Questioning “Ethnic Democracy”: A Response to Sammy Smooha

In this essay we present a critique of the “ethnic democracy” model, formulated by political sociologist Sammy Smooha to account for Israel’s political structure. During the last two decades, Smooha’s voluminous work on ethnic politics in Israel has gained a central position among social scientists in Israel and beyond. His conceptual and empirical explorations of the country’s ethnic relations have laid important and insightful foundations for Israeli critical research by thoroughly documenting and explicating Israel’s pervasive ethnic stratification and disparities between Jews and Palestinian-Arabs, as well as between Ashkenazi and Mizrakhi Jews.

Most notably, his “ethnic democracy” model, which provides a structural account of Arab-Jewish relations in Israel, has been widely accepted in recent literature on Israel. The most lucid elaboration and explication of the model was published recently on the pages of this journal.1 In this model, Smooha manages to combine theoretical claims about the nature of democratic states dominated by an ethnic majority, with a wealth of (mainly attitudinal) data and a new conceptualization of the Israeli case. On the theoretical level, he claims,

Ethnic democracy is located somewhere in the democratic section of the democracy-non-democracy continuum. Ethnic democracy is a system which 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 . . . at the same time, the minorities are allowed to conduct a democratic and peaceful struggle that yields incremental improvement in their status.2

When turning to Israel, Smooha integrates a critical examination of ethnic relations with a thorough deconstruction of past scholarship on the
state's political structure. After refuting common claims that Israel is a liberal or consociational democracy, and repudiating descriptions of the state as a non-democratic colonial system, he concludes that it is an “archetype” of a newly defined regime type—“ethnic democracy.” In his own words, the democratic and Jewish characteristics of the state coexist, and

Israel proper qualifies as a political democracy on many counts . . . Notwithstanding concerns that Israeli democracy is an “overburdened polity” . . . it has thus far functioned quite well . . . 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 . . . the state extends preferential treatment to Jews who wish to preserve the embedded Jewishness and Zionism of the state.3

But despite its increasing acceptance, Smooha’s model is not without some serious problems. In the following critique, we wish to extend our previous questioning of the model’s viability, sustainability, and content,4 and to question its empirical and theoretical claims and coherence. We acknowledge, of course, that important democratic features are practiced in Israel, but make a distinction between these features and a democratic state structure, which is lacking in the current regime.

Our critique addresses several key problems in the “ethnic democracy” model that revolve around the impossibility of establishing an “ethnic democracy” in a bi-ethnic context. First, we take issue with the assertion that a structural, state sanctioned, and long-term inequality of ethnic rights can coexist with democratic rule. Here we note that, while Smooha makes a distinction between individual and collective rights, these are often indistinguishable, since the limitation imposed on collective rights also entails the violation of individual rights and, hence, the breaching of a fundamental democratic principle of individual civil equality.

We also contend that Israel cannot be analyzed as an “archetype” case of majority-minority relations, as implied in Smooha’s work, given the continuing “Judaization” of the country. In other words, the analysis of Arab-Jewish relations in Israel cannot be neatly isolated from the historical process during which Palestinian-Arabs lost control over their land and became a minority, or from the on-going immigration, citizenship and land laws and policies which continue to deepen Jewish domination. As shown below, the Judaization process has been facilitated by a constitutional “tyranny of the majority” that structurally prevents the Arabs from mobilizing effectively within this political system, and excludes them from key positions and resources. This should not, and cannot, be considered an “archetype” of any democratic regime.
We further claim that Smooha’s work overlooks major difficulties associated with the geographical and analytical boundaries of the Israeli polity. Most notably, he relates to “Israel Proper” (within the 1967 borders) as the unit of analysis, but this unit no longer exists as a meaningful political or territorial entity, mainly due to the rupturing of state boundaries by Jewish settlement, and to the continuing involvement of Diaspora Jewish organizations in Israeli sovereign governance. This is not a minor aberration, but a structural condition that prevents Israel from establishing and empowering a “demos” (a community of equal citizens within a given territory), and hence from establishing a genuine democratic system.

