Beyond “Ethnic Democracy”: State Structure, Multicultural Conflict and Differentiated Citizenship in Israel

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Abstract Critical theoretical models usually aim to explain complex sociopolitical realities and open some space for constructive change. The “ethnic democracy model,” developed by the Israeli sociologist Sammy Smooha, comes to justify the existing state structure in Israel in which democracy is selective and differential vis-à-vis the various social groups in Israeli society. A systematic critique of this model demonstrates the attempts made by Israeli political sociologists to turn the ethnic nature of Israeli democracy into a stagnant ideal-type in a time where regime dynamism and democratization is considered an ideal in world politics. In order to pinpoint the deficiencies in the ethnic democracy model, multiculturalism is utilized as a normative theory that better explains the sociopolitical reality in Israel. This paper concludes by suggesting searching for state recognition of the political benefits of differentiated citizenship and group rights to reduce the rising ethno-cultural conflict in Israeli society.

The complex Israeli reality constitutes an experimental workshop for many theoretical models in all structural aspects of the regime and its nature. Characteristic of the last decade is a wave of debates concerning the character of this regime and the degree of its democracy. One of the models to attract much attention as well as evoking public and academic controversy is the “ethnic democratic model.” Israeli sociologist Sammy Smooha developed this model attempting to characterize the regime in the state of Israel by means of theoretical tools that question the dominant concepts in the Israeli academic discourse. In similar fashion to his other pioneering attempts, Smooha succeeded in shaking the very foundations of the sociological and political concepts prevailing in Israel, inspiring public and academic debate concerning the nature of the Israeli regime. Smooha questions the discourse prevailing in academic circles and raises doubts as to the liberal character of Israeli democracy. He locates Israel in the center of a wide spectrum that moves between a citizen’s democracy and undemocratic regimes. He rejects opposing appraisals that perceive Israel as a Western democracy on one hand, and undemocratic on the other. He maintains that “prevailing in Israel is a non-civic democracy of low but stable quality.”¹ This characterization of the Israeli regime places the ethnic democratic model in the center of comprehensive debates that are divided into supporters and critics.

The following debate relates to the ethnic democracy model as an analytical and theoretical tool and to its normative implications. A central claim is that the ethnic democracy model justifies the existing state structure in which democracy is selective and differential *vis-à-vis* the various social groups in Israeli society. The importance of this critique stems from the widespread acceptance of the model in Israeli circles. There are attempts to turn the ethnic nature of Israeli democracy into a stagnant ideal-type in a time where regime dynamism, especially their democratization, is sought. Since the model has comprehensive theoretical and normative implications, its discussion is important for the ongoing debates on democratization theory in particular and political theory in general, despite the fact that the model is limited only to the analysis of Israeli political reality.

Two central shortcomings will occupy this debate with the model. First, it draws broad theoretical conclusions based on one single case study. The ethnic democracy model is an attempt to turn the Israeli case into an ideal-type in the Weberian sense. Instead of criticizing reality based on theoretical ideal-types, Smooha turns reality into an ideal-type that should be followed. Thereby, the second shortcoming becomes clear. The focus on the procedural and institutional aspects of the regime and turning one regime into an ideal-type exposes its underlying normative implications or the hidden agenda of the theoretician. Such an agenda leads to the classification of the ethnic state structure with all its problematic implications with the family of democratic regimes, based on a narrow procedural definition of democracy. The model reduces democracy to mere procedures in order to pinpoint the democratic nature of the Israeli regime. Thereby, the model bypasses criticism raised on it based on the utilization of a more substantial definition of democracy. In the following pages we shall demonstrate the substantial and normative implications of procedures, something that the model does not refer to.

The following debate with the model does not dispute the classifications made in the model based on a concrete external definition of democracy. Instead, I shall debate the main theoretical underpinnings of the model itself in order to bring into broader understanding of the Israeli regime and draw some lines of the way in which this regime could be democratized. In broader terms, I attempt to raise theoretical and analytical criticism that might help in understanding the impact of state structure on political regimes, especially when we talk about democracy. I shall not introduce the main arguments between Smooha and his critics. Moreover, since the model has already been presented in many contexts, it is not my intention to revise its various components. However, in order to remove any doubt, it is appropriate to relate to some changes that were introduced to the model in order to answer some critics.

I will maintain that the centrality of the state as a unit of the central analysis and its presentation as a monolithic being reflect the dominant political ideology in Israel. This ideology attributes major importance to the interests and considerations of the state while brushing society and its dynamics aside. Likewise, the ethnic democratic model ignores the ethnic-cultural differences within Jewish society in Israel. The multicultural reality prevailing in Israeli society crosses national barriers on various levels. The position of oriental and Russian Jews in social and cultural life undoubtedly substantiates the fact that theoretical models attempting to explain the political reality in Israel must relate to the multicultural conflict that is growing stronger and gaining validity in the political
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system. Likewise, restricting the analysis of political regimes to a pure structural point of view ignores the significant impact of political culture. The ethnic democracy model justifies the existing political status quo which is determined by the self-stabilizing Jewish majority and serves its interests. The ethno-national hierarchy in Israeli society, acknowledged by Smooha, is justified based on the unwillingness of the Jewish majority to give up on its political, social and economic privileges that it enjoys under the existing regime. Based on public opinion polls Smooha demonstrates that the only acceptable political structure accepted on the Jewish majority is the ethno-democratic.² Smooha does not show how the ethno-democratic structure enfolds civic-cultural division that locates different ethnic groups, including Jewish ones, in different places in their relation with the state. The structural control of the dominant political elites has clear cultural content that is hidden by the democratic procedures. Therefore, any attempt for democratization has to be based on a deep understanding of the dynamics of Israeli regime and demonstrate the need for differentiated citizenship in order to overcome the multicultural conflicts in society.

