

# The Role of Ultra-Orthodox Political Parties in Israeli Democracy

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## Abstract

This thesis focuses on the role of ultra-orthodox party Shas within the Israeli state as a means to explore wider themes and divisions in Israeli society. Without underestimating the significance of security and conflict within the structure of the Israeli state, in this thesis the Arab–Jewish relationship is viewed as just one important cleavage within the Israeli state. Instead of focusing on this single cleavage, this thesis explores the complex structure of cleavages at the heart of the Israeli political system. It introduces the concept of a ‘cleavage pyramid’, whereby divisions are of different saliency to different groups. At the top of the pyramid is division between Arabs and Jews, but one rung down from this are the intra-Jewish divisions, be they religious, ethnic or political in nature. In the case of Shas, the religious and ethnic elements are the most salient.

The secular–religious divide is a key fault line in Israel and one in which ultra-orthodox parties like Shas are at the forefront. They and their politically secular counterparts form a key division in Israel, and an exploration of Shas is an insightful means of exploring this division further, its history and causes, and how these groups interact politically. Focusing on Shas can also shine a light on the intra-Jewish ethnic politics of Israel. Many of these divisions rest on the history of the Israeli state and the failure of the early state and its Zionist pioneers to create the society they envisioned – a unified, civic-nationalist state with an ethnic but not religious Jewish identity. The ultra-orthodox in Israel represent a self-isolating community whose interaction with the state – while paradoxical in seeking distance from the state – has become that of a sophisticated political actor.

Dedication:

To my parents, and Erika for her patience

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## List of Abbreviations

AI	Agudat Israel
DH	Degel HaTorah
DM	District Magnitude
FH	Freedom House
GE	Gush Emunim
IDF	Israeli Defence Force
JH	Jewish Home
MK	Member of the Knesset
NRP	National Religious Party
PR	Proportional Representation
UTJ	United Torah Judaism

**Table 1: Governments of Israel and Ultra-Orthodox Parties' Electoral Results 1984–2013**

Year	Faction of Prime Minister and Number of Seats	Government Number and Prime Minister	Coalition Partners in Order of Size	Ultra-Orthodox Party Seats			
				Shas	Agudat Israel	Degel HaTorah	United Torah Judaism
1984	Alignment 44	21 Shimon Peres	Likud, NRP, Shas, Shinui, Yahad, Agudat Israel, Ometz	4	2		
1986	Likud 41	22 Yitzhak Shamir	Alignment, NRP, Shas, Shinui, Ometz				
1988	Likud 40	23 Yitzhak Shamir	Alignment, Shas, Agudat Israel, NRP	6	5	2	
1990		24 Yitzhak Shamir	Shas, Agudat Israel, New Liberal Party, NRP, Degel HaTorah, Moledet, Tzomet				
1992	Labour 44	25 Yitzhak Rabin	Meretz, Shas (left 1993), Yiud (from 1994)	6			4
1995		26 Shimon Peres	Meretz, Yiud				
1996	Likud-Gesher-Tzomet 32	27 Benjamin Netanyahu	Shas, NRP, Yisrael BaAliyah, The Third Way, UTJ	10			4
1999	One Israel 26	28 Ehud Barak	Shas, Meretz, Yisrael BaAliyah, Centre Party, NRP	17			5

2001	Likud 19	29 Ariel Sharon	Labour-Meimad (till 2002), Shas, Meretz, Yisrael BaAliyah, UTJ, National Union	11			5
2003	Likud 38	30 Ariel Sharon	Labour-Meimad (till 2005), Shinui (till 2004), Kadima (Split from Likud 2005), Shas, National Union, NRP, UTJ				
2006	Kadima 29	31 Ehud Olmert	Labour-Meimad, Shas, Yisrael Beiteinu (left January 2008), Gil	12			6
2009	Likud 27	32 Benjamin Netanyahu	Yisrael Beiteinu, Labour (later Independence following a split from Labour who left the coalition), Shas, UTJ, New National Religious Party / Jewish Home, Kadima (May-June 2012)	11			5
2013	Likud-Yisrael Beiteinu 31	33 Benjamin Netanyahu	Yesh Atid, Jewish Home, Hatnuah	11			7

## Introductory Note

I aim to contribute to the current literature on the subject of domestic Israeli politics by combining studies of democracy and ideational politics with conflict management and a deeper study of the divisions within Israeli society and politics. Through this, I intend to produce a new conceptual framework through which one can analyse Israeli politics but can also be applied to other divided societies. This is the **cleavage pyramid**, which I believe is an interesting and insightful means of looking at Israeli politics that can reveal a great deal about both the party system and societal divisions within Israel. By understanding the Israeli polity as well as the ultra-orthodox parties who at this moment represent 15% of seats in the legislature, one can examine the wider issues around divisions in Israel but also within other divided states with somewhat problematic democracies. In terms of why this is an area that needs to be studied, the answer is twofold. Firstly, Israel, as a divided society trying to function as a democracy, holds important and applicable lessons that can be exported to other similar cases in ethnically or otherwise divided states. Secondly, the process by which Israel makes progress on any future peace settlement and the role that minorities play in its polity (which are almost certainly related) have to be understood within a domestic context. Structurally, the aim of the first chapter of my research is fourfold. Firstly, it provides the methodological/epistemological grounding of this thesis and justifies both the methods I have employed in my research and the philosophical underpinnings of said research. Secondly, it provides a brief description of the ethnic and religious forms of identity within the Israeli community that are salient to this thesis. Thirdly, it provides a historical/political context of the Israeli state with special reference to changes within the sphere of the Jewish religious parties. Finally, it details the conceptual framework that will be used as the basis for analysis.

Chapter 2 focuses on the study of democracy. It seeks to explore what democracy is and what represents its core components. It then explores the challenge of measuring and assessing democracy and considering how one would engage in such an exercise. Building on this theoretical

examination of democracy and its evaluation, the chapter moves on to look at hybrid regimes, meaning states whose governments defy easy classification as democracies or authoritarian states. The second section of this chapter places these elements within an Israeli context by examining Israeli democracy from comparative and isolationist perspectives, including utilising figures from those institutions that have measured democracy. It then explores weaknesses and strengths in Israeli democracy, including the debate about Israel's ethnic regime types. Chapter 3 details how we can interpret ethnic and religious identity and how this interacts with democratic politics. It explores the relationship between ideational politics and democracy and how ideational politics manifests itself in a democratic state. It then looks at proposed ways of managing potential conflict through consociational, centripetal or multi-cleavage means.

Chapter 4 is a detailed exploration of divisions in Israeli society. The first section offers a historical analysis of ethnic division in the Israeli state between Ashkenazi and Sephardic Jews and how it has manifested itself as semi-peripheralisation. The second section focuses on the secular/religious divide in the state, primarily between the politically secular and the ultra-orthodox. It explores the factors behind the tensions and how each side perceives itself and the other and how the ethnic and religious cleavages have become intertwined. Finally, it places both the ethnic and religious divisions in Israel within the theoretical framework detailed in Chapters 2 and 3.

Chapter 5 offers a case study of the ultra-orthodox party Shas. This chapter will combine the theoretical and contextual work of Chapters 2–4 by exploring the party, its history and its key individuals. It seeks to explain Shas's success through the Israeli electoral system and the party's successful exploration of the complex and overlapping nature of the Israeli societal cleavage structure, as well as its provision of institutions for its core ultra-orthodox voters. It concludes with an examination of Shas's position within the wider Israeli context. Chapter 6 concludes this thesis by drawing together the theoretical and contextual analysis from the previous chapters and summarising the findings of the thesis.

# Chapter 1: Methodology, Categorisation and Historical Background

This is an explanatory thesis on the role that *Shas*, a political party representing ultra-orthodox Sephardic Jews (those from North Africa and the Middle East), has played in Israeli democracy. Unlike most studies of Israeli politics, this is not an analysis of the conflict, but of the political system and the role of ultra-orthodox religious parties in it. The thesis is an examination of intra-Jewish cleavages<sup>1</sup>, not the Arab–Jewish cleavage, which, while important, sometimes has the tendency to overshadow analysis of Israel as a divided society.

Israeli society is highly segmented and ultra-orthodox parties such as *Shas* are a reflection of this segmentation, complete with their own parties, institutions and geographical concentrations. Yet, at the same time, it is true that there is a complex and multi-layered socio-political cleavage model in Israel whereby ethnic and religious divisions overlap both within the ultra-orthodox community and between different ethnic groups and the ultra-orthodox parties. Ultra-orthodox parties in Israel are manifestations of divisions in Israeli society, yet these divisions are neither clear-cut nor subject to one single line of polarisation; instead, Israel represents a complex mixture of the West and the East. Its electoral system suggests a western democracy, yet its fragmented and divided society, with its ethnic and religious parties, suggests a more Middle Eastern party system, complete with different levels of religiosity and forms of religious parties. This will be explored through the conceptual framework that I have developed and have labelled the cleavage pyramid. This framework, which is explored through the *Shas* party and the Israeli party system, explains how cross-cutting cleavages and a myriad of different priorities allow the Israeli party system to remain relatively fluid and (mostly) avoid the tendency towards conflict often inherent in ideational politics.

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<sup>1</sup> Here defined as the division between voters into political blocs based on their position along a political divide (Lipset & Rokkan, 1967).

The significance of this research is that it takes a holistic view of the subject. Instead of simply focusing on the parties themselves or even Israel as a whole, it seeks to contextualise these parties within the wider debate about democracy, religion, ethnicity and conflict management. Most other works treat ultra-orthodox parties (including Shas) in Israel as part of an Israeli phenomenon within a divided Jewish state, and, while this approach is entirely valid, it does not highlight ways in which these parties actually play a part in answering a larger question about ideational/identity politics and democracy. By focusing on both the theoretical debates generally and the Israeli context specifically, the thesis will highlight that, while these parties are undoubtedly the result of specific historical and social circumstances, they are not unique and instead exist within an already detailed and explored literature on democracy and the role of identity. Through the exploration of the position of Shas within Israeli democracy, this thesis reveals a great deal about both. In addition to deep analysis of divisions in the Israeli society, the thesis further elaborates on the functioning of Israeli democracy where factions and divisions are built into the electoral and political system. Israel as a western-style democracy operating in the Middle East provides an interesting and enlightening case that has ramifications beyond Israel itself.

## **1) Methodology**

This section will detail the process of defining the research question, the epistemological and philosophical underpinnings of the methodology, the use of quantitative and/or qualitative data, the means of data gathering and, finally, ethical considerations.

### **Defining the Research Question**

The problem of 'meaning' is a common one in political science, requiring rigorous definition. This research project seeks to investigate the role that ultra-orthodox parties have played in Israeli democracy, and so, to quantify this question, it is necessary to define these terms.

- The role is understood to mean the practical impact that ultra-orthodox parties have had. This is defined in two ways. Firstly, there is the role that ultra-orthodox parties play in terms of government formation and subsequent policy, namely the effect that they have on the political make-up of coalitional governments, and subsequently what effect they have on legislation and the distribution of state resources. Secondly, there is the effect those ultra-orthodox parties have at a social level, namely their position as intermediaries between their supporters and government, what function they fulfil at a social level and what accounts for their success.
- Ultra-orthodox parties. Schattschneider (1942, p. 350) provides perhaps the most concise and comprehensive definition of a political party:

A political party is first of all an organized attempt to get power. Power is here defined as control of the government. That is the objective of party organization. The fact that the party aims at control of the government as a whole distinguishes it from pressure groups.

The primary role of all political parties is to seek government and political power and in this case the primary focus is on the ultra-orthodox *Shas* rather than the other ultra-orthodox party *United Torah Judaism* (also known by its constituent parts *Agudat Israel* and *Degel HaTorah*)

- Israel – the notion of what constitutes the ‘state of Israel’ and its borders is contested and ambiguous. It is not the intent of this thesis to expand on this issue. Therefore Israel is defined here as those areas that take part in national and local elections, and have electoral representatives that are part of the national parliament, the Knesset.
- Democracy – the definition of democracy and what constitutes democracy, as well as form, function and assessment, will be examined and explored at substantial length in Chapter 2.

With terms defined, one must ask what the research question seeks to achieve. According to Schmitter:

Topics of research come into two guises: (1) Projections, where the researcher is confident that the existing approach and methods are adequate and deserve to be applied to units or time periods that have not already been covered or with greater precision to cases that seem to be exceptional; and (2) puzzles, where the researcher begins with the assumption that something is deficient in the way that the topic has been previously handled and that the units or time periods to be examined will demonstrate the existence of anomalies. (2008, p. 266)

My research fits into the second tradition, a 'puzzle'. It seeks to place Shas within a framework that combines existing theories of ethnicity and democracy with an understanding of the Israeli party system in order to explore the ultra-orthodox party Shas's effect on Israeli decision-making.

There is a two-tiered approach to understanding their effects: on a societal level and a governmental level. While the thesis offers a unique and comprehensive analysis of these parties, it also builds on the work of other authors, such as Asher Arian, Eliezer Ben-Rafael, Abraham Diskin, Hannah Diskin, Eliezer Don-Yehiya, Reuven Hazan, Baruch Kimmerling, David Lehmann and Batia Siebzehner, Yoav Peled, Gideon Rahat, Michal Shamir and Bernard Susser.

Initially the thesis will focus on the theoretical debate surrounding democracy and divided societies, with the intention of creating a framework around democracy in divided societies. Attention will be paid to theoretical elements of democracy, religion, ethnicity and conflict management. From this general discussion, the thesis will explore Israel, and will move away from the theoretical to the specific, namely an analysis of pertinent elements of Israeli political and social factors. This includes covering the ethnic divide in Israel between those of Sephardic and Ashkenazi backgrounds, the secular-religious divide and analysis of the role that ultra-orthodox parties play in Israel society, drawn from academic and primary sources. This is a theoretical work dedicated to creating a conceptual framework for understanding Israeli politics. As such, the empirical research has focused on Israel as a means to support the extensive theoretical analysis that runs through this thesis. This means that the majority of empirical work is used in those sections focusing on Israel.

## Epistemology

Without reference to specific epistemological theories and traditions, this thesis is based on a number of assumptions based on interpretive and rational choice theory.

- A. That the world and, by logical extension, political parties are real, and as such can be studied, that they have a provable 'cause' (*why* they exist) and 'effect' (*what* that existence means in context, i.e. the *effect* it has on politics in Israel). While their version of the truth and what they know may be open to interpretation, their objective existence is not.
- B. That key to understanding these parties is their interpretation of events and situations in the real world and in an internal senses their interpretation of knowledge and truth.
- C. That people and parties behave in such a way as to gain more power and resources and to do this they will behave rationally. For ultra-orthodox parties this means that they will seek more power politically and more resources for their supporters in order to ensure their continued support.
- D. That interpretation and rational behaviour are linked. Interpretation is what informs how people see the world; it also determines what they want and thus what the rational means to achieve this are. Interpretation determines what people want, while rationality determines how they achieve it.
- E. That, therefore, it is possible to analyse their behaviour to draw conclusions and, from this, political parties are knowable, as are their interpretation of the world and how they go about achieving their aims.

