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Ethnic Democracy: Israel as an Archetype

HUNTINGTON ESTIMATES THAT IN 1990 there were 130 independent states having a population of at least one million people, of which 59 (45.4 percent) were democratic. In comparison, in 1973 there were only 30 democratic states out of 122 (24.6 percent).[1] Hence, the situation in 1990 had improved greatly. Huntington holds that the entire world has been swept by a wave of democratization since 1974.[2] This is all the more true after the breakdown of Communism, the breakup of the Soviet Union, and the liberation of Eastern Europe in the early 1990s.

Most of these democratic states are ethnically or nationally divided societies, and some of them are even deeply divided. Ethnic divisions constitute special hindrances for democracy because of structural incompatibilities and sharp disagreements between the constituent segments of society. The main question that comes to mind is what types of democracy prevalent in these societies are and how they cope with the ethnic splits and conflicts.

The current literature on comparative politics distinguishes three types of democracy: liberal, consociational, and *Herrenvolk*. They differ markedly in the way they handle ethnic and national cleavages. An attempt to classify democracies into one or another of these types is not easy. At least several of them defy classification. A striking case is Israel, which is universally accepted as a democracy, yet does not neatly fit any of the known types.

This article posits that one type of democracy is missing from the current typology of democracies. This type, nicknamed "ethnic democracy," will be presented and distinguished from the others. The detailed application of this model to Israel will expose the issues, tensions, and contradictions in ethnic democracies and the strategies employed for dealing with them. The main discussion will focus on the division between the Jewish majority and Arab minority, because this cleavage makes the ethnic nature of Israeli democracy salient, problematic, and conflictual.

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FOUR TYPES OF DEMOCRACY

Democracies are commonly classified into one of two distinct types: liberal (majoritarian), and consociational.[3] In a *liberal democracy*, such as the United States, ethnicity is privatized. The state does not legislate or intervene in ethnic cleavages, but forges a homogeneous nation-state by setting up uniform language, identity, nationalism, and national institutions for its citizens. It provides conditions for acculturation and assimilation, but also allows ethnic groups to remain socially separate and culturally distinct, insofar as they are prepared to pay the cost of separate existence. The cornerstone of society is the individual, personal skills, achievements, political and civil rights, and self-fulfillment.

In a *consociational democracy*, such as Belgium, ethnicity is accepted as a major principle in the organization of the state. Individuals are judged on merit and accorded civil and political rights, but ethnic groups are also officially recognized and granted certain rights, such as control over education and allocation of public posts on a proportional basis. The state is not identified with any of the constituent groups and tries to reconcile the differences between them. Ethnicity is thus institutionalized and ethnic identities and institutions are usually kept separate. Yet it is not illegal to assimilate and even to intermarry. Each group has its own elite, and the state is managed by an elite-cartel that allocates resources according to the principle of proportionality and pursues compromises between the ethnic groups.

Liberal and consociational democracies share a set of democratic institutions, an extension of equality and citizenship for all, and an ethnically neutral state. Is it nevertheless possible to maintain a democracy in a divided society in which the state is controlled by one of the ethnic groups? It can be argued that this is a contradiction in terms. This objection holds true in some extreme cases, like South Africa until the founding elections of 1994, where a *Herrenvolk* democracy prevailed.[4] In *Herrenvolk democracy*, democracy is confined to the master race or group and is forcibly denied to other groups.

While it is general agreed that Herrenvolk democracy is not democratic, ethnic democracy is located somewhere in the democratic section of the democracy-non-democracy continuum. *Ethnic democracy* is a system that combines the extension of civil and political rights to individuals and some collective rights to minorities, with institutionalization of majority control over the state. Driven by ethnic nationalism, the state is identified with a "core ethnic nation," not with its citizens. The state practices a policy

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of creating a homogenous nation-state, a state of and for a particular ethnic nation, and acts to promote the language, culture, numerical majority, economic well-being, and political interests of this group. Although enjoying citizenship and voting rights, the minorities are treated as second-class citizens, feared as a threat, excluded from the national power structure, and placed under some control. At the same time, the minorities are allowed to conduct a democratic and peaceful struggle that yields incremental improvement in their status.

Northern Ireland from 1921 to 1972, Canada from independence in 1867 to the Quiet Revolution of the 1960s, Poland between 1918 to 1935, and Malaysia since the early 1970s are instances of ethnic democracies. Germany also borders on ethnic democracy. It is strongly identified with the German ethnic nation, and has, since 1945, absorbed about 15 million ethnic Germans (not including the 17 million ethnic Germans following unification) and immediately granted them full citizenship; but, at the same time, it has refused to naturalize and enfranchise about 8 million non-German residents (guest workers and asylum seekers). It is possible that a few of the democracies that are at present imprecisely defined as liberal or consociational are in fact ethnic democracies. One of them is no doubt Israel.[5]

Ethnic democracy clearly differs from the other types. It is not a liberal democracy, because the state recognizes ethnic differences, accords some collective rights, and fails to treat all citizens and groups equally. It is not a consociational democracy, because the state is not ethnically neutral; rather, it is owned and ruled by the majority, while the minorities do not enjoy autonomy and power-sharing. It is not a *Herrenvolk* democracy, because citizenship is extended to all and the minorities are not excluded from the benefits of citizenship and are allowed to avail themselves of democracy for furthering their interests.[6] Ethnic democracy is a system in which two contradictory principles operate: "the democratic principle," making for equal rights and equal treatment of all citizens, and "the ethnic principle," making for fashioning a homogenous nation-state and privileging the ethnic majority.

It is difficult to find democracy in states that are constituted as "ethnic states," and primarily identified with, and geared for, serving one of the ethnic groups, as is the case in Syria, Iraq, Ethiopia, and Burma. But what will happen to these states and the new states of the former Soviet bloc, such as Georgia in the former Soviet Union, Croatia in the former Yugoslavia, and Slovakia in the former Czechoslovakia, if they try to do both—crafting a homogenous nation-state and building a democracy?[7] Can some of these non-democratic ethnic states become democratic, but keep ethic hege-

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mony, leaning toward the model of ethnic democracy? This possibility should not be ruled out, especially if democracy is conceived of as a continuum and in light of the diverse forms democratization takes. Israel's fifty-year experience with a stable ethnic democracy is relevant for democratizing ethnic states.

ISRAEL AS AN ETHNIC DEMOCRACY

How is the Israeli political system generally classified? It is often considered to be a unique case. As such, "Israel is usually, though not always, omitted from comparative analysis. Moreover, when Israel is mentioned, it is usually as a 'most baffling case' or 'a case by itself'."[8] Arian concurs with the widespread view that "in many senses Israel is unique," concluding that:

> Political scientists who compare political systems find difficulty in fitting Israel into their schema. Discussing political parties, Sartori, finds the extended dominance of Mapai exceptional; Lijphart, in his study of relations between major ethnic, religious, and language groups, leaves Israel outside his framework because of its uniqueness; when studying the relations between the military and civilian sectors, Israel is often regarded as special; and discussions of political modernization point to Israel as falling outside many general patterns.[9]

Notwithstanding the tendency to emphasize Israel's uniqueness, most students of the subject assume that Israel is a liberal democracy with certain consociational elements and some shortcomings. Horowitz and Lissak, for example, emphasize the consociational ingredients expressed in coalition politics in general, and in the special arrangements with the religious parties in particular.[10] Don-Yehiya also underscores "the politics of accommodation" for settling conflicts of state and religion in Israel.[11] Shapira, by contrast, stresses the weaknesses of Israeli democracy until the changeover of governments in 1977—a dominant party system and an insufficient protection for individual and minority rights.[12] Neuberger follows suit, portraying Israel as a liberal democracy with certain imperfections and deviations.[13] Working within this scholarly tradition, Sheffer argues that democratization and liberalization occurred in Israel as a result of internal forces and were hardly affected by the Israeli-Arab conflict and global democratization. He concludes: "The current trends towards reforms have been propelled by the transition of Israeli society and politics from arrangements that strongly

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resembled consensual and consociational democratic models to private liberal democracy."[14] In any event, underlying these differences of opinion is a common assumption that the Israeli system as a whole corresponds to the liberal model.

In a study conducted at the behest of the Israel Democracy Institute, Lijphart compared Israel to 24 other democratic states. He places Israel in an isolated category because it scores very high on certain consociational indicators (e.g., the method of proportional elections), but very low on others (e.g., it has a unitary and centralized structure). Lijphart explains this anomaly by the fact that Israel is a deeply divided society that needs consociationalism, but is also a small country that can do without federal arrangements. Its regime is overall suitable to its nature, and therefore there is no need for any far-reaching political reform.[15] In general, Lijphart maintains that Israel meets common democratic standards and belongs to the Western democratic system.

But these classifications do not take seriously the character of Israel as a Jewish state, its commitment to Diaspora Jewry, and the deep division between the Arab minority (close to 850,000 persons, 16 percent of the population within the Green Line, excluding East Jerusalem) and the Jewish majority. Israel cannot be classified as an open, liberal democracy, because that would only hold true were the Jewish state to be transformed into an Israeli state—a state in which ethnicity is privatized, Arabs and Jews are free to assimilate with one another, and a new, all-Israeli identity, nationalism, and nation were to emerge. But in fact, there is no separation in Israel between religion and nationality, religion and ethnicity (that is, a person belonging to the Jewish people or born a Jew cannot simultaneously be a member of any religion other than Judaism), and religion and state—facts that prevent Israel from being a liberal democracy.[16] Nor is Israel a consociational democracy, because, to be so, it would need to become a binational state, in which the status of Arabs and Jews is equal and resources are distributed proportionally.

Several attempts to categorize Israel in the context of the Arab-Jewish cleavage are noteworthy. Benvenisti claims that post-1967 Israel is a *Herrenvolk* democracy. Israeli Palestinians are second-class citizens because "their citizenship does not assure them equality in law, as one crucial test of citizenship is military service."[17] The West Bank and Gaza strip were in practice annexed to Israel, while their Palestinian inhabitants were denied civil and political rights. For this reason, Benvenisti reasons, Greater Israel (Israel proper ceased to exist) is a typical *Herrenvolk* democracy.[18]

On a closer look, the classification of Israel as a *Herrenvolk* democracy,

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in both its pre- and post-1967 borders, does not make sense. The Arab minority in Israel enjoys the privileges of citizenship, whereas the non-citizen Palestinian population of the territories has never sought Israeli citizenship. The establishment of the Palestinian Authority in 1994, as part of a process of separation between Israel and the territories, proves that Benvenisti's approach is fundamentally wrong.

While Benvenisti focuses on Greater Israel, Lustick offers a comprehensive study of Arab-Jewish relations in Israel proper.[19] Finding both the liberal and consociational models of democracy inapplicable to Israel; he suggests a third model, that of "control," to account for the Israeli case. His central thesis is that the Arab minority lives under a system of control that severely restricts its political rights and behavior. In other words, Israeli democracy does not function as far as Israeli Arabs are concerned, and in fact emerges from Lustick's detailed analysis as an essentially *Herrenvolk* democracy. In 1988, however, Lustick restated his position, conceding that the system of control has largely been dismantled, and arguing that Israel is becoming a binational (i.e., consociational or quasi-consociational) state.[20]

Lustick's claim must be qualified. It is true that, until the 1970s, Israel exercised a strict system of control to neutralize the Israeli Arabs; however, the machinery of control also continued thereafter, albeit in a more covert and sophisticated, but no less, effective manner, because this is a necessary component of every ethnic democracy. Hence, Lustick errs in his later conclusion that control has disappeared and Israel has drawn nearer to, or has become, a consociational democracy.