Theoretical Rigidity in an Elastic Reality

In contrast with previous writings, Smooha’s new essay, published in Israeli Sociology, goes beyond comparing ethnic democracy with two other civic types of democracy, liberal and cosociational. Criticism of the model motivated Smooha to scan both democratic and authoritarian regimes in order to locate the Israeli type. Since different forms of civic democracies such as individual liberal, republican liberal, cosociational and multicultural do not fit the Israeli regime and since Israel is not an authoritarian state raises the need to develop a new regime type. Smooha develops the model of ethnic democracy in which “civil rights are granted to all permanent residents of the state that are interested in citizenship, but simultaneously a special status is given to the majority group. The constituting role of the regime is a substantial contradiction between two principles—civil and political rights for all and structural subordination of the minority to the majority.”³ The contradiction between the democratic character and ethnic domination is manifested differently in the various realms of life. The state belongs to the majority that uses it as a tool to promote its own national interests. As a result, a central deficiency of ethnic democracy in comparison with civic models is the lack of civic and political equality. The rights of the minority are not only less than those of the majority, but also guaranteed by courtesy not right. In this sense ethnic democracy is a mixed regime of democratic and undemocratic elements.

In order to define ethnic democracy in greater depth, Smooha presents eight characteristics that help distinguish it as a theoretical archetype. The presentation of the characteristics was intended as an aid to reinforce the analytical nature of the model and reduce its normative dimensions. These characteristics come to instill a comparative aspect and overcome the narrow Israeli context. The central landmark for examining the nature of the Israeli regime is the

ethno-national divide between Jews and Arabs within the borders of the Green Line. By means of the eight characteristics of ethnic democracy, the model substantiates the meaning of the declaration that Israel is a Jewish democratic state. On an empirical level, the model confirms the changes that have taken place in Israel since the establishment of the state and thereby demonstrates its dynamic dimension. The model relates to developments in the Israeli political system, particularly the process of democratization, in order to indicate its stability and capacity for adapting itself to a changing reality. The dynamism is articulated in the statement “Israeli democracy has improved in quality over the years.” Nevertheless, the Israeli regime has maintained its ethnic character.

Despite the attempts to depict the ethnic democracy model with dynamic characteristics, it remains rigid. Its rigidity stems from two main reasons: its structural character and its one-dimensionality. Smooha examines the Israeli regime from the institutional-structural level only. Thereby, the model remains loyal to a one-sided view in the sociological dilemma between agency and structure. He does not relate fully to the active agencies of society, their values, world-views and interests. The only apparent agency is the state and its structure is the determining factor. Despite the central role of the Israeli state in Israeli society, there are changes taking place in this society that weaken the state and could not be viewed from an institutional-structural perspective only. Furthermore, the state could not be viewed in such monolithic terms, an important deficiency that we shall address later.

On the other hand, the ethnic democracy model is one-dimensional in terms of its focus on the Arab–Jewish divide only. Despite Smooha’s attempt to shortly review the implications of the ethnic structure of the state on other social and political conflicts in Israeli society, this attention remains structural and shallow. Differentiations within Jewish society between various ethnic groups, which have different and even contradictory world-views, have a great impact on the character of Israeli regime and especially on democracy. The religious–secular, oriental–Western and immigrant–veterans social divides in Israeli society have no less impact on the nature of the Israeli regime and democracy than the Arab–Jewish divide. Ignoring these central issues make the model a reductionist attempt to understand Israeli political reality. This reductionism has normative implication, something that we will come back to in later stages.

Restricting democracy to procedural aspects was a response to the theoretical need that exists in the research of democratization processes throughout the world. The development of wave of democratization in Eastern Europe and South America motivated theorists to suggest hybrid models of democracy, combining elements of a democratic and undemocratic nature. The formulation of the model of ethnic democracy could be located within this theoretical effort. However, it ignores two central issues. First, the state of Israel was structured intentionally to promote the interests of the Jewish people. The discrimination against Arab citizens is not a matter of a predetermined fate or a divine order. Neither is a result of temporary shifts in the structure of the regime. The marginalized status of Arabs in all realms of public life is a result of policies that

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are decided by the Jewish majority. The focusing on structural dimensions creates the impression as if there is no way out of the situation. The existence of a Jewish majority does not have to mean the marginalization of Arabs. In the United Kingdom there is an English majority that dominates the state. But the state is not defined as English. There is access to the Welsh and Scottish minorities to central junctions of power. These minorities enjoy collective rights in certain levels. They are not abolished from taking part in determining the material and normative priorities of the state or its internal and foreign policies. Furthermore, there is a clear difference between being a majority that respects the minority’s basic rights to participate in determining aspects of public life that are of direct connection with the minority. There is a clear tendency in the democratic world to extend national minorities certain group rights that enable them to shape their future within the boundaries of the national state.

The second issue that the ethnic democracy model ignores is that the theoretical debate on hybrid regimes views them as temporary regimes intended to stabilize in one of two existing possibilities. When Karl and Schmitter discuss hybrid regimes, they refer to this model as part of a general process of transition from an authoritarian to a democratic regime. In contrast, the ethnic democracy model comes to justify the stability of the Jewish hegemony in the Israeli state assuming that this hegemony cannot disappear from the world at any stage. Jewish control of the state is perpetual and not subject to the process of democratization in which the minority is included as a full and equal partner. The democratic ethnic regime in Israel has stabilized by virtue of the establishment of its laws and institutions in a way that gives it a legal and moral foundation to preserve itself as it was initially set. Such an attitude to a political regime exhibits a considerable degree of determinism that concurs neither with the theoretical model of regimes in transition nor the changes taking place in Israeli politics.

The State as a Mechanism of Control and the Status of Society

A significant characteristic of the model of ethnic democracy is its reductive attitude to the state. The model relates to the state as an “autonomous institution that is separate from society with needs, issues and rules of its own.” He thereby accepts the hypothesis of the school of thought of “bringing the state back in.” This school of thought questions, and rightly so, the basic suppositions of functionalist–structural as well as Marxist theories that view the state as the sum of social behavior patterns. Devotees of this school of thought call for an analytical separation between state and society, and see the state as a central

9 A good example of a regime in transition that stabilized as a democratic regime is South Africa.
agent for social and economic changes. This concept attributes autonomy to the state and claims that the structure of the state determines the behavior of social and economic players. In ethnic democracy, according to the model, the state has great autonomy and its structure is very central in understanding the nature of the regime. Notwithstanding such a view, not all states are equally autonomous and not all states have developed the same mechanisms to penetrate society. Furthermore, when we speak about a democratic regime, it is not meant that state autonomy has to be identical with pure ethnic control. It seems that the model conflates between the autonomy of the state and its total identification with and the total control of the ethno-national majority.