It is these assumptions that will form the basis of my research. However, there is also a philosophical underpinning to this thesis based on interpretive and rational choice theory. The importance of interpretive theory derives from the fact that "we cannot read people's beliefs and preferences from

objective facts about them” (Marsh & Stoker, 2002, p. 133). Interpretive approaches “start from the assumption that if you come to understand how respondents see the world then you will understand the logic and rationale behind what might at first seem bizarre beliefs or behaviour” (Green & Brown, 2005, p. 47). The interpretive theory attempts to understand the significance that people or organisations attach to the outside world by understanding their interpretation of it through the analysis of beliefs, ideas and discourse. It is about seeking answers to questions in the political realm by examining the meanings that people give to anything in the social realm, including political parties. The interpretive method seeks to understand people and social movements by constructing a narrative framework behind the beliefs and actions of people and parties.

Since establishing a direct link between simple socioeconomic facts about people and parties and their behaviour is problematic and inconclusive, it is perhaps more useful to take a different approach and to construct a narrative that is partially chronological and partially thematic, to understand why certain beliefs were arrived at, and ultimately why a certain action is taken. Once we understand this we can understand their rationality, namely why one choice was more rational from their perspective than another. Therefore, the next logical question is the effect their political motivations have on their actions and behaviour.

The use of rational choice theory is a means of creating a fully rounded epistemology. Interpretive theory gives us a means of understanding what motivates people, whereas rational choice theory can help us understand how they seek to achieve their goals, whatever the definition of those goals. Rationality is a pattern of behaviour that seeks to maximise achievements of certain goals. In the political sphere, this means that people vote for the party they think will maximise what they prioritise – ideologically, economically and/or socially as “individuals seek to satisfy their interest through strategic action, that is, action designed to get what they want” (Parker et al., 2003, p. 17). If voting is a natural extension of this, the party/candidate one backs will be a rational choice and

political parties will follow a similar course of action. In fact, political parties themselves are a result of this rational form of behaviour, as Parker et al. (2003, p. 21) argue:

Rational self-seeking involves pursuing one's interests partly by investing in the willingness of others to cooperate in the future. This means that each has an interest in making sure that their potential partners in future action are sufficiently rewarded for their cooperation. The upshot is that we all have an interest in investing in the formation and maintenance of collectives.

Political parties are a manifestation of this form of behaviour and in a rationalist sense; they are a collective result of a voter's rational choices. But they are also entities in their own right, who have their own rational patterns of behaviour that exist outside of their supporters and voters. They will look to maximise their power, number of supporters or any other benefits. From this perspective, the choices that people and parties make are rational, in that they aim to make decisions that benefit them the most. The theoretical framework of the cleavage pyramid is built on this form of rational behaviour. It assumes that parties are capable of prioritising their concerns and are willing to compromise on some of their concerns lower down the hierarchy of cleavages in order to advance those concerns nearer the top (see Diagram 1: The Cleavage Pyramid).

Rational choice theory tells us why people take the course of action that they do, namely to maximise the best overall outcome. It tells us that people and group behaviour is governed by a set of rules that determine cooperation, competition and behaviour but "it needs other perspectives to help explain why individuals have the interests they do" (Marsh & Stoker, 2002, p. 65). That is to say, it cannot tell us the cause of behaviour as, "although it is individuals who experience emotion, what feelings they have and how they express them are culturally patterned and not just innate" (Parker et al., 2003, p. 21).

This is why the combination of interpretive and rational choice theories forms an ideal epistemological framework. Interpretive theory gives us a means to understand how people see the world, and what meanings they attach to events, objects and ideas; it enables us to understand their priorities and beliefs. For political parties, rational choice theory can be used to explain their

decisions, such as what coalitions they join, their policy priorities and their interaction with the media and their supporters. Taken together, rational choice theory tells us how people and parties 'get what they want' and interpretive theory tells us 'why' they want what they want.

## Research Methods

Having outlined the research area and my epistemological structure, the next step is to decide how these goals will be met. This means establishing a research methodology. As ever, the maxim that "The choice between different research methods should depend upon what you are trying to find out" (Silverman, 2001, p. 25) is true for this thesis. In practical terms, two questions have to be answered: will my thesis be based on qualitative, quantitative or mixed methods? In addition, more practically, how will I gather the data for the research?

In attempting to achieve sufficient depth and focus, I am limiting the parameters of this study to the following:

- A. Time period. While this study will cover elements of history concerning ultra-orthodox parties and the Israeli state, this study is not meant as a historical thesis, but a contemporary political analysis. Therefore, historical events/patterns from the birth of the state will be used as a lens through which to understand contemporary politics.
- B. Parties. The only party that will be subject to in-depth study is the ultra-orthodox religious party Shas. Other parties will be studied in terms of their relationship to Shas.
- C. Those of interest. Since this work is focused on decisions made by parties at an elite level (coalition building/electoral strategies), those who are of the most interest are those who have some knowledge of this level of political decision-making.

## Qualitative Research

Because we are “interested in the ‘why’ rather than the ‘what’” (Harrison, 2001, p. 87), the qualitative research approach is the primary method used in this thesis. The reason for using qualitative methods is that my research seeks to understand the reasons behind patterns of behaviour, i.e. what motivates certain actions, and to “explore people’s subjective experiences and the meanings they attach to those experiences” (Marsh & Stoker, 2002, p. 199). Therefore, a qualitative method appears the most suitable for achieving these goals. This form of research allows participants to give their interpretation of events, not just simply relay the events themselves. Qualitative methods allow space to explore the narratives that people have constructed to explain why they think what they think – something that semi-structured interviews are especially important for, as they allow people to present their ‘story’ of events.

Qualitative research also allows us to place the interviewee’s narrative and perspective within the wider social context. Qualitative research seeks to explore the meanings people give to the world and looks for meaning rather than ‘measuring’, as one would with quantitative data, which is far more applicable to my thesis. While there is much valid work examining electoral trends and voting figures, this is not my aim. I wish to explore *why* ultra-orthodox parties are successful and what motivates their actions. This requires an understanding of these parties outside of simple information about them, which is why qualitative research forms the basis of my thesis.

I am aware of the critiques that assert that qualitative research is suggestive, unrepresentative and atypical, that its results are unscientific and that bias on the part of both interviewee and interviewer exists. These criticisms are to some extent valid, and all qualitative data is subjective and is open to a myriad of interpretations, and can be dismissed as impossible to generalise given the small number of participants (Devine, 2002, pp. 206–207). In this case, all interview transcripts will be included, allowing others to check the analysis I have made of the data and to see if my interviews contain any form of bias, in either the questions or my analysis of them. Secondly, all

qualitative data is non-scientific, and has no grounds to claim it is so, and this being the case my thesis does not seek to be a scientific work, but instead aims to provide an original analysis from a qualitative position that seeks no scientific mandate.

### **Quantitative Research**

Quantitative data is used on occasion throughout this thesis, but only as an addendum to the research. Inevitably, I have used some statistical information regarding demographics in Israel and some official statistics regarding voting patterns and the numbers of MKs each party has. Mostly the quantitative data that is used is part of an investigation into how people perceive and interpret the data rather than an investigation of the data itself.

### **Interviewing and Ethical Considerations**

My interviews were recorded with the full and explicit permission of my interviewees. The interviews were semi-structured, with predetermined topics rather than explicit questions. Each interview was also tailored to some extent to those I was interviewing; for example, members of the Knesset were asked more pertinent political questions about coalition building, and for others there was a broader array of questions. All the interviews took place with professionals only; at no point were the general public involved. In the end, interviews focused on the elite level only as it “is often the most effective way to obtain information about decision-makers and decision-making processes” (Burnham et al., 2004, p. 205).

The interviewees were allowed to digress to some degree, and I did not seek to overly formalise the interviews with a high degree of structure. The key reason was that “the interview has the advantage that additional information can be obtained by probing the initial responses” (Keats, 2000, p. 20). The semi-structured system means that each topic will be covered, but what each person says on the topic, and how much importance they attach to it, will be their decision.

All interviewees were provided with the background to my research, and I answered any subsequent questions they had. The meetings took place at a variety of locations, all of which were at the choosing of those interviewed, for their convenience. All interviews are transcribed from audio and available on request; however, due to the semi-structured nature of the interviews, and the emphasis on topics rather than questions, there is no list of questions to include, but topics are listed in Chapter 6.

The rationale behind the interview questions was twofold. Firstly, elite interviewing was used as a method to get answers to questions about *how* the political system functions. Secondly, the aim was to get interviewees' responses to issues, namely to see how they *perceived and interpreted* issues related to ultra-orthodox parties and Israeli politics. Elite interviewing allowed me to get information about political parties that would otherwise not be freely available, and more importantly it would allow me access to their 'narrative' – that is to say, how they interpreted the situation; and

If one is interested in actors' perceptions of the world in which they live, the way in which they construct their world and the shared assumptions which shape it, there is much to be said for the model of the elite interview. (Burnham et al., 2004, p. 219)

The interviews are important because they show how the system functions, but, even more importantly, they show how people *believe* the system functions. This thesis has from the outset set out to explore this duality, and elite interviews are simply the most practical and insightful way to do this.

The research has adhered throughout to the strict standards expected by the University of Liverpool Committee on Research Ethics, and all of those interviewed were over the age of 18; as such, parental consent was not necessary. At no point did any money exchange hands between the interviewer and interviewee, nor was there any reward for any party involved. All interviewees voluntarily gave interviews in the full understanding that these would a) be recorded and b) feature as part of my research. All interviewees were also aware of the research context of the interviews and of my research subject. All interviewees stated that they were happy to be 'named' in the thesis,

with one exception, who expressed some reservation. I decided that given the uncertainty they would simply be referred to in the thesis as a 'senior government advisor'.

### **Media Sources**

Another element of this thesis is the use of media sources. Bias is perhaps the most obvious concern when using media sources, yet the media represents an important element of political discourse within a state, and is for many how political information and discourse is relayed. Therefore, for anyone seeking to study the political discourse in a state, or find relevant and contemporary information, it is an important informational source. My primary media sources are the online website versions of the dailies *Haaretz* and the *Jerusalem Post* – for practical reasons they publish in English although politically and editorially they have somewhat different positions.

In order to mitigate the problem of bias, all media sources used in this thesis are strictly divided into two clear categories. Firstly, some media reports are used as sources of fact. Where this is the case there is a clear emphasis on ensuring that it contains no editorial/political position. Secondly, media sources have been used in understanding the political discourse in Israel. In this case it is clear that media sources are being used in the context of addressing the discourse between various elements of society, in which case media articles will be used that contain editorial opinions or political standpoints.

From the perspective of studying discourse, media sources are important because they “can provide a valuable understanding of the context of political behaviour” (Harrison, 2001, p. 109). How stories/facts are interpreted and how political parties respond to them can tell us much about the political discourse in the state, as well as the relationship between the media, their supporters and political parties as each seeks to 'signal' to the other. It can also be a valuable resource in identifying the priorities and aims of people and parties, and identifying both the motivation for their behaviour and the means by which they seek to achieve their aims.

## **Critical Literature Review and Documentary Sources**

This work does not contain a single literature review chapter, but instead presents a much wider and more in-depth analysis presented over four chapters, since it is seeking to build a conceptual framework incorporating a wide scope of theoretical elements. Chapter 2 consists of a critical literature review of democracy and how it's defined, measured and assessed as well as an exploration of the phenomenon known as 'hybrid regimes'. The second half consists of an Israel-specific literature review that examines Israeli democracy and its apparent weakness with particular attention paid to the ethnic nature of Israel's regime. Chapter 3 builds on this by examining democracy in divided societies and the role that religion and ethnicity can play in democracy. It examines ethnicity and religion as concepts and abstract ideas before examining how they affect democracy and some of the means by which the conflict they sometimes cause can be negated. Chapter 4 takes these two theoretical elements and then introduces an Israel-specific view by examining the role that intra-Jewish ethnicity and secular-religious relations have had in defining the Israeli state and its current divisions. Chapters 2-4 are then combined into a case study of the political party Shas and what this reveals about the wider Israeli state. These chapters will both set the theoretical framework for my research and identify the gap that my research will fill. This section will position my study within the literature and identify its uniqueness.

## **Hypotheses and Research Questions**

As I have already addressed, the thesis has an epistemological basis in interpretive theory and rational choice theory, with a focus on qualitative methods of data gathering. My hypothesis is twofold. Shas represents part of the segmented nature of Israeli politics, but its involvement in the Israeli state is one of convenience rather than acceptance. Secondly, Shas, despite its ultra-orthodox Judaism, does not represent unique actors, but instead fits within established notions of ethnic and religious parties and their patterns of behaviour. Israel has a pyramid-shaped cleavage structure in which divisions between Jews and Arabs are the most salient, but if one travels down the pyramid to

intra-Jewish divisions, one finds a complex and overlapping relationship between cleavages that has prevented solidified polarisation in the Israeli state.

In order to establish the validity of my research topics, the questions will focus on the following areas. In a wider theoretical sense I will examine the nature of democracy, and how we define it and measure it and classify regimes. I will examine and categorise ethnic and religious parties, their positions within democracy and means of conflict resolution between polarised groups. Within the Israeli context I will examine the relationship between ethnicity and religion and explore the nature of Israeli democracy: I will identify where Israeli political parties reflect existing divisions or instead exacerbate them. When it comes specifically to Shas I will ask:

1. From where does it derive its support?
2. What does it seek to gain by political involvement in the Israeli state?
3. How does it operate within the framework of the Israeli political system?
4. What is likely to be its future role and status in the Israeli political system?

As with any project that seeks to explore meanings and political identity, there are likely to be questions about the sympathies of the researcher and their predilections towards taking sides, and that “personal preference which is response to the writer’s values may be injected into the discourse intentionally or unintentionally, boldly or timorously” (Hyneman, 1970, p. 43). While bias may subconsciously enter my thesis, all effort has been made to place the evidence at the forefront and let all analysis be guided by this evidence.

The data that I have collected will be used to formulate a theoretical framework that will seek to place Israeli religious politics within the debate about democracy and group conflicts. While there has been much research done on the various individual subjects this thesis will cover, there has been very little consolidation of them. At the same time, the issues and topics I am addressing are part of

the common parlance in Israel itself, yet there have not been many attempts to frame them within a wider theoretical context.

## **The Conceptual Framework**

So far, this chapter has established the methodology, epistemology and research questions that will form the basis of this thesis. Epistemology explains the methodological and philosophical basis of this thesis and the research questions and hypotheses identify puzzles we are seeking answers to. Yet the methodological basis is not complete without a conceptual framework which can be used to explain past data as well and guide us towards new areas of research and findings (Rodman, 1980, p. 438) and as a means of creating greater order of this data (Walliman, 2011, p. 101). In effect, this means the conceptual framework is the foundation of the thesis since it sets the parameters of study and tests its relationship to other concept(s) or actors (Kumar, 2005, pp. 36–37). In this thesis it is the relationship between the cleavage structure and the party/government system in and the relationship between Shas and Israeli democracy.

