indeed are seldom permitted to volunteer. Substituting non-military public service is an option for Jewish women whose religious beliefs forbid military service, but few have opted for this alternative. Israel is, by any reasonable definition, a militaristic society; universal military service is considered a basic part of young adulthood, something that defines Israeliness. Israel has fought five regional interstate wars since its establishment (1948, 1956, 1967, 1973 and 1982) in addition to the constant struggle with Arab insurgents in the occupied territories and Israel proper, the result being essentially a state of war as the status quo, and universal military service is a given.

Most draft exemptions are *de facto* exemptions taken by young haredi men, who usually do not serve even after they complete their *yeshiva* studies. The exemptions are *de facto* because like
other elements of Israel’s consociational arrangements, these deferments are not codified in actual legislation. *Yeshiva* (pl. *yeshivot*, Orthodox Talmudic seminary) students have a *de jure* deferment, but haredi men usually do not serve even after they complete their studies, making the deferment a total exemption.

It is important to note that consociational arrangements are often *de facto* rather than *de jure*. The flexibility of an extra-legal framework for negotiation has allowed Israeli political elites to develop accommodative arrangements such as the *de facto* military exemptions. By not clearly codifying the role of religion in policy, Israel avoids final decisions that could exceed the tolerance limits of certain groups. “Israel’s lack of separation between religion and state is a way of avoiding the decisive resolution of a deeply contentious issue.”

With this observation, we have discovered what is probably the major reason that Israel has never had a written constitution, which would supposedly articulate a strict construction of Israel’s Jewish and democratic character. (I will return to the issue of constitutional change in Israel in the final section).

**The End of Consociationalism**

The tradition of consociational government in Israel is ending. Old accommodation policies are no longer capable of serving their purpose of preventing divisions among Israel’s Jews along lines of religiosity. If Orthodox dominance over Israel’s Jewishness ever held hegemonic status in Israeli society, that phase of history is over as well.

Haredim continue to enjoy exemption from military service, and state funding to enable their lives of total religious commitment. Many haredi men remain unemployed for fear of being drafted. Women end up doing a massive amount of work in both the private and public spheres, (as
homemakers and breadwinners), while they endure the physical and emotional burdens of a patriarchal culture. Secular Israelis are understandably disapproving.

Secular reaction to the state’s facilitation of haredi autonomy is often hostile. As Cohen and Susser point out, “living one’s life in study means living at the public expense, being supported by all manner of government subventions the source of which are, of course, other Israeli taxpayers.” Their reliance on public funds for a traditional lifestyle that is seen as primitive, sexist, and contrary to Israel’s coveted modernity leads to their being compared to leeches, Shylocks, ayatollahs or Taliban-style ruffians. Haredi responses can be equally as fierce, with epithets for Israel such as the ‘Fourth Reich.’

This intra-Jewish hostility was manifest in the 2003 elections. The major new development, other than the decisive defeat of Labor by Likud, was the fifteen seats taken by Shinui, Israel’s ultra-secular, anti-haredi party, making it the third largest faction in government (behind Likud and Labor). The interior minister, traditionally always a member of a religious party, is now a member of Shinui. Furthermore, one third of the votes cast in the 2003 legislative elections went either to a religious party, or an anti-religious party. The ascendancy of Shinui can be explained as a reaction to the increasing assertiveness of religious parties such as Shas. Shas was successful in 1996 because it successfully recognized the deficiency in state welfare programs aimed at Mizrachi Jews, and opportunistically stepped in to fill the void when smaller parties were empowered by the direct election of the prime minister. Shas continues to draw votes from low-income Mizrachim. This has created a stir among secular Ashkenazi Israelis.

Unlike the traditional, Ashkenazi haredi parties, which were small in numbers and seemed to occupy their own social enclave, Shas is a large party that challenges many of the republican and liberal foundations of the prevailing incorporation regime. It has therefore generated a great deal of anxiety among the Ashkenazi middle class, which reacted, among other ways, by forming Israel’s first militant anti-clerical political party, Shinui.
For its part, Shinui based its entire platform on opposition to the ultra-Orthodox, offering no coherent political agenda beyond that, says sociologist Noah Efron.

“The party did not take a clear stand about negotiating or not negotiating with Arafat, enhancing or dismantling settlements in the occupied territories, or initiating or scrapping welfare programs. Campaign pamphlets offered bromides about the party situating itself ‘between the destructiveness of the Right and the defeatism of the Left,’ but such statements were not translated into position papers or policy initiatives.”

Shinui’s success then demands an explanation of why the haredim are currently attracting increasing animosity from a large segment of the electorate.

The ultra-Orthodox Jews often separate themselves from the rest of society; they marry and procreate among themselves, form closed communities, and often abstain from participation in macro-political issues. Certainly, separation alone creates a sense of ‘otherness’ within Jewish society. Yet Shinui’s manifesto essentially blames the ultra-Orthodox for all of the country’s problems, including the violent conflict with the Palestinians. Efron says the haredim are seen as “aggressive, missionizing, Taliban-style fundamentalists who force religious observance on the secular majority.” Because of their exemption from Israel’s compulsory military service, dependency on special government allowances, and general separation from mainstream society, they are sometimes portrayed as leeches, draining public money for selfish interests, or even as rapists and thieves in popular entertainment media. More significantly though, for secular Jews, the ultra-Orthodox pose an intimate threat to national identity. Joseph (Tommy) Lapid, the Shinui party leader, reacts to a question about the ultra-Orthodox with hostile defensiveness: “They say that they are the real Jews. I am the Real Jew. If Moses were around today, or Maimonides, they would recognize me as the true Jew, not the ultra-Orthodox.” For Lapid and those like him, the fact that the haredim have such disproportionate influence in Israeli politics and society while they refuse to serve in the military and rely on subsidies from Israeli taxpayers is unacceptable; but that they are empowered to determine Israeli identity itself, on behalf of all Jews, is beyond iniquity.
Fierce intra-Jewish conflict is wearing down the viability of the consociational system that has governed secular-Orthodox arrangements since before the establishment of the state. I have limited my discussion here to the ultra-Orthodox versus secular society, but other religious factions, including the fundamentalist settlers of Gush Emunim, also contribute to the severe religious balkanization facing the Jewish nation. Religion has “severe conflict potential for Israeli society and politics,” according to Reuven Hazan, with many others concurring. [Lustick (1988), Horowitz & Lissak (1989) and Efron (2003)]. Although Israel has avoided catastrophic intra-Jewish conflict thus far, Israel’s secular-religious conflict increasingly looks like an all-out kulturkampf (culture war).