According to the model, the state shapes society’s method of action, weaving the nature of its reciprocal relations within it. The state organizes the relationship among its subjects and dictates the form of their attitude to it. The state activates political power by means of its institutions and organizations. Such a characterization of the state pictures it in monolithic terms. It attributes to the state all-encompassing and endless powers. The state is an all-powerful being that is able to produce any results and shape social reality by its own institutions.

The concept of political power innate to such a model of the state is vertical, with no reciprocal influence between state and society. The state is perceived as one unit that functions harmoniously in order to achieve defined goals. An in-depth examination of the characteristics of the model indicates that seven out of the eight characteristics attribute subjectivity to the state. For example, it is the state that distinguishes between affiliation to the ethnic nation and citizenship. The state “defines its priorities in such a way that it cares first and foremost for members of the ethnic nation … it takes steps to prevent assimilation, demographic dwindling and cultural waning of the ethnic nation.” State interests bring about the recruitment of the dominant ethnic nation and discrimination against minority groups.

Such an attitude reduces the state to an institutional centralizing agent with autonomous interests that dictate its behavior separately from society. Michael Mann has rightly claimed that the state infiltrates civil society by means of infrastructural power. The state has several means to penetrate society. However, attributing too much power to the state ignores social reality or the effect of social and political groups on the structure of the state and its policies. On an empirical level, the state concept applied in the model ignores the historical-social process that led to the establishment of the state of Israel. The process of building the Israeli state included a very strong involvement of social and political organizations that had, and still have, a very strong influence on the

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11 Peter Evens, Donald Rueschemeyer and Theda Skocpol, Bringing the State Back In (Cambridge: Cambridge University Press, 1985).
forming of the main characteristics of the state.\textsuperscript{15} This is expressed on party, ethnic and national levels. The veteran Ashkenasi elite that controlled state institutions had a decisive influence on the process of building the state of Israel. The contemporary political reality indicates that despite certain changes, political power relations that were established with the inception of the state are still partly in existence. The effect of the political power relations in society on the structure of the state was no less than the effect of the state on the social and political relationships within it.\textsuperscript{16} The characteristics defining membership in Israeli political community have evident impact on the hegemonic political culture in the state. The construction of ethnic identities that became meaningful in the political process in Israel was affected by the state but, in response, inter-ethnic Jewish politics has great impact on the structure of the state and its regime.

Israeli democracy has clear ethno-cultural characteristics. These characteristics demonstrate clearly that there is no such a thing “a core ethnic nation” as the model states. If we look at the nation from a Smithian–primordialist point of view, it would not be hard to demonstrate that the modern “Israeli nation,” if there is such a nation, does not consist of one ethnic group.\textsuperscript{17} On the other hand, if we examine the Israeli–Jewish national identity from a Gellnerian–instrumentalist and Andersonian–constructivist point of view, it is no exaggeration to say that there is an ethno-cultural hierarchization in the “Israeli nation.”\textsuperscript{18} Zionism enfolded a clear cultural self-image that mirrored and served the interests of the Ashkenasi elite that dominated the movement at its initial stages and defined the cultural character of modern Jewish nationalism.\textsuperscript{19} This cultural self-image penetrated the state and led its later policies. The melting-pot educational and cultural policy as well as official socialization policies in general reflected the dominant cultural model of the hegemonic Ashkenazi elite. The dominant image of the “Sabra” was not culturally neutral, but expressed the hegemony of the cultural values of European Jews.\textsuperscript{20}

The political ethnicity that exists in Jewish society and, increasingly, in the structure of the state substantiates the reductionism of the ethnic democracy model that perceives the state as an “autonomous institution that is separate

\textsuperscript{15} In a recent study, applying the state-in-society approach, Joel Migdal has demonstrated clearly the impact of social groups on state structure. Joel Migdal, \textit{Through the Lens of Israel: Explorations in State and Society} (New York: State University of New York Press, 2001).

\textsuperscript{16} Migdal demonstrates the impact of leadership and civil society on the structure of the state. \textit{Ibid}.


\textsuperscript{20} Oz Almog, \textit{The Sabra} (Tel Aviv: Am Oved, 1997).
from society and has needs, issues and rules of its own.”

This perception locates the state in the center without relating to the reciprocity between it and the society it is part of. A more astute attitude must see the state as an entity that is neither homogenous nor monolithic. It has various arena and fields that do not necessarily interact harmoniously. According to Migdal, patterns of control in the state are determined by struggles that take place in various social arenas of control and resistance. He claims that state officials on different levels are central players in these struggles and they maintain reciprocity with various systems of social powers that operate in various arenas. Since the various state bodies respond differently to pressures, it is not true that the state acts rationally and uniformly. Nor is the state a fixed ideological entity. To utilize Migdal’s formulation again, the state “embodies an ongoing dynamic, a changing set of goals, as it engages other social groups.” Accordingly, it becomes clear that the broadly accepted assumption regarding the state of Israel, widespread among Israeli scholars, intends to legitimize the conception of the state the way it is introduced by the hegemonic political elite, rather than a reflection of an “objective” reality.