Therefore, theoretical tools developed for typical, and relatively stable, majority-minority relations, such as the “ethnic democracy” model, fail to account for the Israeli case of structural ethnic expansion and a borderless ethnic state. These inherent deficiencies and tensions in the model have led us to reformulate some of our own previous positions and to re-examine the classification of Israel as a democracy.

Thus, much of our critique is not aimed only at Smooha’s work, but at the wide, and often unproblematic, acceptance of Israel as a democracy by most Israeli scholars. While we are in accordance with Smooha’s critique of other scholars who classify Israel as a democracy, we argue that his own attempt to do exactly that is no less problematic.

Without entering the debate about the nature of modern democracy, we perceive it as a system of government based on several key principles: (a) equal and inclusive citizenship and civil rights; (b) popular sovereignty and universal suffrage; (c) protection of minorities; and (d) periodic, universal, and free elections. We accept the notion that no state is a perfect democracy, and that the democracy-non-democracy classification of states should be treated as a continuum.

Given the relatively brief nature of this critique, we discuss here, without great empirical detail or reference to literature, only several principal issues that are available in our previous work. The main areas where we see flaws in the “ethnic democracy” concept are: civil inequality and lack of minority consent, ethnic exclusion, and problems in the definition of state boundaries. Together, these deficiencies cast doubt on the model’s empirical and theoretical validity.

“ETHNIC DEMOCRACY” AND CIVIL INEQUALITY

Equality between citizens is an essential characteristic of a democracy that often generates popular consent. Indeed, equality and consent are often
considered the main prerequisites of democracy, but both are absent from the Israeli state system. Israel never sought to achieve equal citizenship between Palestinian-Arabs and Jews, nor did it seek the consent of its Arab citizens for the forceful ideological imposition of a Jewish state.

As an ethnic state, Israel makes equality between Arab and Jew impossible in practice or in theory. It is membership in the Jewish people, not citizenship in Israel, that is the chief criterion for the claim of state ownership. The state system is predicated on a constitutional arrangement that contradicts the conditions of equal citizenship and, therefore, democracy. The essence of this contradiction stems from Israel's very raison d'être. As argued elsewhere, Israel embodies in theory, ideology, and practice exclusive Jewish state ownership in the sense that Israel is the state of the Jewish people only. It is the political tool of the Jewish people regardless of citizenship; thus the state is structurally and openly biased in favor of one of its two main ethnic groups.

Accordingly, Israel is an "ethnic state," in which the exclusive privileges of the dominant ethnic group is constitutionally grounded in a number of most important Basic Laws including the Laws of Return and Citizenship, and Basic Law: the Knesset (Section 7A), which defines Israel as the state of the Jewish people and limits the right of citizens to campaign democratically for representation in the parliament if they do not recognize that Israel is the state of the Jewish people. Thus Israel has been termed a "constitutionally exclusive ethnic state," whose exclusion of the Arab citizens from its national goals, identity, and mission is constitutional.

Furthermore, as elaborated below, a number of laws that deal with most important issues, such as land ownership and control, education, and distribution of resources, openly base privileged treatment on being Jewish. In addition, there are numerous regulations that do not use the term Jewish or Arab explicitly, but which make it clear that preferential treatment of Jewish citizens is supported by statutory law and institutional regulations. These regulations cover a broad range of individual and collective state-supported assistance. Thus, Israel, by imposing the criterion of belonging to a group—ethnic affiliation—for privileged and discriminatory treatment, anchors the violation of equal opportunity in its own law. A Jewish state (in the form established in Israel) cannot provide the prerequisites for equal citizenship and, hence, for democracy. Furthermore, the violations of equal citizenship that are anchored in constitutional law and the legal system itself are supported by broad segments of both the Jewish public and the Jewish elites.

Unequal citizenship that is obviously inferior deprives Arab citizens of
a meaningful identity that derives from their citizenship. Under the existing ethnic structure that so openly prefers Jew to Arab, and that sometimes treats Arabs as an internal or potential enemy, identification with the state is paramount to accepting constitutional inferiority and being existentially unequal. One of Smooha’s fundamental theoretical and empirical claims is that the Arabs have undergone a profound process of Israelization, a conclusion that is based on conceptual and methodological pitfalls. Israelization, in the sense of accepting Jewish exclusivity and privilege and the Arab inferiority that comes with it, and in the sense of accepting Israel as the state of the Jewish people, is an illusionary identity at best and a distorted identity at worst. The failure to offer—even theoretically—equal citizenship means that the only identity Israel can provide is, at its center, one which enforces inequality and exclusion.