An amendment to the Basic Law: The Knesset that took effect prior to the 1996 elections established the direct election of the prime minister. This change in the electoral system helped polarize secular and religious Israelis along political lines. This recently annulled reform, while it was in effect, changed Israel from a standard parliamentary system to quasi-presidential system, where the citizens, rather than the Knesset, elected the prime minister. The purpose of this change was to encourage governmental unity. The theory was if that the prime minister were free from obligation to smaller religious parties in the ruling coalition, it would diminish their bargaining clout “vis-à-vis the PM, and endure greater efficiency and stability in government.”65 The actual effect of this reform was that voters no longer felt constrained to vote for the large parties (Labor and Likud) in order to get the PM they wanted; they were free to vote for representatives from any party list and still vote for the PM candidate of their choice; thus the numerical strength of small parties was actually increased – the exact opposite effect the reform was intended to have. From a procedural standpoint, this electoral reform explains why Shas was so successful in 1996.

The introduction of direct elections constituted a shift towards majoritarian democracy by taking power from elites and giving it directly to a numerical majority of citizens. Suddenly it

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65 In 2001, Israel returned to the old system of choosing a PM by a majority of MK (Knesset representative) votes.
became important for the two major parties to reach out to broader constituencies, i.e. members of
religious parties. It was readily apparent that the religious parties were behind the right wing
candidate, Benjamin Netanyahu, who won the election by less than one percent of the vote. Reuven
Hazan writes that this election showed that “(i) Israeli society is divided into two equal camps; (ii)
the religious sub-culture clearly belongs to one of these camps; and (iii) the majoritarian electoral
system serves only to strengthen the two previous factors.”66 The direct election reform thus made it
clear to all Israelis that religion is a politically divisive factor in electoral politics. It is not simply a
focused conflict among a socially constructed dichotomy between secular and ultra-Orthodox Jews –
it includes the full spectrum of religion in society. The ultra-Orthodox are particularly controversial
because of their authority under consociational arrangements, and their distinct separation from the
rest of society. Though electoral reform was annulled, the solidification of the secular-dovish versus
religious-hawkish political dichotomy was not.

Actually, the 1996 reform catalyzed the divergence of liberal and ethno-national citizenship
discourses among Israeli Jews. Secular-religious mutual animosity is as old as the yishuv itself, and
to say that the consociational arrangements with the ultra-Orthodox were ever universally accepted
as final would be a fallacy. In reality, liberal Israelis have always made separation of synagogue and
state a goal.

Their preferred strategy was based on a dual approach: gradually eroding the religious ‘status quo’
through liberal legislation and judicial action, on the one hand, and finding practical ways of
circumventing the religious constraints on individual rights, on the other. But in the late 1990s this
strategy was transformed into a much more aggressive effort to reshape the nature of state-religion
relations.67

The polarizing effect of the 1996 elections indicates the twilight of the republican tradition in Israel,
and the increasing confrontation between secular liberalism and religious ethno-nationalism.

Shafir and Peled argue “one consequence of the decline of the republican discourse is that
political arguments based on the collective needs of Zionism carry much less weight than they used
to.\textsuperscript{68} Thus, the secular-religious conflict can also be attributed in part to the fall of traditional nationalist ideology in Jewish society. Zionism is no longer the universal imperative it once was among Israeli Jews; after the conquest of territories in 1967, a major historical goal of Zionism was accomplished. While the national goal of Israeli sovereignty in all of \textit{Eretz Yisrael} approached hegemonic status in Israeli society in the 1970’s, today disengagement and withdrawal from the territories is the more accepted principle. Additionally, the founding Zionist principles of socialist communalism are being replaced by privatization and conglomeration of global capitalism. These forces are combining to undermine Israel’s consociational, or semi-consociational, political framework that has governed the role of Judaism in public policy since the days of the \textit{yishuv}. The question of what model will replace this dying republican framework, (a liberal or ethno-national citizenship paradigm), is an essential question facing Israel’s future.

Jewish Ethnicity in Israeli Citizenship

\textbf{Ashkenazi Republicanism: A History of Orientalism}

Jewish immigration to Palestine before 1948 was mostly European; historical circumstances being what they were, Zionism became an extension of three nineteenth century European phenomena: socialism, nationalism and colonialism. There were no parallel forces in the Arab world working to produce large waves of Mizrahi immigration.\textsuperscript{i} Jewish immigration from Arab states came in large numbers after Israel’s establishment – 751,000 Mizrahi Jews made \textit{aliyah} between 1948 and 1975, eventually outnumbering the Ashkenazim.\textsuperscript{69} The collective belief that crystallized in Israeli national consciousness was that the Ashkenazi were the virtuous pioneers, ideologically and

\textsuperscript{i} Israeli historical memory sometimes distorts the fact that anti-Semitism is a tradition born and nurtured in Europe, and was not applicable to the Middle East until very recently, and even today it is manifestly different from the European tradition of demonizing the Jews that led to events like the Dreyfus Affair, Russian pogroms and the Holocaust. [Shipler 290]
physically, and that Mizrachi Jews did not arrive in Palestine under after the establishment of the state and the War of Independence.

Although immigration from Arab countries did dramatically increase in the 1950’s, the notion that the Mizrahim had not participated in the Zionist movement is an historical myth in collective Israeli memory.