Rouhana and Ghanem portray Israel as an exclusive ethnic state—a regime close to "ethnic non-democracy." Like Lustick in his original statement, they do not explicitly use the term *Herrenvolk* democracy, but they clearly imply it. They carefully refrain from describing Israel as a democracy. Nor do they apply the model of ethnic democracy to Israel, because they reject ethnic democracy altogether as not democratic. Israel is not a democracy because it fails the acid test of equal treatment of its citizens, deprives the Arabs of their basic human need for equality, belonging, and identity, and forces them into abnormal development as a minority.[21]

The characterization of Israel as a de facto *Herrenvolk* democracy by Rouhana and Ghanem is extraordinary and puzzling. Unlike Benvenisti and those who find basic resemblance between Greater Israel and apartheid-ridden South Africa, they do not invoke the disenfranchisement of the Palestinians in the occupied territories in order to validate their claim. The condemnation of Israel as non-democratic is made solely in the context of Arab-Jewish relations within Israel proper by two specialists of this area.

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Rouhana and Ghanem recognize but dismiss the facts that Israeli Arabs enjoy civil and political rights, have collective rights as a minority, engage in a continued and militant struggle for change, do not face repression by the authorities, and score partial achievements. These two researchers also know but reject the facts that the Arab minority also appreciates its Israeli citizenship so dearly that it cannot contemplate leaving the country, and that it believes in Israeli democracy so strongly that it sees it as an effective tool for affecting appreciable improvement in its status in society.

On the other hand, Yiftachel and Peled accept the classification of Israel as an ethnic democracy, but suggest further distinctions and refinements. Yiftachel questions the ability of ethnic democracy in general, and in Israel in particular, to survive and to maintain its stability over the long-run when it operates within a bi-ethnic, rather than a multi-ethnic, society and in a setting of an indigenous, rather than immigrant, minority. Israel is similar in this respect to Cyprus, Northern Ireland, and Sri Lanka, where ethnic democracy has collapsed. On the other hand, ethnic democracy was successfully preserved in Malaysia because the minority was immigrant and not native. When political stability has been maintained in states with bi-ethnic societies, such as Belgium, this is accomplished by consociational democracy.[22]

It is true that ethnic democracy in Israel does encounter the obstacles noted by Yiftachel, but it deals with them well, thanks to certain advantages of its own, such as a widespread Jewish consensus on retaining ethnic democracy, effective mechanisms of control over the Arabs, and continued incremental improvement in Arab conditions. Hence, there is no ground for the hasty conclusion that ethnic democracy in Israel is inherently unsustainable and unstable.

Peled distinguishes among three guiding principles: ethnic, liberal, and republican. In the model of ethnic democracy, liberal and republican principles correspond to the democratic principle. The ethnic principle gives the Jews preference and rule. The liberal principle assures individual rights to all citizens unconditionally and without discrimination. By contrast, the republican principle assures special rights to those who belong fully to the community and are able to contribute to the common good (and therefore only they can be "good citizens," if they wish). In ethnic democracy, the Israeli Arabs are, at best, "regular" citizens, enjoying full liberal rights—but not republican rights, which are reserved for Jews alone. Hence, only Jews can be good citizens. It follows from this analysis that the harm done to the Arabs is two-fold: the application of the ethnic principle places them in a situation of subordination and inferiority relative to the Jews,

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while the application of the republican principle excludes them from the core ethnic nation and denies them the right of being good citizens.[23]

Peled's distinction between liberal and republican principles is a useful one, which may be accepted as an elaboration of the democratic principle. Yet there is no need to speak of two separate principles. One may also take exception to Peled's implication that Israeli Arabs enjoy, or can enjoy, full liberal (individual) rights in the Israeli ethnic democracy.

Israel's claim to being both a democratic and a Jewish state is in fact a proclamation of its being an ethnic democracy. Cohen sees this duality as a structural dilemma:

> Israel was to be a Jewish nation-state; as a *nation*-state, its fundamental legitimation was conceived in terms of particularistic Jewish national symbols; but as a modern civil nation-*state*, its fundamental legitimation was conceived in terms of the universalistic precepts of democratic freedom and equality before the law of all citizens.[24]

Israel-proper qualifies as a political democracy on many counts. These include universal voting rights, a multi-party system, fair elections, change of governments, civil rights, independent judiciary, free press, civilian authority over the army, and popular and elite support for democratic institutions.[25] Notwithstanding the lingering concerns that Israeli democracy is an "overburdened polity"[26] and despite warnings that it might not withstand the political split over the Palestinian question,[27] it has thus far functioned quite well. Indeed, it has withstood severe tests, including the poor performance of the government in the 1973 and 1982 wars, the changes of government (in 1977, 1992, and 1996), the Oslo Accords, 30 years of occupation, five years of Intifada, and the assassination of Prime Minister Rabin.

On the other hand, it is also evident that, quite apart from the implications of the Jewish character of the state, Israeli democracy suffers from three weaknesses. These are continued application of the Emergency Regulations, giving the authorities excessive power to suspend civil and political rights; insufficient protection of minorities, in the absence of a constitution or bill of rights; and, the focused nature of political intolerance (which is directed largely at the Left rather than scattered among various target groups).[28]

Simultaneously, Israel is a special case of an ethnic state. It defines itself as a state of and for Jews, that is, the homeland of the Jews only. Its dominant language is Hebrew, while Arabic has an inferior status. Its institutions, official holidays, symbols, and national heroes are exclusively

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Jewish. The central immigration legislation, the Law of Return, allows Jews to enter freely, excludes Palestinian Arabs, and allows immigration and naturalization of non-Jews only under certain limited conditions. Israel confers a special legal status on the Jewish Agency and the Jewish National Fund, which, by their own charters, cater for Jews only. Land and settlement policies are geared to furthering the interests of Jews only. The welfare of world Jewry is a major consideration of Israeli foreign policy.[29] In many other ways as well, the state extends preferential treatment to Jews who wish to preserve the embedded Jewishness and Zionism of the state.

The Jewish-Zionist nature of the state is indeed explicitly anchored in several laws. The Foundations of Law Act (1980) states the following rule in the event of a legal lacuna: "If the court encountered a legal issue requiring decision, and did not find a solution thereto in the words of the legislator, in precedent or by way of analogy, it shall rule in accordance with the principles of liberty, justice, equity and peace of the Jewish heritage." Amendment 8 to Basic Law: the Knesset (1985) states that "A list of candidates shall not participate in the Knesset elections if its goals or acts explicitly or implicitly include one of the following: 1. denial of the existence of the State of Israel as the state of the Jewish people . . ." Basic Law: Human Dignity and Freedom (1992) states that "its purpose is to protect human dignity and freedom, in order to anchor in the basic law the values of the State of Israel as a Jewish and democratic state."[30]

Israel is also an ethnic state in that it gives legal force to ethnic endogamy. According to Israeli law, every person belongs to a religious community which has full jurisdiction over personal status, including marriage, divorce, wills, child custody, and burial. While interfaith marriages are not illegal, they are not provided for by the law. This is in contradistinction to all Western democracies, which do not impose religious affiliation and which, with the exception of Ireland, allow intermarriage. This coercive separation between ethnic communities and the legal provision of ethnic endogamy reinforce the ethnic nature of Israeli democracy.

One finds a wide range of views regarding Israel's dual character. According to official ideology, Zionism and democracy are perfectly compatible, and Israel is equally committed to both. The Declaration of Independence unequivocally states the validity of both principles, promising full civil and political rights to all citizens in the Jewish state. In a landmark ruling of the Supreme Court, Justice Dov Levin opposed the participation of the Progressive List for Peace in the 1988 Knesset elections on the basis of its presumed rejection of Israel as "the state of the Jewish people." However, in the same ruling, he reaffirmed the position that "there is no contradiction

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whatsoever between these two things: The state is the state of the Jews, while its regime is an enlightened democratic regime that accords rights to all citizens, Jews and non-Jews."[31] All five justices, including those who demurred on the specific issue of the PLP's participation in the elections, supported this approach. The Supreme Court also took this view in sustaining the ban against the Kakh Party list, in those same elections because of its rejection of democracy and its incitement to racism. The argument of the Kakh Party that there is a substantive contradiction between democracy and Israel being a Jewish state was rejected: "There is no substance to the alleged contradiction, so to speak, between the different clauses of Section 7a: the existence of the State of Israel as a Jewish state does not negate its democratic nature, any more than the Frenchness of France contradicts its democratic nature."[32]

Compatibility between the democratic and Jewish-Zionist character of the state is a cornerstone in the ideology of all Zionist political parties in Israel and the opinion of the overwhelming majority of the Jews. From this Jewish consensus, ultra-nationalists dissent. The extremists among them, like the late Rabbi Kahane and his disciples, hold that, since the idea of a Jewish state negates democracy, Israeli Arabs are bound to be second-class citizens, and, thus, should be expelled from the state.[33]

Many social scientists maintain that, following the Six Day War, the Jewish-Zionist identity of the state was strengthened at the expense of democracy. For example, Cohen argues that the delicate balance between universalism and particularism was disrupted after 1967, as the forces of nationalism and religion became consolidated and Revisionist Zionism displaced Labor Zionism. But notwithstanding the rise in religion and nationalism, many measures of political democracy (such as competitive party politics, changeovers in government, freedom of the press, and political representation of various population groups) indicate that Israel in the 1990s is more democratic than it was in the 1950s.

Israel within its pre-1967 borders is internationally accepted as a Jewish state. This legitimacy was extended in the 1917 Balfour Declaration, the 1922 British Mandate to Palestine, and, most important, the 1947 UN partition resolution. The latter, which provides the legal basis for Israel's existence, calls for the creation of two ethnic states in Mandatory Palestine, one Jewish and the other Arab. At the same time, it is generally assumed that Israel's internationally acknowledged Jewishness does not allow it to restrict Israeli Arabs' right to democracy and equality.

It is evident that the dual Jewish and democratic character of the state renders the status of the Arab minority problematic. Examination of their

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situation may shed light on the problematic nature of the model of ethnic democracy, which characterizes a number of deeply divided societies.

The Israeli-Arab conflict presents a complication, however. Israel may make plausible use of the perceived threat to its survival to blur tensions emanating from its ethnic nature and to weather pressures of Israeli-Arabs for equality and participation. Since Israeli Arabs are part of the Arab world, which presumably threatens Israel's existence, restrictions of their rights can be plausibly justified.

Both Jews and Arabs may make use of Israel's duality to legitimize their claims. The Jews may draw upon the international legitimacy of Israel as a Jewish state and the menace to its integrity to defend a policy assigning Arabs the status of a non-national minority with restricted rights in an ethnic state. On the other hand, Israeli Arabs may invoke Israeli democracy as a basis for their demand for the normalization of their status as a national minority in a democratic, non-ethnic state.

It should be emphasized that the ethnic nature of Israeli democracy was already embedded in its development as a separate society in the pre-state [*Yishuv*] period, in the Jewish character of its institutions, in its commitment to a Jewish majority, and in its multifarious and complex relationship to the Jewish Diaspora. Thus, even without an Arab minority, it would be considered an ethnic democracy. Simultaneously, the status of the Israeli Arabs raises the most fundamental issue of Israel's identity as a Jewish and democratic state, and how these features are to be reconciled when they clash with each other in circumstances involving the Arab minority. This question will be highlighted below in the discussion of the five basic claims of Israeli Arabs and the Jewish response to each one of them.

My focus will be on the discord between Arabs and Jews on the status of the Arab minority in the Jewish state, while ignoring the internal differences within each community. As I have discussed elsewhere, the internal factionalism among both Arabs and Jews,[34] and its disregard in this article aims to sharpen the overall picture. The main justification for such a line of analysis, however, is the existence of a broad consensus on these issues within each camp.

Notwithstanding the internal differences among the various political streams prevalent among Israeli Arabs, a consensus among them on key issues of Arab-Jewish relations already emerged in the late 1970s. This general agreement includes those who support the Zionist establishment, as well as those affiliated with the Democratic Arab Party, the Israeli Communist Party, the Progressive List for Peace, and other movements. Less

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than one-tenth of the Arab population, known for their rejectionist views, dissent from the Arab consensus.