The conceptual framework here seeks to explain the party system in Israel. More specifically, I will explain the relationship between political parties in Israel and the cleavages they represent. At this point it should be emphasised that the work is referring to intra-Jewish cleavages, not the larger division within the state between Arabs and Jews, which is significant and is detailed in Chapter 2. In order to do this, I will use the Sephardic ultra-orthodox political party Shas as a case study by which we can understand the wider frameworks that inform the relationships between political parties within Israeli democracy, since Shas represents an ideal case study for a number of reasons. Firstly, as it is a political party their creation and success is connected to a wider fragmentation of society and the party system in Israel that represents a long-term trend. Secondly, it has both a religious and an ethnic identity, which means it acts as an ideal means to dissect two identities that have been at the heart of long-running conflicts between various sectors of society and over the character of the state. Thirdly, unlike other actors, more easily associated with the left/right in Israel (or, as they are

more accurately known in Israel doves/hawks), it has an ambiguous attitude towards the peace process since its primary focus is domestic and sectorial. This makes it an ideal party through which to explain domestic political arrangements and the Israeli party system. Finally, its multifaceted electoral base contains both ethnic and religious element of support that attract a wider array of voters than the other (Ashkenazi) ultra-orthodox party, United Torah Judaism, which in this thesis is used as a point of comparison to the main focus, which is Shas.

With Israel and Shas acting as the case study, the work seeks to place both (and more significantly their relationship) within the wider context of divided societies and democracy. The conceptual framework that is being designed is more ambitious; it is not just one that can be applied to Israel and/or Shas, but one that is more widely applicable. To this end, it is not overly focused on specific elements of the ultra-orthodox world but, instead, the work concentrates on them as representatives of identity politics and their relative position both within Israel and also the literature. In order to make this theoretically applicable outside of Israel, the focus of study and analysis is trends/patterns and the theoretical context, rather than history and context only relevant to Israel and the ultra-orthodox.

There are many very good and detailed works about Shas and Israel that cover both subjects in a great deal of empirical depth (see authors listed on page 18). The present thesis, however, is about building a conceptual framework with wider applicability concerning identity and democracy through the perspective of Shas and Israel, not a thesis about Shas and Israel. Making an empirical study of Israel and Shas would elicit certain data, but this would only reinforce existing knowledge and, while that is a valuable and important part of academia, it is not the primary aim of this work. Instead, if, as Marshall and Rossman suggest, the purpose of a study is to explore, explain or describe (2006, p. 33) then this should be considered an explanatory thesis since the aim is to build a conceptual framework for understanding Israeli politics through the study of Shas. In essence, the

conceptual framework acts as a means of explaining the actions of certain actors in Israel – namely political parties.

The framework builds on combining the study of three theoretical areas.

(1) Israel is a democratic state (although the contested nature of Israeli democracy is explored in Chapter 2) and how its politics is conducted will be partially determined by this factor. Therefore, any attempt to study Israel must understand the structure that informs it. To this end, the thesis seeks to understand how democracy functions through procedure and outcome, whilst also highlighting key debates surrounding the strength and weaknesses of Israeli democracy in particular.

(2) Israel is also a state divided along ethnic and religious lines and, as such, one also needs to understand both identity politics and its functioning within a divided society.

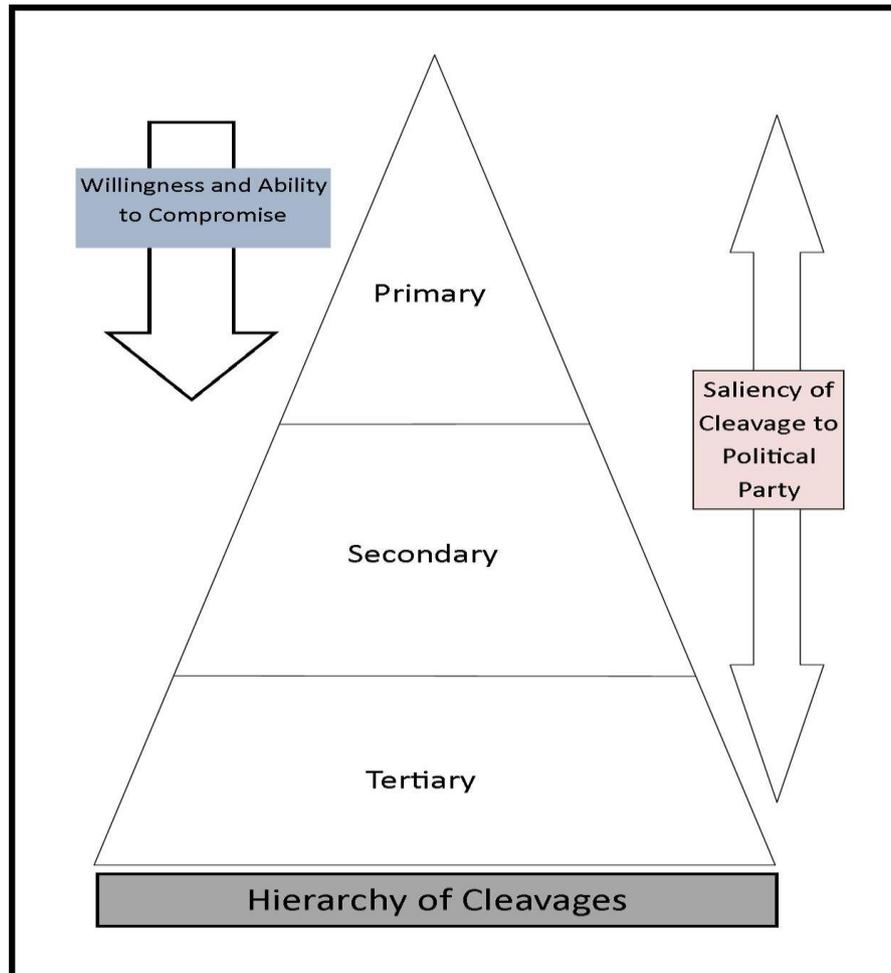
(3) One needs to understand the relationship that exists between identity and democracy and how ideational politics can be either exacerbated or dampened by democracy.

These theoretical studies will be used to create a conceptual framework for understanding Israeli politics based around this combination of democracy and ideational politics, where, traditionally, the most salient problem of democracy in divided societies has been that it has been overly intense and mutually exclusive. The identities, whether ethnic or religious, become the primary organising factor for both politics and society and in doing so take on an existential intensity. This then leads to zero-sum politics whereby political parties must not only support their community but diminish the power and resources available to other parties and their communities in order to maximise relative strength. In many cases this leads to the process of 'outbidding', whereby parties are forced into ever more extreme positions in order to fend off rival factions. The outcome of this outbidding process has been well documented and as it becomes more intense so does the propensity towards conflict. The question of how states escape this has been a fertile one for study, as documented in Chapter 3.

## **Conceptual Framework: The Cleavage Pyramid**

Most approaches to the study of democracy in diverse communities have focused on designing forms of democracy that encourage cross-community cooperation that in turn dampen ethnic tensions and the propensity towards zero-sum politics. In many cases this is the only viable solution once a society has mobilised fully behind one particular cleavage and factional identities have become hardened. There is another way of dealing with divided societies through the somewhat counter-intuitive approach of creating further and more varied divisions in society. This thesis utilises this approach and, by doing so, it presents a theoretical framework that builds on what has gone before.

The greater the number of cleavage divisions within society, the less salient each one becomes, while at the same time the possible points of cross-cleavage cooperation increase. Thus, this has the dual function of decreasing the saliency of individual cleavages whilst also multiplying the number of possible points of cross-community cooperation. This is an important element of my theoretical framework, which I have termed the cleavage pyramid. It explains how Israeli politics has been able to maintain a degree of functionality as it enables actors that have multiple and sometimes mutually exclusive priorities and concerns to cooperate, albeit not all of the time. This is despite the fact that from the outside both society and the party system seem deeply fragmented and factionalised with competing ethnic, religious and political identities. Diagram 1: The Cleavage Pyramid below is an illustration of this.



The saliency of each cleavage division to any given political party travels either up or down the pyramid, denoting its importance. The primary cleavage is more salient than secondary and secondary more salient than tertiary – simply put, the further one travels up the pyramid the more the cleavage matters to a given party and vice versa. Because of this, the closer one gets to the apex the less one finds parties willing to compromise due to the importance of the issue to not only the party but also their supporters.

Of course, this does not just work in isolation and its significance is in its application to relationships between parties, especially those in government coalitions since coalitions require that parties make compromises in certain areas. Obviously, within the context of the cleavage pyramid, parties find issues of tertiary or even secondary importance easier to compromise on than primary issues. Cooperation thus occurs because political parties are willing to defer to each other in exchange for

reciprocal agreements. For example, *Party A* compromises on an issue of secondary importance to itself but primary importance to *Party B* on the understanding that compromise occurs when the roles are reversed and *Party B* will be the one that compromises. Through these forms of 'ideological stand-down agreements', conflict is avoided between coalitional partners, and governments that appear ideologically fragmented and factionalist can function and avoid overt confrontation.

However, this system of multilevel compromises only functions when parties are willing to engage in ideological stand-down agreements. This means that conflict between political parties is most likely to arise when two parties with mutually exclusive positions on an issue both place it at the apex of their cleavage pyramid. When this is the case, there can be no substantive compromise and the end result of this form of conflict is usually one party having to leave government, since no party would be willing to tolerate compromising its primary goal, even if it could gain substantial benefits concerning its secondary and tertiary concerns. This is in order to avoid the prospect of being abandoned by voters who share their primary concern(s), leading most political parties to believe that it is better (electorally, at least) to leave a coalition rather than compromise its and its voters priorities. The cleavage pyramid is the means by which we can understand the behaviour and priorities of Israeli political parties. What it doesn't mean is that the cleavages and priorities themselves have to remain unchanged. Circumstances, the electorate and indeed internal leadership of the party can have a profound effect in shaping and reshaping the hierarchy of the pyramid and so one needs to understand the Israeli context.

### **The Cleavage pyramid in Israel**

New political parties in Israel are not uncommon given the volatility of the Israeli party and electoral system (see page 211). Often they are able to mobilise voters on issues and cleavages that have previously not been active, or revitalise cleavages ignored by their traditional advocates. For example, Tzipi Livni's *Hatnuah* has the peace process at the apex of its cleavage pyramid. It has been

able to do this since no other centrist party had made the peace process a central element of its campaign, something especially noticeable about the Labour Party.

*Yesh Atid*, on the other hand, has been able to capture the political centre previously held by *Kadima* by convincing voters it is neither left nor right (Rahat & Hazan, 2013). It has also reignited the secular–religious divide by focusing on the “burden” that the ultra-orthodox are to their secular counterparts in Israel (Spyer, 2013). Many of *Yesh Atid*’s voters are actually drawn to the party because of the saliency of the secular–religious divide and Yair Lapid’s appeal to voters through the phrase ‘my fellow slaves’ (Misgav, 2013). In actuality, it represents a new sectorial interest group for middle-/ upper-class Israelis rather than being about the broader Israeli society or ideological or economic dogma. Both are examples of the idea that new parties that are able to either tap into an existing political cleavage structure that resonates with voters but is unrepresented by a party, or forge one from existing and new elements that still resonate with people, are likely to be successful. Maintaining this support is hard work given that the cleavages in Israel both in society and for individual voters are often not frozen in their saliency. This is less true for those parties that represent sectorial interests. Beyond the ultra-orthodox and Arab parties, which are sectorial parties but are examined in detail elsewhere (Chapters 5 and 2, respectively), this includes *Meretz*, *Yisrael Beiteinu* and *Jewish Home*.

*Meretz* has continued to be the outlier for the Zionist left and has faced little competition for its voters. It is able to attract votes since Arab parties reject the Zionist element of its ideology while the Labour Party rejects the left-wing element of its ideology. As such, it has survived by occupying a political space that is otherwise unoccupied. At the opposing end of the political spectrum, *Jewish Home* represents religious Zionists and the settler movement that is the successor of the *National Religious Party* or NRP (see page 49). Here, party leader Naftali Bennett has shown that an individual is capable of reshaping the party’s priorities. In doing so opening he has opened it up to a whole new collection of voters who wouldn’t previously have shared their cleavage pyramid structure by

revitalising the party through drawing in secular nationalists, which has enlarged the party's support by appealing to the non-religious right-wing voter. He established Jewish Home as the default party for right-wing Israelis put off by Yisrael Beiteinu's secularism or seeking a more hard-line nationalist party than *Likud* (Spyer, 2010, pp. 94–95). Jewish Home, by placing territorial concerns at the apex of its hierarchy as opposed to simply religion, has been able to attract groups from both religious and nationalist communities. These communities, while not sharing much else, have the same apex of their cleavage pyramid – the building of settlements and the eventual annexing and creation of a single Jewish state.

Yisrael Beiteinu is a party founded to represent Russian Jews who arrived in Israel during or after the disintegration of the Soviet Union from 1989 onwards, and support for the party has remained strong within the Russian community. Nonetheless, it can't be simply defined as an ethnic party since its priorities are often political/territorial, following a consistently right-wing/hawkish position on security and the ethnic identity of the Jewish State. Their cleavage pyramid places ethnicity at the hierarchy of their pyramid, meaning that unlike the religious Zionists their priority isn't territorial maximisation but, instead, ethnic solidarity. As such, they find the concept of the two-state solution more amenable if it keeps a clear Jewish majority in the state. These parties (along with Arab and ultra-orthodox parties) owe their existence to the fact that there still exists a demand for the cleavage pyramids they represent and that there are still voters in Israel with whom their priorities resonate.

Finally, there are the two 'broad church' political parties – Labour and Likud that represent what might be loosely termed the left/right divide in Israeli politics. On the left, the Israeli Labour Party is an example of what happens when a party fails to adapt to changing circumstances and voter demands. The last election in which it was the largest party was that of 1999, and since then it has been undermined by leadership challenges and splits that suggest that the party has failed even to provide effective opposition to its right-wing rivals Likud.

Inbar attributes the decline in the Labour Party to the following factors. First, Labour lost its connection to those symbols that were at the heart of state building in Israel, namely the army and the settlement project. Its move away from these and their gradual symbolic capture by the right deprived the party of the symbolic power it had been able to utilise since the founding of the state. Secondly, its move to embrace individual over collective rights and its increasing association with a wealthy business elite meant that many traditional supporters viewed it as having abandoned the idea of Jewish rights and equality for a more socially and economically liberal approach. Thirdly, its continued association with the peace process meant that many viewed it as a party of the left/dovish. This freed the centre for Likud and others (Kadima and later Yesh Atid) to occupy, whilst more dedicated peaceniks shifted to the left of the party, usually to Meretz. A fourth factor is demographic change. The Ashkenazi-dominated Labour Party struggled to adapt to Sephardic and Russian migration, as many of those who migrated didn't share the worldview of the Labour Party. Leader of Herut/Likud Menachem Begin's electoral success in 1977 was partly due to mobilising many Sephardic/Mizrahi voters behind the party and many have since remained on the political right. Russian migrants would likewise mostly vote for other parties including the Russian-dominated Yisrael Beiteinu. Finally, financial struggles and the more general decline of the unions hit the party hard, as did power struggles and fragmentation (2010, pp. 72–77).