Mizrachi Jews had been immigrating to Palestine throughout the period of the Yishuv, and their share among the immigrants – roughly 10 percent – was proportionate to their share of the world-wide Jewish population at the time. But the Mizrachi presence in Palestine did not register in collective memory.70

Edward Said’s Orientalism thesis is instructive regarding the exclusion of Middle Eastern Jews throughout Israeli history. In one sense, Mizrahim are necessarily part of the Zionist in-group, which as a national movement includes all Jews ipso facto, regardless of origin, (the ethno-national discourse). On the other hand, the European and colonial characteristics of the early Zionist movement fell under the rubric of viewing the Orient, particularly the indigenous people of Palestine and the surrounding region, as primitive and inferior. The Mizrahim share this ascriptive, (non-self-applied), regional identity with the Palestinian Arabs. “One of the leading stereotypes attached to the Sephardim is that they are primitive, tribal, crude – that there is something Arab about them.”71 Like the Arabs, the Mizrahim have endured considerable economic disadvantage and discrimination in Israel under the Ashkenazi-dominated LSM and state.

**Evolution of Mizrahi Citizenship: The Rise of the Ethno-National Discourse**

In the context of citizenship, the Mizrahim were historically excluded from the Ashkenazi model of republican civil participation. The Ashkenazi pioneers saw themselves as ‘idealistic workers’: self-sacrificing sophisticates, altruistically volunteering to forge a nation in a hostile desert

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1 “Orientalism is a style of thought based upon an ontological and epistemological distinction made between ‘the Orient’ and (most of the time) ‘the Occident.’” [Said 1978: 2]
of a frontier. By contrast, they designated the Mizrachim as ‘natural workers,’ which had a double meaning that legitimated their marginalization: on one hand, it meant they were ‘naturally’ suited for hard labor and low social status; on the other hand, the Europeans saw the Mizrachim as participants in the LSM only by their ‘natural’ membership in the Jewish nation, unlike the Ashkenazim who were Zionists with principle. By this token, it was under the ethno-national membership discourse, (‘natural’ membership rather than virtuous membership), that both included them in the Zionist project and assigned them to a lesser role in society. Here, the colonial component of Zionism is irrefutable; Herzl himself spoke of the task of the Ashkenazim to make Palestine both Jewish and European.

The Zionist movement shared the Orientalist outlook of Europe and the European colonial movements, and considered its project an outpost of European civilization in the barbaric East. According to Herzl, ‘we should there [in the Middle East] form a portion of a rampart of Europe against Asia, an outpost of civilization as opposed to barbarism.’

Since they emigrated from Arab countries, negative stereotypes of the Mizrachim and the Arabs reinforced each other. The European image of Mizrachi immigrants as lazy, dirty and primitive, was later “used against Arabs on the basis of the [Mizrachim’s] having come from Arab countries and been schooled in Arab cultures.” Today, much of the prejudice against Mizrachi Jews also comes from political doves, who stereotype the Mizrachim as “unrefined, anti-Arab racists who have taken Israel around a crucial corner away from humaneness and toward a rowdy intolerance.” They endure discrimination and negative stereotyping from both ends of the Ashkenazi political spectrum, simultaneously accused of being similar to the Arabs, and on the other hand accused of hating the Arabs. The Mizrachim exist in a communalist purgatory, included in the Zionist project by virtue of being Jews, excluded from full social participation as Orientals.

In fact, the Ashkenazi-Mizrachi divide is strongly correlated to fundamental political ideology towards the Palestinians. The trend is for Mizrachi Jews to position themselves in the
right-wing hawkish camp while the Ashkenazim lean towards the moderate center.¹ However, Mizrachi participation in extremist national religious movements is rather low. Their numbers are sparse in fundamentalist movements like Gush Emunim, although “the bulk of their votes go to the political parties that support its territorial demands.”⁷⁶ On average they are more religious than the Ashkenazim, but their religiosity tends to be expressed through traditional observance of Jewish law as opposed to participation in settlement of the occupied territories. Mizrachi Jews often occupy lower wage jobs and are concentrated in development towns.² They have emerged as a key political group in recent elections and political movements, including the Shas party and the modern Orthodox³ Mizrachi Movement, advocating strict religious observance and participation in modern Zionist society.⁷⁷ The landmark victory of the Likud party in 1977 is due in part to Mizrachi political mobilization.⁷⁸

In a state where the *raison d’etre* is the advancement of a Jewish nation, the Ashkenazi-Mizrachi cleavage being as sharp as it is, including segregation and low intermarriage, defies nationalist logic and demands an explanation. The presence of a national other, the Arabs, has not facilitated Ashkenazi-Mizrachi unity.

Legally, Israel does not differentiate among Jewish ethnic groups; that is, unlike the ultra-Orthodox, Ashkenazim and Mizrachim do not have group rights. They are entitled to equal individual rights, but have had to struggle to make this *de jure* equality a reality under the non-liberal tradition of Ashkenazi communalism. The analytic complication here is that “the political expression of Mizrachim has rarely been a Mizrachi political expression; more commonly it was

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¹ In Israel, being politically ‘left’ or ‘right’ is often synonymous with being ‘dovish’ or ‘hawkish’ towards the Palestinians. Basic political ideology is associated with use of the military, negotiations with the Palestinian Authority, and settlement policy. It tends to be associated less with economic and welfare policies.

² These are small, densely populated settlements established mostly in the 1950’s. Development towns’ demographics have changed significantly due to immigration from the former Soviet Union in the 1990’s.

³ Modern Orthodox, neo-Orthodox, and national Orthodox are all terms for the religious wing of the Zionist movement.
channeled into the left-right division and, increasingly, into the secular-religious one.” Thus, the Ashkenazi-Mizrachi cleavage, is less overtly hostile, but overlaps and reinforces other political conflicts that are quite intractable.

The historic marginalization of Mizrachi Jews is especially apparent in the area of education. Under the Ashkenazi institutions in Israel, the Mizrahis were to be integrated into the Zionist communal system by “‘absorption through modernization,’ the battle cry of both mainstream sociology and the political establishment.” This Orientalist outlook assumed that the Mizrahis lived archaic, traditional lives that were intellectually and morally inferior to what they would encounter in Israel, though Shafir and Peled point out that many young Moroccan and Iraqi immigrants “had been attending ‘modern’ schools in their countries of origin prior to their immigration to Israel,” and “In many cases the academic level of those schools was higher than that of the schools in which they were to be enrolled in Israel.” Assimilation through the education system was a failure.