State agencies responded differently to pressures. In recent years the Israeli state has become more heterogeneous. One can speak of contradictory pressures in various levels. The best example is the tension between the High Court of Justice and other state agencies, especially the Ministry of Interior, regarding immigration and citizenship registration. Furthermore, there are clear patterns of inter-Jewish ethnic pressures that try to dominate state policies. Their account is necessary if we seek to understand the dynamics of the Israeli regime. A good example of ethnic competition for state power is the struggle between the Shas party, which represents an ultra-orthodox word-view and represents mostly traditional oriental Jews, and the Yisrael Ba’aliya party, which represents a secular Zionist ideology and has almost purely Russian constituency. Both parties competed over the control of the Interior Ministry during the election campaign of May, 1999. The Ministry of Interior is responsible for granting entrance allowances to Jewish immigrants and for defining the personal status of citizens. Such authorities include religious services given by religious councils in the local government and, therefore, determine many aspects of daily life. Shas controlled the Ministry during the Netanyahu government between 1996 and 1999. During these years the Ministry led a very strict policy towards Russian immigrants whose religious identity did not fit the orthodox standards set by Shas. Citizens of Russian origin put major pressures on Yisrael Ba’aliyah to guarantee control of the Ministry in the negotiations to form the governmental coalition. The counter-accusations of both sides during the elections campaign were loaded with racist motifs and clear hatred. The policies of the Ministry after

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23 Ibid., p. 17.
24 Ibid., p. 12.
25 See the debate regarding the status of non-Jewish immigrants in Israel as well as the controversy regarding the status of the reform and conservative movements in Israel. Haaretz (February 25, 2002).
the elections changed drastically after Nathan Sharanski became the Minister of Interior. This example sheds light on the ethnicization of politics in Israel, which poses a clear challenge to the theory of the “core ethnic nation” embedded in the ethnic democracy model.27

Ethnic Democracy and the limits of Liberal Citizenship

According to Smooha’s model:

The state mechanism is a tool at the disposal of the ethnic nation for the advancement of its national goals, security, social services and affairs of all who belong to it. The spirit of the ethnic nation forms all governmental patterns, including the official language, religion, culture, institutions, the flag, anthem, symbols, stamps, calendar, names of places, heroes, the days and sites of the collective memory, the laws ... and policies.28

Governmental patterns undoubtedly constitute an important component in emphasizing the Jewish element of the state of Israel. However, when relating to the various dimensions of these patterns, we point out that the “ethnic spirit of the nation” has undergone a process of transformation in the last two decades. Research of community relations in Israel, Smooha a veteran thereof, specifically indicate the inner pluralism within the dominant Jewish majority and growing clash between cultures concerning the character of the state and meaning of its hegemonic ideology.29 Many view the Zionist ideology as a “strategy of the ruling class.”30 The dominant Zionist discourse is not intended only to blur Jewish domination in the face of the Arab minority, but also to deal with the internal divisions in Jewish society and serve the cultural assimilation processes of various Jewish ethnic groups within a model formed in the image of the dominant Ashkenazi elite.

The ethnic democracy model speaks of civic and political rights for all citizens of the state. Thereby, it accepts the liberal concept of citizenship that limits itself to political rights, ignoring what is recently becoming central in democratic theory, social, economic and group rights. The model of ethnic democracy does not question the concept of liberal citizenship inherent in the dominant political discourse prevailing in Israel. The dominant political discourse in Israel emphasizes the significance of liberal citizenship as a package of rights given by the regime from top to bottom. Therefore, innate to the vertical concept of power and the perception of the state as a mechanism that organizes and controls relations in society is a limited concept of citizenship.31 This concept views citizenship as a state tool for arranging relations between the state and its citizens. According to this concept, there is no place for a perception of the political reality from a viewpoint of social struggles for material or other

28 Smooha, “The Regime of ...,” op. cit., p. 582.
resources. In this sense, social groups are turned into objects of state policies without having much say on the structure and ideology of the state.

But the concept of citizenship as a package of rights given from top to bottom ignores essential aspects of the concept of citizenship—community and participation. One of the main characteristics of liberal citizenship is its delimiting nature.\textsuperscript{32} Citizenship is conceived as a form of closure where clear boundaries are set between inside and outside groups.\textsuperscript{33} It has to do with identity politics that is led by state institutions. The liberal tradition has conceived citizenship as a universalizing and homogenizing theory where all citizens are supposed to be the same in a monolithic political community. In such a case citizens are assumed to be equal in one political community.\textsuperscript{34} But such a possibility is not the only one. Political theory has demonstrated that liberal citizenship is blind to difference and therefore, is oppressive.\textsuperscript{35} In multicultural and poli-ethnic societies differentiated citizenship and group rights could be more effective in solving sociopolitical conflicts and are also much more democratic.\textsuperscript{36}

Based on such an understanding there are two main problems with the concept of citizenship embedded in the ethnic democracy model. First, Arab citizens are not an inside group despite the fact that they are, legally at least, part of the Israeli political community. They are not members of the community as it is set by the hegemonic Zionist ideology. Although the model speaks about equal liberal rights on individual basis, the political experience of the Arab community demonstrates that there are major gaps between them and their Jewish counterparts in this regard. There is no civil community in Israel. There are gaps between being Jewish and being Israeli and the way these identities relate to the state and its citizenship demonstrate these gaps. There is no Israeli nationality despite the fact that there is Israeli citizenship. As a result of the fact that state identity is defined on ethno-national ground based on one of its nations, it problematizes the citizenship of those citizens that do not belong to the dominant nation and locates them outside of its boundaries.

Second, not all Jews are integral and equal in the Jewish community. Israel sought a homogenizing model of citizenship as it comes clear from the ethnic democracy model. However, as Peled managed to demonstrate, there are three different citizenship discourses in Israel: civic–liberal, republican and ethno-national.\textsuperscript{37} The state utilized different discourses to different groups of its citizenry. Arabs, as pointed out earlier, were treated in selective liberal terms only. For promoting the interests of the Jewish community and leading to its


\textsuperscript{34} Benjamin R. Barber, \textit{Strong Democracy: Participatory Politics for a New Age} (Berkeley: University of California Press, 1984).