The issue of consent is also directly related to the ethnically-based constitutional inequality. A group’s acceptance of unequal conditions violates not only its fundamental human quest for fairness, equal treatment, and equitable access to intangible (such as identity, power, and belonging) and tangible (such as social benefits or access to high ranking jobs) resources, but also threatens its sense of collective worth and human dignity. Achieving equality is a vital need of the excluded ethnic group that has to be fulfilled if the group is to willingly consent to the state system and develop belonging and attachment to the state, and if ethnic conflict is to be avoided. Achieving full equality is not only a basic group right, but also a basic human need that no ethnic group willingly forsakes. Indeed, Human Needs Theory considers equality and identity to be basic needs that cannot be negotiated, washed away, or repressed. Many argue that, if these fundamental human needs are not fulfilled, the question becomes under what political circumstances will a crisis emerge—not if it will emerge. Actual, explicit, and legally anchored ethnic inequality, as is the case in Israel, is a major source of ethnic tension and conflict.

As shown in a wide body of literature, there is little theoretical rationale, moral justification, historical evidence, or political foresight in expecting that a national minority should accept unequal status within its own homeland, especially when its minority status within the homeland is based on its recent collective dispossession. Considering equality as a continuum on which the constitutional position of the subordinate group can only improve but never reach full equality, as the model of “ethnic democracy” would have it, is an innovation that can become a recipe for protracted social conflict. Inequality becomes a central issue of mobilization and political consciousness to the subordinate group that can be main-
tained only if the dominant group is willing to use force as its ultimate means of control, thus violating one of the essential ingredients of democratic government. In the short run, improving the minority’s status and increasing its share in resources within the structure of the “ethnic democracy”—but by definition never to full constitutional equality—can delay the emergence of confrontation. But such improvements can hardly eradicate the source of the conflict. On the contrary, it is possible that improved socio-economic conditions can increase the political consciousness of inequality and the perception of discrimination—thereby fueling the sources of conflict. Thus the viability of the model is, by definition, based on control and not on consent—a clear violation of democratic practice.

“ETHNIC DEMOCRACY,” MINORITY EXCLUSION AND TYRANNY OF THE MAJORITY

Smooha’s “ethnic democracy” model portrays a balance between universal democratic rights, which are extended to all Israeli citizens, and ethnic norms, which grant priority to Israel’s Jewish Zionist character. This balance provides the chief theoretical and empirical basis for the model. It opens up, according to Smooha, avenues of upward mobility and integration for the minority, mainly due to the politicization and modernization experienced by the Arabs under the (putatively democratic and responsive) Israeli political system. In practice, however, we find that, in key societal realms—ideological and symbolic, structural and political—Israel suppresses the mobility of the minority by the systematic exclusion of Arabs from key arenas of Israeli society.

We contend that this political structure breaches a fundamental principle of democratic rule: the protection of minorities. Most political theorists, even as early as de Tocqueville, have warned against the dangers associated with constitutional tyranny of the majority. Crude majority rule is thus off-set in most democracies by mechanisms that protect individual citizens and minority groups, including a constitution, a bill of rights, a bicameral parliament, or institutionalized ethnic compromises such as power-sharing, grand coalitions, cultural-regional autonomy, or minority veto. Nearly all of these are absent in Israel. Israel as a state and a political system preserves the superiority of the Jews and the inferiority of the Arabs on several levels.

On the ideological and symbolic levels, as noted, Israel’s objectives, symbols, and policies are built on the fact that it is the state of the Jewish
people, while, at the same time, it does not recognize the collective existence of the Palestinian-Arab national minority. In contrast to the Jews, who treat the symbols, values, and institutions of the state as their own and see them as part of their heritage and a source of identification, the Palestinian citizens feel alienated from these exclusively Jewish and Zionist symbols.