The ratio of Mizrachi eighteen-year-olds holding [a high-school diploma] in 1995 was 28 percent, up from 17 percent in 1987, while among Ashkenazi eighteen-year-olds it was 38.7 percent in 1995, up from 31.6 percent in 1987. But the rising rates of eligibility reflect not only higher education attainments but the lowering of the requirements for matriculation as well. As a result, the value of the diploma for admission to universities has been eroding.

The modern reality of the Israeli education system is that there are four non-integrative public systems for four different segments of society – secular Ashkenazi, national-religious Ashkenazi, Mizrahi, and Israeli Palestinians. The persistence of these separate systems testifies to the failure of any ‘melting pot’ aspirations the early Israeli establishment had.

It in the political realm that ethnic assimilation was first abandoned in favor of an unequal cultural pluralism model. Local political leaders “utilized the traditional kinship networks of the immigrants and ethnically-based neighborhoods solidarity” for party mobilization, according to Dan Horowitz and Moshe Lissak. This falls under the republican citizenship discourse, since it
involves democratic participation through distinctive group identity; this form of participation does not foster assimilation. However, this republican mode of participation proved unsustainable future generations of Israel-born Mizrahim, who had greater political ambitions, and found the Mapai party’s ruling coalition inaccessible. Many of them threw their support for parties on the right such as Herut as a protest vote, starting the trend of Mizrahi right wing voting.85

The short-lived republican discourse has been succeeded by the ethno-national discourse among the Mizrahim, partly because of their ‘ethnic’ identity ascribed to them by the Ashkenazim. Mizrahi parties and organizations that threatened the dominant Ashkenazi institutions were often stigmatized as ‘ethnic’ separatist factions, whereas similar Ashkenazi organizations were not stigmatized because “the Ashkenazim, by implication, constitute normative Israeli society.”86 This caused the Mizrahim to distance themselves from Arab identity as much as possible, and try to integrate with Ashkenazi society. Excluded from Ashkenazi republicanism and blocked from participation via their own communities, Mizrahi Jews emphasized their connection with the Ashkenazim through the ethno-national model, which by definition includes all Jews, but ironically is also the model responsible for designating them as inferior, ‘natural’ members in the first place.87

The Mizrahi shift to the ethno-national discourse was manifest in the 1984 elections, when both Shas (Mizrahi-Haredi) and Kach, the party of Rabbi Meir Kahane had some electoral success. The national religious Kach movement is the closest thing Israel has ever had to a truly fascist party in the Knesset. A major premise of Kahane’s proposal was the ‘transfer’ (ethnic cleansing) of all Palestinians, regardless of citizenship from Eretz Yisrael. Kach received enough votes for one seat in the Knesset, making Kahane its only MK. Like Shas, Kach supporters were mostly low socio-economic class Mizrahim.
One explanation for the Mizrachi affiliation with the Kach party derives from the structure of Israel’s labor market. Since Mizrahi and Arabs are both at a relative disadvantage in Israeli society due to discrimination and geographic distribution, they end up competing for the same jobs. The labor market is split such that antagonism toward the Arabs is

rooted in an objective conflict of interest between the various groups of workers. And while antagonism and hatred are not the most rational responses to conflict, they stem from a realistic, if limited understanding of the situation.\textsuperscript{88}

Under this theory, Mizrahi workers react to the intrusion of lower-wage competitors, (Arabs from the occupied territories), by insisting on segregation of the market into labor-classes (castes), or outright expulsion of the Arabs.\textsuperscript{89} Yoav Peled’s study examining the ethnic composition of the Israeli labor market provides data in support of this labor market theory. Socio-economic status was, in fact, negatively correlated to hostile, exclusionist attitudes towards the Arabs when other variables were controlled, whereas ethnicity (Ashkenazi/Mizrachi) was not.\textsuperscript{90} These findings suggest that in terms of political behavior the Ashkenazi-Mizrachi cleavage is a matter of class as well as ascriptive identity.

The future of Mizrachi citizenship is thus tied in very closely with other divisive variables, including religion, class, and political orientation. The latter variable indicates a close relationship between the Mizrachi citizenship discourses to the state’s orientation towards the Israeli citizens who are Palestinian.

\textbf{IV}

\textbf{Palestinians in Israel: Identity and Control}

Thus far, I have limited my discussion to Israel’s intra-Jewish divisions. To review, with respect to the secular-Orthodox cleavage, a consociational analysis of Israel’s political system is best suited, although this framework is dying. The Ashkenazi-Mizrachi division is not governed by consociationalism; it is better understood under the rubric of partisan and coalitional politics, where
it helps solidify Israel’s religious and political divisions. Mizrachi citizenship is best understood by their partial exclusion from the historically republican secular Ashkenazi discourse, although this tradition is also eroding.

I have saved the Palestinian citizens for last in order to demonstrate how their antagonistic relationship with the Israel’s ethno-national citizenship discourse is directly related to the intra-Jewish cleavages. The Israeli polity with respect to its Arab citizens comprises a system of control, which is juxtaposed with consociationalism as a mode of achieving stability in a deeply divided society. It is also important to realize that this antagonistic relationship between the state and a segment of its citizenry is closely related to the other cleavages in Israeli society, a truism that is rarely articulated explicitly.

I have also limited my analysis the physical boundaries of the State of Israel. ‘Israel’ refers to the territory within the 1949 Armistice lines, or ‘Green Line,’ created after the Israeli War of Independence, which the Palestinians call the Nakba (Disaster). Israel did not annex the territories of Gaza and the West Bank acquired during the 1967 Six Day War, so they are considered occupied territories rather than a sovereign part of Israel. In reality, however, discussing Israel as a political unit totally distinct from the occupied territories is questionable from a pragmatic standpoint, and requires qualification.