Similarly, Labor and Likud express the widespread Jewish consensus on the Arab minority question. The religious parties and the Zionist Left also conform to a considerable degree, leaving only the minorities of the radical Right and the non-Zionist Left dissenting on this issue. About one-quarter of the Jewish population reject Arab-Jewish coexistence in a democratic Jewish state—that is, they wish the Arabs to be expelled or made non-citizen residents subjugated to the Jews.

ARAB DEMANDS AND THE JEWISH RESPONSE

Five demands lie at the core of the Arab consensus: the desire to make Israel a non-Jewish and non-Zionist state; the recognition of Palestinian nationalism; the lifting of all restrictions on Arab individual rights; the granting to Arabs certain national collective rights; and, the acceptance of Arabs as legitimate partners in the political system. These demands are considered unacceptable by the state and by most Jews.

De-Ethnicization of the State

Israeli Arabs draw a distinction between Israel's existence as a state and its Jewish-Zionist character. They acknowledge Israel's right to exist, respect its territorial integrity within the pre-1967 borders, and reconcile themselves to the status of a minority within it. At the same time, they are opposed to, or reserved about, Israel as a Jewish-Zionist state.

Arab reservations about Israel's ethnic features are well-known and documented. A representative survey of the Arab population, conducted in 1995, contains some of the evidence.[35] While only 6.8 percent of the Arabs in the survey denied Israel's right to exist, 35.3 percent rejected its right to exist as a Jewish-Zionist state. In addition, 75.0 percent objected to the idea that Israel should keep a Jewish majority, while 50.1 percent believed that Arabs cannot be equal citizens in Israel as a Jewish-Zionist state and cannot identify themselves with it. When asked directly about their stand on Zionism, 50.3 percent regarded it as racist and, in response to another question, 1.7 percent described themselves as Zionist, 73.6 percent as non-Zionist, and 24.7 percent as anti-Zionist. All these rejection figures are significantly higher among non-Bedouin Muslims, who constitute the large majority of Israeli Arabs.[36]

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The disagreement between Arabs and Jews on this fundamental issue of the identity and mission of the state cuts across all political streams. The debate between the two liberal, leftist writers A. B. Yehoshua and Anton Shammas, whom one would expect to be very similar in their views, is telling indeed. Shammas, an Arab writer who writes in Hebrew and is close to the Zionist Left, totally rejects Israel's Law of Return, *Hatikvah* as its national anthem, its distinctively Jewish flag, and the very concept of a Jewish state, calling for its transformation to a non-ethnic, civic Israeli state.[37] By contrast, Yehoshua, while well-known for his sympathy for the Israeli Arab cause, insists on Israel keeping its Jewish character and counsels Israeli Arabs who feel alienated from it to satisfy their Palestinian nationalism by identifying with a Palestinian state or by actually moving there.[38] This debate shows that Zionism is embraced by Jews as much as it is repudiated by Arabs.

During the 1990s, there were many cries by Arab intellectuals and radicals to terminate the Jewish nature of the State of Israel and to alter it into a state of all its citizens. The most articulate and outspoken Arab on this matter is Azmi Bishara, the leader of the Arab Democratic National Movement, who was elected to the Knesset in 1996. He severely criticizes the model of ethnic democracy for seemingly giving tacit legitimacy to the distorted Israeli democracy, instead of calling for its radical transformation to a full-fledged system like a consociational democracy.[39]

Jewish intellectuals and radicals, known as "post-Zionists," express great sympathy for this demand, but it is met with sharp and uncompromising criticism among the public at large. An expression of this outright Jewish rejection can be found in, among other things, an editorial in the liberal Hebrew daily *Ha'Aretz*, which consents that "the Arab minority is justified in demanding full equal rights," but

> There is one area in which the Jewish majority must make its position heard and advise the Arab minority to listen to it most carefully: most citizens of the state will not tolerate political movements calling for the abolition of the Jewish character of the state. This state was created in order to provide a national home for the Jewish people, and has remained so even on the threshold of the 21st century. The Jewish people as an ethnic-national entity is *sui generis*, combining religion and nationhood, and no trick of terminology can change this fact of life. Hence, the rules of the political game in Israel are derived from the axiom that this is a Jewish state, and that no political force can expect to be let to undermine this setup.[40]

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Shlomo Avineri thinks that the Oslo agreements will lead to the solution of the Palestinian problem and remove the national security barrier from Arab-Jewish relations in Israel. For that reason, Israel should do away with various forms of discrimination against Arabs and stop hiding behind security pretexts. He nevertheless sees no difficulty in Israel continuing to be a Jewish state and maintaining the flag, anthem, and Law of Return as they are. Avineri's basic assumption is that Israel is a national state, no different from other Western liberal democracies. He explains that the Israeli anthem *Hatikvah* [The Hope] is no different from the British anthem *God Save the Queen* or the French *Marseilles*. All of these national anthems contain motifs that may be unacceptable to a portion of the population. The same holds true with regard to the Law of Return, which contains an element of discrimination, because "all immigration laws are discriminatory." The Law of Return is no different from the immigration laws of Great Britain, Switzerland, Germany, Greece, and Armenia, which likewise grant a right of return based on ethnic origin. Avineri writes:

> The same is true of the flag. One can appreciate the difficulty of an Israeli Arab in identifying with the blue and white flag and with the Star of David. But the cross appears on the flags of many democratic states: Switzerland, Sweden, Denmark, Norway, and, of course, the intertwined crosses of England and Scotland in the British Union Jack. Does that prevent Jews who are citizens of these states from swearing allegiance to the flag? Of course, it is difficult, because even in democratic countries it is difficult to be a minority. On this symbolic level, the Arabs of Israel are in good company. In any event, there is no democratic norm requiring one to change the nature of the symbols of a nation-state.[41]

The argument that Israel is no different from Western countries, which are nation-states and liberal democracies with clear ethnic characteristics, is widespread among the Israeli Zionist left. But this claim disregards the basic difference between Western liberal democracies, in which ethnic features are secondary, many of them being mere remnants of the past, and Israeli ethnic democracy, where ethnicity is imminent in its nature, identity, institutional organization, and public policy. The fact that there is no shared Israeli nation for all the citizens of the state—that there is no sense of nationhood conveying an equal status upon all—gives discriminatory significance to exclusively Jewish symbols like the flag and anthem of the state. On the other hand, being equal members of a common civic nation, minor-

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ity members in Western democracies do not mind the historical ethnic symbols of these states.

Nevertheless, at times Arab political leaders make certain qualifications that mitigate their opposition to Israel's nature. The stand of the Communist Party, which distinguishes between Jewishness and Zionism, is a case in point. According to Israeli Communist leaders, Jews have over the years developed as an Israeli nation and Israel is the country where they constitute a majority and exercise their right to self-determination. It is therefore proper for Israel to maintain the dominance of Hebrew language, Jewish culture, and Jewish institutions. But beyond their acceptance of this "factual" Jewishness, the Communists negate as Zionist all other ethnic properties of the state, including the Law of Return, Israel's ties with the Diaspora, and the notion that Jews all over the world constitute one nation. For them, Zionism is a colonialist, bourgeois, and racist movement responsible for the Palestinian tragedy, the institutional discrimination between Arabs and Jews, and certain other "evil" attributes of the state. Hence, Israel must rid itself of its Zionism, but may preserve its Jewishness. Other Israeli Arab leaders are even prepared to soften their position on Zionism, on condition that a Palestinian state be established which would restore Palestinian dignity and provide every Israeli Palestinian with a choice between Israel and Palestine.

From a Jewish viewpoint, rejection of Zionism as an ideology and as a force shaping the state is tantamount to rejecting the state itself. The fine distinction between the state and its character, or between its Jewishness and its Zionism, is neither understood nor condoned by the Jews. They are not interested in having Israel as no more than a state, but rather need it to be a Jewish-Zionist state.[42] For this reason, Arabs who doubt Israel's right to be Jewish-Zionist are regarded as potentially hostile and subversive.

While public rejection or fighting against Zionism are legal in Israel, they are not legitimate. According to the 1985 Amendment to the Election Law, an election list denying Israel as the state of the Jewish people may not run for the Knesset.

Legitimation of Palestinian Nationalism

Palestinian nationalism has been on the rise since the mid-1960s. From a population of refugees dependent on the Arab states, the Palestinians have reasserted themselves as a people. The PLO emerged as their legitimate leadership, gaining a worldwide recognition. The Palestinians in the West Bank and Gaza Strip have been engaged in institution-building and in resistance against the occupation of their land. The Palestinian national

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movement, both in the homeland and the Diaspora, has gradually shifted its strategy from armed resistance and terrorism to a political and diplomatic struggle. The Intifada marked a new stage in Palestinian history—a semi-violent, grassroots struggle for liberation from occupation. It pushed the PLO in mid-November 1988 to renounce terrorism, to acknowledge Israel's right to exist, to accept UN Resolution 242, and to declare an independent state on the West Bank and Gaza Strip. Since the convening of the Madrid conference in October 1990, the Palestinians of the West Bank and Gaza Strip have participated in a joint delegation with Jordan that has conducted peace talks with Israel. In September 1993 an historical breakthrough was recorded. The Israeli government and the PLO signed the Oslo Accords, which included mutual recognition of the national rights of both peoples and the principle of the resolution of the dispute between them through negotiation.

The Israeli Arabs, as a segment of the Palestinian people who were cut off from the mainstream in 1948 but reunited with it in 1967, have been part of the rising Palestinian nationalism. Three components of their nationalism are worth stressing: solidarity with the Palestinian people, Palestinian identity, and Palestinian culture.

Israeli-Arab solidarity with the Palestinian people is deep indeed. Under the influence of the Communist Party, and long before the PLO itself moved in this direction, Israeli Arabs believed that the appropriate solution to the conflict would be Israel's withdrawal to the pre-1967 borders, redivision of Jerusalem, negotiation with the PLO, the creation of a Palestinian state on the West Bank and Gaza Strip alongside Israel, and the recognition of the right of the Arab refugees to return or to receive compensation. They also believe that the PLO has stood for more or less these stances since the mid-1970s. During the period of the Intifada (1987–93), Israeli Arabs expressed their support for the Palestinians by means of general strikes, demonstrations, and dispatches of relief to the territories. Despite a rise in the number of terrorist acts by Israeli Arabs, it is clear that they stopped short of joining the uprising. Their support of the peace process, on which the Jews are polarized, is tremendous. In the 1995 survey, 73.0 percent supported the Oslo agreements, 21.6 percent had reservations, and only 5.4 percent were opposed. At any rate, solidarity with the Palestinian people is shared by all parts of the Arab population in Israel, notwithstanding disagreements regarding the Oslo Accords.

Another component of Palestinian nationalism is the reaffirmation of Palestinian identity. Until the 1967 War, Arabs in Israel saw themselves as Israeli Arabs, and were seen as such by both the Israeli authorities and the

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Arab world. Thereafter they became increasingly Palestinian, like the other segments of the Palestinian people. When asked to select the most appropriate term to describe themselves, the proportion of Israeli Arabs choosing Palestinian identities (namely, Israeli Palestinian, Palestinian in Israel, Palestinian Arab, Palestinian) increased from 45.3 percent in 1976, to 54.5 percent in 1980, 67.9 percent in 1985, and 66.8 percent in 1988, but dropped to 46.4 percent in 1995.

The resurgence of Palestinian nationalism also finds cultural expression. Cultural ties with the Arab world and with fellow Palestinians were resumed after 1967. Israeli Arabs have become more conscious of their history, heritage, and literature, as well as of Islam, and demand that their Palestinian culture be recognized by the state as part of the national culture and be included in both Arab and Jewish education.