These failures and the decline of the Labour Party are rooted in changes in the party system and society, and its own internal failings. The party's main problem is its inability to create a clear vision of its identity and a clear cleavage structure that appeals to a greater number of voters. It has struggled to convey to the electorate what its priorities are and who exactly should be voting for the party. More pertinently, the decline of the Labour Party shows that a party that doesn't understand and respond to the cleavage pyramid or internalise the importance of understanding the priorities of the electorate and positional supports will struggle to gain wider support.

If Labour represents failure then Likud under Benjamin Netanyahu shows that this can be reversed. In the 2006 election it finished fourth with 12 seats, its lowest total since 1977, yet after this failure Likud devised a comeback strategy. New leader Netanyahu made great efforts to cast Likud as the centre party in the economic, political and social sphere (Diskin, 2010, pp. 57–60). Through this, and unlike the Labour Party, they have developed a clearer message and platform with which to appeal to voters. In terms of its cleavage pyramid, Likud has been at its most successful when it has been able to reconcile its centrist-minded and extreme (usually settlement-based) elements. There thus exists within the Likud a division between those who value the ideology of Eretz Israel within the settlement movement, and a more pragmatic figure like Netanyahu for whom security trumps ideological concerns. Likud, when it can marry these two, can appeal to a wide spectrum.

As a model, the cleavage pyramid does not seek to suggest that the cleavages in Israel are frozen but that it is a means for understanding the saliency of each cleavage. Internal or external circumstances can cause either the entire public or sections of it to change what they place at the apex of their hierarchy of cleavages. Successful parties are those that have an in-built monopoly because either the demands of their supporters don't change (the Arab and ultra-orthodox parties) or they have successfully adapted to change (Likud, Jewish Home). Those that are unable to create a relevant political identity or to tap into a salient cleavage hierarchy can find themselves in decline (Labour) or shrink to the point of irrelevance (Kadima). This is only exacerbated by the Israeli party and electoral system, which provides little barrier to entry to political parties, providing a competitive and volatile political market. Parties that do not evolve are penalised – for example, Kadima, which won the most seats (28) in 2009 but this was reduced to two seats in 2013, Kadima having lost over 678,000 votes.

Kadima was a party formed in the high intensity of Sharon's 2005 Gaza withdrawal, yet the territorial cleavage, while important, had decreased in saliency by the 2013 election. Kadima was thus a party whose cleavage structure was taken on by more successful and appealing leaders (Tzipi Livni and

Hatnuah). At the same time it lost a considerable amount of support since many of their previous voters had altered cleavage structures and pivoted to domestic affairs, especially Yesh Atid. The nature of Israeli society is one in which cleavages can and do increase and decrease in saliency. Running alongside this is the fact that the fluidity of Israel's party system allows parties to reshape themselves, but that also opens them up to challenges.

This thesis will use Shas as a case study to explore this dynamic further. Shas as a party has prioritised its religious identity with its ethnic identity a close second. The factionalism it demonstrates in support of that community has meant that its chief adversaries have been the 'political secularists' – that is, those who have made secularism their chief political identity. In this case, since they share the same primary concerns (the relationship between religion and the state as well as state support for religious institutions, especially ultra-orthodox ones), but from a perspective of mutually exclusive goals, traditionally they have been unable to coexist in the same government. This has been most notable in the cases of *Shinui* and more recently Yesh Atid, which have made implicit or explicit demands that their inclusion comes at the price of the ultra-orthodox. This means that conflict is inevitable, since these have placed secular voters and secular identity at the forefront and have explicitly targeted the ultra-orthodox.

The intention of this thesis is to produce a conceptual framework as a means of understanding and organising the complex and interconnected cleavage divisions within Israeli society and its subsequent political parties through this model of the cleavage pyramid. Political parties in Israel are multifaceted and there is not a single cleavage that the system has hardened around, since the criss-crossing nature of the divisions allow for the constant changing and reforming of the party system, which has meant that the system has remained fluid and has allowed new actors to emerge. Without this fragmentation the system would tend towards a hardening of identities and the creation of a more exclusionary system. As such, the party system has maintained a degree of

functionality and flexibility, while at the same from the outside appearing dysfunctional and factionalist.

## **2) Categorisation of Religious Parties, Affiliations and Terms**

This thesis will contain concepts and social groups that are at times not easily identifiable to those outside an Israeli religious, social and political context. For this reason it is necessary to explain certain classifications and descriptions that will be used regularly throughout and clarify what is meant by them. In this instance I will seek to qualify what I mean by certain terms in regard to religion in Israel, specifically what is meant by terms that are used to denote people's religious and ethnic affiliation.

Firstly, while inter-Jewish ethnicity will be covered in detail in Chapters 4 and 5, for the meantime it is necessary to provide a broad definition of the difference between Ashkenazi and Sephardic Jews in Israel. Within the Israeli context, the meanings of both 'Ashkenazi' and 'Sephardic' are broadly applied. Ashkenazi Jews in Israel are those who (broadly speaking) have a European background, while Sephardic Jews are those with a (broadly speaking) Middle Eastern/North African background (Kimmerling, 2001; Lehmann & Siebzehner, 2006). It is also the case that Sephardic is sometimes used interchangeably with the term 'Mizrahi'. Sephardic is seen as having religious connotations, while Mizrahi is seen as having more ethnic connotations (Peled, 1990, 1998; Tzfadio & Yiftachel, 2004). Here (as far as possible) I will use the umbrella terms Sephardic and Ashkenazi to distinguish between the two communities.

Secondly, I will define those categorisations that relate to those who are religious. At this point I must emphasise that this is a work not about Judaism, but about the political parties whose primary concerns are theological. My interest is in the political manifestation of religion, rather than in religion per se. Therefore, this work would not benefit (and would almost certainly suffer) if it was to become embroiled in theological debate or attempt to differentiate different sects of Judaism, apart

from when there is a political reason to do so, as there is for the Sephardic and Ashkenazi ethnic sects. The categories that I have set out and that appear in my work denote the 'level' of worship, rather than the form of Judaism. By level I refer to the level of integration into non-religious Israeli society and the level of religious devotion. The categories that are listed here represent only a section of the multifaceted Jewish faith.

## **Haredi/Ultra-Orthodox<sup>2</sup>**

The Haredi/ ultra-orthodox branch of Judaism adheres most closely to Jewish Law and for them religion is the entire framework for life. They have little interaction with the 'secular' world, instead choosing to live in their own homogenous communities in a form of self-imposed isolation, both in Israel and in other states; thus, "what is required is religious zeal, observance of the commandments, and a rejection of modern culture" (Cohn-Sherbok, 2010, p. 89).

Often they will have their own institutions such as schools, political organisations, press etc., which are separate from the mainstream and concerned only with the ultra-orthodox community. These institutions are often funded by the Israeli state, but retain relatively high degrees of autonomy. For this community, religious laws surrounding the Shabbat<sup>3</sup>, Kashrut<sup>4</sup>, circumcision or any other matter of religious law or custom are obeyed to the letter. Their primary loyalty is to their religion and they are "more likely to believe that Halakha<sup>5</sup> should always be given preference over democracy when there is a contradiction between the two", a statement reflected by the fact that 78% of those who adhere to some form of ultra-orthodox Judaism consider their primary identity as Jewish, as opposed to Israeli (Arian et al., 2011, p. 65). Often the key figures in these communities are religious – from the local to the chief rabbi of their sect, who remains the key political and social authorities in these communities. As such, from a political perspective, it is the case that "the politicians did not

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<sup>2</sup> In the literature some refer to the Haredi while others to the ultra-orthodox. In this work ultra-orthodox is the preferred term, and where Haredi is used it should be taken to mean the same as ultra-orthodox.

<sup>3</sup> The Jewish Day of Rest.

<sup>4</sup> Jewish Dietary Laws.

<sup>5</sup> Jewish Law.

have that much importance; they were only delegates of the Rabbis” (Guy Ben-Porat, personal communication, January 27, 2014). Therefore, for those adherents to this form of Judaism, voting is done on strictly religious grounds, and they vote for an ultra-orthodox party – *Shas* or *United Torah Judaism*.

## **Orthodox and Modern Orthodox**

Unlike the ultra-orthodox, modern orthodox/orthodox Jews believe that it is possible to remain a religiously observant Jew while still being integrated into the secular world and modern culture.

Unlike the ultra-orthodox, they will interact with the modern secular world, and attend educational institutions that are secular, become mainstream professionals and take part in activities that are secular and/or western.

Although they will often have attended Jewish schools, these will often be mixed gender (unlike ultra-orthodox institutions) and have a much more secular educational component than the ultra-orthodox. Religion for this group is an important factor in life, and they will mostly be very observant. They are likely to respect tradition and law, and to follow the ‘mainstream’ Judaic rituals and law. However, unlike the ultra-orthodox, they are likely to do this within a framework of being connected to the larger Israeli society, and not to restrict themselves to homogenous communities. They are likely to be more diverse in political support than the ultra-orthodox in that they will back ‘secular’ parties, although some will support religious Zionist parties such as Jewish Home/the NRP. They have in common with the ultra-orthodox the fact that exactly the same percentage (78%) considers their primary identity to be Jewish (Arian et al., 2011, p. 65).

## **Religious Zionism**

Religious Zionism is a branch of the orthodox movement and shares many of its characteristics and beliefs but that members of this group are more likely to live in homogenous communities (especially settlements). Unlike the traditional orthodox, they believe in the ability of humans to

influence 'God's Plan' or more accurately God's ability to influence humans in accordance with his plan. Subsequently "Religious-Zionism lent legitimacy to human efforts aiming to shape divine and cosmic events, such as redemption and the revival of Jewish nationality" (Schwartz, 2008, p. 2).

The concept of Eretz Israel<sup>6</sup> is an important element of religious Zionism – rebuilding the biblical homeland and forging a new Jewish identity free of the taint of being a people in 'exile' is a key concept. Unlike the orthodox, they believe that, instead of waiting for the Messiah to come and return the Jews to the land promised to them by God, it is up to the people to do it themselves, as God is acting through those who create the homeland. Initially, religious Zionists would have been mostly supporters of the NRP; yet, both the party and the wider social movement have fragmented along political lines. Its association with the right-wing settler movement drove many of the moderates and left-wing supporters away, and the right wing "no longer coalesces into a monolithic movement such as Gush Emunim<sup>7</sup> but spreads over a series of ideologies and world views" (Schwartz, 2008, p. 2). Today, Jewish Home (a reformed NRP) is the party most identifiable with religious Zionism, albeit on its right-wing. Moshe Feiglin's faction in Likud also attracts significant support from the religious Zionists, as does Shas. Although left-wing religious Zionists exist, the one party that represented them (*Meimad*) has been absorbed into the Labour Party.

The ultra-orthodox, the orthodox and religious Zionists constitute the 'mainstream' of Israeli Judaism and as such they have control of the rabbinical courts, where rabbis are paid through the state and are the only ones allowed to conduct legal marriages inside the state of Israel. In effect, Orthodox Judaism has from the birth of the state of Israel had a monopoly on religion in Israel, and it has remained the dominant strain of Judaism in Israel. There are two other strains of Judaism that have sought to challenge this, even if they have met with little success, as both Conservative and Reform Judaism are far more widespread and accepted outside of Israel than within. Therefore, while in

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<sup>6</sup> The Biblical name for the Land of Israel that, according to the Torah, is the God-given land of the People of Israel.

<sup>7</sup> A Jewish settler movement dedicated to establishing settlements in the West Bank and Gaza.

recent years Conservative and Reform Judaism have gained traction in Israel, the dominance of Orthodox Judaism in the religious, social and political sphere in Israel is self-evident.

Nonetheless, when dealing with religion in Israel a large number of people (78%) do not identify with any of the aforementioned religious strands, but instead identify themselves as either 'traditional' or 'secular' (Arian et al., 2011, p. 65). These identities differ from the aforementioned religious identities since religious identities are differentiated according to 'levels of adherence' and different practices of Judaism. On the other hand 'traditional' and 'secular' Israelis differ mostly because of their attitude towards religion, rather than in their belief systems per se, as neither category consists of people who are defined or would define themselves as being 'actively religious'.

## **Traditional**

While some in this grouping may define themselves as religious, it also incorporates those who would not necessarily define themselves as religious in terms of practice or adherence to Jewish Law, yet who respect the traditions of Judaism, and observe customs often for communal reasons. Those who while "not consistently participating in religious Jewish practices, radiate the message that they are people of religious faith and are connected to religious tradition" (Nissim Leon, personal communication, January 29, 2014). So, while some traditionalists will define themselves as atheist, some as agnostic and some as being some form of 'non-practising believers' they all tend to respect those from the orthodox and ultra-orthodox communities' dedication to their religion, although, as will be detailed in the work, their attitude can sometimes become more hostile in the political and social realms.

Religion and its symbolism are important, and many place importance on the idea of Israel as a Jewish state, and the symbolic elements of that religion (e.g. the Star of David, Jewish holidays etc.). Judaism is a form of community; it is what binds the Jews and the Israeli nation together. Often they will not themselves be overly observant of law and custom, though this can vary and 90% of self-defined traditionalists observe to some extent or observe to a great extent – 50% and 40%

respectively – while very few are fully observant or not at all (Arian et al., 2011, p. 65). Thus, while they may drive on Shabbat, or occasionally break the Kashrut Law or only attend the synagogue on special occasions, religion remains important to their sense of identity and community, and given this they are more inclined to have positive attitudes towards it than secular Israelis. Yet on some divisive issues involving military service, resource distribution and employment there is more likely to be hostility, especially against the ultra-orthodox.

Politically, traditionalist Jewish Israelis vote for a myriad of political parties spanning many political positions. Many (especially in the Sephardic community) will vote for a religious party, such as Shas. In terms self-identification, the traditionalist is more evenly spread with 61% defining themselves as primarily Jewish, compared to 32% who define themselves as primarily Israeli (Arian et al., 2011, p. 70).

## **Secular**

As is detailed in Chapter 4, one can be 'secular' or a 'secularist' – that is, one can be secular simply through an absence of belief or one can have a 'secularist identity' (Shelef, 2004). Such individuals do not represent a community in the same way that the ultra-orthodox do. They support many different political parties, have different social and political positions and differ in their attitudes towards religion and the state. Contrary to popular perception, secularism does not in Israel naturally entail hostility to religion, but it is more likely that secular Israelis will be hostile to religion than any other grouping. The Guttmann Centre reports that, in 2009, 46% of Israelis identified as secular, but only 3% said they were secular and anti-religious (Arian et al., 2011, p. 35).

Secular Israelis are far less likely to follow tradition (be kosher, observe the Shabbat, study religious Jewish texts or feel religious). They are also more likely to see Israel as predominantly a democratic state, rather than a Jewish one, and those who are secular are more likely to believe that democracy should be given precedence over Jewish Law in all circumstances than those who are more inclined towards religion. Politically they vote for a myriad of parties, although most will not vote for

religious parties, with the exception of some from the Sephardic community who vote for Shas. The majority of secular Israelis define themselves as primarily Israeli regardless of whether they are secular and not anti-religious or secular and anti-religious, the figure being around 65% (Arian et al., 2011, p. 71).