Limiting our discussion to Israeli citizens is certainly useful under a democratic discourse, since citizenship is the raison d’etre of a democratic regime. However, analysis of the Israeli regime with respect to its Arab citizens reveals a non-democratic system of control. It is true that several factors, including the presence of hundreds of thousands of Jewish settlers in the occupied territories, make the democratic boundaries of ‘Israel proper’ questionable. This is not to say that citizenship is irrelevant to the Arabs in Israel; in fact, relatively recent events, including the Intifada and the
increasing likelihood of autonomy for the occupied territories have made the distinction between citizens and non-citizens extremely pertinent. There is, therefore, pragmatic utility in limiting the discussion to the Arabs in Israel. The borders of the Jewish state are unsettled, and with the possibility of a Palestinian state on the horizon, Israel’s lack of clear borders should in no case be considered absolute or permanent. [Lustick 1993]

Analyzing Israel with respect to its Arab citizens requires us to return to the issue of how to classify the Israeli regime in comparative perspective. In section II, I argued that basic equal rights among the citizenry are a minimum requirement for democracy. In addition to this liberal requirement, Baruch Kimmerling identifies three other necessary minimum conditions for a regime to be called democratic: (1) periodic free elections; (2) popular sovereignty via a parliament and judiciary; (3) universal and equal suffrage. Thus, democracies have a liberal component, which includes equal citizenship and rights, and a procedural component, which includes open government institutions and free elections.

Israel’s main democratic deficiency is in the liberal component; the state has never treated its citizens equally. While the procedural components are widely viewed as sufficiently democratic, the undemocratically oppressive policies toward the Arab citizens are telling of the limitation of the relevance of Israeli citizenship. Since Israel’s character as a Jewish state is defined in exclusive, ethno-religious terms, Jewish ownership of the state defeats equal citizenship as the state’s raison d’etre. The identity of the state derives exclusively from the titular ethno-national group; citizenship is devalued, and membership in the dominant ascriptive group is tantamount with ownership of the state. In addition, Yiftachel, a political geographer, argues that in a democracy, an important factor “often taken for granted by regime analysts (but far from obvious in the Israeli case) is the existence of clear boundaries of state territory and its political community.” In Israel, several factors debunk
the entire concept of Israel as a clearly defined polity, included political participation by non-Israeli Jews, and the Israeli settlements in the non-sovereign occupied territories.

The Jewish system of land ownership and development, as well as the geography of frontier settlement, have undermined the territorial-legal nature of the state. Organizations based in the Jewish diaspora possess statutory powers within Israel/Palestine. World Jewry is also involved in Israeli politics in other significant ways… Hence, extraterritorial (non-citizen) Jewish groups have amassed political power in Israel to an extent unmatched by any democratic state… Jewish settlement in the occupied territories has also ruptured the Green Line… as a meaningful border. The combination of the two factors means that ‘Israel,’ as a definable democratic-political entity, simply does not exist.94

This critique takes the position that analyzing pre-1967 ‘Israel proper’ as wholly separate from the occupied territories is not a useful enterprise, because it is impossible to define the limits of Israeli sovereignty and legitimacy. This is an important insight if the goal is to formulate a working definition of the essence of the Israeli political system (as a non-democracy). The goal here, however, is to examine the meaning of Israeli citizenship with respect to the Arabs in Israel. The distinct area of ‘Israel proper’ is very much a reality for the Palestinians who are Israeli citizens. While they theoretically enjoy full civil rights and equality as Israel citizens, they have historically been subject to a system of political control under the Israeli ethno-national framework.

**Control and Arab Citizenship**

Control, like consociationalism, is a mode of stabilizing a deeply divided society. Consociationalism relies on arrangements made by group elites who opt for accommodation instead of confrontation. Scholars disagree about whether the “manipulative nature of many consociational ‘techniques’” are undemocratic in nature.95 Control, on the other hand, is clearly undemocratic, because it involves “a relationship in which the superior power of one segment is mobilized to enforce stability by constraining the political actions and opportunities of another segment or segments.”96 Control is sometimes called ‘internal colonialism’ which suggests a dominant
‘occupier’ extracting gains from a subordinate. Unlike consociationalism, no universal theory has been developed for how control is structured. The results of studies on control have primarily shown “that in addition to coercion or the threat of coercion, effect control can be based on a wide range of political and economic mechanisms, institutional arrangements, legal frameworks, and sociocultural circumstances.”

In Israel, the clearest example of a control mechanism came immediately after the establishment of the state. The Arab minority, concentrated in the Galilee in the north, the ‘Little Triangle’ in the east, and the Negev in the south (mostly Bedouin Arabs), was placed under a Military Administration, divided among these regions, which lasted until 1966. The defense minister appointed military governors who had “almost dictatorial powers” under the Defense Laws, British Mandatory statutes incorporated by Israel. These laws required an ‘emergency situation’ to be declared before they took effect, which has remained in effect to the present. The Military Administration severely limited Arab movement through travel restrictions, and city-dwelling Arabs to carry permits for visiting the Galilee, the Triangle, or the Negev.

While it was justified as a security measure, critics point out its minimal effectiveness as a defensive measure.

Shmuel Toledano, who served in senior positions in several of Israel’s security services and was for ten years (1966-76) the prime minister’s adviser on Arab affairs (the key official responsible for conducting government policy towards the citizen Palesinians), has recently disputed this [security] claim: ‘After the first few years of the state the [military] Administration’s contribution to security was a total zero.’

If his remarks are accurate, Toledano’s comments demand alternative explanations for the continuance of the Military Administration. The actual reasons had to do with the ethno-national orientation of the state toward the Arab citizens. A temporary restriction of individual liberty, for security reasons, is not necessarily contrary to the liberal citizenship discourse, if it is in fact in the

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1 These three areas were home to more than 90 percent of Israel’s Arabs in 1949.
greater interest of protecting the citizenry. Yet the Military Administration actually was an instrument for the benefit of the Jewish population, not the entire citizenry. First, it was a means of economic protectionism for the Jewish population. It allowed Israel to control the number of Palestinian citizens who entered the Israeli labor market, which was over supplied in the 1950’s due to the huge numbers of Mizrachi immigrants. Second, the Administration enabled Israel to prevent the Arabs from forming independent organizations. This helped ensure that the Zionist parties, particularly Mapai, would not lose the Arab vote to a large, consolidated Arab party. It was, therefore, an instrument of the Jewish majority, not the entire citizenry, and demonstrates how Israel devalued Arab citizenship under the ethno-national discourse. Finally, it allowed a huge redistribution of land from Arab to Jewish control.