Israeli Arabs do not find any conflict between their post-1967 Palestinianization and their equally strong post-1948 Israelization. As a result of Israelization, they became bilingual and bicultural without assimilating into the Jewish majority. Today they also have high Israeli aspirations and standards, reconcile themselves with their fate as Israeli citizens, see their future tied to Israel, and look for settlement of their problem within Israel proper rather than by dissociating themselves from the state. Most importantly, insofar as Israeli Arabs are concerned, there is no contradiction between their Palestinian nationalism (i.e., solidarity with the Palestinian people, support for the PLO, advocacy of a two-state solution, acquisition of Palestinian identity, and the demand to introduce Palestinian elements into Arab education), on one hand, and their Israeliness (i.e., Israeli citizenship, loyalty to the state, and a genuine desire to become more fully integrated into the state on an equal footing with the Jews), on the other.

There is no necessary contradiction between Palestinian nationalism and Israeli citizenship. In the survey conducted in 1995, 60.2 percent of the respondents described themselves as finding a compound, synthetic Israeli-Palestinian identity suitable to themselves. The support for the PLO through 1993 was not accompanied by endorsement of its use of terrorism or agreement with its rejectionist National Charter. The fact that Israeli Arabs did not join the Intifada is likewise clear evidence that their loyalty to the state overrides their deep commitment to Palestinian nationalism.

Jews take an opposing view. Palestinian nationalism is considered illegitimate and, until the Oslo agreements, some of its aspects were even criminalized. For years, Israeli law forbade any public display of identification with the PLO, such as hoisting the Palestinian flag, singing the Pales-

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tinian anthem, or meeting with PLO officials. The authorities and the Jewish public regarded Palestinian nationalism as antithetical to whatever they stood for and as a threat to their survival. Moreover, most Jews saw any Arab claim to Western Palestine as a challenge to their exclusive right to the entire area; backing of the PLO as equivalent to endorsement of terrorism and of the struggle to liquidate Israel as stipulated in the PLO National Charter; and the sanctioning of a Palestinian state in the West Bank and Gaza Strip as tantamount to approving a step in a long-term, multi-stage strategy to dismantle the Jewish state. Israeli Arab rejection of the Jewish consensus against a two-state solution was considered an act of disloyalty rather than an expression of a legitimate right to dissent in a democracy; i.e., as a disagreement between citizens who are allowed to hold opposing views.

Expressions of Palestinian nationalism in the life of Israeli Arabs were regarded as equally menacing by Jews. The clear policy of every Israeli government was to foster the development of a new, local, Israeli Arab identity, completely divorced from Palestinian nationalism. The proportion of Jews who defined Arab identity as non-Palestinian (namely, as Arab, Israeli, or Israeli Arab) was 91.7 percent in 1980, 85.5 percent in 1985, 84.4 percent in 1988, and 81.4 percent in 1995. Not only is there a very small minority of Jews who perceive Israeli Arabs as having a Palestinian identity, but those who do so tend to be more hardline and anti-Arab than the average. In 1995, the proportion of Jews perceiving Arabs as Palestinian was 24.7 percent among right-wing voters as against 9.6 percent among left-wing voters.[43]

The Jews also interpret the shift in Arab voting away from Jewish parties to predominately Arab parties as a non-confidence vote in Arab-Jewish coexistence. Indeed, the Arab vote for Jewish parties and their affiliated Arab lists dropped from 84 percent in 1951 to 77.5 percent in 1961, 63 percent in 1973, 49 percent in 1977, rising again to 62 percent in 1981, but dropping to 49 percent in 1984, and to a record low of 42 percent in 1988. In 1992 the proportion of Arabs voting for Jewish parties again rose to 53 percent, while in 1996 it dropped to a new record low of 32 percent. Since the predominantly Arab parties openly express Palestinian nationalism and challenge the status quo of Arab-Jewish relations, Jews regard the Arab votes cast for them as a turn toward politics of conflict and confrontation. From a Jewish perspective, these changes reflect an overall trend of growing identification with a hostile, nationalist Palestinian ideology that would undermine Arabs loyalty to the state and over time turn them into an active fifth column.

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Equal Individual Rights

In 1948, Israeli Arabs were granted civil liberties, including the freedoms of assembly, expression, movement, association, worship, voting, and standing for elections. Yet these rights were grossly violated in the past and, more important, are to a certain extent violated today as well.

Large-scale infringements of Arab civil rights occurred in three vital spheres: administration, citizenship, and lands. Until December 1966, Arab areas were formally placed under military administration, a number of their basic rights were suspended, and they were subject to many restrictions. Another major infraction was the 1952 Nationality Law, which denied citizenship to a sizable portion of Arabs until it was amended in 1980. The government also applied a series of laws and regulations, mostly during the first years of statehood, which allowed the confiscation of a substantial part of Arab land without proper compensation. These land laws are still in effect, there are still lands in dispute, and Arabs are still fearful of further land takeovers. However, Arab lands are no longer vulnerable to administrative expropriation, because the bulk has already been taken and the authorities cannot afford to face vehement Arab opposition.

Nevertheless, Arab civil liberties are not adequately protected in Israel for four reasons. First and foremost, in the absence of a constitution or a bill of rights with a superior standing over other laws, Arabs lack an independent legal base to fight unfair treatment. Second, so long as Israel has not reached a comprehensive peace settlement with the Arab world, it is legally in a permanent state of emergency, and the Emergency Regulations are still in effect. Since the Arabs are officially considered a security risk, these regulations operate mostly against them. Third, the present implementation of the Jewish-Zionist character of the state contains certain discriminations against Arabs. Finally, Jewish public opinion not only condones constraints imposed on Arabs, but also endorses preferential treatment of Jews. Each one of these factors, let alone the special effect of their combination, is sufficient to downgrade Arabs to a status of second-class citizens.

A critical review of laws and statutes by Kretzmer reveals that, notwithstanding the legal principle of equality, considerable discrimination against Israeli Arab citizens exists in Israel.[44] A substantial digression from the principle of equality is created by the special legal status accorded to the Jewish Agency and the Jewish National Fund. These powerful Jewish institutes, which fulfill quasi-governmental functions—such as planning and funding of new rural localities, support for cultural enterprises, provision of assistance to the elderly and other disadvantaged groups, and development

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and leasing of lands—are obliged by their own constitutions to serve Jews only. At the same time, Arab voluntary associations are hampered from getting contributions and raising funds because of the suspicion that they would receive money from hostile or terrorist organizations.

Most of the discrimination is, however, rather covert. The extensive use of military service as a criterion for the allocation of benefits is very striking, because most Jews serve in the army, whereas most Arabs do not. It is normal to dispense certain benefits to ex-soldiers during the first three years of their discharge. But it is hard to justify the extension of special assistance (extra allowance for large families and the easy terms for housing loans) to families with a member serving in the army, and not to the discharged soldiers themselves.

Unfair allocation of funds and provision of unequal services by governmental offices are quite common. For example, the subsidies received by Arab local councils from the Ministry of the Interior average only about one-third of the subsidies granted to comparable Jewish local councils. With minor exceptions, the various projects to close the ethnic and social gaps exclude Israeli Arabs, who would qualify were a universal criterion of need applied. These include tax breaks given to development towns to encourage investments and residence there, or numerous programs of compensatory education, cultural enrichment, and renewal of slums.

Discriminatory use of security considerations to restrict Arab freedoms is also widespread. From time to time, the authorities employ the Emergency Regulations to limit movement, to detain, to refuse the incorporation of associations, and to ban publications of Arabs. Some Arabs are refused clearance to work as schoolteachers. Arabs tend to be tried in military courts for security offenses similar to those for which Jews are tried in civilian courts, as in the case of the Jewish underground. Of course, any visible threat to, or disruption of, internal security deserves prosecution, but the authorities often treat legitimate political dissent as an act of subversion. To illustrate, in 1980, the Congress of Arab Masses, scheduled to meet publicly in Nazareth, was banned by the government on the pretext that it might be under the influence of the PLO.

Nevertheless, it should be underscored that, over the years, and particularly during the Labor-Meretz government of 1992–96, the deprivation of the Israeli Arab citizens has decreased to a significant degree. This is reflected in the greater equality of the budgets of Arab and Jewish local councils, and of Jewish and Arab education. The discrimination in the allocation of extra allowances to large families to those who have completed army service was gradually lessened, and was totally phased out by the end

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of 1996.[45] Accordingly, the use of emergency regulations limiting the rights of Arabs has dropped appreciably over time.[46]

The most significant legislation pertaining to the status of Arabs in Israel and their civil rights was enacted in July 1985 as an amendment to the Election Law. This amendment bars from participation in Knesset elections any list that denies the existence of the State of Israel as the state of the Jewish people, rejects the democratic nature of the state, or incites to racism. From the Israeli-Arab viewpoint, the provision that Israel is the homeland of Jews all over the world, but not necessarily of its citizens, degrades them to a status of invisible outsiders, as if Israel were not their own state. Furthermore, it turns the Jewish-Zionist nature of the state into what Kretzmer rightly calls "an incontrovertible fact." In this way, illegitimate dissent is unduly expanded from negation of the territorial integrity of the state to a denial of its special character. In fact, a party that proposes to de-Zionize the state by peaceful, legal means is banned from parliamentary elections, and the Speaker of the Knesset may block the presentation before the Knesset of a bill with such an intention.

It is worth noting again the abortive attempt to disqualify the Progressive List for Peace from participation in the 1988 Knesset elections because of its supposed denial of Israel as the state of the Jewish people. After long deliberations and a vote of 19 to 18, the Central Election Committee approved the PLP. The question was then appealed to the Supreme Court, that decided in a vote of 3 to 2 to let the PLP run.

The PLP was charged with implicit or explicit endorsement of the following ideas: Israel is a state of its citizens (*viz.*, not necessarily a state of the Jewish people); it should be a binational (i.e., Arab-Jewish) state; it should be a democratic, pluralistic, humanistic state (namely, not necessarily Jewish); it should be a democracy like all other democracies (implying no advantage to the Jewish people); absolute equality should prevail between Arabs and Jews; all regulations and policies giving a favored status to Jews should be abolished; Israeli Arabs should be allowed to establish national institutions just like Israeli Jews; and the ties between Israel and the Jewish Diaspora are to be seen as historical and spiritual in nature (meaning that they are not necessarily political and national connections). These views were interpreted as amounting to the PLP's denial of Israel as the state of the Jewish people.

The narrow majority opinion of the court was, however, that the evidence against the PLP was not sufficiently unequivocal and overwhelming to justify the denial of its basic right to stand for election, particularly in a state like Israel, where this right is already granted to parties, such as the

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Communist and religious parties, that seek a radical revamping of the regime. The ruling in favor of the PLP was thus based on the following grounds: the PLP takes a rather ambiguous position on the issue of Israel as the homeland of the Jewish people, since it has issued contradictory statements in this regard; its anti-Zionist stance is secondary to its preoccupation with a struggle for a two-state solution; and it does not present a clear and immediate danger to the state.

This case clearly indicates the extent to which Israel is an ethnic democracy, significantly different from Western democratic states. Supreme Justice Dov Levin related explicitly to this point, in stating that the PLP ought to be disqualified also on the basis of its platform, whose central motto was "no longer a Jewish state or a state of the Jews, as a central axis in its existence, but a state like all democratic states, of all its citizens, without any advantage to the Jewish people as such."[47] The Central Election Committee and the Supreme Court oscillated on the question of which of the two components in the PLP's character was the dominant one. Although the PLP finally won the appeal, it barely made it. It managed to pass mostly by its systematic engagement in "constructive ambiguity," blurring its anti-Zionist ideology and distorting the attitudes of its Arab constituents. One of the judges branded this tactic as a despicable way to win participation in elections, instead of fighting for the repeal of the legal restriction. Despite the majority vote in favor of the PLP, four of the five judges gave a rather broad interpretation to the disqualifying yardstick "denial of the State of Israel as the homeland of the Jewish people."[48] The law forces Arabs who wish to take part in Knesset elections to come to terms with Zionism, to misrepresent their own position, or to give up their rights to vote and to stand for election.