These five different labels/categories represent the most salient identities in Israel when discussing the relationship between religion and the state and between different religious groups. The saliency of these identities and their ability to mobilise people is especially true of the relationship between the ultra-orthodox and the secular. In addition, there is a strong overlapping between religious and ethnic identities, both of which will be detailed in Chapter 4. When taken together, the nature of the relationship between religious/secular and ethnic identities is an important part of understanding Israel's cleavage pyramid.

### **3) A History of Israeli Religious Parties**

In this section, I will briefly explain the background to the Israeli religious parties with special attention paid to the impact on ultra-orthodox religious parties. Prior to the existence of Shas (covered in Chapter 5), there were two significant religious parties in Israel. Their failure to provide either a broadly inclusive party for religious/traditionalist voters (the National Religious Party) or to provide ethnic inclusion within an ultra-orthodox party (Agudat Israel) allowed Shas to mobilise Sephardic voters from both the traditional and ultra-orthodox communities.

#### **The National Religious Party (NRP)**

The NRP was formed out of the merger of two religious Zionist parties (*Mizrachi* and *Hapoel HaMizrachi*) in 1956 as a religious Zionist party, with socialist underpinnings (Bernstein, 1957, pp. 69–70). Historically it had been the preferred coalition partner of both Labour and Likud and, indeed, was a member of all government coalitions between 1948 and 1992. It was a powerful and relatively pragmatic party that was a natural coalition choice for the dominant Labour Party as it asked for

relatively little (Wagner, 1974, p. 126), even if its presence in coalitions was not always numerically necessary in order for Labour to have the majority needed to govern (Peretz, 1983, pp. 147–148).

The NRP was a party with many competing factions, with the leadership having three central pillars of ideology – religion, nationalism and socialism. Unlike Agudat Israel, it was an active participant in the nascent Israeli state (Sandler, 1986, p. 109). While the NRP was a party that represented a clear subsection of the population, it was also united by its institutionalised factionalism, which recognised the legitimacy and existence of different opinions and interest groups within the NRP. In this way it was a broad church ideologically, incorporating members who were both ‘moderate’ and more ‘hard-line’ in their attitudes towards the boundaries of the state of Israel and the relationship that existed between church and state in Israel (Don-Yehiya, 1980, p. 220).

The NRP remained a united and moderate party for a period despite its internal contradictions, due to two factors. Firstly, the NRP’s leadership and institutional ties kept the party together. Under its first leader, Moshe Shapira, the NRP positioned itself as a moderator between the religious and the secular, and this remained its position under its subsequent leader Yosef Burg. Both men, as founders of the NRP, had the authority and power to keep the party united. Secondly, during the period of Labour dominance the NRP did not differ radically from the Labour Party and shared many positions in relation to domestic, international and territorial policy, and given this the NRP in this period sought to work with Labour. With this secure position it was able to guarantee ‘rewards’ for its supporters, material or otherwise (Dowty, 1998, p. 169).

Yet the NRP did not survive as a religious ‘catch-all’ party, and instead become more associated with the right-wing, nationalistic-settler movement, especially the Gush Emunim (Bloc of the Faithful), adherents of Rabbi Yehuda Kook who believe that it is the duty of the Jewish people to settle all of the ‘biblical’ state of Israel (Dowty, 1998, pp. 117–118). Israeli success in the 1967 Six Day War had fundamentally altered many people’s perception of the state of Israel and created much disunity in the religious and national movements, especially within the NRP (Friedman, 1984). Israel’s victory

'against the odds' had created a messianic zeal, a belief that this victory was proof that God's wish was that the whole of the biblical state of Israel needed to be reborn, and that it was the job of settlers and the National Religious community to achieve this. Thus, territorial maximisation of the state of Israel became a far more prevalent part of the political agenda and the NRP became linked to this 'new' form of politics (Arian, 1985, pp. 247–249).

As the NRP became increasingly connected to Gush Emunim and right-wing settlers (Lustick, 1988, p. 11), many on the left and centre abandoned the party. Some of these elements in the NRP formed a new party, Meimad, with a dovish and left-of-centre ideology that is now affiliated to Labour.

### **Agudat Israel (AI)**

Unlike the NRP, Agudat Israel has never sought a broad basis of support, nor has it sought to represent more than its own narrow constituency, namely the ultra-orthodox community. From the outset of the state AI has represented the ultra-orthodox community in Israel and, unlike the NRP, it has been very static in the support it receives from voters, maintaining between four and six Knesset seats per election. It has a complex relationship with the state since, while it does not recognise the legitimacy of a state of Israel that is not founded on religious principles, historically, it has been a de facto part of governments. Within government, it does not have ministers as other governing coalition parties do (including Shas) as this would 'legitimise' the state of Israel. Instead it has deputy ministers, while the ministry itself is sometimes (nominally) controlled by the PM. This allows it to participate without legitimising the state (Kook, Harris & Doran, 1998, p. 17). This system is able to exist, Sandler (1986, p. 20) suggests, because the NRP while in the coalition did the Agudat's 'dirty work' by protecting public religious life while Agudat remained 'apart' from the system.

Its primary aim (unlike the NRP) was simply to represent its group interests rather than influence the state in a wider ideological direction. It also possesses the characteristics of an ideational faction in that their primary concern is the collection of resources for their community (Stolow, 2004, p. 122). As Kook et al. (1996, p. 6) write, Agudat Israel has "skilfully manoeuvred itself in the web of secular

politics, continuously reaping benefits for its respective communities". This has manifested itself most prevalently in Israel in the education system, with a separate education structure that receives funding from the state but little supervision. The continuation of this funding and lack of supervision were and are core objectives for Agudat. Consequently, like Shas it has found it possible to be part of coalitions of both the 'left' and 'right' (Elman, 2008, pp. 87–88; Tepe, 2012, p. 477). Even when out of power it still protected much of what it has gained since the birth of the state, especially concerning the exemption of those studying in religious institutions (Yeshiva) from military service (Stadler & Ben-Ari, 2003). Agudat split in 1988 from Degel HaTorah, forming a separate party. They currently run under the joint name of United Torah Judaism, although they remain separate parties (Kook et al., 1998, p. 12).

### **The Early Zionist State and the 'Status Quo' Agreement**

In the pre-state of the Yishuv (prior to 1948) there was political compromise between the religious establishment and the secular Zionist leadership. The religious bloc was inattentive to political considerations and Zionism's European orientation, and thus, according to Bernstein (1957, p. 72), was ambiguous towards the political/secular Zionists. Their notion of Israel was a religious one, connected to the arrival of the Messiah, and therefore any attempt to establish an 'artificial' state of Israel without this condition having been met was at best pointless and at worst blasphemous. Zionism in this early period was seen as a menace from the secular West, something akin to fascism or communism that went against the word of God. As a result, religious leaders, with near unanimity, opposed Zionism as a threat to their authority (Zohar, 1974, p. 8; Dowty, 1998, p. 162). For them Zionism was an Enlightenment/secular ideology and was not 'Jewish', and was labelled as 'false redemption' by religious leaders (Lustick, 1988, pp. 6–7).

However, changes started to occur between 1924 and 1947, a period characterised by the institutionalisation of political compromise as Zionists sought the gradual entry of religious blocs into the political orbit of Palestine. During this period most religious leaders, while not supportive of the

state, did not challenge the secular establishment of Zionism, instead choosing to remain outside the state but not against it, something that would later become an established feature of the ultra-orthodox community's attitude towards Israeli politics. The Second World War proved a catalyst in that it was agreed by both secular and religious leaders that Palestine should become a safe haven for Jews (Peretz, 1983, p. 49) and the majority of the religious community gave tacit support to the nascent Jewish state, despite its theological concerns.

As compromise measures were put in place that recognised that neither was in a position to have absolute dominance, there gradually emerged cooperation between the secular Zionists and the religious community that would form the basis of the relationship between religious parties and the state as well as between synagogue and state in Israel. To this end, David Ben Gurion (who, by virtue of being head of the Jewish Agency, was the de facto Israeli head of state) wrote a letter to the leaders of Agudat Israel, the main Ashkenazi religious party, on June 19<sup>th</sup> 1947 that offered a blueprint for what would become tacit Israeli policy. In this letter, Ben Gurion proposed a compromise system that remains largely in place to this day in Israel, and that has come to be known as the "status quo" agreement (Sapir, 1999, p. 619). Barak-Erez (2009, p. 249) stresses unity was important in the early days of the state and thus the 'status quo' agreement recognised that in the early years of the Israeli state, religion could prove a potential point of division that threatened to fatally undermine the unity of the nascent Jewish state. Given the external threats Israel faced, many thought it vital that all elements of this embryonic Jewish state were united against their perceived common enemies.

The 'status quo' agreement was designed to ease the fears of religious communities and leaders that a secular, Zionist state would overrun traditional religious communities by ensuring that those communities had varying degrees of autonomy and control over themselves and their relationship between church and state. In a more practical sense, an agreement was needed in order to achieve effective governance, particularly at the level of elite bargaining and accommodation (Don-Yehiya,

1999, pp. 88–89). As a result, the agreement was that rules concerning the Sabbath, funding for religious schools, marriage and divorce would be placed in clerical hands, and more significantly it created a system of elite bargaining that enabled cooperation among religious and secular leaders.

What the agreement meant in practice was that the state would provide funding for religious institutions (especially education) that ensured their continued existence. At the same time, the religious community was granted a high degree of autonomy. Firstly, its educational institutions, but also its own courts, welfare institutions, ritual-bathing houses etc., would remain its own concern – most importantly, the State Education Law of 1953 cemented the division of education between religious and secular schools. In short, the ultra-orthodox community would be protected from assimilation into secular society. It gave them autonomy and a stake in the new state. While it may not have made them zealot Zionists, it turned them from hostility to ambivalence through state-supported autonomy. Secondly, it gave religious parties and their leader's effective control of religion within the state. In effect, religious matters were and are the subject of potential veto's by religious actors, issues involving the Shabbat, Kashrut, marriage and religious education. This was to reassure the religious that they would not be forced to abandon their key religious beliefs, and that in fact they would have a de facto monopoly on religious orthodoxy within the state (Don-Yehiya, 1999; Hazan, 1999, pp. 116–120; Cohen & Rynhold, 2005, pp. 728–729; Barak-Erez, 2009).

The agreement guaranteed religious privileges to religious practitioners and made leaders of the new state incorporate religious leaders into a constitutional framework, and in effect framed religious parties as custodians of religious principles. Zelniker and Kahan (1976, p. 30) argue this gave them the appearance of interest groups working within the state, rather than 'outsiders' with no vested interests. The status quo agreement and its effects on Israeli politics are vital for understanding the politics of coalition formation, both during and after the period of one-party dominance in the Israeli political system. It marked the beginning of religious parties in Israel mixing the political and the theological, ensuring that there could be no effective separation of synagogue

and state under the 'status quo' agreement and after (Fox & Rynhold, 2008, pp. 509–510). This has led to a situation whereby Israel is neither a secular or religious state and, instead, "it's secular in the sense that secular rules govern the country, it's not secular in terms of providing or granting a multidimensional official status to a religious content and actors" (Aviad Rubin, personal communication, January 29, 2014). The effective monopoly of Orthodox Judaism has therefore given religious parties and communities something to defend, some notion of a collective interest in the state, something that represented 'red lines' for all subsequent political involvement with the state. It is this that forms the basis of ultra-orthodox religious and political considerations.

Overall it is the case that recent history has by and large allowed religious parties to establish themselves as key players in coalitional politics, despite the volatile nature of the Israeli political system. Indeed, recent election analysis confirms that this volatility does not greatly impact on the ultra-orthodox religious parties, although the same cannot be said for the religious Zionists whose performance has been more volatile.

This stability in the party system for ultra-orthodox parties is not matched by social stability, and the nature of Israeli societal cleavages is now more pronounced than had previously been the case under one-party dominance and the status quo agreement. That system had been successful in creating unity in what was an otherwise relatively divided state, especially along secular/religious lines, but also along ethnic lines. Compromise in the early years, under the auspices of the 'status quo' agreement, allowed religious and secular parties to cooperate in the Israeli state, in line with most political parties in that period of Israeli history. Yet as Israeli democracy developed, this fundamentally changed because the rise of Likud and the potential for a rival coalition meant that the small party's power could increase exponentially. As an alternative source of coalition power arose on the right, this granted the smaller parties a chance to become kingmaker parties, increasing their power and ultimately their ability to demand greater concessions to join any prospective coalition.

This empowerment meant that most small parties (especially the ultra-orthodox) became more aggressively factionalist, further exacerbating existing divisions in Israeli society. Smaller parties with more radical and divisive agendas become more important in coalitional politics. As a result, changes in the Israeli party system would not only affect political parties, but would also have a keenly felt effect on wider society. It is now that this thesis turns to examining the theoretical and contextual framework through which we can understand the role and position of ultra-orthodox religious parties in Israeli politics.

## Chapter 2: Democracy: The Function, the Procedure and the Assessment

This thesis is examining the role that ultra-orthodox parties have played in Israeli democracy and in order to do this effectively we must understand both the linguistic and political meaning of the term 'democracy'. This is because to understand Israeli politics and society one has to comprehend that the Israeli political system is formed by two often-conflicting principles – democracy and ethnicity. Israel identifies itself and is seen by others (as detailed in this chapter) as a democracy and its politics is a continuation of this. Assessing Israeli democracy means it is first necessary to examine democracy as a concept since the ways in which Israel is or is not a democracy are rooted in the theoretical debate about what constitutes democracy and how it is assessed.

Once this is achieved, we can move on to the specific Israeli context where the other underlying foundation of the Israeli regime comes in – the ethnic. Israeli democracy is intrinsically bound up with questions of ethnicity and minority relations and whether Israel represents some form of ethnic/democratic hybrid regime. The question of the extent to which Israel's ethnic regime type is in conflict with its stated democratic principles is a salient one.

Therefore, in order to evaluate the role that ultra-orthodox parties have played in Israeli democracy it is important to understand the structure that they operate, which in the Israeli case is a democratic regime. By understanding this, and simultaneously that its ethnocentrism casts doubt on at least the strength of its democracy and at worse the entire notion of Israeli democracy, we can begin to build a framework for understanding the functioning of the Israeli polity.

# 1) Defining Democracy

Studying Israeli democracy requires that we define the term democracy, yet '*Omnis definitio est periculosa*' – it is dangerous to define. In the context of democracy, the concern is that defining the term will 'freeze' our understanding of democracy within a certain historical context and that this frozen definition risks being 'ideal', bearing little resemblance to 'de facto' democracy. From this perspective, any definition of democracy needs to be flexible in order to allow for the evolution of democracy.

Counter to this, Sartori suggests, "what democracy *is* cannot be separated from what democracy *should* be. A democracy only exists insofar as its ideals and values bring it into being" (1987, p. 7). Democracy is an 'ideal' and like all ideals its implementation in the real world sometimes falls short. The term democracy is not only descriptive but normative; therefore, we cannot divorce definition and practice, as the definition must remain an ideal that states strive to achieve. Once we accept that there is a normative need to define democracy, as well as a more important practical/empirical reason that will be explained later in this thesis, we must inevitably move towards quantifying democracy. At the heart of the literature on democracy are two questions: a) what democracy is for and b) how it should be defined.