\textsuperscript{36} Will Kymlicka and Wayne Norman (eds), \textit{Citizenship in Diverse Societies} (Oxford: Oxford University Press, 2000).

homogenization an ethno-republican citizenship discourse was adopted. This reflects what Smooha calls ethnic democracy. However, this model set clear preconditions for oriental Jews to become integral and equal citizens in the sought community. They were expected by the state, as in the 1990s Russian Jews were expected also, to assimilate in the hegemonic “Israeli” identity in order to be equal with their Ashkenazi-Western counterparts. The hegemonic Zionist culture demanded an acculturation process by which all Jews adopt the definitions of the dominant national identity. A prominent scholar of absorption policies stated that oriental Jews should have gone through a process of “de-socialization” (to give up on traditional and backward cultural norms) and “re-socialization” (to adopt a value system that conceived itself in Western terms) in order to become equal. Despite the fact that this pattern of relationship characterized the initial years of the state, examples from the absorption policies of the 1990s demonstrate that they are still influential in Israeli political culture. Russian Jews have set their own cultural, social and political institutions, for they opposed adapting to accepted patterns of absorption in Israeli society. Remaining gaps between oriental and Ashkenazi in all realms of life demonstrate the remaining impact of Israeli identity politics and its positive correlation with the ethno-cultural stratification among Israeli citizens.

Citizenship implies also active participation by citizens in determining a system of relations between themselves and the state. By relating to the state as an “autonomous institution,” the model of ethnic democracy does not relate to the degree of reciprocity between civic society and its various organizations and the state as a sphere of analytical significance. The model assumes the existence of equality between citizens who are affiliated with the dominant Jewish majority. It ignores the fact that citizenship as a membership in a political community enfolds the equal active participation in shaping its common good. However, innate to the model of ethnic democracy is a concept that views citizenship as a passive entity that takes the dictates of the state for granted. This concept of citizenship only partially reflects Israeli reality. One must note that there are clear processes of sectorialization in the Jewish society where various socio-cultural groups struggle to promote their access to state power and advance their interests. There is a multicultural conflict in Israeli society based

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42 Hannan Chever, Oriental Standpoint on Society and Culture in Israel (Jerusalem: Van Leer Institute, 1999) (special outlet).
44 Haaretz, a leading Israeli daily newspaper, has recently pointed out the expansion of the phenomenon by which socio-cultural groups seek to promote their power in the state structure through the state budget law. The newspaper has recently devoted much space for this issue. Haaretz (February 2, 2002), Part 3, p. 2.
on the homogenizing concept of citizenship in the Jewish community. There are gaps between official state policies regarding citizenship and social reality that the model of ethnic democracy cannot capture.\textsuperscript{45}

The rise of sectarian political powers, such as the civic–liberal elite on one hand and the ethnic parties on the other, constitutes an expression of the existing protest within Jewish society against the dominant, ideological concept in the state. The civic social tendencies to protest against the hegemony of the Zionistic discourse have grown stronger in latter years. Ram speaks of two main tendencies: neo-Zionism and post-Zionism. He justifiably claims that:

almost the entire population of Jewish descent in Israel still confess allegiance to Zionism; yet between the 1970s and the 1990s the boundaries of Zionist discourse have been significantly transgressed from both right and left. “Neo-Zionism” and “post-Zionism” signify, respectively, the right wing and left-wing transgressions of classical Zionism respectively. Arguably, while neither one is a majoritarian trend, both redefining the contours of Israeli collective identity.\textsuperscript{46}

An examination of the struggle between these groups on state power demonstrates clearly that Ram is very modest and even conservative in his assessment, at least when it comes to the neo-Zionist trend.

A good example in this context is the Shas party, which advances the orthodox-conservative concept of Jewish nationalism while demonstrating an ambivalent attitude towards the state. It exploits official state resources in order to develop a foundation of social, cultural and educational organizations that are loyal to its cause.\textsuperscript{47} The party promotes a new concept of Jewish nationalism based on a spheradic interpretation of Jewish texts. It reinforces the religious identity of the Jewish state and fights neo-liberal tendencies in society. This party mostly represents oriental Jews. Therefore, the growing connection between many groups in the population of Eastern communities and Shas intensifies the ethnic–religious division in Israel. The findings of the elections of 1996 and 1999 indicate social–political differentiation processes that combine ethnic, class and ecological components.\textsuperscript{48} Community voting is reinforced by means of class components and geographical, segregation processes. Parallel to Shas there are sectarian, secular parties that adopt the official Zionist discourse for political and cultural reasons. Yisrael Ba’aliya is a striking example of an ethnic party in which many members are not legally Jewish. Therefore, the party adopts a radical secular Zionist discourse in order to legitimate its participation in Israeli politics.

The picture drawn of the Jewish society in Israel until now demonstrates the weakness of the Arab–Jews dichotomy and the attempts made to produce them as two homogenous national groups. The state played, and still plays, a central

\textsuperscript{45} Marion-Young, “Polity and … ,” \textit{op. cit.}
role in the allocation of wealth. Research repeatedly shows the effect of the state on the structure of the market on one hand, and on the cultural division of labor in this market on the other. The inter-community gaps still constitute one of the main controversies in Israeli politics and the state has a considerable effect on their construction and continuation, as well as on the implications of these gaps. Sectarian processes in Israeli politics substantiate the growing desire of many groups in society to demonstrate their cultural and community identity. This process finds expression in the political system, causing shocks that negate the imagined “ethnic spirit of the nation.”

Smooha devotes marginal space to internal ethnic variation in Jewish society and to internal variation in Zionist ideology. He does not relate to the obvious connection between the domination of Israel’s liberal Western self-image, or the domination of the Ashkenazi elites in politics, economy, society, culture and security and its effects on the nature of the regime. The failure to acknowledge these components brushes aside the extent of their importance, not only in the description of contemporary regime in Israel, but also in its future developments. Ignoring the importance inter-ethnic relations of the Jewish majority in constructing a model of the Israeli regime make us think that either these problems were solved or that the model sets a hierarchy of importance where the inter-Jewish problems are less important than the Arab–Jewish divide regarding the structure of the regime.