The Jewish public is understandably more ethnocentric than the Jewish legislators, policy-makers and authorities. In the 1995 survey, 74.1 percent of the Jews said that the state should prefer Jews to Arabs, 30.9 percent favored the denial of the right to vote to Israeli Arab citizens, and 45.6 percent supported, without reservation, the outlawing of the Israeli Communist Party, despite the fact that it has been seated in the Knesset since 1948. In addition, 36.7 percent of the Jewish respondents thought that Israel ought to seek and use any opportunity to encourage Israeli Arabs to leave the country, 35.0 percent had reservations about such a policy toward fellow citizens, and only 28.3 percent objected. The spread of ethnocentric attitudes among the Jewish public is indicated no less by the fact that 25.6 percent of the Jews preferred that their superior at work be a Jew, while 43.8 percent were categorically unwilling to have a non-Jewish superior in a job.

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These attitudes must be understood against the foil of another set of beliefs, according to which the Arabs are not trustworthy, do not assume equal duties, and are generally less desirable for being non-Jews in a Jewish state.

In view of these public opinions and state policies, it is no wonder that informal, daily discrimination against Israeli Arab citizens abounds. It is particularly widespread in hiring practices for white-collar jobs in the Jewish economy, in housing rentals, and in treatment by the police. Thus, for example, in the 1995 survey, 32.2 percent of the Jews said that only Jews ought to be accepted for civil service jobs, while another 27.0 percent said Jews should be given preference in such jobs. 37.5 percent of the respondents also held that, in a situation of economic recession, Arab workers ought to be let go first.

Most Jews do not even perceive the above differential practices as discriminatory against Arabs, but consider them rather as preferences rightfully accorded to them as Jews in a Jewish state. Furthermore, most Jews think that the Arabs do not deserve equal rights inasmuch as they do not fulfill equal duties and do not serve in the army. Finally, so long as most Jews continue to regard the Arabs as a potential fifth column, all the restrictions imposed on the Arabs appear to be unavoidable and even justifiable.

The ethnic character of Israeli democracy can be seen, not only in the diminution of the Arabs' right as ordinary citizens, but also in the blow to their ability to become good citizens and to enjoy the rights thereof. A "good citizen" contributes to the state far beyond observing law and order, paying taxes, serving in the military, voting in elections, and engaging in routine public life. In terms of the fulfillment of these obligations of an ordinary citizen, there is no substantive difference between Jew and Arab, with the exception of military service. However, the Israeli "good citizen" not only excels in various voluntary activities, but also in contributing to state goals, including the strengthening of national security, the increase of the Jewish majority, the cultivation of the Hebrew language, the development of Jewish culture, the ingathering of the exiles, the settlement of the country (by Jews), the geographical dispersion of the (Jewish) population, the reinforcement of the relations with Diaspora Jewry, and the advancement of economic independence. The possibility that an Israeli Arab could become a "good citizen" is thus extremely limited; as much as one may try, by the very fact of being an Arab, having Arab children, using the Arab language, and sustaining the Arab culture, one is prevented from contributing to the realization of most of the Jewish objectives of the state.

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National Collective Rights

Arabs in Israel constitute both an ethnic and a national minority. As such, they are entitled to special collective rights, in addition to their individual rights as citizens. In fact, Israeli Arabs today enjoy the status of an ethnic but not of a national minority.

The state recognizes the Arabs as a religious, linguistic, and cultural minority. Like the Jews, they are organized into religious communities, which administer all matters of personal status. The Muslims, Christians, and Druze enjoy freedom of worship and receive partial funding from the government for their religious services. But in a number of areas, the Muslim community does not have equal footing with the dominant Jewish community. It lacks such institutions as a supreme religious council, local religious councils, and religious training seminaries, and is devoid of control over the Waqf property (religious endowments). With growing Islamic consciousness and fundamentalism among Muslims in Israel, rectification of these inequities will increasingly be pressed as a demand.

Arabs also have schools in which the language of instruction is Arabic, and there are Arabic channels on the state radio and television catering to their needs. Furthermore, Arabic is Israel's second official language, a fact that permits its use in official dealings with governmental bodies (courts, bureaucracy, etc.).

Nevertheless, the status of Arabic is inferior to that of Hebrew. It is used little in the public domain, mostly in street and locality signs, and is not a compulsory language in Jewish schools as Hebrew is in Arab schools. Yet the Jewish public shows a remarkable willingness to promote the use of Arabic. In the 1985 survey, while 83.4 percent of the Jews supported the continued dominance of Hebrew in state institutions, 48.2 percent favored making Arabic a required language in the public display of names of streets and localities, and 50.4 percent went so far as to endorse the teaching of Arabic in Jewish schools on a level equal to that of English, even if this would necessitate cutting down on other subjects. These favorable views were even more widespread in the special sample of political leaders in the study.

Arabs function well as a cultural minority. Their considerable culture retention is an offshoot of their right to maintain a publicly funded separate system of Arab education, the freedom to cultivate their Arab culture, the leeway to conduct cultural ties with other Palestinians and with the Arab world, and their residential concentration in three geo-cultural regions (90 percent of the Arabs live in the Galilee, in the Triangle, and in the Northern

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Negev). As a result, the Arabs have become a bicultural minority (that is, they have adopted some patterns of the Israeli culture in addition to their main Arab culture), rather than assimilating into the dominant Israeli culture. It is also evident, however, that the Arab culture is a minority culture, not part of the national culture, and is even looked down upon.

But with all these deficiencies, the Arab status as an ethnic minority is not basically problematic. It is part of the national consensus to maintain Arabs as a non-assimilated minority, just as it is to keep Jews as a non-assimilating majority. So long as Israel remains a Jewish-Zionist state, Jews will continue to have a vested interest in sustaining Arabs as an ethnic minority in order to reduce the danger of assimilation and intermarriage, as well as to prevent the transformation of Israel into an open, pluralistic society.

The real problem lies in the denial of the status of a national minority to the Arabs. It is self-evident that they could be defined as such by virtue of their being part of the larger Arab nation and of the Palestinian nation. At the same time, they are part of neither the wider Jewish nation nor of the non-existent Israeli nation. If they are not part of the Israeli-Jewish nation but a part of the Palestinian nation, why doesn't Israel recognize them as a national minority?

Such recognition would imply acknowledgment of the Arab right to certain expressions of self-determination, which Jewish Israel finds objectionable on several grounds. First, Jews fear that conceding national rights to the Arabs would invalidate the exclusivity of their own claims to the land. As a segment of the native Palestinian population, which constituted 95 percent of the population of the land at the beginning of the new Jewish settlement in 1881, Israeli Arabs share a feeling of being the authentic owners of the land, who have been dispossessed and suppressed by foreign colonial settlers. Many Jews worry that recognition of the Palestinian nationalism of Israeli Arabs would help confirm and cement these nationalistic and anti-Jewish sentiments. Second, for many Jews, recognition of Israeli Arabs as a Palestinian national minority would define them as part of the enemy, and supposedly strengthen their ties with the belligerent Palestinian people and encourage them to undermine the state. Third, national minorities are inclined to demand rights to autonomy and even to secession. Irredentism is feared, particularly because the lion's share of the area in which Israeli Arabs live today was earmarked in the 1947 UN partition resolution for the state of Palestine, but was seized and annexed by Israel in 1949 during the War of Independence. Fourth, the Israeli Arab minority is part of an Arab

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majority in the region, which is perceived by Jews as a security, cultural, and demographic threat.

Since the Arabs are fearful of Jewish reactions, until the end of the 1980s they were prudent in pursuing the goal of a Palestinian national minority status. It is quite clear that most of them have abandoned any desire or hope to secede from Israel and to live in a Palestinian state. At present there is no political movement among Israeli Arabs demanding the right of secession.[49] In the 1995 survey, 74.3 percent of the Arabs agreed that the Galilee and the Triangle should remain integral parts of Israel, as against 25.7 percent who disagreed.

Until recently, Arab political organizations likewise have refrained from making an explicit demand for autonomy, either because they have not formed a policy on this matter, or out of a deliberate strategy of ambiguity in order not to antagonize the authorities. It is, however, abundantly clear, from both the actions of the leaders and the support lent to them by the Arab masses, that, since the mid-1970s, the Arabs have been building autonomous institutions. They have set up numerous independent organizations to serve Arabs and demand official recognition as representative bodies of all Arabs. Such organizations have mushroomed in almost every sphere, including land, education, local government, welfare, and health. This is true, for instance, of the Arab student committees existing on each university campus, and nationally, of the powerful Committee of Heads of Arab Local Councils, and of the Supreme Steering Committee.[50] The official Jewish response has been a reluctance to recognize these bodies, coupled with an expedient willingness to talk to them unofficially. The Arabs have also managed to form the Progressive List for Peace, the Democratic Arab Party, the Arab Democratic National Movement (Balad), and the Islamic Movement, which, in addition to the Communist Party, are predominantly or exclusively Arab political parties or movements.

On the other hand, Arab public opinion has long favored non-territorial, cultural autonomy. In the 1995 survey, a majority of 69.5 percent agreed that Arabs should organize themselves independently, like Orthodox Jews, to advance their vital interests. In the 1985 survey, 71.5 percent of the Arabs favored Arab control over their own educational system, and an overwhelming majority supported the establishment of independent Arab institutions, such as Arabic language radio and television stations under Arab control and management and an Arab university. They were, however, divided on the question of Arab self-rule in the Galilee and Triangle: 22.9 percent of the respondents in the 1995 survey were in favor, 40.9 percent had

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reservations, and 36.2 percent were opposed. On the other hand, most Jews object to Arab institutional autonomy: in that same survey only 31.5 percent of the Jews favored setting up an Arab university, as opposed to 84.4 percent of the Arabs who were in support.

At the beginning of the 1990s, a change began to be felt in the political stance of circles within the Israeli Arab leadership. One important development was the creation in 1996 of the Arab Democratic National Movement (Balad), which, together with Hadash (the Front for Peace and Equality, led by the Israeli Communist Party), submitted a list for the 14th Knesset, and even elected a delegate (Azmi Bishara) on its behalf. In its platform, it committed itself to act in order to obtain for the Arabs "true citizenship equal to that of the Jews, in accordance with the UN charter concerning this matter. Such a constitution will form the legal basis for social equality and political partnership in a state of all its citizens." In addition, "Balad will act for recognition of the Arab minority in Israel as a national-cultural minority, and insist on its right for self-rule in those matters that distinguish it from the Jewish majority in the state . . . This minority has the right to conduct these institutions in an independent manner, through association and partnership with the central government of the state, which will be a state of all its citizens, based upon the common good and subject to law."[51]

In June 1997 Knesset member Bishara submitted to the Knesset several law amendments, unanimously supported by all the Arab Knesset members, obligating the State of Israel to grant incipient cultural autonomy to Israeli Arabs. One set of the amendments is designed to provide for Arab self-administration of Arab education and state radio and television broadcasts in Arabic. Another amendment aims to establish a policy of affirmative action, similar to that in favor of women, in appointments of boards of directors of state corporations.[52]

The Supreme Steering Committee is a broader and more representative group of the Arab minority than is Balad. In a meeting held with Prime Minister Netanyahu on 12 August 1996, it presented its document, "The Demands of the Arab Citizens in Israel for Equal Rights," which included a demand for "recognition of Arabs (Muslims, Christians and Druze) as one national minority with special rights as such, including the establishment of special institutions."[53]

These demands of Balad and of the Supreme Steering Committee may be interpreted as a call to abolish the Jewish-Zionist character of the state, to change it to a binational state, and to grant non-territorial autonomy to the Arab minority.