Land confiscations have been a key aspect of the control system. An estimated 70 percent of the land the Palestinians in Israel (excluding the Negev Bedouins) had owned was expropriated between 1945 and 1981. This allowed Israel to gain Jewish ownership over the land it had nationalized after the war. It also segmented the Arab population to such a degree that they could not organize themselves effectively. Indeed, according to Lustick, “the mass expropriation of Arab land has been the heaviest single blow which government policy has dealt to the economic integrity of the Arab sector.”

The oddity of the Arab citizens’ political situation is that full individual rights under the liberal discourse accompany this internal control under the ethno-national discourse. The fact that the Palestinians were granted citizenship at is significant from a liberal perspective. This probably had more to do with the significant reduction in the Arab population due to the 1948 war and the international pressure to form an inclusive democratic state than with a fundamentally liberal ethos in the yishuv. Still, since the end of the Military Administration, Arabs “enjoy a fair amount of
equality and freedom, participating in the open and contested elections and benefiting from the protection of the Israeli legal system. On the other hand, the fact that the state even recognizes ethnic differences in public policy violates the liberal principle of neutrality. This non-neutral differentiation of ascriptive groups allows draconian measures to be targeted at the Arab citizens alone. The Arabs are therefore positioned somewhere in between the liberal and ethno-national discourses, with de jure equality, but de facto discrimination and exclusion “from the core of Israeli social, political, and economic life.” Furthermore, Israel has made it quite clear to the Arab citizens that their supposed equality before the law does not entitle them to challenge the basic Jewish character of the state, according to Shafir & Peled.

As non-Jews they cannot belong to the ethnically defined community; as those from whom the land is to be redeemed they cannot partake of Zionist civic virtue. Starting with this a priori exclusion, however, under the liberal discourse Israel’s Palestinian citizens are more or less secure in the exercise of their individual rights, as long as these rights do not conflict with the national goals of the Jewish majority. In this sense, the ethno-national discourse defeats the liberal discourse when the two are directly at odds.

The Pragmatic Limits of Israeli Citizenship

While the Arab citizens are significantly affected by the liberal citizenship discourse, their Israeli citizenship is a shallow part of their collective identity. Israel’s corporate national identity is wholly Jewish, from an exclusive ethno-national standpoint. “The state symbolic system is strictly Jewish. Israel’s titular name, calendar, days and sites of commemoration, heroes, flag, emblem, national anthem, names of places, ceremonies and the like are all Jewish.” After the massive land confiscations, 93 percent of the territory in Israel is publicly owned, making it easy for the state to establish new Jewish communities to facilitate the absorption of Jewish immigrants.
The state allotment of land to the Arabs for development of local authorities, public facilities, industrial parks and housing projects is very limited and much below Arab needs and demands. The state does not found new Arab towns and neighborhoods.  

The Israeli case also meets the criterion of ethnic democracy that the titular ethnic nation perceives a threat to its existence. Israel borders Jordan, Syria, Egypt and Lebanon, and has fought full-scale wars with all its neighbors. Many Arab and Muslim states refuse to recognize Israel’s right to exist. Israel has meanwhile done its best to avoid regional integration, opting instead for a Western economic and cultural alignment. In this sense, Israel sees itself in a dangerous, hostile regional environment; the security threat is existential in the Israeli mind. 

The Palestinian citizens of Israel perceived as part of this threat. “They constitute a security and a demographic hazard.” They are seen as a part of an Arab nation that is violent towards Israel; they constitute about seventeen percent of the population of Israel with twelve Knesset representatives, making them a significant political force in coalitional politics. Their growth rate is twice that of the Jews, which could potentially render the Jews a minority in their own state, (often referred to as the ‘demographic threat’). Since the state treats them as potential enemies instead of part of its sovereign citizenry, they feel like foreigners in their own land, and from a national standpoint, they are. Palestinian Israeli citizenship, therefore, is quite limited as a source of identity. 

The Arab citizens identify as Palestinians, not Israelis. “Israeli Arab” is a term few would self-apply; “Palestinian in Israel” is the more accepted Palestinian nationalism was historically determined as a regional offshoot of Pan-Arabism, Ba’athism and Greater Syrian Nationalism from the Ottoman era through the 1960’s. After the 1948 Disaster, when some 700,000 Palestinians became refugees, Palestinian identity became associated with the experience of exile. The hundreds of thousands of refugees in the occupied territories and the Diaspora became the bearers of nationalism for the world’s seven million Palestinians. As a result, the Palestinians who remained in Israel and survived the war were largely forgotten by the national consciousness, and marginalized.
as though they were an incidental remnant, and their true place was in the Diaspora. After the Six Day War, however, and particularly in the 1976 land expropriation protests in Galilee, the Arab citizens reasserted their own nationalist claims and earned recognition by Israeli society as a national group.\textsuperscript{114}

Despite the impermeability of the ethno-national discourse, the Arabs in Israel have decidedly turned inward, towards the Israeli state, to pursue equality within the Israeli system. This pattern of behavior has increased since the outbreak of the first \textit{Intifada} in 1987. Most Arabs in Israel had always expressed their support for a Palestinian state; when the Palestinian Liberation Organization (PLO) finally endorsed a two-state solution in 1988 it signaled to the Palestinians in Israel that their struggle would be separate from their brethren in the territories. “With the option of a democratic, secular state thus removed from the political program, equality with Israeli Jewish citizens assumed a strategic meaning, becoming both indispensable and urgent.”\textsuperscript{115}

However, this acceptance of a future in the State of Israel does not connote a sentimental identification with their Israeli citizenship. Palestinian citizens identify with Israel today the same way they did prior to the \textit{Intifada}: through a demand for full equality via the liberal citizenship discourse and an understanding that “all forms of political activity be conducted within the limits allowed by Israeli law.”\textsuperscript{116}

It is this superficial adjustment process that Sammy Smooha identifies as “Israelization.” He argues that in addition to the process of Palestinization – an increased sense of national solidarity, that has occurred among the Israeli Palestinians since the Six Day War, they have also undergone a counteracting process of Israelization.