Likewise, there are changes in the politics of the Palestinian population in Israel. Here too one can see the activation of Israeli citizenship in an attempt to expand Arab influence on Israeli politics and turn citizenship into a lever for achieving political and civic goals. Arab citizens seek to expand their spheres of maneuver in Israeli politics and raise demands that were not heard before. One can generalize saying that most Arab citizens are not satisfied with the existing status quo. Their political and intellectual elites are voicing more criticism regarding discrimination against their constituency. Some demand extending the Arabs group rights. Since individual rights of Arab citizens are not fully respected, many speak about cultural autonomy that will enable control over the educational and communication systems as well as open an opportunity for them to take part in setting the urban planning policies. Several Arab politicians and intellectuals speak about transforming the state from a Jewish

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51 Gadi Yatziv, The Sectarian Society (Jerusalem: Bialik Institute, 1999).
52 Shafer and Peled, op. cit.
54 Benjamin Neuberger, “Political Organizational Tendencies of Israeli Arabs,” in Elie Rekhess and Tamar Yegnes (eds), Arab Politics in Israel: At a Crossroad (Tel Aviv: Open University, 1998), pp. 33–45.
democratic state as it is defined in the law today to either a state of all its citizens or more concretely to a multicultural state. These changes come as a result of the common experience of the Arab community in Israel that is alienated from the state and seeks to expose the “delusion” of the Israeli democracy. Arabs conceive themselves as an indigenous minority that ought to be given special status in the Israeli polity.\textsuperscript{57} The gradually rising demand for collective rights among Arab citizens exposes their sense of injustice. They set clear challenges to state institutions on the legislative and juridical levels. There is a clear rise in the number of appeals to the Supreme Court challenging state regulations that discriminate against Arabs.\textsuperscript{58} There is also a flow in the number of law proposals in the Knesset by Arab members of parliament that demand consideration of the special status of Zionist organizations such as the Jewish Agency and the Zionist Federation. These proposals seek to deconstruct the historical bond between Zionism and the state. Moreover, there are law proposals demanding to grant Arabs a status of a national minority as well as equal access to state power.

Based on such observations, the attitude of the model of ethnic democracy to the Jewish majority as one entity is more a political yearning and ambition than a social, political reality. The indicated changes demand a broader theoretical model for the understanding of Israeli politics. The failure of the model of ethnic democracy to acknowledge the complex processes taking place in Israeli society bears witness to the fact that the model accepts the founding principles and justifications of the Jewish state. In this case, the model still constitutes a part of a format inherent in which are power relations that serve the interests of the dominant majority.

**Process as Content in Democracy**

The model of ethnic democracy represents a whole tradition in Israeli political studies where a minimal definition of democracy was chosen to examine Israeli regime.\textsuperscript{59} The procedural aspects of government such as free elections, the right of vote for all, changing of government and maintaining civil rights are usually the main focus of attention. This kind of definition of democracy was intended to facilitate the distinction between the existence of a democratic regime and the quality of democracy. It is not my intention to examine the Israeli political reality in general or to examine the Israeli democracy from a normative point of view. However, it would be enough to pinpoint the substantial and normative implications of the democratic procedures that are usually utilized in order to demonstrate their normative content. It is my argument that the distinction made between the existence of democratic regime and its quality is problematic and even impossible. Democratic theory and endless case studies demonstrate that civil rights that are limited to political rights only, do not meet minimal

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\textsuperscript{57} Amal Jamal, “Between Homeland, People and State: Patriotism among the Palestinian Minority in Israel,” in Danny Bar-Tal and Avner Ben-Amos (eds), *Patriotism in Israel* (Tel Aviv: Akademon, forthcoming).

\textsuperscript{58} See the work done by Adala, the Legal Center for Arab Minority Rights in Israel, Shfaram.

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demands of social justice. Furthermore, theories of democratic theorists have demonstrated that individual rights in multicultural and multinational states do not meet the rising demands of politics of identity. Several theorists have demonstrated the compatibility of individual and collective rights in democratic theory. Since the cultural tension in Israeli society is in constant rise, attention will have to be paid to some collective rights that shall be guaranteed, supported and protected by the state. Otherwise, the state will face rising challenges from different social groups, something that we already witness in different forms.

The minimizing of democracy into procedures was meant to circumvent the inherent contradiction in the concept of ethnic democracy. Procedural democracy is reduced to the existence of the process of decision-making and determining policy that win the support of the “permanent” national majority. It is enough to point out that the majority that makes the decisions is not an aggregative, voluntary and neutral majority. This majority is a solid national one that legitimizes its status based on clear cultural motifs and a spiritual heritage. This social and national reality turn majority decisions into majority rule in all issues disputed on national grounds. The marginalization of Arabs in Israeli politics and their obstruction from taking part in government coalitions is only one example. Therefore, power relations based on a demographic balance that serves the interests of the dominant national majority give considerable substance to democratic procedures. The majority maintains the capacity and the legal tools for maintaining its majority status, ensuring that the existing procedures serve its interests. The procedures in themselves do not expose the complexity of the power relations relied on by the government by means of a policy of political socialization, which, in turn, relies on an ideological outlook that to begin with is not one of equality.

It is therefore necessary to locate the procedures in their political context. Democratic procedures can serve as camouflage that legitimizes a fixed and consistent majority government with a capacity for self-preservation as such. Democratic procedures can become a formal guise for informal processes the purpose of which is to damage the rights of the minority. Reliance on the procedural aspect in defining democracy is problematic, becoming meaningless when linked to the government of a fixed national majority. Such a link gives procedural justification for the tyranny of the majority. Likewise, political content formed by political and legislative procedures is ignored. This is so in any kind of democracy, particularly in one controlled by a national majority in a multinational reality of conflict. In this reality, the principle of decision by the majority is exchanged for government by the majority. While majority decision is a popular technical tool in any kind of government, majority rule is one that

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negates the existence of the minority. Democratic procedures are a mechanism in the hands of the majority that legitimizes the continuation of a pattern of control that exists by their staying a majority. This is accomplished by encouraging emigration, increasing the birth rate or shifting the minority outside of the state framework on one hand and, on the other, by manipulating the democratic rules of the game.

