

# Is Israeli Democracy in Danger?

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Israel has long proudly proclaimed itself to be the sole democracy in the Middle East, and its supporters around the world (especially in the United States) have touted its democratic values as a major reason to support the country against its authoritarian adversaries. Although it has always been a difficult balancing act for Israel to exist as both a democracy and a Jewish state—particularly given the presence of a Palestinian-Arab minority that makes up around 20 percent of the state’s citizens, and the heavy influence of Jewish religious law in its public life—it has largely succeeded in doing so, notwithstanding some glaring failures. (Most notably, the maintenance of military rule over its Arab minority from 1949 to 1966, and over Palestinians in the West Bank and Gaza Strip since 1967). The fact that Israel has a functioning multiparty parliamentary system of government, regular fair and free elections, an independent judiciary, a free press, and a vibrant civil society, despite the interminable conflict with the Palestinians, multiple wars, and countless terrorist attacks, is no small accomplishment.

This feat is even more remarkable considering that most of the country’s Jewish immigrants have come from places without democratic traditions—Eastern Europe, North Africa and the Middle East, or more recently the former Soviet Union. And compared with the autocratic and repressive governments of many of its neighbors in the region, Israel’s democracy is even more impressive. But while this democratic achievement should certainly be appreciated, its future should not be taken for granted.

In recent months, a growing chorus of voices has warned about threats to Israeli democracy. Numerous international observers, including Obama administration officials (such as Samantha Power, the ambassador to the United Nations, and Dan-

iel Shapiro, the ambassador to Israel), European diplomats, and major American Jewish organizations such as the Anti-Defamation League have all sounded the alarm.

So too have prominent public figures in Israel, such as the recently ousted defense minister, Moshe Yaalon, who denounced in his resignation speech the “extremist and dangerous elements [that] have taken over Israel and the [governing] Likud Party.” Former Prime Minister Ehud Barak declared that Israel “has been infected with the seeds of fascism.” The former speaker of Israel’s parliament (the Knesset), Avraham Burg, went so far as to say that “the end of Israeli democracy—and the State of Israel—is a clear and present danger.” Even President Reuven Rivlin, a longtime Likud stalwart, has warned that rising intolerance, extremism, and tribalism in Israeli society and politics threaten its democracy.

## STIGMATIZING DISSENT

A slew of nationalist parliamentary bills that have taken aim at Israeli nongovernmental organizations, Arab Knesset members, the Supreme Court, and other common targets of right-wing animus have prompted many of these warnings. Introduced by right-wing populist politicians who seem more interested in making headlines than making laws, most of these bills have not become legislation, and those that have were watered down during the legislative process, in particular the so-called NGO and expulsion laws, both enacted in July 2016. The former requires Israeli NGOs that get more than half their funding from “foreign government entities,” including US aid, to disclose that support in any published materials and in the course of any contact with elected officials.

Justice Minister Ayelet Shaked, who belongs to the right-wing religious Zionist Jewish Home party, has promoted the NGO law as merely a measure aimed at increasing transparency, but critics have charged that it targets progressive groups that advocate for human rights and oppose settlements, since they depend on funding from foreign governments. Right-wing NGOs, such as those

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that support settlement activity in the West Bank and East Jerusalem, will not be subject to such stringent transparency requirements since most of their financing comes from foreign individuals and groups rather than governments. Although by itself the law will have little, if any, real impact on the activities of left-wing NGOs in Israel, it does have the effect of singling them out and possibly stigmatizing them as foreign agents in the eyes of the Israeli public. It may serve to curtail their influence, if not their activities.

Similarly, the expulsion law is more symbolic than practical, since it enables the ouster of a member of the Knesset if a motion to do so is supported by at least three-quarters of members (90 out of 120), including 10 members of the opposition. This threshold would be extremely hard to meet. Nevertheless, the law could still be used to intimidate and threaten Arab members, and publicly delegitimize them.

## DEMANDING LOYALTY

However problematic they are, these measures hardly constitute a major threat to Israeli democracy. But they are just the tip of the iceberg. It is the broader political climate of intolerance and militant nationalism, which these legislative initiatives and others like them both reflect and reinforce, that constitutes a more serious and insidious danger to Israeli democracy. In this febrile atmosphere, incitement against Israel's Arab minority has become increasingly common, especially on social media. So too has incitement against the small, and dwindling, number of Israeli Jews on the political left, who are now frequently denounced as "traitors." Indeed, it has become an insult to be called a leftist in Israel today, and those who publicly identify themselves as such run the risk of social stigma and even physical threats.