On a structural level, the Arabs are involuntarily excluded from key Israeli institutions which are often designed to serve Jewish objectives and not those of the entire citizenry. This entails the marginalization of the Arabs in the arenas of political power and decision-making, their non-conscription into the army, the non-employment of Arabs in “security sensitive” jobs or in senior bureaucratic positions, the establishment of special institutions or departments to deal with Arabs, the inferior position of Arab education and public media, and the carefully designed exclusion of Arabs from the institutions governing land ownership and control.

On the executive and judicial levels, the Arabs face various forms of discrimination and exclusion expressed by both informal practices of exercising power and in the more formal arenas of legislation, law-enforcement, and institutional membership. The consequences of this structural deficiency have been clear: there has never been an Arab minister or a permanent Arab supreme court judge in Israel's history, nor have Arab parties ever been part of a governing coalition. The budgets of Arab local governments and the allocation of land and development programs to these municipalities have been consistently inferior to their Jewish counterparts.

On the legislative level, beyond the Laws of Return and Citizenship and Basic Law: The Knesset, already mentioned, several key pieces of legislation have reinforced the inferior status of the Arabs. First and foremost, a series of land laws have facilitated the continuing Judaization of the land, as detailed below. Second, Mandatory Emergency Laws are still in force, being mainly used against the state's Arab population. Third, two Basic Laws enacted in 1992 are prefaced by declaring Israel as “Jewish and Democratic,” thereby enshrining the ethnic character in the state's constitution-in-the-making. Fourth, Israel's legal system lacks direct constitutional protection of basic rights such as freedom of religion and speech, as well as legal equality. Fifth, Israel's National Education and Broadcasting Laws also promote the Zionist characteristics of these key public institutions. Finally, recent studies have shown that some twenty Israeli laws continue to discriminate against Arab citizens, and that Israeli law interpretation, enforcement, and sentencing have consistently reproduced structural inequalities between Arabs and Jews.

In general, then, the Israeli state emphasizes, rather than conceals, its
ethnic, Jewish-Zionist nature. Crucially for a state claiming democratic rule, Israel not only discriminates against Palestinian-Arab citizens on a daily basis, but also eliminates even the theoretical possibility of the Arabs achieving equality with the Jews due to the embedded and all-encompassing Jewishness of the state. Clearly, this reality casts doubt over Smooha's assumption of the potential upward mobility of the Arabs under the Israeli regime.

We have argued elsewhere that the structural and practical problems experienced by the Arabs heavily constrain the advancement of a minority as predicted in Smooha's model: their politicization is distorted, their modernization is partial, and their upward mobility is structurally hindered. A more appropriate model to account for trends among the minority would be what the literature terms the "crisis developmental approach." According to this concept, the Arab community in Israel is exposed to constant problems and crises on specific and strategic levels. The choices available to the community in its relations to the state and the Palestinian people are limited, and do not provide the possibility of normal development. It is clear, then, that the key democratic principle of protecting minority rights and ensuring its potential development and mobility is a serious flaw in Israel political system, where tyranny of a Jewish majority seems to prevail. This raises further doubts regarding the applicability of the concept of "ethnic democracy."

"ETHNIC DEMOCRACY," BOUNDARIES, "ETHNOS," AND "DEMOS"

What are the boundaries of the Israeli polity? This crucial analytical question has been conspicuously absent from Smooha's analysis. Like most other analysts of Israel, Smooha has taken for granted the existence of political boundaries that define a "normal" Israeli state in its pre-1967 borders, known as "Israel proper." Closer examination reveals, however, that such an entity simply does not exist, since it is impossible to define "Israel" as a spatial unit, and it is difficult to define the boundaries of its body-politic. There are two principal reasons for this: the rupturing of the state's borders by colonial Jewish settlement in the occupied territories, and the continuing political empowerment of Jewish diasporas.