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Active Participation in Politics

At first glance, Israeli Arabs seem well-integrated into the mainstream of Israeli politics. Their vote is split between predominantly Arab and Jewish lists, and Arab candidates are elected to office. The Arabs also maintain a large network of independent political movements and organizations, which represent and fight for Arab interests. In their long struggle for both equality and peace, they are also engaged in extra-parliamentary politics, including demonstrations and general strikes.

Moreover, the voting rate among Arabs is quite high. In the 1996 Knesset elections, 77 percent of those entitled to vote in the Arab sector did so, while the national average of participation was 79 percent. The percentage of Arabs voting in the 1994 Histadrut elections was 55 percent, as opposed to a statewide average of 51 percent. In the 1993 local elections, 89 percent of the Arab eligible voters actually voted, whereas in the elections for Jewish and mixed local councils the turnout was only 56 percent. These high percentages of participation indicate the great involvement of Arabs in politics and their belief that they are able to advance their own interests by means of parliamentary politics. In the 1995 survey, most Arabs believed that the interests of Israeli Arabs may be advanced by accepted democratic means, such as propaganda and political pressures—32.8 percent said that this is possible to a considerable degree, 35.2 percent thought it is possible to an appreciable degree, 17.6 percent to a certain degree, and only 4.4 percent thought that it is not possible.

A deeper examination, however, reveals three major problems with Israeli Arab politics. First, independent Arab organizations are denied official recognition and governmental and public offices refuse to deal with them directly. The Arabs expect the authorities to recognize their organizations as representative, to be heard and negotiated with, and to make headway. Most Jews, on the other hand, feel that the Arabs are accumulating too much power, presenting unreasonable, nationalistic demands, and unjustifiably tipping the delicate balance of Arab-Jewish relations.

A second dispute concerns Arab extra-parliamentary politics. Arab resort to general strikes and demonstrations has become rather commonplace. For instance, during the first year of the Intifada Israeli Arabs held three well-observed general strikes: on 21 December 1987 in solidarity with the Intifada; on 30 March 1988 to mark Land Day; and on 15 November 1988 in protest against the demolition of fifteen illegal buildings in Taybeh. The Arabs feel that it is their democratic right to make any lawful act of protest.

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While the Jews are no longer alarmed by these severe measures and the authorities no longer threaten to intervene, they continue to consider such demonstrations illegitimate and counterproductive. To quote from the 1995 survey, 56.4 percent of the Arabs as compared to only 17.8 percent of the Jews favored Arab general strikes, and 46.2 percent and 9.7 percent, respectively, approved of Arab protest actions abroad.

Parallel to their strategy of building an independent power base and mobilizing the Arab masses for protest in order to force the authorities to negotiate and to make concessions, the Arabs would like to shift from being outside protesters to becoming actual participants in coalition politics and in the decision making-process. The formation of the Arab Democratic Party by Abdul-Wahab Darawshe in 1988 was explicitly aimed at achieving this goal. Arab popular support for the inclusion of Arabs in power coalitions is overwhelming. In the coalition formed in the Histadrut following the 1994 elections, two parties identified with the Arab public, Hadash (the Communist-led Front) and Mad'a (Darawshe's ADP), participated for the first time. These two lists likewise supported the Labor Party government of 1992–96, albeit from outside the coalition.

Most of the Arab public would like to be included in government coalitions. In the 1995 survey, 61.4 percent of Arabs and 20.9 percent of Jews supported the inclusion of Arab parties in a government coalition on a basis of equal status and full responsibility for the policy of the government; 34.0 percent and 38.6 percent, respectively, made this conditional upon certain circumstances; while only 4.6 percent of Arabs as against 40.5 percent of Jews were opposed to it. Even among leftist Jewish voters, there was no majority to unconditionally support the inclusion of Arab parties in government coalitions (only 38.8 percent agreed unconditionally), while a clear majority of right-wing Jewish voters opposed it explicitly (61.3 percent). A majority of 59.9 percent of Jews agreed with the stance of the right-wing that a Jewish political majority should be required in decisions involving territorial withdrawals from the Golan Heights and Judea and Samaria, and that the votes of Arab citizens ought not be taken into consideration on these matters.

Arabs have thus far been excluded from national power coalitions because they reject the Jewish national consensus on retaining the Jewish-Zionist character of the state, preventing the formation of an independent Palestinian state in the West Bank and Gaza Strip, and keeping the status quo of Jewish dominance.

The exclusion of the Arabs from the national power structure and the unsettling fate of their representative political organizations to remain

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permanent opposition parties present Israeli democracy with the severe problem of "the tyranny of the majority." Such an issue causes tension and unrest among subordinate minorities, as seen in the case of the Catholic minority in Northern Ireland.

TRENDS IN ARAB-JEWISH RELATIONS AND OPTIONS FOR MUTUAL ACCOMMODATION

Israeli Arabs are dissatisfied with their status as a minority. Only 37.7 percent of them (in 1988) reported satisfaction with their lives as Arabs in Israel, much less than the 69.0 percent of Jews (in 1985) who were contented with their lives as Jews in Israel. Arabs are discontented, not because they reject their position as a minority, but because they find the current terms of coexistence with Jews unfair and their desire for change thwarted. Jews, on the other hand, feel that the Arabs are undermining the status quo and hence making life in the country difficult for everyone.

While most Arabs accept the territorial and political integrity of Israel proper and their status within it as a minority, they want to change the system. Their agenda consists of two main items: peace and equality. By peace they mean the establishment of a PLO-headed Palestinian state in the West Bank and Gaza Strip, coexisting peacefully with Israel. This requires Israeli withdrawal to the Green Line, waiving of rule over East Jerusalem, dismantling the Jewish settlements in the occupied territories, and recognition of the rights of Arab refugees to return to Israel or to receive compensation.

For most Arabs, equality implies bringing their individual and collective status up to par with that of Jews. This can be achieved by abolishing the Jewish-Zionist character of the state, eliminating any preferential treatment of Jews and any discrimination of Arabs, and expanding the present Arab collective rights as an *ethnic* minority to collective rights as a Palestinian *national* minority. These demands are branded as radical, illegitimate, and subversive by the Jews, who wish to preserve Israel as a state of and for Jews, within secure boundaries that stretch to some extent beyond the indefensible Green Line.

There are those who think that the controversy and discord between Arabs and Jews have been heightened as a result of both the Arabs' growing radicalization and the Jews' hardening of positions. According to this explanation, the increasing Arab hostility stems from a real rise in their modernization and Palestinianization since 1967. During that same period, the Jews

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also became more intransigent (i.e., more religious, hawkish, nationalistic, and ethnocentric), thereby turning Israel into a more ethnic state and ignoring reasonable Arab claims for greater integration and equality.

This account is largely misplaced. Modernization and Palestinianization are components of a broader process of politicization that the Arabs have been undergoing, making them more conscious of their inferior standing, more knowledgeable about the groundrules of the system, and more active in their struggle to effect change. They do not intend to hurt the state or to dissociate themselves from it, but rather to ameliorate their lot in the society. The more Arabs realize that they are bound to remain a permanent minority in the Jewish state, the more they care about their status as Israelis and the less they accept the present patterns.

Similarly, it is not Jewish intransigence that underpins the growth in Arab-Jewish frictions, but paradoxically the spreading democratization of the state within the Green Line in the 1970s and 1980s. Israel's democratization is evident in the shift from a regime of an entrenched dominant party rule to a two-bloc system, frequent changeovers of governments, a wider variety of media and greater freedom for their operation, greater public criticism of the security services (police, army, and the General Security Service), the legislation of several basic laws assuring individual rights, and the strengthening of the position of the Supreme Court and the judicial activism that it assumes for itself. Consequently, various disadvantaged groups have emerged and managed to promote their causes. The Arabs are one of these emerging marginal groups. The Arab condition has not worsened by a growing ethnicization of the state or by a mounting backlash among the Jews, but has actually gradually improved, thanks to partial responsiveness to Arab needs and claims. The Jewish reaction could not be too accommodating because the Arab demands are too radical by Israeli standards.[54]

Israel has thus far managed the Arab minority problem quite effectively. The question is how much it can accommodate the Arab demands without upsetting its ethnic democracy. There are those among the Arabs who believe that Israel is a colonial society, all Palestinians are dispossessed by Jews and Zionism is the culprit. They therefore maintain that true coexistence between the Arab minority and the Jewish majority can only come about through full democratization, de-ethnicization, de-Judaization, and de-Zionization of the state. In the same vein, there are those among the Jews who believe that, in ethnically divided societies, the burden of adjustment is assumed by the minorities, and hence expect Israeli Arabs to come to terms with Israel as it is or with some minor reforms. However,

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these and related radical views, prevalent among Arabs and Jews, are not realistic.

It is nevertheless possible to limit the conflict by reforming Israel's ethnic democracy. To this end, an ideological change is necessary. A new Zionism that accepts Palestinian rights in historical Palestine as being equal to those of the Jews can provide a reasonable remedy while keeping Israel democratic and Jewish-Zionist. The new brand of Zionism would reduce the inherent contradiction between Zionism and Israel's continued survival as a Jewish state in the Middle East, on one hand, and the creation of an independent Palestinian state on the West Bank and Gaza Strip and a favorable response to most Israeli Arab demands, on the other.

More specifically, Israel would not necessarily become less Jewish, nor would Jews lose control, by granting Arabs the status of a Palestinian minority with certain national rights, including institutional, non-territorial autonomy (but of course not the right to secession), removing discrimination against them as individuals, and expanding the limits of political tolerance to accommodate their dissent and to allow them to share power. If Arabs are a national minority, then Jews are a national majority. However, in the new pattern of Arab-Jewish relations, Arabs would not be totally equal to the Jews in Israel, but would be much more equal than they are today.

Many fear the possible destabilization of Arab-Jewish coexistence by a prospective Palestinian state in the West Bank and Gaza Strip. They indicate as possible reasons for the trouble irredentist appeals by the Palestinian state acting as an external homeland and its duplication of the sense of relative deprivation among Israeli Arabs (in addition to their deprivation in comparison to the Jews, they would also be deprived in comparison to their Palestinian brethren).[55] Both sources of unrest seem unlikely, however, because a Palestinian state will not be established before both Jews and Palestinians develop new paradigms of mutual acceptance which would appreciably reduce the grounds for hostility between the two nation-states.

Paradoxically, a Palestinian state in the West Bank and Gaza Strip will probably be a mirror image of Israel in being an ethnic state, but is likely to be less democratic. Analogous to Israel, Palestine will be an Arab Palestinian state, possibly also Muslim, whose *raison d'être* will be to serve as a state of and for all Palestinians throughout the world and to have a law of return. In order not to undercut its legitimacy as an ethnic Palestinian state, it will need to recognize the legitimacy of Israel as an ethnic Jewish state. Furthermore, to keep good relations with a powerful but suspicious Israel, the state of Palestine will probably urge Israeli Arabs to accept Israel as a Jewish state

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and to assume an active role therein as an effective lobby for the Palestinian people and the Palestinian state.

The data from the surveys conducted among the Arab population in the years 1976–95 indicate a definite tendency toward increasing acceptance of the State of Israel. For example, the proportion of Arabs who negated Israel's right to exist decreased from 20.5 percent in 1976 to 6.8 percent in 1995, while those who defined their identity in non-Israeli Palestinian terms (Palestinian, Palestinian Arab) declined during the same period from 32.9 percent to 10.3 percent. Moreover, the proportion of Arabs denying the right of existence of Israel as a Jewish-Zionist state dropped from 57.1 percent in 1980 to 35.3 percent in 1995, and those defining themselves as anti-Zionist went down from 47.1 percent in 1988 to 24.7 percent in 1995. These numbers exemplify the growing recognition among Israeli Arabs that the solution to the Palestinian problem requires from them to accept their status as a minority, that they are unable to change the Jewish nature of the state, and that their struggle must be within legal bounds and directed toward Arab-Jewish equality.