The Arab minority in Israel is subject to the cross-pressures of Israelization and Palestinization. Israelization means the adjustment of the Arabs to their minority status, the respecting of Israel’s right to exist and its territorial integrity, the adoption of Hebrew as a second language and Israeli culture as a subculture, the conduct of struggle according to democratic procedures, and the viewing of their lot and future as firmly tied to Israel.\textsuperscript{117}
Israelization is described here as not only a process of politicization, (willingness to work within the Israeli political system), but as a psychological affiliation with the state. The Palestinian citizens maintain their identity through feelings of shared aims, not through a desire to break off from the state, to which they have developed a lasting attachment. It is an optimistic theory in its claim that the Palestinians in Israel are capable of working toward social gains by competing in the Israeli democratic and economic system. However, while the Palestinians in Israel are certainly channeling their goals through the state, and have had some success in legislative and judicial avenues, Smooha conflates politicization with identity. He does seem concerned that given the rise of the two-state solution, politicization was the only option for the Arabs in Israel, not a conscious decision against being Palestinian.

The fact that the Arabs in Israel have citizenship at all is very much part of the liberal discourse. The reason the Arabs have demanded a secular, fully democratic state under the liberal discourse is that both of the other models bring Judaism into the public life, thereby excluding them. Although they already have officially equal individual rights by virtue of their citizenship, Yiftachel points out that when *de jure* rights are simply “a democratic façade alongside structures of ethnic expansion and control,” citizenship itself becomes a tool of control.

V

**Conclusion: Citizenship, Hegemony and Israel’s Future**

Why is the fragmentation of Israeli society important from a democratic perspective? We have seen how the Israeli political system is a changing affiliation of majoritarian, consociational and non-democratic structures meant to moderate conflict among deep cleavages. The subtitle of Dan Horowitz and Moshe Lissak’s 1989 volume on Israeli institutions is *The Overburdened Polity of Israel*. By what, precisely, is Israel overburdened? I have presented an analysis of the Israeli polity
with respect to democratic citizenship. The current orientation of citizenship discourses in Israel is a
gradual, bi-polar movement away from republicanism toward liberal-majoritarianism (by the secular
Ashkenazi majority) and toward ethno-nationalism by many religious and Mizrachi Jews. Put
another way, Israel the democracy and Israel the Jewish state are at a tug-of-war. Though there have
been major improvements to the rights of Israel’s Arab population, the state remains firmly
committed controlling their political behavior and making civil rights conditional on the acceptance
of the Jewish identity of the state, which most Palestinians feel is an affront to their own identity.

Israel’s political system is changing; the consociational arrangements with the haredi
rabbinate are the shifting citizenship discourses in Israeli society will determine the results. The
three citizenship discourses I have addressed are dramatically different modes of interacting with
civil society. The way a group experiences civil society through a liberal, republican or ethno-
national citizenship discourse constitutes a basic part of group identity. Citizenship discourses are
therefore not easily changed. They are not determined by conscious deliberation, but by historical
phenomena such as Zionism, Orientalism and protracted violent conflict. They are accepted as
‘given,’ as a basic rule of operation. In other words, they are hegemonic.

In order to destroy a hegemonic principle, Ian Lustick identifies three main conditions from
Gramsci’s analysis:

[1] a severe contradiction between the conception advanced as hegemonic and the stubborn realities it
purports to describe; [2] an appropriately fashioned alternative interpretation of political reality
capable of reorganizing competition to the advantage of particular groups; [3] dedicated political-
ideological entrepreneurs who can operate successfully where fundamental assumptions of political
life have been thrown open to question, and who see better opportunities in competition over basic
‘rules of the game’ than in competition for marginal advantage according to existing rules.\textsuperscript{118}

Hegemony is a useful concept because it reveals the basic assumptions on which a society operates.
Antonio Gramsci argued that political competition involves ‘wars of position’ for which ideas are
adopted by society as hegemonic norms. One it is adopted, it is a basic rule, as opposed to a position
that can be challenged. When a given norm changes, a hegemonic threshold is crossed [Lustick 1993]; if a hegemonic principle is under question by a significant portion of society, then by definition, it is no longer hegemonic.

In Israel, a variety of political forces have yielded the potential for a change in the dominant citizenship discourses. Specifically, the hegemonic republican discourse is continually being confronted by the liberal discourse, “historically the weakest of the three in terms of its social grounding and organized political expression.”\(^{119}\) Taken to its logical hegemonic extreme, the liberal discourse would effectively de-Judaize Israel – it would cease to be an exclusively Jewish state, with an ethno-national *raison d’être*, and become a state of its citizens. Today, Israel’s character as a Jewish state is, indeed, a hegemonic principle. Yet there is clearly the potential for liberalism to achieve hegemony in Israel in the future.

**Citizenship Discourses and Challenges to Zionism**

Two modern phenomena encapsulate the current divergent, radically different courses in Israel that challenge the old republican model. The first is a globally conceived doctrine, which “strives to lower the boundaries of Israeli identity, and to include in it all relevant ‘others’”\(^{120}\) via the liberal citizenship discourse. It seeks to end Israel’s uniqueness and exclusion by greater international integration. This orientation is known as *post-Zionism*. The phenomenon is highly particularistic, messianic, and ethno-national. It favors principled conflict over pragmatic compromise. It successfully moderates the traditional conflict between Zionism and religion. We call this phenomenon *neo-Zionism*.\(^{121}\)

Currently, both post-Zionism and neo-Zionism are considered extreme positions by most Israelis, most of whom value both the democratic and Jewish character of the state. However, the
fragmentation of Israeli society along the lines of social cleavage suggests that Israel’s democratic and Jewish character are becoming less compatible. Additionally, globalization and liberalization of Israel’s once ultra-protectionist economy “have rendered the collectivist incorporation regime based on the republican discourse economically counterproductive.” As the contrary forces of liberalism and ethno-nationalism compete to replace Zionism’s pioneering communalism, Israelis are advancing toward the possibility of a hegemonic change in the meaning of Israeli citizenship.