The construction of an unproblematic "Israel proper" is partially premised on viewing Jewish settlements in the occupied territories as "temporary." But this putatively temporary status has now lasted for over thirty
years and is not likely to end soon. During that period, some 350,000 Jews have been settled in the territories (including al-Quds/East Jerusalem). This is not a mere aberration, but a structural factor that undermines the basic democratic principle of universal suffrage: settlers remain fully enfranchised Israeli citizens while their Palestinian neighbors have no voting rights and no impact on Israeli policies that control their own regions. This has somewhat changed following the Oslo agreement, although most Palestinian residents and lands in the territories are still under Israeli control to various degrees.

The significance of this situation became clear in Israel's 1996 elections: counting only the results within the Green Line, Shimon Peres would have beaten Benjamin Netanyahu by a margin of over five percent! This shows that the identification of "Israel proper" as a democracy is analytically misleading. The involvement of the settlers in Israeli politics is, of course, far deeper than simply electoral. They are represented by 18 Knesset members (out of 120) and four government ministers, and hold a host of key positions in the armed forces, politics, and academe.

In addition, Jewish diasporas, represented by bodies such as the Jewish National Fund and the Jewish Agency, continue to hold executive political power in Israel based on "compacts" struck with the Israeli government. Such bodies serve only the interests of Jews, are mainly elected and funded by world Jewry, and are not democratically accountable to Israeli citizens. World Jewry has also been a major donor to Jewish parties and politicians, often influencing policy-making and agenda-setting. Hence, extra-territorial Jewish groups have amassed political power in the Israeli regime to an extent unmatched by non-resident groups in any democratic state.

Israel has thus operated in recent decades as a polity without clear borders. This undermines a basic requirement of democracy: the existence of a "demos." The "demos," as already defined in ancient Greece, denotes an inclusive body of empowered citizens within a given territory. It is a competing organizing principle to that of the "ethnos," where membership is determined by common origin. The term "democracy" thus means the rule of the "demos," and its modern application points to an overlap between permanent state residency and political rights as a necessary democratic condition. Such overlap is the one and only way to enable the "law of the land" to be equally imposed over all subjects. This entails the institutionalization of clear and permanent borders. In other words, the state should belong to all its citizens and only to these citizens.

Smooha's "ethnic democracy" concept thus entails a problematic mix of two opposing principles of political organization—"ethnos" and
“demos”—resulting in an oxymoron. This raises questions regarding the theoretical and empirical robustness of the model. Given this tension, it was argued elsewhere by Yiftachel that “ethnocracy” would be a more appropriate analytical term to account for the structure of the Israeli political system, which is neither democratic nor authoritarian. In ethnocratic regimes, the state is appropriated by one ethnic group and its diasporas, relegating other groups to a secondary type of citizenship.

Another deficiency with the analysis of “Israel proper” in Smooha’s model is the implicit assumption that Arab-Jewish relations are stable, and that typical majority-minority negotiations for terms of coexistence take place. But this assumption (again, shared by most analysts of Israel) overlooks the continuing process of Judaization which is still in train in most areas of Israeli life, particularly (but not only) in relation to immigration, land control, and settlement, and on both sides of the Green Line. It is telling that, in these three policy areas (immigration, land, and settlement), Arabs have been consistently excluded from Israeli policy-making, attesting to the one-sided and essentially undemocratic process of Judaizing the land that, until 1947, had a decisive Arab majority. Therefore, the conceptualization of contemporary Arab-Jewish relations in Israel cannot ignore the historical process and state structure which have facilitated the Judaization of the land, prevented the return of the Palestinian refugees, and settled Jews in Palestinian regions on both sides of the Green Line.

The de-Arabization of the land and Jewish settlement activity have slowed during the last two decades, but have never ceased. Laws and policies have continued to facilitate the transfer of land control, ownership, and use from Arabs to the Israeli state. At the same time, Arabs are commonly excluded from purchasing or leasing land in most non-urban Jewish settlements, whose jurisdiction covers over 80 percent of the country. Arab citizens are thus denied a basic democratic right of access to property in their own state.