Democratic procedures are based on public discourse that creates boundaries of permitted and forbidden. In a multicultural, multinational reality, the dominant public discourse manages to shift peripheral groups away from the political game by immobilizing their maneuverability by means of processes passed by the majority. A significant example is the amendment of Basic Law: the Knesset (1985) meant to set clear boundaries for participation in the democratic game as decreed:

The list of candidates will not participate in the elections for the Knesset if, by deed or inference, its goals include one of the following:

1. Denial of the existence of Israel as the State of the Jewish people.
2. Denial of the democratic nature of the State.
3. Incitement to racism.

Democratic procedure took on a profound qualitative turn with the amendment of basic law. It is now theoretically impossible for the minority to question Israel’s being the “State of the Jewish people,” even by democratic process. This possibility was also nullified in the Parties Law passed in 1992. At the same year two new basic laws were accepted in the Knesset, “Basic Law: human dignity and freedom” and “Basic Law: freedom of occupation.” These laws came to promote liberal trends in society and politics and establish freedom as a basic value in constitutional law. But the two laws included a “purpose” resolution stating:

The purpose of this basic law is to protect human dignity and freedom (or the freedom of occupation), in order to embed in basic law the values of the State of Israel as a Jewish, democratic State.

Accordingly, it is clear that even laws that come to democratize the Israeli regime and promote liberal rights are submitted to the overarching ideology of the Jewish state. This resolution in the law demonstrates clearly the boundaries of the political community and the legitimate space of the democratic game. These flaws in the democratic government of Israel exist in procedural dimensions, which determine its qualitative content. To demonstrate this point it is

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65 In mid-February a member of parliament from a rightwing nationalist Jewish party proposed a law that comes to legitimate state efforts to encourage Arab citizens of the state to leave the country. Despite its racist character and despite attempts of liberal members of parliament to block such a proposal, the proposed law was introduced for open discussion in the Knesset.
useful to quote Smooha, who says: “Since the Jews cannot maintain a purely Jewish state, they have come to terms with the presence of an Arab minority that enjoys democratic rights as long as it does not harm Jewish control of the country.”

These flaws find expression in another sphere that goes unacknowledged in the model of ethnic democracy—the legal and mental state of emergency. Israel has been in a state of emergency since the establishment of the state. Although the legal state of emergency has not suspended basic democratic procedures, such as elections or Knesset activities, this situation significantly affects the activities of state authorities. Jurisprudence and security are two central resources controlled by the elites that established the country and by the elites that emerged from them.69 These two resources constitute two mechanisms of control—one physical, the other ideological. They facilitate the imposing of formal order, which has significant implications not only concerning the quality of democracy in Israel, but also its procedural aspects. The model of ethnic democracy is based on the hypothesis of formal order in Israel, as determined by the elites that control these two resources. The model thereby exempts itself from relating to such central aspects as sovereignty, geopolitical boundaries and the basic rights of Palestinians who live in the territories of the West Bank and Gaza Strip. Most disturbing of all is the use made of legal regulations to transfer land resources from the Arab population to the state and then block Arabs from gaining any access to them.70 This policy was criticized recently in a revolutionary precedent by the Supreme Court but bypassed by informal procedures.71 The distribution of material resources such as land is a good illustrative example for the normative hierarchy embedded in Israeli citizenship. There are formal and informal regulations that delimit the access of the Arab minority to state resources.72

Intrinsic to the legal state of emergency is a state of mental emergency that severely damages democratic procedures in the name of security.73 The mental state of emergency finds expression in the concepts and feelings of custodians of law and order in the state—such as policemen, interrogators and judges. This situation brings about distortions in the correct procedure of arrest and questioning, thus abusing the basic right of citizens of different national origin to a fair trial. Sheleff speaks of “a general atmosphere affected by security anxieties that might signify oppression by the law in issues that are not connected with security.”74 In comprehensive research carried out on the Supreme Court it was made clear that Supreme Court judgment is affected by the “national security

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73 Benjamin Neuberger and Ilan Ben-Ami, Democracy and National Security in Israel (Tel Aviv: Open University Press, 1986).
myth.” In the researchers’ opinion, “among Supreme Court judges there seems to be a prevailing notion that the Court should join the consensus [with regard to national security].”

On this ground, among others, Sheleff’s differentiates between two dimensions of the principle of rule of law. There is the narrow meaning that is purely formal. The broader meaning is related to essence of the regime in issues of human rights, transparency and democracy, since it has to do with rights and justice. For a long period of time the narrower meaning was the one applied in Israeli political culture. This tradition was a clear deviation from the meaning given to the concept of the rule of law in Western democratic political thought and democracies. The understanding of law has great impact on the type of the regime, since it has clear cultural meaning. It is loaded with moral and cultural content that influences the way in which public life is organized. Therefore, any treatment of equality before the law has to consider the cultural gaps that exist as a result of the dominant nationality in the state. Zionism is the dominant ideology of the state and its institutions. Therefore, any understanding of the law in terms of legislation as well as its interpretation by the court has to consider the overarching ideology in which the law is introduced.

There is no doubt that the Supreme Court and its role in promoting democracy in Israel went a serious transformation in recent years. The new Basic Laws mentioned earlier have broadened the role of the Supreme Court and enabled its president to speak about a constitutional revolution. The Court has set new revolutionary precedents in several fields that promoted central liberal values. Nevertheless, there are still big gaps between the declarative and the practical dimensions in all issues that relate to the Arab population in Israel. However, the striking gap between declarations and actual policies is the formalistic approach adopted by the Supreme Court regarding the human and political rights of Palestinians in the West Bank and Gaza Strip. In this regard, the Court established a valutational separation between Israelis including Jews living in the settlements in these areas and Palestinians living in the same areas. The state of emergency, mentioned earlier, facilitates such a moral and legal separation on political grounds.