Schumpeter puts forward a view of democracy in which "the democratic method is that of institutional arrangements for arriving at political decisions in which individuals acquire power to decide by means of competition struggle for people's votes" (1942, p. 269). This is a procedural view of democracy that emphasises voting as the main characteristic of a democratic system and is often referred to as 'Schumpeter's concept of democracy', where government is the end point of democracy and voting a means to an end, i.e. government. Dahl (1989, Chapters 6, 7), like Schumpeter, adopts a procedural concept of democracy and yet also explicitly rejects Schumpeter's elitism since Schumpeter thinks voters lack rationality. Consequently, Schumpeter's concept of

democracy gives them a limited role to play, instead placing the emphasis on inter-elite competition for political power (Munck, 2009). Dahl argues that all citizens have the same intrinsic worth and that Schumpeter's concept of democracy fails to address even basic civil rights within a democracy, most notably those rights connected to freedom.

Democracy, Gallie (1956) suggested, is thus an 'essentially contestable concept' that is ultimately defined by the user of the term. In this thesis, following Gallie, democracy is "open" in character: "politics being the art of the possible, democratic targets will be raised or lowered as circumstances alter, and democratic achievements are always judged in the light of such alterations" (1956, p. 186). However, while democracy may be considered a contested concept and as such has a normative value it should still be considered a 'real' concept. As Freedman points out: "to suggest that self-determination is a value is not to deny that it also has descriptive aspects, that it refers to 'brute facts', that something must happen in or with a person for that person to be designated as self-determining" (1996, p. 56).

Connolly makes a similar argument in that describing a system as democratic is both a value judgment and a description (1972, p. 22). Beetham also suggests, "most of the disagreements turn out on closer inspection to be not about the meaning of democracy, but about its desirability and practicality" (1994, p. 27).

How one defines democracy and what attributes should be considered core principles is contested and the two approaches to defining democracy can be summarised as 'minimalist' or 'maximalist'. The 'minimalist' approach derives from the idea that democracy is defined by a number of functions a democracy must fulfil. This relatively simple dichotomy makes analysis and categorisation harder as it does not differentiate between democracies that meet the minimum standard and those that are far more substantial. The other side of this is the 'maximalist' position, which includes a greater number of necessary attributes, enabling far greater ability to rank democracies. Unlike the

minimalist definition which divides states into democracy or not, the maximalist approach allows for enhanced measurement and differentiation.

In analysing democracy, there is a need for definition so that we can recognise democracy where it is present. Whilst a minimalist definition of democracy can be applied to a greater variety of states, such a definition would too easily classify states as democratic. A maximalist definition, by offering clearer demarcation of regime type, offers some protection to the 'ideal' of democracy by clearly delineating between democracies and other regime types. The maximalist definition is not without its faults. The more one includes under the remit of democracy, the greater the potential for disagreement about the necessary attributes (Munck, 2009, p. 16).

Since the nature of this thesis and the intended analytical goals of providing a study of Israeli democracy compel me to use a maximalist definition of democracy. In order to do this, one must base this on what the minimal criteria are and then add further criteria. The minimal definition of democracy is best summarised by Robert Dahl (1983, Chapter 2) and his five criteria for democracy:

- A. There is equality in voting – each citizen has one vote and that voting is fair and transparent.
- B. Effective participation – each citizen should have equal and adequate opportunity to alter the final outcome. Each citizen has the right and ability to influence who is elected, either by their vote or by freely expressing themselves.
- C. Enlightened understanding – the electorate have adequate and equal opportunities to arrive at their decision. Citizens have the right to express themselves without fear of severe punishment, the right to alternative sources of information and the protection in law of these sources and the right of independent associations and organisations.
- D. Final control over the agenda – citizens using the first three criteria get to decide which decisions are taken democratically and which are not. Control over government decisions is by elected officials, who are chosen freely and frequently with little coercion, and act as

representatives of the people. As such, no decisions should be placed outside the democratic sphere of influence unless the public gives consent and on the understanding that this consent can be withdrawn at any time.

- E. Inclusion – all adults subject to the law, bar transients, have the right to vote and run for office. Although restrictions may be placed on certain groups (those incarcerated, those of unsound mind), these are neither widespread nor predetermined, but are instead based on the current circumstances of the individual.

Dahl's 'minimalist' democracy – free and fair elections, basic political freedoms and universal suffrage – are present and they provide us with a solid starting point from which to expand our notion of democracy. A more analytically useful definition of democracy, in order to assess and measure states, has to have more than a simple procedural understanding of democracy. To this end, Schmitter and Karl (1991, p. 251) suggest further criteria for Dahl's procedural minimal definition of democracy that is predicated less on procedure and institutions, and more on practice and competition. While Dahl's definition places the emphasis on the functions, procedures and rules of a democracy, they place the emphasis on the competitive nature of democracy and the citizenry, adding two more criteria to Dahl's:

- F. Elected officials must be able to exercise their power without being overridden; as such, civil control must exist with no 'reserved domains' policy areas that a democratically elected government is unable to influence. This ensures that a legitimate, democratically elected government has freedom to act without undue interference.
- G. Second, policy must be self-governing, which is to say that it is free from foreign interference. A democratically elected government should be able to implement its own policy without deferring to a foreign power, nor should a foreign power unduly influence a domestic state's legitimate government.

Accordingly, democracy is also about the ability of citizens and government to have control over all facets of the state without internal or external constraints. This is still a somewhat limited definition, and there needs to be further expansion of what other functions a democratic system should perform.

1. Some form of minority protection to minimise the potential for the 'tyranny of the majority'. Democracy therefore requires a mechanism to protect minorities, which can be achieved through procedural means such as a bill of rights, federalism or consociationalism or through the operation of associations and interest groups bringing pressure to bear on democratically elected representatives.
2. Political and civil pluralism, manifested mostly through a variety of groups and associations outside of the state and political parties. These groups seek to apply pressure to the state and political parties on behalf of their members and they are a key part of the civil society that exists independent of the state and acts as a mediator between it and the citizenry. This pluralism in the political and social sphere is protected in a democracy and 'civil society' is a key tenet of democracy.

With this idea of an expanded notion of the other functions a democratic system should have, we must move on to examine the notion of civil society.

## **Civil Society**

Civil society represents an important (if somewhat ill-defined) concept, which has in recent years become part of studying democracy as a regime type and as a normative concept, yet it was not until the 1980s that it was considered as in any way alternative to the state or indeed as independent of the state (Habermas, 1989). Historically speaking, the study of civil society as a loosely defined and diverse set of approaches emerged around the time of the collapse of authoritarian regimes in Eastern and Central European states and sought to define civil society as a

form of liberty against the state (Fine, 1997). Once we accept its importance we are left with the question of how we define it. For example:

The largely self-generating and self-regulating world of private groups and institutions – family, business, advocacy, sports, locality, religion, ethnicity. (Selznick, 2002, p. 44)

A sphere of social interaction between economy and state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication. (Cohen & Arato, 1992, p. ix)

The realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or shared set of rules. (Diamond, 1994, p. 5)

The diversity of what constitutes civil society as a concept and who participates in it, and the methodological and linguistic confusion is summarised well by Whitehead:

To this day, most writers on ‘civil society’ leave me uncertain whether trade unions occupy a central or marginal role in their conceptions, whether the media are to be viewed as internal or external, whether the neutral rule of law is an essential precondition or a utopian ideal that civil society activists should use to critique existing structures of political manipulations and whether democracy sprouts from, coexists with, or threatens to pollute the dense associative principles of civil society. (1999, p. 99)

Of significance is the function civil society performs within a democracy. First, as a ‘barrier to tyranny’, it acts as a limit on the use of arbitrary power by the state and “there is no question that intermediary associations, groups, and movements have often served democracy by restraining arbitrary and irresponsible “state power” (Ehrenberg, 1999, p. 224). Second, it increases participation in democracy as it leads people to explore other ways of influencing elected representatives. Civil society organisations allow individuals to express opinions, pressure government and, if necessary, protect themselves from government: they amplify the voice of the people. Internally they instil public-spiritedness and cooperation as well as community-schools for democracy (Verba, 1999, pp. 304–333).

This in turn echoes De Tocqueville’s notion that these forms of interest groups in civil society represent ‘schools of democracy’ in which citizens learn how to behave democratically (cited in

Meer and Ingen, 2009, p. 301). Essentially, the argument is, as Verba and Nie (1972, p. 1) point out: the more democracy is interpreted as rule by the people themselves, the more participation there is (through interest groups and civil society), the more democratic a state is; also, “liberty itself is best served when a multitude of associations exists” (McConnell, 1969, p. 150). Indeed, the pluralist argument that without groups there would be no democracy retains much plausibility (Beyers, Eising & Maloney, 2008, p. 1104). This is why it is a mainstay of the ‘social capital’ research sphere (Putnam, 2000) that stresses the dimensions of reciprocity and trust in civil society organisations as key elements in the building of democratic process and institutions (Alagappa, 2004, p. 32).

However, there are some who are more sceptical about civil society in democracies and in particular about the role that interest groups play. At a structural level, there is what Dahl (1982) dubbed “the dilemma of pluralist democracies”, whereby conflict between autonomy and control can be problematic for a democracy because, in order for a group to be autonomous, there has to be some form of legal framework that allows them to be autonomous. Thus, organisations cannot function without the protection of their autonomy that the state provides and are implicitly protected by it, creating a position where these groups are largely dependent on governments respecting democratic norms – a perilous position.

These forms of organisation can also have a more specific damaging effect as well. First, there is the claim that certain forms of organisation can have a disproportionate influence (Putnam, 2000, p. 30). There are significant problems of group domination within democracy, whether on foreign policy (Walt & Mearsheimer, 2007) or within businesses (Lindblom, 1988). More broadly, there is the problem that participation in civil society/interest groups is fundamentally biased. As EE Schattschneider (1960, p. 35) famously stated, “the flaw in the pluralist heaven is that the heavenly chorus sings with a strong upper-class accent” and citizen participation is skewed towards those with a higher income, status and education and thus tends to reflect middle-class concerns and politics (Verba, Scholzman & Brady, 1997). Both these concerns taken together lend weight to Verba and

Nie's (1972, p. 335) view that politics is skewed in favour of certain participation groups and away from others.

Secondly, there is the perceived problem of disfunctionality or 'hyperpluralism'. As noted by Walker (1991, p. 40), the increased mobilisation of interest groups leads to higher levels of legislative deadlock. Cusps (1977, p. 479) suggests it can cause unrestrained and ill-considered public action as citizens and their groups are incapable of advanced cost/benefit analysis of programmes and policies. This is partially because, as Lipset commented (1983, pp. 432–433), any organisation under direct membership control may become 'selfish' and pursue its own interest at the expense of others and society. As McConnell (1966) suggests, civil society by itself cannot negate the pull of private interests which remain predominant in society and thus, while civil society can mitigate central power in the form of government, it cannot overcome structural inequality.

The minimalist concept of democracy implies a nascent form of civil society, in that it requires an informed and educated society that is capable of forming independent organisations that exist free of the state and of political parties. The importance of civil society to democracy is predicated on the very weakness of the procedural element of democracy in participation. As such, one must seek a more maximalist definition of democracy that has as part of its components an acceptance of the importance of civil society, as a means of accountability and participation, and also a means of encouraging democratic behaviour.

## **Assessing the Quality of Democracy**

In examining democracy, the first challenge of definition is augmented by the second challenge of assessing the quality of democracy. These two challenges are interlinked because the definition one chooses to adopt will subsequently affect the assessment of the quality of any given country's democracy. I am committing considerable space to the issue of assessing the quality of democracy for two reasons: firstly, Israel claims, itself, to be a democracy and is viewed by a majority of states as such. Secondly, as has been argued, democracy is a contested concept at the best of times, but in

the context of Israel this is doubly the case. As will be argued later on in this thesis, there are aspects of Israeli democracy that require further qualification of its type and this discussion is in aid of this exercise.

Even so, establishing a definition of democracy to measure against does not alone provide an analytical framework, and to do this we must examine some of the theoretical problems/issues that accompany attempts to measure democracy.

### **Dichotomy versus Gradient**

The measuring of democracy rests on a central premise, namely that it is possible in some way to grade democracies. Yet there is division among democratic theorists; some divide regimes into two camps, democracy and non-democracies (dichotomy), including Sartori (1970, p. 1040; 1984, p. 44), Linz (1975, pp. 184–185) and Przeworski (2000). Others separate regimes by degrees that ‘rank’ all states on their level of democracy (gradient), including Dahl (1971, p. 2; 1989, p. 241), Bollen and Grandjean (1981), Beetham (1994), Elkins (2010) and the founder of the Freedom House measurement index Raymond Gastil (1978).

Collier and Adcock justify dichotomies by saying that systems such as democracy are “bounded wholes” that cannot be simply divided up, categorised and graded, and before any grading or categorisation can take place democracies must be separated from non-democracies (1999, p. 548). Concurring, Sartori (1991) argues that strict classifications are a necessity because we need a dichotomy in order to classify and differentiate between different concepts. The human mind needs ‘cut-off points’, clear parameters of definition for categorisation. In many respects, this represents a normative division because those who support the idea of a dichotomous understanding of democracy often frame it as protecting the ‘idea’ of democracy. If states are allowed to be classified as partly democratic, there is a risk that it could devalue the ideal. This argument sees democracy as a complete set of rules/ideals (the bounded whole) and, in order to be classified as a democracy, regimes must subscribe to the democratic project in its entirety.

So while there may be valid normative reasons for distinctive categories, it is not very analytically useful and also creates a system where regimes are placed into categories with others that they bear little resemblance to (Bollen & Jackman, 1989, p. 612), and it hinders analysis by creating larger, more inflexible categories. Therefore, analytically as well as pragmatically, democracy should not be seen as simply a dichotomy but a gradient against which all regimes can be measured. Since the nature of my thesis is dealing with Israeli democracy, which is a contested area, it makes more analytical sense to view democracy as a gradient. As will be detailed in the second section of this chapter, many questions remain over the status and strength of Israeli democracy and, given this, a simply dichotomous understanding of democracy would not be very useful, while the third section with its exploration of Israel's ethnic regime type also represents a form of diminishing subtypes analysis of the Israeli regime.

### **Categories and Categorisation**

The problem of categorisation, and certainly attempts at classification, will have methodological difficulties because of the need to classify the meanings within categorisations (Sartori, 1984; Collier & Levitsky, 1997) and there is no theoretical way to determine precisely what empirical cut-offs should be used. Moreover, even if democracy is in a qualitatively different category from non-democracy, it is difficult to defend any cut-off point down to the specific quantity (Bennett, 2006, p. 9). For example, Freedom House and Polity 4 (both democracy-measuring data sets) have together 38 different ways to distinguish democracies from non-democracies (Bogaards, 2012). The question at hand is whether the better analytical framework is one where categorisation is fluid, so that each regime type is placed in quite specific categories, so that theoretically each regime type is appropriately categorised, or if the more valid approach is one with fewer and more established categories, allowing for greater clarity and a uniformity of meaning.