Consider the breakdown of the consociational arrangements with the ultra-Orthodox rabbinate. The secular Ashkenazi core group, the new purveyor of the liberal discourse has already removed a major obstacle to liberalization: the acceptance of accommodating the haredim. As the third largest party in the Knesset, Shinui (Hebrew for ‘change’) stands as an affirmation of modernity, liberalism and the end of the status quo. The parallel success of Shas, on the other hand, attests to the reflexive attachment of Mizrachim to ethno-nationalism, and their continuing social entrenchment in the Israeli labor market.

Israel’s future is no longer a question of whether the republican Zionist tradition of balancing Jewishness and democracy will continue; the exclusion and discrimination of Israel’s Arab citizens speaks to the hard truth about the Israeli system thus far: as a mode of conflict management, it is a failure. Israeli Jewish society is more balkanized than ever, now that the fundamentally incompatible components of a democratic and a Jewish state have lost their artificial cohesion that Israelis believed in all throughout the history of their state. As Uri Ram cogently argues:

“This is the self-declared identity of Israel, and was once hegemonic, at least within the Jewish-Israeli population. Its vision of harmony between the democratic and the Jewish dimensions of the state, or between the ‘liberal’ and ‘republican’ [or ethno-national] levels of citizenship, was typical of the rhetoric of Israeli nation-building and state-formation. It has always been a sham, camouflaged by only a thin layer of juridical rights.”
Not surprisingly, the fall of this dominant discourse of the Jewish and Democratic state has been facilitated by major progress in genuine individual rights. Israel’s Supreme Court has been instrumental, in this regard, in driving Israel towards the destruction of hegemonic citizenship.

**An Israeli Constitution: Liberalism Codified**

Israel thus has two possibilities, represented by neo-Zionism versus post-Zionism, ethno-nationalism versus liberalism, and an exclusively Jewish character and binationalism. A truly binational state could come about if, as Ian Lustick predicts, “continued polarization among Jews, and the growing numbers and sophistication of Arab voters, is actually in the process of transforming” the mononational Jewish political system.\(^{124}\)

In a liberal model of binational equality, the state is either neutral towards both nations or acts in the interest of both nations to preserve stability and legitimacy. It is important to note that all liberal models for Israel depend on three prerequisites: First, the hegemonic fantasy of a viable Jewish and democratic state must be overthrown; the widening gulf of intra-Jewish conflicts will likely facilitate this, causing Israelis to realize that ‘stubborn realities’ of the Zionist republican model are democratic only in name. Second Israel must withdraw from the occupied territories and establish clear political borders that mark off the \textit{demos}. Here, Yiftachel’s point about ethnocratic ‘fuzzy boundaries’ is very relevant; Israel would never extend full citizenship to the Palestinians in the West Bank and Gaza, since an Arab majority would be the result. Finally, Israel must draft a written constitution that enumerates homogeneous individual rights among the \textit{demos}.

Since Israel is a deeply divided society, many scholars, including Smooha, Kymlicka, Taylor and Lijphart may object to the suggestion that Israel adopt a liberal-majoritarian democratic system.

Indeed, such a system would likely provide the Palestinians in Israel with many of the same
injustices they face currently. Kymlicka argues that “the demands of immigrants and disadvantaged
groups for polyethnic rights and representation rights are primarily demands for inclusion, for full
membership in the larger society. To view this as a threat to stability or solidarity is
implausible[.].” What this argument does not take into account, however, is that politicization of
minority differences also means politicization of majority differences, possibly with the illusion of
equality. If democracy is a hegemonic principle in Israeli society, it ought to be a reality as well.
Notes

1 Barnett. 1996: 3
2 Kook 1996: 199
3 James, Cited in Dror 1996: 245
4 Taylor 1992: 38
5 Walzer 1994: 99
6 Taylor 1992: 62
7 Lijphart 1969: 208-209
8 Kymlicka 1995: 111
9 Walzer 1994: 99
10 Kymlicka 1995: 35
11 Rockefeller 1994: 92
12 Shafir & Peled 2002: 5
13 Kymlicka 1995: 36
14 Shafir & Peled 2002: 6
15 Lustick 1979: 325
16 Lijphart 1996: 258
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18 Smooha 2002a: 476
19 Ibid: 476
20 Ibid: 477
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28 Yishai, Quoted in Rouhana 1997: 36
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31 Lijphart 1977: 133
32 Shafir & Peled 2002: 112-113
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36 Rouhana 1997: 38
37 Cohen & Susser 2000: 6
38 Ibid: 3
39 Shafir & Peled 2002: 138-140
40 Ibid: 139
41 Lustick 1988: Introduction
42 Shafir & Peled 2002: 140
43 Cohen & Susser 2000: 18
44 Ibid: 20
45 Lijphart 1969: 216
46 Cohen & Susser 2000: 5
47 Rouhana 1997: 30
48 Ibid: 31
49 Shafir & Peled 2002: 142
50 Ibid
51 Ibid: 145
107 Shafir & Peled 2002: 125
108 Smooha 2002a: 486
109 Ibid
110 Ibid
111 Ibid
112 Shafir & Peled 2002: 110
113 Tamari 1999: 4
114 Ibid: 5
115 Rouhana 1990: 60
116 Ibid: 59
117 Smooha 1999: 28
118 Lustick 1993: 123-124
119 Shafir & Peled 2002: 218
120 Ram 1999: 334
121 Ibid: 333
122 Shafir & Peled 1999: 101
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124 Lustick 1987: 118
125 Kymlicka 1995: 192
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