In the 1995 survey, the respondents were given a series of solutions for the status of Arabs in the state, and asked to indicate whether they accept or reject each solution. Table 1 below presents the percentage of agreement with each one of the solutions, independent of one another. A number of conclusions may be drawn from these data. First, between a quarter to two-fifths of Jews and Arabs support the most extreme solutions (transfer of the Arab population, a *Herrenvolk* democracy, an Islamic state in all parts of Palestine, a secular-democratic state instead of Israel). Second, the Jews reject and the Arabs by and large endorse a consociational democracy: 8.1 percent of Jews, as opposed to 81.5 percent of Arabs, accept this option. Third, there is no majority in favor of liberal democracy: only 40.5 percent of Arabs as against 4.5 percent of Jews favor it. Moreover, Arab support for this solution drops to 29.4 percent when liberal democracy is defined as requiring the forfeiting of separate Arab education with government funding, and to 24.4 percent when they become aware of the danger of intermarriage. Fourth, and this is the most important conclusion, the only point of agreement between the majority of Arabs and the majority of Jews is that in favor of a model of "improved ethnic democracy." This is expressed in the concurring majorities of 65.9 percent of Arabs and 71.5 percent of Jews with the sentence "Israel will continue to be a Jewish-Zionist state and the Arabs will enjoy democratic rights, get their proportional share of the budgets, and manage their own religious, educational, and cultural institutions."

Table 2 enumerates the respondents' choice of one out of five solutions.

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Table 1
Endorsement of Possible Solutions to the Israeli Arab Problem, 1995

	Arabs	*Jews*
Israel should cease to be a Jewish-Zionist state and Jews and Arabs will be recognized as equal national groups, be represented proportionally, and be equal partners in governing the state ["concosiational democracy"].	81.5	*
Israel should cease to be a Jewish-Zionist state, should abolish its recognition of Arabs and Jews as separate groups, will allow them to compete freely with one another, and will let anyone who wishes to do so to live together and to intermarry ["liberal democracy"].	40.5	4.5
Israel should cease to be a Jewish-Zionist state, institute a uniform Hebrew state education for all groups in the population, and allow those Arabs who wish to do so to establish private Arab schools without government support ["liberal democracy"].	29.2	*
Israel should cease to be a Jewish-Zionist state, institute civil marriage, and allow a high rate of intermarriage between Arabs and Jews ["liberal democracy"].	24.4	*
Israel will continue to be a Jewish-Zionist state and the Arabs will enjoy democratic rights, get a proportional share of the budgets, and manage their own religious, educational, and cultural institutions ["improved ethnic democracy"].	65.9	71.5
An Islamic state, ruled by the *Shari'a,* will be established in all of Palestine instead of Israel ["Islamic state"].	31.6	*
A secular-democratic state will be established in all of Palestine instead of Israel ["secular-democratic state in greater Israel/Palestine"].	37.8	*
Jews will rule Israel as a Jewish-Zionist state and Israeli Arabs will enjoy democratic rights, but will not receive their proportional share of the budgets and will not manage their religious, educational, and cultural institutions ["existing ethnic democracy"].	*	26.2
The Jews will rule and Israeli Arabs will accept whatever the Jews decide without extending democratic rights to the Arabs ["*Herrenvolk* democracy"].	*	26.5
The Arabs should leave the country and receive proper compensation since there is no solution to their problem ["transfer"].	*	31.4

*Not asked.

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Table 2
The Most Preferred Possible Solution to the Israeli Arab Problem, 1995

	Arabs	*Jews*
Israel should cease to be a Jewish-Zionist state and Jews and Arabs will be recognized as equal national groups, be represented proportionally, and be equal partners in governing the state ["concosiational democracy"].	44.3	*
Israel should cease to be a Jewish-Zionist state, should abolish its recognition of Arabs and Jews as separate groups, will allow them to compete freely with one another, and will let anyone who wishes to do so to live together and to intermarry ["liberal democracy"].	11.4	2.0
Israel will continue to be a Jewish-Zionist state and the Arabs will enjoy democratic rights, get a proportional share of the budgets, and manage their own religious, educational, and cultural institutions ["improved ethnic democracy"].	23.9	62.2
An Islamic state, ruled by the *Shari'a,* will be established in all of Palestine instead of Israel ["Islamic state"].	9.8	*
A secular-democratic state will be established in all of Palestine instead of Israel ["secular-democratic state in greater Israel/Palestine"].	10.7	*
The Jews will rule Israel as a Jewish-Zionist state and Israeli Arabs will enjoy democratic rights, but will not receive their proportional share of the budgets and will not manage their religious, educational, and cultural institutions ["existing ethnic democracy"].	*	13.5
The Jews will rule and Israeli Arabs will accept whatever the Jews decide without extending democratic rights to the Arabs ["*Herrenvolk* democracy"].	*	11.5
The Arabs should leave the country and receive proper compensation, since there is no solution to their problem ["transfer"].	*	10.8
Total	**100.0**	**100.0**

*Not asked.

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The solution preferred by 44.3 percent of the Arabs is consociational democracy, that is, a binational state. There is no doubt that this is objectively the best solution for the Arabs, since it requires abolishing the Jewish-Zionist nature of the state and giving equal status to Arabs as to Jews, while simultaneously obviating the danger of assimilation of the Arabs among the Jews. The second most preferred solution among Arabs, 23.9 percent of them, was that of an improved version of the present situation: Israel will continue to be a democratic and Jewish state, but will assure proportional allocation of resources and institutional autonomy in certain areas. This is the model of "improved ethnic democracy." It should be emphasized that only 11.4 percent of Arabs chose the solution of liberal democracy, because, from their point of view, it contains the danger of assimilation into the Jews. The extreme solutions of an Islamic state or a secular-democratic state instead of Israel each received the backing of about one-tenth of the Arabs in the survey.

The Jewish preferences were quite different. A majority of 62.2 percent supported "improved ethnic democracy," indicating a willingness to better the Arab status within the current setup. Only 13.5 percent of the Jews endorsed the continuation of the status quo (that Arabs will not receive their proportional share of state resources nor run their own educational and religious institutions). In contrast, about one-tenth of the Jews favored each of the extreme solutions, *Herrenvolk* democracy or transfer. There was hardly any support for a liberal democracy that would require abolition of the Jewish-Zionist character of the state.

It is clear that the option of "improved ethnic democracy" is the one attracting the broadest consensus of Jews and Arabs. This is a variant of ethnic democracy, incorporating elements of consociational democracy, which is the solution preferred by Arabs, but which raises the sharpest opposition among Jews. In contrast, liberal democracy is neither realistic nor popular.

CONCLUSIONS

The Israeli case demonstrates the viability of an ethnic democracy as a distinct type of democracy in deeply divided societies. In ethnic democracies the dominance of the majority group is institutionalized alongside democratic procedures. As a result, contradictions arise between the two principles in the organization of the state. These areas of conflict hover upon the nature of the public domain (such as language, symbols, and

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official state holidays), equality of individual rights and duties, the kind of collective rights extended to the minority, and the opening of the national power structure for the minority. In ethnic democracies, minorities are disadvantaged in all these spheres, but can avail themselves of democratic means to struggle for and negotiate better terms of coexistence. The decisive test is whether reform can be effected through the use of democratic procedures.

Ethnic democracies must be distinguished from *Herrenvolk* democracies, in which political rights are denied to the subordinate group. *Herrenvolk* democracy is a non-democratic, extreme form of rule, which is also rare and unstable, and is opposed to universal norms and international public opinion.

If democracy and ethnic dominance are conceptualized as poles on a single continuum, then there are infinite combinations and variations of them. For example, once the Palestinian question is settled, one can envisage the elimination of restrictions on Arabs in Israel, their army service, and their recognition as a national (and not just an ethnic) minority enjoying non-territorial autonomy. Since these reforms can be extended within the framework of the existing ethnic democracy, they can be negotiated and implemented without posing an unbearable threat to the Jewish majority. Such a change is possible, because Israeli democracy is as strong as Jewish dominance is deeply rooted. Hence, Jews can afford flexibility and offer concessions to the Arabs without risking the Jewish and democratic nature of the state.

The democratization of ethnic states will no doubt reduce ethnic dominance, but it will not necessarily phase it out. Some of these states will institute social and political rights for the entire population, but will not become liberal or consociational democracies because of their ability and desire to continue to maintain structured ethnic dominance. If these states lack previous experience in democracy, as is the situation in many of them, the transition to an ethnic democracy will be rather problematic.

As democratization proceeds in presently non-democratic ethnic states, the addition of the type of ethnic democracy to the typology of democracies will prove to be a necessity. But to make this analytical tool useful, there is a need to differentiate this model from the other established models and to spell out the conditions and processes that give rise to it. This task requires integration between the comparative study of political systems and the comparative study of ethnically divided societies.

The factors explaining the successful institutionalization of ethnic de-

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mocracy in Israel are very complex. They include, first and foremost, those forces that sustain and strengthen democracy: the democratic experience accumulated by the Zionist movement and the Yishuv [the pre-state Jewish community in Palestine], the strong Western orientation of the Jews in Israel, and the great dependence of the state on the democratic Western world. The commitment of Zionism and of Israel to democracy assures that Israel will continue to incorporate the Arabs in Israeli democracy, and therefore ethnic democracy provides the most realistic compromise between an ethnic state and a democratic system. The process of democratization that has advanced since the mid-1960s enables the state to cope with the problem of the Arab minority more through consideration and compromise and less through intransigence and control.

However, the viability of ethnic democracy in Israel also draws on the potency of the Jews as a large numerical majority, who see themselves as a homeland people with incontestable rights over the country, and who feel strengthened and justified by the international recognition given to the existence of a Jewish democratic state, feel threatened by the Arabs, and regard themselves as obligated to preserve the Jewishness of the state also on behalf of the Jews of the Diaspora. To this, one must add the keen sense of realism displayed by members of the Arab minority, who are well aware of the superior power and determination of the Jews, and are convinced that, as Arabs, they have no better alternative to life in Israel as a minority.

Finally, I would like to point to several possible normative implications of this discussion. The model of ethnic democracy is a scientific, theoretical, and empirical model, not a normative one. But like every scientific model, this model can also serve as a normative tool to criticize or to justify the fact that Israel today is an ethnic democracy. Within this model, there is an implied criticism of both the Zionist approach and the rival post-Zionist approach that has developed during the 1990s.[56]

The model of ethnic democracy exposes the weakness of the Zionist stance, which ignores the substantive contradiction, in both ideology and practice, between the democratic and the Jewish-Zionist nature of the state.[57] It also challenges the post-Zionist stance, which recognizes this contradiction, but argues that Israel cannot and ought not to continue to be a Jewish-Zionist state, especially in the advent of peace. The post-Zionists think that ethnic democracy is unstable, conflict-laden and discriminatory, and Israeli Arabs do not and will not accept it. This outlook does not correspond to the findings of our research, showing no agreement between the Arab and Jewish publics on the Western consociational and liberal

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democracy as solutions to the problems of Jewish-Arab relations in the country. On the other hand, an improved ethnic democracy enjoys the support of a majority on both sides.

The post-Zionist perspective endorses liberal or consociational democracy as the most practical and desirable alternatives to ethnic democracy. Yiftachel and Peled think that ethnic democracy cannot assure justice and political stability, proposing the consociational model instead. Yiftachel argues that "an understanding of Israel as a bi-ethnic-homeland society should preclude any long-term ethnic domination as a viable option for political (and democratic) stability. The consociational approach that would entail some power-sharing, cultural autonomy and regional separation is more likely to advance Israel towards a long-term peaceful Arab-Jewish coexistence."[58] Peled thinks that the granting of autonomy to Israeli Arabs "will transform Israel from an ethnic democracy to a consociational democracy, that is, a state consisting, constitutionally, of two ethnic communities that determine the shared common virtue through negotiation between them."[59]

For the foreseeable future, however, the Jews, being a strong, determined, and self-righteous majority, will no doubt decline to relinquish their dominance. They will continue to preserve Israel as a democratic and Jewish state, while simultaneously improving the status of the Arab minority and responding in part to its demands.