**Norms and Political Reality**

In his criticism of traditional scientific theory, Max Horkheimer maintains that “no social theory has been found, even that of the generalizing sociologist, that does not possess political interests the truth of which must be determined not
necessarily by neutral reflection, but by means of concrete historical activity."\(^{82}\)

These words are also valid in this case. They are important in order to clarify the political context of the theoretical models chosen to characterize a political regime, likewise the theoretical and political implications thereof. In her criticism of the model of ethnic democracy, Gavison refers to the normative tones of the debate with regard to the democracy or non-democracy of the regime in the state of Israel.\(^{83}\) She finds the debate deceptive and impracticable as it presents subjects that are not essentially political and normative as subjects of theory and conceptual analysis. Gavison thereby exempts herself from confronting the model of ethnic democracy, although she supports its basic hypothesis. She also exempts herself from dealing with the claims of the critics of the model—Ghanem, Rouhana and Yiftachel—without refuting their claims in her debate.\(^{84}\) Gavison does not ignore the political implications of the use researchers and academics make of theoretical claims. She criticizes the tendency to choose analytical concepts on the state of a controversial standard. She believes that "normative considerations can stand behind the use of a defined concept only in cases where we can identify the implications of this choice, and if it is possible to prove that the implications are desirable."\(^{85}\) Gavison thereby reinforces the description of Israel as a democracy. This justification is based on her understanding that the theory of Israel as a democracy has positive future implications. In her opinion, this choice facilitates the progress and improvement of democratic elements, while paying attention to existing lacks.

This attitude is fundamentally normative. She gives substance to Horkheimer's claim that all theory has innate political interests. Gavison assumes that the model of ethnic democracy facilitates the advancement of Israeli democracy, and it is therefore preferable to any theoretical model that assumes the Israeli regime to be anti-democratic. I tend to accept this assertion. Therefore, describing Israel as a purely ethnic state without acknowledging its democratic dimensions may undermine the maneuvering space given to the Arab minority.\(^{86}\) On the other hand, one cannot ignore the ethnic characteristics of the Israeli state. Therefore, ignoring the normative implications of the selective character of Israeli democracy on the nature of the regime raises questions as to the normative perspective of the researcher and the degree of his/her awareness of the political implications of his/her analytical tools. Likewise, the question arises concerning the contribution of a certain analysis and the use a researcher makes of particular concepts for the advancement of political goals that seem to him/her to be legitimate. In this context, questions arise pertaining not only to the political implications of the ethnic character of Israeli democracy, but also as to any attempt to reduce the state and its characteristics into one cliché.


\(^{83}\) Gavison, "Jewish and ...", op. cit.


\(^{85}\) Gavison, "Jewish and ...", op. cit., p. 55.

No one could ignore the existence of democratic procedures and practices in Israel. Nevertheless, one should pose the question if these procedures and practices serve all the Israeli citizenry equally and universally. There could be no doubt that the Arab population has benefited from the democratic procedures. But this is true as long as their rights did not clash with the interests of the Jewish majority. The sphere of rights of the Arabs is not defined based on their fundamental rights as citizens, but rather derives from the rules of the game, exceptionally set by the majority. The Arabs are not acknowledged as a national Palestinian minority. They are treated as religious minorities. If it was not for the wish to identify Israel with the Western–liberal world, it would not be hard to know how the current massive support of the Jewish public of limiting the freedom of the Arab population would have been developed.\footnote{Most public opinion polls show that a great majority of the Jewish society would like to see some limitations on the freedom of expression, organization and movement of the Arab citizens of Israel.}

The ethnic democracy model constitutes a part of a comprehensive theoretical effort to characterize democratic processes in the world and, particularly, in multi-ethnic countries prominently dominated by one national group. However, the model characterizes only one dimension of the Israeli regime. If the purpose was to draw attention to the negative aspects of the Israeli regime without ignoring its democratic components, it is appropriate to criticize the theoretical, conceptual foundation that perpetuates anti-democratic patterns of control in Israel. The overlapping interests of the state of Israel, as defined by the regime, and the interests of its Jewish population, are part of a broad ideological system inherent in the world-view of Zionism. A critical theoretical examination of the political reality in Israel must reveal these ideological distortions and not stop by examining the formal procedures of political processes. It is also important to focus on the structural and ideological barriers of democratization.

Epilogue

Whereas the ethnic democracy model was introduced as a critical model in the beginning of the 1990s, it became very soon clear that it is a theoretical tool that justifies the existing structure of the state. Developing a new type of democratic regime with ethnic character becomes a legitimating mechanism for the maintaining of the status quo. The minimal definition of citizenship limits our ability to see the renewed broad dynamics taking place in Israeli society that will certainly have influence on the structure of state and regime. In Israel there is a multicultural reality whose effect on the structure of the regime is growing annually stronger, but did not manage yet to break the old constitutional, legal and institutional barriers set in the way. The political struggles of sectarian parties are the best example of the partial institutionalization of a growing multicultural social structure in Israel. A critical model of the structure of a democratic regime should relate to factors that block democratization and liberalization. A model that examines the existing ethnic power relations in a democratic regime without seeking to participate in forming a political reality of greater equality and freedom raises suspicions regarding its normative commitments.
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In this context it is appropriate to mention part of Horkheimer’s discussion. Within the framework of his efforts to sketch the characteristics of the critical theory, he maintains: “Viewing the subject of a theory as distinct from the theory itself distorts the picture and leads to an approach of sit and do nothing or to adaptation.” These words perhaps substantiate the importance of critical theory for processes of democratization. The preoccupation demonstrated with regard to the degree of stability of the ethnic democracy of the regime in Israel reflects the blurred distinction between the subject of a theory and the theory itself. Likewise, the model falls within the category of “emergency mentality” that characterizes the official and unofficial political discourse in Israel, and justifies the implementation of a policy that nullifies the importance of substantial democratic values. The model, as an analytical tool, is adapted to a given situation by means of imposing certain classifications on reality, without them being seen to be an inseparable part of the barriers of democratization. A better understanding of Israeli politics and regime has to point out the gap between the multicultural social reality and the patterns of political control that intensify the multicultural conflict and block democratization. We ought to point out that the ethno-cultural struggle in Israeli society made differentiated citizenship an urgent political theory needed to stabilize society and not only an analytical tool to understand recent developments in the Israeli polity. The institutionalization of collective rights and liberalization of Israeli citizenship are necessary steps that have to be taken if one seeks to reduce the rising tensions of the multicultural conflict in Israel.

88 Horkheimer, op. cit.