Left-wing organizations and human rights groups in Israel, especially those focused on challenging the ongoing occupation of the West Bank and the actions of the Israeli army in maintaining it, have come under sustained political attack and now face intense scrutiny. Breaking the Silence, a group of former Israeli soldiers that collects and disseminates testimony from soldiers about their experiences serving in the West Bank and in the wars in Gaza, has particularly aroused vitriol.

Its members have been barred from speaking in schools and appearing before soldiers.

Public hostility to Breaking the Silence was stoked by an aggressive campaign by a right-wing Zionist group called Im Tirtzu. In December 2015, Im Tirtzu produced an Internet video in which it named individuals working for Breaking the Silence and Israeli human rights groups like B'Tselem and the Public Committee Against Torture, describing them as "moles" working for foreign governments and aiding and abetting terrorism against Israelis. The following month, the group went even further, producing posters that labeled prominent Israeli cultural figures including the writers Amos Oz, David Grossman, and A.B. Yehoshua as "foreign agents in culture" because of their affiliations with left-wing groups. Although this poster campaign was met with widespread condemnation, even from Prime Minister Benjamin Netanyahu himself, it is indicative of the McCarthyist atmosphere that prevails

in Israel today: right-wing groups feel emboldened to smear left-leaning groups and individuals as traitors.

At the heart of the activities of Im Tirtzu and similar right-wing organizations is an uncompromising demand for

absolute loyalty to Israel as a Jewish state. Any individual or group that is perceived to question, critique, or challenge this nationalist doctrine is subject to suspicion and often to outright hostility. Israel's Arab citizens, particularly their political representatives, are immediately suspect, but so too is anyone committed to human rights and equal citizenship—liberal beliefs that are no longer widely held by Israeli Jews, who have become more religious and politically conservative over time, largely because of demographic changes in the population (particularly the influx of Jews from the former Soviet Union, and the higher birthrates of more religious Jews, especially the ultra-Orthodox).

This insistence on loyalty is now shaping the school curriculum in Israel. This was made startlingly clear in late December 2015 when the Education Ministry, also controlled by the Jewish Home party, banned the novel *Borderlife*, by Israeli author Dorit Rabinyan, from being taught in high schools because it involves a love story between an Israeli woman and a Palestinian man. The

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Education Ministry also rewrote the main civics textbook used in Israeli schools because parts of it were deemed to be too critical of the state.

The Ministry of Culture, under the control of Likud (now devoid of its liberal elements), has insisted on loyalty to the state as a prerequisite for recipients of government funding for art, theater, and film. Culture Minister Miri Regev froze the funding for an Arab theater in Haifa because it staged a play based on letters by a Palestinian who had been jailed in Israel for killing an Israeli soldier.

### **ILLIBERAL DEMOCRACY**

A fundamentally illiberal political sentiment is growing and gaining strength in Israel today. It focuses almost exclusively on the interests and rights of Israel's Jewish majority, prioritizes the state's Jewish identity over its democratic character, and delegitimizes dissent, especially criticism of government policy toward the Palestinians. This sentiment, which now pervades Israeli politics and shapes the thinking of leading policy

makers, is deeply corrosive of the fabric of the nation's democracy. While democratic institutions remain intact, the values that animate them are changing, gradually weakening Israeli democracy in the process. What is emerging is by no means an authoritarian regime, but an illiberal, majoritarian democracy—a democracy for Jews only, and even then, only for “loyal” Jews.

As Israel becomes more illiberal domestically, its settlements in the West Bank continue to expand, and its military occupation of the area drags on into its fiftieth year. These processes are undoubtedly linked. The power of the national religious settler movement and Israel's continued rule over the Palestinian population in the West Bank, who have no access to Israeli citizenship and thus no right to vote in Israeli elections, strengthen illiberal, antidemocratic tendencies in Israel. As long as the occupation of the West Bank and the settlement enterprise that accompanies it persist, the erosion of Israeli democracy will also probably continue. Unfortunately, there is little likelihood that this trend will end anytime soon. ■