The problem is 'conceptual stretching', where terms are broadened to include "peoples and places never imagined initially" (Schmitter & Karl, 1994, p. 174). If too many different forms of regime are

placed under the same categorisation the term is 'stretched'. If this occurs the category in question may contain so many different and diverse regime types that in effect it becomes meaningless, while overly strict application of classic principles of categorisation can lead to useful categories being lost (Collier & Mahon, 1993, p. 852).

The answer to this problem would seem to be increased analytical differentiations, which involves increasing the number of categories and subcategories in order to avoid this problem of conceptual stretching. Yet, Sartori (1970) highlighted the problem with what he termed the "ladder of generality"<sup>8</sup>; the more a concept has defining attributes, i.e. the firmer and more rigid a definition is, the lower it is on the ladder of generality. The less it has defining attributions, i.e. the more flexible the definition is, the higher it is on the ladder. In effect, the ladder of generality captures the problem in that, as Sartori rightly suggests, moving either 'up' or 'down' the ladder has its drawbacks. Notably though the theory suffers from the same problems mentioned at the beginning of this section – namely, the loss of conceptual differentiation further up the ladder as well as conceptual stretching further down the ladder and, given this, Sartori's 'ladder' can advance one goal (dealing with differentiation or stretching) but not both at once (Collier & Levitsky, 1997, p. 437).

An alternative strategy for categorising the level of democracy within a state could be through diminishing subtypes (Collier & Levitsky, 1997). Diminishing subtypes are a useful means of categorising states that are 'incomplete democracies' by their missing attributes (for example, democracies missing full suffrage, full contestation, and/or civil liberties) and avoids conceptual stretching by creating differentiation with new categories. In its relationship to this thesis, diminishing subtypes is a more useful means of categorisation than Sartori's ladder. While the ladder of generality may be a useful tool, in the present context diminishing subcategories are the most

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<sup>8</sup>Originally Sartori used the phrase "ladder of abstraction" (Sartori, 1970, p. 1040); however, subsequently the phrase "ladder of generality" has been introduced as a replacement terminology (Collier & Mahon, 1993, p. 246).

useful form of categorisation for regimes and they are also in line with the notion of democracy as measured by degrees. Thus, when it comes to measuring democracy, this will be done (as has been mentioned) by degrees, and when it comes to classifying regimes, it will be done via diminishing subtypes. This, in effect, means that the classification of regimes will be done on their position on the gradient measure of democracy and the extent to which they meet (or do not meet) the criteria of democracy (for example “limited-suffrage democracy” and “tutelary democracy”) (1997, p. 437). In essence, this form of ‘diminished subtype’ can focus on that which is absent – something of particular importance when dealing with hybrid regimes and Israeli democracy more specifically.

### **Methodological Problems and Critiques**

Attempting to classify regimes does have some broad methodological issues that need to be explored regardless of the system of categorisation one uses. ‘Parochialism’, where studies of single countries simply ignore established categories, inventing ad hoc categories and terminology, only furthers the typological proliferation, while ‘misclassification’ arises when each individual/study creates their own classifications, creating a typology that makes comparison difficult (Armony & Schamis, 2005, p. 114).

Outside of these methodological issues are those problems that might be termed ‘normative’, expressed by those who view the entire exercise as fundamentally flawed and as a form of cultural hegemony. The use of western European democracy as the ideal regime type implies that European and North American states have superior democracies (Koelble & Lipuma, 2008, p. 2). As such, measuring democracies is value laden and cannot be politically neutral. A state’s history, culture and ethnic composition will always vary and create a different set of circumstances and, as a result, the history of established democracies (i.e. western) diverges fundamentally away from the reality of the postcolonial states, which calls into question any decontextualised comparisons (Koelble & Lipuma, 2008, p. 9).

While this critique does indeed matter, for measuring democracy it has little practical implication and, as Beetham says, “the justification for democracy remains today, at the lowest, that all known alternatives are worse; and that it avoids the lunacies and barbarisms that have characterised unaccountable and secretive regimes through the twentieth century” (1994, p. 41). From a methodological perspective, the use of gradients and subcategories should ensure that this work is both clear and in line with other works on the subject. It is now we must turn to the real-world examples of this attempt to define and measure democracy.

### **Freedom House and Democratic Measurements**

Freedom House is an independent, US-based organisation that supports and monitors democracy, human rights and freedom. It publishes special reports, as well as, perhaps most importantly, its ‘freedom in the world’ surveys that rank political and civil rights on a one to ten scale, as well as assigning each country a status of either free, partly free or not free. This report is perhaps the archetypal example of a gradient approach to democracy, and it allows direct year-on-year analysis of trends within individual countries. On its methodology, Freedom House (2012) says that the surveying it conducts

does not rate governments or government performance per se, but rather the real-world rights and freedoms enjoyed by individuals. Thus, while Freedom House considers the presence of legal rights, it places a greater emphasis on whether these rights are implemented in practice.

The advantages of this form of democratic assessment are self-evident, in that it allows a comparative and quasi-empirical analysis of democratic trends, be they global, regional, religious, ethnic, or of an individual state, and it allows us to directly compare states’ historical trends or the relative levels of democracy in a number of states over several years.

There are some serious political and methodological issues. Firstly, its methodology lacks transparency and thus reliability (Hadenius & Teorell, 2005, p. 95; Munck & Verkuilen, 2002, p. 19). When presented with the data from Freedom House, one cannot say why a state is ranked as it is

and much of the raw data on any state is missing. Even Raymond Gastil (one of the founders of Freedom House) says that Freedom House takes a relativist approach to its use of indicators and measurements in different countries (1991, p. 26). Secondly, Freedom House severely restricts the analytical usefulness of its index due to the inclusion of attributes such as socioeconomic rights, property rights and inequality (Ryan, 1994, pp. 10–11; Munck & Verkuilen, 2002, p. 9). Since Freedom House weighs each section equally in how it affects the aggregate score, this means that some elements perceived by many as key democratic elements (such as free and fair elections) are as important to the overall score as less ‘vital’ social rights (Bollen, 1986, p. 584). Thirdly, Freedom House has historically not been politically neutral, leading some to suggest it has systematically punished leftist governments and rewarded US allies (Bollen & Paxton, 2000; Mainwaring, Brinks & Perez-Linan, 2007, pp. 53–55). Bollen and Paxton (2000, p. 26) suggest that Freedom House has always favoured western and Christian states at the expense of Muslim and Marxist states, while for Giannone (2000, p. 91) the use of Freedom House and its data set is implicit acceptance of neo-liberalism. Indeed, the act of classifying rights and categorising them is also a ‘political act’ because, by doing this, one is effectively suggesting some rights are essential parts of democracy whilst others are ‘secondary rights’ (Crouch, 2004).

Despite these problems, one has to acknowledge that there is no universally accepted data set and this means “there is no agreement in the literature on where to draw the line between democracy and autocracy, using Freedom House or polity scores” (Bogaards, 2012, p. 701). Hadenius (1992) suggests that Freedom House’s data is problematic in many areas, yet he also concedes that there is no existing measure that is satisfactory. There is no overarching system or widely used data set, and instead radically different data sets, categorisations etc. are used. It is for this reason and in order not to succumb to parochialism and create more confusion with new measurements/data we need to provide better analysis of existing measures (Bollen, 1986 p. 58). Given this, I will use Freedom House data and indices in this thesis, albeit with some healthy scepticism.

There are, however, those regimes whose status is not as clearly defined as being either democracies or indeed simply authoritarian regimes. These are the hybrid regimes, and for a state such as Israel that has had doubts cast on its democracy it is a relevant concept.

## Hybrid Regimes

The reason why hybrid regimes matter in this thesis is that the nature of Israeli democracy is such that it is often labelled a hybrid regime, usually within the ethnic dimension. Indeed ethnocracy and ethnic democracy as discussed in this chapter maybe considered examples of hybrid regimes. This debate about Israel, democracy and ethnicity will be covered in greater detail in the second part of this work, but suffice to say it is necessary to understand the analysis of deeply flawed democracies/hybrid regimes in order to understand Israel.

Hybrid regimes are neither democratic nor authoritarian and instead these are regimes that have flawed/incomplete democracy, or autocratic regimes that have evolved to incorporate some elements of democratic behaviour. Either way, these are states that have been unable to fully embed democracy, but have instead created new and varied regimes that are collectively known as hybrid regimes (Karl, 1995; Diamond, 2002). These hybrid regimes are now a recognisable aspect of the study of democracy, leading Morlino to declare, “hybrid regimes are a substantial reality and can be considered an autonomous model of regime *vis-à-vis* democracy, authoritarianism and the traditional regime” (2009, p. 67). These may be states that hold elections and have the appearance of democracy, but in fact have one or more practices/issues that undermine their democratic status. As such, these are states that fulfil some but not all the criteria of being a democratic state. Many hybrid regimes are those who self-identify as democratic because they hold periodic elections that have a degree of freedom<sup>9</sup>. The connection between democracy and elections is such that if a state has some form of election it can claim a democratic mandate both domestically and internationally.

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<sup>9</sup> Some authoritarian regimes will also hold elections and claim a democratic mandate. The difference is that hybrid regimes that hold elections will have some degree of freedom and some chance of regime change.

Yet, the same analytical problems with measuring democracy are also prevalent in the analysis of hybrid regimes. For example, democracy is predicated on the notion of universal suffrage, so the question is: what level of the vote is acceptable? Should 50% of the population being able to vote, as Huntington suggests, constitute the first wave of democratisation (1991, p. 16), or should that be 60% (Rueschemeyer, Stephens & Stephens, 1992, p. 303), or is it the case as Munck (2009) suggests that it is not about percentages but the participation of a mass, non-elite grouping. How does one differentiate between a hybrid and an authoritarian state?

Common elements can be identified within the hybrid regime, yet, while they all fail to meet the full criteria for democracy, the reason for these failures may vary. Some are stronger and/or weaker in different spheres than others and hybrid regimes vary in their 'quality' – some being 'more' democratic than others. Nevertheless we can identify common characteristics of hybrid regimes in how they deviate from democratic norms:

*The Electoral Arena* – there will likely be some form of legitimate and even contested election in which multiple parties compete (Levitsky & Way, 2002; Schedler, 2002). While there may be the presence of media manipulation, or indeed other forms of uneven access to resources, they have to be taken seriously by the incumbents, and are free of excessive fraud. Usually in a hybrid regime, the electoral sphere is the one most likely to actually resemble a full democracy, and often hybrid regimes base their limited legitimacy on the fact that they do hold open and reasonably fair elections. Of all the elements of democracy, it is elections that can be manipulated subtly without direct confrontation with forces outside of the regime. One-sided reporting, legalism, gerrymandering and election rules are all examples of tools available to a regime to ensure that outright fraud and intimidation is not needed to ensure an election victory.

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Alternately, Elections in authoritarian regimes have little or no freedom or are unlikely to lead to any form of regime change.

*Accountability* – within a democracy, there are two aspects to accountability: the vertical (elections that allow the rewarding or apportioning of blame to politicians and the government); and the horizontal (the institutions/non-governmental actors who hold those responsible to account).

Vertical accountability involves elections, which are likely to be present in some form at least in a hybrid regime, while horizontal accountability will be weaker in a hybrid regime. Bodies necessary for this form of accountability will range from the weak to the non-existent because the political structure is likely to centralise power in the hands of the government. As a consequence, the institutions and bodies that are vital to ensuring accountability, as well as providing checks and balances on the arbitrary use of power, cannot function, as they should in a democracy (O'Donnell, 1994).

*The Judiciary/Rule of Law* – the same problems of horizontal accountability may present when examining the judiciary (Ekman, 2009). They are unlikely to be able to demonstrate sufficient independence from the state, nor to sufficiently challenge the state itself. They are thus incapable of upholding their democratic duty to be both independent and a check against state power. At the same time, and related to this, the rule of law is likely to be weak, and there is likely to be corruption, nepotism, misuse of the law. Any democratic state should function on the principle that all are equal before the law, yet in a hybrid regime the state is likely to intervene in this process, and use the legal system to its own advantage. The lack of accountability, especially horizontal, also leaves the legal sphere open to corruption, nepotism and abuses of power that tend to become endemic.

*Reserved Political Domains* – these are areas that are considered outside of the sphere of control of a democratically elected government, therefore removing a large element of any regime's independence. In a hybrid regime, there may be some areas that are off limits. Reserved political domains are likely where a regime is weak enough to concede policy to groups that threaten it.

*Universal Suffrage* – the extension of the vote to all adult citizens may not be present, although it is more likely that disenfranchisement are carried out informally. This can be achieved by making the process of registering to vote nearly impossible for certain groups, through use of a certain language or location, or asking for certain documents that make it impossible to register, in effect barring certain groups from voting. Disenfranchisement does not have to be total nor widespread, nor does it have to be that a regime seeks to disenfranchise a whole community but whether informal or formal, widespread or isolated attempts to disenfranchise the electorate constitute undemocratic behaviour and are the actions most likely of a hybrid regime.

There is also a sizeable section in hybrid regimes literature that analyses their regional context, such as the idea of ‘Asian values’, creating a more communal and less individualistic democracy (Hewison, 1999). Alternatively, the ‘free Islamic election trap’ is used by some elites in the Middle East to justify an authoritarian regime on the grounds that if Muslim parties are allowed to compete in elections, once they win power, they will set about destroying democracy and civil society from within. As such, to protect democracy and civil society, it is necessary to have some form of authoritarian control (Diamond, 2003). The other means of categorising hybrid regimes centres on their functional flaws; in essence, these categorisations focus on the missing elements of democracy in a hybrid regime.

Firstly, there is what O’Donnell calls ‘delegative democracies’ (1994). These are regimes that have the elective element, but little of the institutional, consolidated aspect of established democracies. They are established on the principle that, once an election has been fought and won (almost certainly by a presidential candidate), this gives them licence to govern as they see fit (1994, p. 59). Once elected, the leader of the state is not subject to the normal democratic standards of accountability and/or checks and balances since they alone represent the will of the people. As such, horizontal accountability is weak and most democracies of this nature do not have the institutions or judicial structure to provide an effective check on the arbitrary use of power by government.

Second, there is the 'illiberal democracy' category, as defined by Zakaria (1997). This regime type is one in which voting in elections may take place, but other rights associated with democracy can be either denied or restricted to the citizens of that state. This form of regime presents a 'shallow' form of democracy in which Dahl's' procedural definition of democracy has its limitations exposed. This form of regime is affirmation that elections are not the only element of democracy and that "absence of free and fair elections should be viewed as one flaw, not the definition of tyranny" (Zakaria, 1997, p. 40).

Third are those regimes known as 'electoral authoritarianism' (Schedler, 2002) which seek to use elections as the means to mask their authoritarianism. In this system, elections are not a constraint on authoritarian control, but an instrument of it. Authoritarian states will at times use elections as a means of legitimising themselves and, unlike in 'illiberal democracies', the elections are likely to be unfair and to contain coercion, fraud and bias. An electoral authoritarian regime may be classified as a hybrid if it meets at least one of the norms of democracy. Semi-democracy (Case, 1996), and semi-authoritarian (Ottoway, 2003) and authoritarian democracy (Levitsky & Way, 2002) are similar regime types.