Moreover, appropriation of land in Israel is not similar to land nationalization elsewhere, since public land is owned and managed jointly by the state and by international Jewish organizations. Hence, land expropriated from Arabs does not only become state land, but Jewish land as well—never to be sold. Israel’s land regime can thus be likened to a “black hole” into which Arab land falls and cannot be retrieved. Significantly, this discriminatory mixture of legal arrangements and policy practices would be unconstitutional in most democracies. Yet, in the Israeli “ethnic democracy” it is a continuing and deepening reality.
A third boundary overlooked by the “ethnic democracy” model is analytical: where should we begin and end our analysis of the Israeli regime? Here Smooha refrains from examining several other obstacles to democracy in Israel, such as pervasive militarism, low levels of regime accountability, and, especially, the political agendas of Orthodox and ultra-Orthodox [Haredi] Jewish groups. Here we contend that the historical accommodation between secular and religious Jews, despite the deep differences between the two communities, has been premised on their joint interest in the process of Judaization. That is, the concessions made by secular parties to Orthodox parties have ensured the cooperation of the two groups in the advancement of Zionist settlement projects, generally at the expense of Palestinian-Arabs. The threats to democracy emanating from Orthodox and ultra-Orthodox Jewry are thus related in several important ways to the undemocratic discrimination exercised against the Arabs—both revolving around the project of Judaizing the country, geographically, demographically, and religiously. Hence, we suggest that it is analytically deficient to label Israel a “democracy” without examining the tension between the political agendas of Orthodox Jewish groups and the requirements of democracy.

In the main, the threat to democracy emerging from Orthodox Jewry undermines the concepts of popular sovereignty and equal citizenship which are replaced by submission to sacred texts and the authority of clergy. In recent years, these threats have surfaced on various fronts, expressed by attacks on the country’s court system, increasing rabbinical involvement in political decisions, continuing denial of religious freedom, and imposition of Jewish-religious standards over key areas of family law and public spaces. In an indirect manner, the prominence of Jewish Orthodoxy has impeded the emergence of an overarching Israeli (rather than Jewish) collective identity and has impaired the democratization of the system, which might have enhanced Arab integration and equality.

In a more direct manner, the continuing influence of Orthodox interests has adversely affected the democratic nature of Arab-Jewish relations in several key aspects. First, nearly all Orthodox parties (including six ministers in the present government) support in principle the expansion of Jewish religious legislation in Israel and the establishment of a religious state. The undemocratic nature of this agenda needs no elaboration. Second, since the 1970s, Orthodox parties and politicians have consistently supported Jewish occupation and colonization of the occupied territories, relying mainly on religious justifications for settling all parts of the biblical
"Land of Israel." As shown above, such settlement has gravely undermined the possibility of establishing an Israeli "demos" and democracy. Third, Orthodox elements have been among the most militant in their campaign against an Israeli-Palestinian peace, resorting to repeated acts of violence in this quest. It is clear that the maintenance of a Jewish-Palestinian conflict bears adverse consequences to Arab-Jewish equality in Israel and, therefore, to democratic rule itself. Finally, repeated surveys have shown that Orthodox and ultra-Orthodox groups in Israel consider democracy to be a lower priority than maintaining the Jewishness of the state. This lack of democratic commitment, we argue, is likely to present serious difficulties to the democratization of the system, particularly as regards the equal inclusion of the Arabs.

CONCLUSION: THE IMPOSSIBILITY OF "ETHNIC DEMOCRACY" IN A BI-ETHNIC STATE

Our critique has highlighted empirical and conceptual flaws in the "ethnic democracy" model. Empirically, Israel breaches several of the fundamental principles of democracy listed earlier: chiefly, equal and inclusive citizenship, minority rights and consent, and the demarcation of clear boundaries of sovereignty. The Israeli state still advances an undemocratic process of Judaization, facilitated by the structural hierarchy between Jews and Palestinian-Arabs (of which Smooha is of course fully aware), but also by the fuzziness of its geographical and political boundaries, which he ignores. Here we ask: can democracy be a credible classification of a regime suffering from these problems? And further: can a state which facilitates an on-going process of ethnocentric colonization and domination be considered an "archetype" ethnic democracy? Can it form a model for the management of ethnic conflicts in other states, as suggested by Smooha?