Notes

*This article is a revised version of the Hebrew article, which appeared in *Zionism: Contemporary Dispute*, edited by Pinchas Ginossar and Avi Bareli and published by the Ben-Gurion Research Center (Sde Boker, 1996) 277–311. The revision was prepared during my stay as a Visiting Research Fellow at the Wissenschaftszentrum Berlin für Sozialforschung (WZB). The 1995 survey, from which some data are quoted, was funded by a grant from the Ford Foundation received through Israel Foundations Trustees and a grant from Israel Ministry of Science. The support of these institutes is gratefully acknowledged.

1. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Oklahoma, 1991) 26.

2. Raymond Gastil reported the findings of a comparative survey of the political systems of 168 independent states in 1984. In order to classify various states in terms of democracy, each one was assigned a score of 1–7 on political rights (the existence of opposition parties, change of government through elections, fairness of elections, the degree of military or foreign intervention in the political process)

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and a score of 1–7 on civil liberties (right of assembly and association, freedom of the press, independence of the judiciary, etc.). He concluded that "42 percent of the people of the world live in 'not free' states, 36 percent in 'free states,' and the rest in 'partly free states'—that is, there are 51 countries that can definitely be classified as democracies. This is a larger number than is generally supposed, although it is true that many of these states are very small" (p. 165). All Western countries were classified as free, as were the populous states of Argentina and India. Raymond D. Gastil, "The Past, Present and Future of Democracy," *Journal of International Affairs,* 38(2) (1985) 161–79.

3. Arend Lijphart, *Democracy in Plural Societies* (New Haven, CT, 1977).

4. Pierre L. van den Berghe, *Race and Racism: A Comparative Perspective* (New York, 1967); Heribert Adam and Kogila Moodley, *Opening of the Mind: Options for the New South Africa* (Berkeley and Los Angeles, CA, 1993).

5. In Gastil's study, Israel received a score of 2 instead of 1 on political rights because of its "definition of the state as belonging to a particular religious or ethnic group" (Gastil, "The Past, Present and Future of Democracy," p. 163). Fiji was placed in the same position, but in the meantime it has ceased to be democratic.

6. Linz and Stepan use the term "ethnic democracy" as a synonym of "*Herrenvolk* democracy." They condition the transition to, and consolidation of, democracy in Estonia and Latvia on the enfranchisement of the Russian-speaking minorities. See Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore, MD, 1996) 401–33.

7. Brubaker holds that all states in Eastern Europe and the Commonwealth of Independent States are ethnic states, attempting to create a nation-state for the benefit of the majority group. The nationalizing projects tend to clash with the national minorities in these states and with the external homelands of the minorities. For instance, the nationalizing project of Croatia stirred the resistance of the ethnic Serbian minority and antagonized Serbia as the external homeland. See Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge, UK, 1996).

8. See p. 295 of Emanuel Gutmann, "Views of Israeli Politics: Political Science or Political Advocacy?" *Studies in Contemporary Jewry,* 5 (1989) 295–304.

9. Asher Arian, *Politics in Israel: The Second Generation* (Chatham, NJ, 1985) 1.

10. Dan Horowitz and Moshe Lissak, *Trouble in Utopia: The Overburdened Polity in Israel* (Albany, NY, 1990).

11. Eliezer Don-Yehiya, *The Politics of Accommodation: Settling Conflicts of State and Religion in Israel* (Jerusalem, 1997) [Hebrew].

12. Yonathan Shapira, *Democracy in Israel* (Ramat-Gan, Israel, 1977) [Hebrew].

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24. See p. 149 in Erik Cohen, "The Changing Legitimations of the State of Israel," *Studies in Contemporary Jewry,* 5 (1989) 148–65.

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27. See p. 168 in Ian Lustick, "Israeli State-Building in the West Bank and Gaza Strip: Theory and Practice," *International Organization,* 41(1) (1987) 151–71; also p. 276 in Asher Arian, "Israeli Democracy 1984," *Journal of International Affairs,* 38(2) (1985) 259–76.

28. John Sullivan, Michal Shamir, N. Roberts and P. Walsh, "Political Intolerance and the Structure of Mass Attitudes: A Study of the United States, Israel and New Zealand," *Comparative Political Studies,* 17(3) (1984) 319–44.

29. Shlomo Avineri, "Ideology and Foreign Policy," *Jerusalem Quarterly,* 10 (1986) 133–44.

30. A detailed analysis of this point appears in David Kretzmer, *The Legal Status of the Arabs in Israel* (Boulder, CO, 1990).

31. Israel, Supreme Court, Election Appeal No. 88/2, *Pisqei Din,* 43(4) (1989) 221–79, Ruling No. 8 [Hebrew].

32. See p. 189 in Israel, Supreme Court, Election Appeal No. 88/1, *Pisqei Din,* 42(4) (1988) 177–97 [Hebrew].

33. Meir Kahane, *Uncomfortable Questions for Comfortable Jews* (Secaucus, NJ, 1987).

34. Sammy Smooha, "Minority Responses in a Plural Society: A Typology of

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Arabs in Israel," *Sociology and Social Research,* 67(4) (1983) 436–56; Sammy Smooha, "A Typology of Jewish Orientations toward the Arab Minority in Israel," *Asian and African Studies,* 23(2–3) (1989) 155–82.

35. Throughout this paper, data are quoted from a public opinion poll conducted during September-October 1995. This was the fifth in a series of such polls conducted among the Arab population, and the fourth in a series carried out among the Jewish population. Each survey was based on face-to-face interviews with a statewide sample of 1200 men and women aged 18 or older, living in Israel within its pre-1967 borders (with the exclusion of East Jerusalem). The surveys were conducted in 1976 (Arabs only), 1980, 1985, 1988, and 1995, and are comparable across time. Dr. As'ad Ghanem was a cooperating researcher in the 1995 survey. Full details of the 1985–88 surveys appear in Sammy Smooha, *Arabs and Jews in Israel; Vol. 2: Change and Continuity in Mutual Intolerance* (Boulder, CO, 1992).

36. The representative national sample of the Arab population within the Green Line consisted of 8.9 percent Druze, 13.2 percent Christians, 12.9 percent Beduin Muslims, and 65.0 percent non-Beduin Muslims.

37. Anton Shammas, "The Fault of the Babushka," *Kolbo*, 31 January 1986 [Hebrew].

38. Abraham B. Yehoshua, "Vis-à-vis Anton Shammas," *Kolbo*, 31 January 1986 [Hebrew]

39. Azmi Bishara, "The Israeli Arab: Reflections on a Split Political Discourse," in Pinchas Ginossar and Avi Bareli (eds), *Zionism: Contemporary Disputes* (Sde Boker, Israel, 1996) 312–39.

40. "Identity and Civil Equality," lead editorial, *Ha'Aretz*, 12 February 1996 [Hebrew].

41. Shlomo Avineri, "Hatikvah Shall Not Die," *Ha'Aretz*, 20 October 1995 [Hebrew]. Similar arguments were put forward by then Minister of Education Amnon Rubinstein: "The Law of Return is not one of the civil rights, but is a law that determines the nature of the State of Israel. The State of Israel is a Jewish state; just as Jews abroad accept the national symbols of the states within which they live, including Christian anthems and flags with crosses, similarly there is no impingement upon the civil rights of Israeli Arab citizens if their flag does not express their symbols." In "On Zionism, Post-Zionism and Anti-Zionism," a Symposium led by Dan Margalit, *Ha'Aretz*, 15 October 1995 [Hebrew].

42. Sami Michael, "Arabesques on Zionism (Comments on the Shammas-Yehoshua Debate)," *Moznayim,* 60(1–2) (1988) 10–17 [Hebrew].

43. Even more striking was the contrast between voters for the ultra-right-wing Moledet and voters for the liberal Meretz—43.3 percent and 14.8 percent, respectively, attributed Palestinian identity to Israeli Arabs.

44. Kretzmer, *Legal Status*.

45. As a result, the proportion of the poor in the Arab population dropped appreciably from an average of 50 to 31.2 percent in 1995 (the national average was 17.8 percent in 1995). See the annual report of the Institute of Social Security for 1996.

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46. Annual surveys of the activities of the various government ministries in the Arab sector in comparison to their activities in the Jewish sector are reviewed in the annual report of Sikuy [Chance], an association whose aim is to further equal opportunity for Jews and Arabs. See *Equality and Integration, Annual Progress Report for 1994–1995*, Amutat Sikuy (Jerusalem, 1995) [Hebrew].

47. Israel, Supreme Court, Election Appeal 88/2, *Pisqei Din,* 43(4) (1989) 221–79, Ruling No. 8, sect. 19 [Hebrew].

48. Only one of the judges adopted a minimal definition of Israel as the homeland of the Jewish people consisting of three elements: a) the preservation of a Jewish majority; b) preference for Jews as immigrants; and, c) a mutual relationship between Israel and the Diaspora (Israel Supreme Court, *ibid.*, p. 34).

49. Even the Sons of the Village Movement, which stood for a Palestinian or a secular-democratic state in all of mandatory Palestine instead of Israel, did not demand the right of secession for Israeli Arabs. Nor have its various factions asked for such rights as of the mid-1990s. The Israeli Communist Party called for the right of secession for Israeli Arabs until the late 1950s, as part of its backing of the full implementation of the 1947 UN Resolution of creating two states, one Jewish and one Arab.

50. Majid Al-Haj and Henry Rosenfeld, *Arab Local Government in Israel* (Boulder, CO, 1990).

51. Sarah Ozacki-Lazar and As'ad Ghanem, "Arab Voting Patterns in the 14th Knesset Elections, 29 May 1996," Center for Peace Research, *Studies of Israeli Arabs,* No. 19 (Givat Haviva, Israel, 1996) 30 [Hebrew].

52. Supreme Steering Committee, *The Demands of the Arab Citizens in Israel for Equal Rights* (Shefaram, Israel, 1996) [Hebrew].

53. See "Azmi Bishara's Proposed Law of Cultural Autonomy," News from within 13, 10(October 1997) 22–24; Uri Kashti, "Who's Afraid of Educational Autonomy?" Ha'aretz July 28, 1997.

54. The radicalism of the Arab demands are readily evident by juxtaposing them to the moderate demands made by Oriental Jews or by the population groups that supported the Democratic Movement for Change in 1977.

55. The Jaffe Center for Strategic Studies (JCSS) presents two possible scenarios of the impact of an independent Palestinian state on Israeli Arabs. According to the first scenario, greater Arab-Jewish integration is expected if Israel opens more opportunities for the Arabs, Arab radicals are satisfied, and the Palestinian state does not incite Arabs to irredentism. Alternatively, greater radicalization of Israeli Arabs is predicted in the absence of these factors. These forecasts are based upon the shaky assumption underlying the JCSS report; namely, that Israeli Arabs have been undergoing a process of radicalization since the Six Day War. See JCSS Study Group, *The West Bank and Gaza: Israel's Options for Peace. A Report* (Tel-Aviv, 1989).

56. See the review in Anita Shapira, "Politics and Collective Memory: The Debate over the New Historians in Israel," *History and Memory,* 7(1) (1995) 9–40.

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57. Rubinstein declares: "Were I to believe that there is an inherent contradiction between Zionism and democracy, I would face a severe personal problem. But I devote my energy primarily to assuring that there will not be such a contradiction." In "On Zionism, Post-Zionism and Anti-Zionism."

58. Yiftachel, "The Model of Ethnic Democracy," p. 56.

59. Peled, "Strangers in Utopia," p. 33.

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