Conceptually, we question the credibility of including in the one term ("ethnic democracy") two opposing principles of political organization: the "ethnos" (selective association by origin) and the "demos" (inclusive association by residence or citizenship). The hybridity causes internal inconsistency (akin to expressions such as "hot ice") and the subsequent blurring of the system's structural ethnic stratification. This may lead to a distorted acceptance of constitutional and institutional inequality as part of a "democratic" system. Yet "ethnic democracy" actually denies even a theoretical path to civil equality, enshrined in all known models of democracy. We see this as a serious conceptual deficiency.
A further deficiency in Smooha’s model, in the Israeli context, is the overlooking of major obstacles to democratic rule emanating from Orthodox and ultra-Orthodox Jewish groups. As shown, the (territorial and religious) Judaization project creates significant links between the religious agendas of Orthodox Jewish groups and the denial of civil equality for the Arabs. But the exposure of these links requires the reconceptualization of Israel as an ethnic settler state still encroaching into regions and assets of the local minority. In such a settling and bi-ethnic setting, we contend, “ethnic democracy” is both a theoretical and empirical impossibility.

In light of these “blind spots,” inconsistencies, and deficiencies in Smooha’s analysis, the classification of Israel as an “ethnic democracy” may appear to function more as a tool for legitimizing the political and legal status quo, than as a scholarly exploration guided by empirical accuracy or conceptual coherence.

To be sure, Israel possesses several hallmarks of a democratic system. But given the overriding ethnocentric nature of the system and the mixture of democratic and non-democratic components, we suggest an analytical distinction between state democratic features and structures. As shown above, the various (and significant) democratic features of the Israeli system, such as periodic elections, an independent judiciary, a free press, or free personal movement, cannot obscure the state’s undemocratic structure, which is premised on a rigid ethnic hierarchy, lack of inclusive territorial citizenship, and the power of religious institutions.

We acknowledge that the situation has not been static and that improvements have occurred in the situation of Israel’s Arab citizens. The general moves toward relaxing government control and liberalizing and democratizing the Israeli regime have positively influenced the Arabs. However, these improvements—important as they are—have not undermined the cornerstones of Israel’s ethnocratic regime and have thus failed to effectively advance Arab-Jewish equality.

Given the tension between equality and state ideological structure, the question for some scholars has been how to resolve this contradiction, and provide for equal citizenship. For those who admit the contradiction, the question has been how to develop theoretical models that fit the warped reality and still maintain Israel’s image as a democracy. The “ethnic democracy” model falls in the latter category. We have suggested elsewhere that concepts such as “ethnocracy” or “ethnic state” better capture the essence of the Israeli political structure, by portraying the regime as neither democratic nor authoritarian.

We thus urge scholars studying Israeli society to reconsider their accep-
tance of the general classification of Israel as a democracy and its specific description as an “ethnic democracy.” The contradictions embedded in these models can no longer be reconciled.

NOTES

*Authors' names are listed alphabetically. The authors wish to thank Uri Ram, S. Ilan Troen, Amnon Raz-Karkotzkin, and Adriana Kemp for their helpful comments.


2. Ibid., 199–200); see also Sammy Smooha, Arabs and Jews in Israel: Change and Continuity in Mutual Intolerance (Boulder, San Francisco, Oxford, 1992).


8. See David Kretzmer, The Legal Status of the Arabs in Israel (Boulder, CO, 1990); Rouhana, Palestinian Citizens in an Ethnic Jewish State.


11. Smooha, Arabs and Jews in Israel.


14. Ibid.


17. Rouhana, “Israel as a Bi-National State.”

18. See Ghanem, “State and Minority in Israel.”

19. Adalah (Legal Center for Arab Minority Rights in Israel), Legal Violation of Arab Minority Rights in Israel (Shfa-Amer, 1998).


21. As'ad Ghanem, “Palestinians in Israel: Part of the Problem and Not the Solution: Their Status in This Era,” Medina, Mimsbal Viyhassim Benle'umiyim [State, Government and International Relations], 41–42 (1996) 123–54 [Hebrew]; As'ad Ghanem, Political Participation among Arabs in Israel, Ph.D. Dissertation, Haifa University, Department of Political Science (Haifa, 1996) [Hebrew]; Rouhana and Ghanem, “The Crisis of Minorities in Ethnic States.”

22. See also Yiftachel, “The Ethnic Democracy Model.”