Fourth, there is what Krastev calls 'democracy's doubles', regimes where the projection of democracy and pluralism does not match the reality. Krastev uses Venezuela and Russia as his examples to highlight how two seemingly diametrically opposed regimes actually have the same underlying foundation as both "share the same reductionist view of modern politics as a clash between 'people power' and the manipulative 'power of elites'" (2006, p. 53). Both are anti-pluralist and illiberal hybrid regimes by design, not accident. The Russian system is based on technocrats running not the parties but the system, creating the illusion of competitiveness. The Kremlin cannot afford to abandon democracy, but it can use the resources of the state to ensure the result is a forgone conclusion. In Venezuela, Hugo Chavez used the media and repression to effectively blanket-broadcast his message. Despite the differences between the regimes, "the populist leader

and the political technologist are the twin embodiments of a major threat to liberal democracy today” (2006, p. 82) as they represent the concentration of power in the hands of a few, and the subsequent lack of accountability and lessening of civil and political rights.

Finally, there are ‘domain democracies’ (Merkel, 2004, p. 49), in which, due to either internal or external pressure, an elected government is unable to effectively create policy or directly influence an area. Thus, elected governments are subject to undue influence and control from a source other than the electorate, and democracy in the state is ‘incomplete’ because within the state there is a source of authority that is not legitimate, i.e. not derived from the people. Of the aforementioned regimes, this is perhaps the most pertinent to Israel, in that religion remains outside the sphere of government control and instead the orthodox establishment has control over religion within the state, including over other forms of Judaism. The status quo agreement has given orthodox rabbis and political parties in Israel effective control of religion within the state and it is tacitly accepted that issues concerning religion and the state are areas that are placed under religious control<sup>10</sup>. Since religion and state are not separate in Israel, this in effect means that they have a monopoly of power over the religious functions of the state. As will be discussed in Chapter 4, the ultra-orthodox parties have over the years created an effective system that allows them near-autonomy over religious affairs. While this does not necessarily undermine democracy in Israel fundamentally, it has been subject to a great deal of criticism from secular Israelis.

Hybrid regimes do not exist in a theoretical vacuum, and the fundamental differentiation between hybrid and democratic regimes and between hybrid regimes themselves depends on how democracy is measured and defined. As such, the classification of hybrid regimes takes place set against the wider debate about the nature and measurement of democracy. Do we see states as democratic or not, or as democratic to a certain degree? Classification and categorisation of democracies, by measuring the degrees and different natures of hybrid regimes, can only occur if we

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<sup>10</sup> A notable exception to this is the period 2003–2006 when the Ministry For Religious Affairs ceased to exist, although it was later re-established.

accept that democracy is a gradient rather than a dichotomy, because if democracy is a dichotomy then hybrid regimes simply represent another form of authoritarianism. However, if we accept the gradient school of thought on democracy, then being 'partially' democratic is possible. As will be examined below, the most prevalent form of hybrid regime associated with Israel refers to the 'ethnic' nature of its regime.

To conclude, for my analysis of democracy and hybrid regimes, and for my assessment of democracy, I intend to use a definition of democracy that encompasses more than the minimum model, a definition that is not just based on procedure. I will be analysing democracy as a gradient rather than dichotomy because this allows the typology of diminishing subcategories as a form of categorisation, which in turn allows for the analytical differentiation of hybrid regimes based on their features. The use of gradients and a more encompassing model is also important for examination of hybrid regimes or indeed any states whose democracy (such as Israel's) is widely considered to be flawed.

Understanding these theoretical elements of the study of democracy is imperative since this is what we measure Israeli and indeed all democracies against. The extent to which it passes or fails these tests and to which it constitutes a hybrid regime are important issues that have real-world applicability. This is especially true of a democracy as contested as Israel's. With this in mind, the work now moves to focusing on Israel's democracy in both comparison and isolation.

## **2) Contextualising Israeli Democracy**

Israeli democracy is a contested concept and this is no truer than in the territory of the state itself. To this end, it is not the purpose of this work to make any judgement on what territorial areas should constitute the state of Israel or what form any future state(s) should take. Instead, this is an examination of Israeli democracy, historically and contemporarily. Therefore, to avoid contention, 'Israeli democracy' will not refer to a specific territorial entity but will instead denote a procedure in

which voting for a legislative body takes place. It is also not the intention of this section to explore the electoral and party system in Israel, which will be addressed in Chapter 5 with the case study of Shas. It is the intention here to examine Israeli democracy comparatively and, when focusing purely on Israel, consider what strengths and weaknesses can be identified.

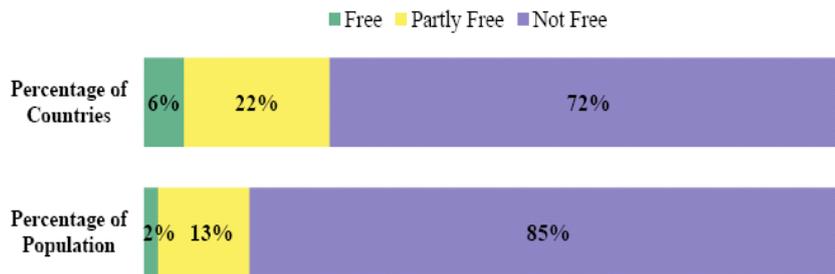
### **Israel in Comparative Perspective**

The measurement of a state's democracy is in many respects a relative measurement. That is to say, democracy is measured against what is present in other states rather than a completely non-contextualised idea of democracy. Israeli democracy, therefore, has to be considered in this light, as relative to what exists on both a global and regional scale. An example of this is Freedom House, perhaps the most prominent organisation that engages in the measurement of democracy, although it is not without its critiques, as already noted. Thus, it is worth examining the Polity data set analysis of Israel to provide some form of comparison from both a regional and global perspective.

**Freedom House's** 'Freedom in the World' Report for 2012 concluded that Israel could be categorised as a 'Free' state with a rating of 1.5 and a score of 1 for its Political Rights and a score of 2 for its Civil Rights, with 7 being the lowest possible mark. In terms of political pluralism, a report in 2012 on the freedom of the press scored Israel as 30 points out of 60, giving it a 'free' label'.

Placing Israel in a regional perspective, it is the only country in North Africa and the Middle East (regions defined by Freedom House) to be categorised as 'free'. Graph 1, below, highlights Israel's unique regional position.

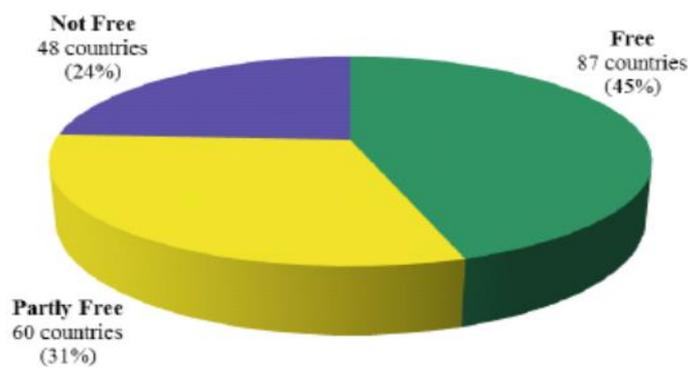
### Middle East and North Africa



Reproduced From Freedom in the World 2012: The Arab Uprisings and Their Global Repercussions by A. Puddington, 2012, Freedom in the World 2012, p. 28.

Israel is the one state classified as free in the region, compared to four states classified as partially free (Kuwait, Lebanon, Tunisia and Morocco) and 13 classified as not free. Israel is thus still the only ‘full’ democracy in the region. Moreover, from a global perspective, Israel is less unique, as illustrated by Graph 2, below.

### Country Breakdown by Status



Reproduced From Freedom in the World 2012: The Arab Uprisings and Their Global Repercussions by A. Puddington, 2012, Freedom in the World 2012, p. 28

Israel is one of the 87 states classified as free, which at 45% is nearly half the regimes in the world, and, when these are combined with the partially free states, Israel is one of 147 states (76%) that cannot be classified as fully authoritarian. In Freedom House's analysis, Israel represents a unique regime type within its region; but outside of that region, it does not.

**The Polity IV Country Reports** (which assess the democratic status of states) for 2010 provide some scope for analysis of Israeli democracy as well. For its democracy, Israel has a score of 10/10 and is ranked as a full democracy. Comparatively speaking (as of the last data set in 2010), it is one of six states in North Africa and the Middle East to be ranked thus (although this definition includes more states than Freedom House does) (Polity IV, 2011a) and is one of the absolute majority of states that are classified as democracies (Polity IV, 2011b). Israel as a state scores 8 out of 10 in executive recruitment and is deemed to have competitive elections. It scores 8 out of 10 on executive constraints and is hence deemed to have Executive Parity or Subordination. Finally, it scores 10 out of 10 for political participation and is therefore deemed to have institutionalised open electoral competition (Polity IV, 2011c).

Like Freedom House, the Polity IV Country Report on Israel (and other subsequent reports, such as the Global Report 2011 on Conflict, Governance and State Fragility) recognises that Israel meets the criteria to be called a democracy. That regionally it represents one of the few functioning democracies (if not the only one) and in global positioning, Israel represents part of the 'democratic' sphere rather than the autocratic sphere. Israel is a flawed democracy, and one that is unlikely to be in the higher echelons of democratic rankings, and as a state it has flaws that emphasise its divergence from the 'ideal type'.

Overall, as a means of comparative analysis, this form of data can provide a useful and enlightening form of information for further study and as a means of differentiating regimes. This information supports the idea of Israel as a free and democratic state when compared to more authoritarian regimes. The nature of these studies is such that it does not provide real substantive data or analysis

of the state, but instead provides a comparative overview. We must examine Israeli democracy, not from a comparative perspective, but instead on its own democratic merits.

## **Israeli Democracy in Isolation**

Israel's position in the comparative studies suggests that it meets the minimal requirements of a democratic state. Certainly, in of Dahl's criteria, Israel meets the 'procedural minimum'. It holds elections that are free and fair and in which there is equality in voting and the chance for effective participation. There is largely freedom for groups to form and assemble, freedom of thought and association and other legal requirements necessary for an active civil society. Most important decisions are made through the Knesset and with the democratically elected parties and government. There is no formal disenfranchisement, although questions have been raised about some minority groups that will be addressed later. Nevertheless those elements of democracy that fall under the auspices of the maximalist definition of democracy – that is, minority protection and civil and political pluralism – Israel is something of a flawed democracy. This is never more self-evident than in the realm of civil society.

## **Civil Society in Israel**

As is so much the case in Israel, the primary weakness in the civil society realm is a result of the implicit but not institutionalised ethnic discrimination, which will be detailed later in this chapter. There is also a significant structural question that must be addressed because "Israel is an exception to the western-liberal model of a state which is separated from civil society" (Ben-Eliezer, 1999, p. 370). In other words, Israel does not have a fully autonomous civil society.

The strategies of action that these groups engage in, they follow some 'classic' pluralist patterns, despite the 'partyocracy' of Israeli politics, in that they seek to establish formal contacts with bureaucracy, and informal contact with the state leadership and elites whilst also using the media as a means to achieve their goals. Arian et al. (2008, p.108) note that, despite decentralisation, Israelis still look to those at the top of the hierarchy, since Israel has a political pyramid structure, in that

there are a small number of people at the top enhancing the opportunities for frequent meetings in both formal and informal capacities, giving the polity a pluralist dimension. Yet, certain key elements of the pluralist strategy are missing and neither direct action nor mass mobilisation – including strikes or the use of litigation – is prevalent in Israel. Indeed, this is partly why the housing protests in Israel in August 2011 were seen as especially unusual given that such scale and intensity is usually associated with issues related to security and foreign affairs (Kraft, 2011).

This is partially due to an economic model in Israel that in many respects fits Schmitter's (1974) classic model of corporatism. In this model the state recognises that interests are represented by a limited number of recognised and monolith organisations which are therefore expected to assert a certain level of control over their members and supporters. In Israel there are large organisations that dominate and monopolise their respective areas, notably within trade unions and especially Histadrut (General Federation of Labour). Historically, Israel has also had a system where 'representative groups' are licensed to speak for their members. Thus, within the economic sphere, it has had a "limited number of organisations, a single group often dominates its interest domain and density of membership is high" (Yishai, 1993, p. 126), suggesting a corporatist nature. However, this unionist corporate model is in decline (Gal & Bargal, 2009, p. 186), directly because of the rise of Likud, who attempted to assert the primacy and power of the state over unions linked to the Labour Party (Grinberg & Shafir, 2000). Because Israel has adopted a more liberal attitude towards economic intervention the subsequent changes in the economy and the decline of the Labour Party have fatally undermined Israel's previous corporate structure (Harel, Tzafrir & Bamberger, 2000). This is especially true of Israel's civil society when it went through important changes in the 1990s as a process of economic and social liberalisation occurred that many believed would lead to an eventual peace process. The belief was that liberalisation would lead to increased economic and social freedoms that would create a more materialistic culture, leading to a decline in violence (Peled, 2005). Indeed, certain groups (most importantly those higher up the socioeconomic ladder) were motivated by a desire to protect their advantages and have seen civil society and direct actions

since the 1990s as a means to achieve this. Indeed, they have benefited from the decline of the state and the integration of Israel into the world economy (Shafir & Peled, 2002, pp. 335–348).

Overall, the parties do not mediate between interest groups and the state as the pluralist model suggests, nor does the state yield to powerful interest groups as the corporate model suggests. Yet, at the same time, organisations and interest groups are not part of the party sphere in that they exercise a great deal of independence and engage in pluralist methods of influence. Interest groups are not controlled by parties, nor do parties control them.

In terms of the relationship between the state and civil society groups, Israel suffers from Dahl's pluralist dilemma since Israel has a central problem in the form of the omnipotence of the state and the centralisation of power (Yishai, 2000, p. 224). Voluntary groups are heavily reliant on the state and the political context is important in the civil arena. This partially derives from its history and the fact that the idea of the civil society being independent of the state never really emerged in Israel because the founding of the state was based on a collectivist spirit (Ben-Eliezer, 1998, p. 390). This had been reflected in the political sphere with first a dominant party system and then a two-camp era, both of which resembled a partyocracy, leaving little space for an independent civil society. As this has changed and as the strength of parties and partyocracy has waned, there has been an increased amount of 'space' for civil society organisations to operate within.

Yet, Israeli civil society has not been a good 'school for democracy' in that it has neither caused groups to moderate nor to seek cross-cleavage cooperation. As such, these groups reflect (and some might say exacerbate) divisions in society. A full 70% said there were at least some groups that they would refuse to cooperate with under any circumstances (Yisahi, 2002, p. 230). Israel is a deeply divided society and, as Lipset famously wrote, a state "requires institutions which support conflict and disagreement as well as those which sustain legitimacy and consensus" (1960, p. 439). Israeli civil society is an example of the excess of the former and a deficit of the latter.

The conflictual nature of Israeli civil society is also reflected in the fact that the freedom of civil society organisations in Israel remains problematic. This is especially true since legal and political pressures are applied asymmetrically, as they are targeted far more readily at leftist and Arab groups than any other. The nature of security concerns in Israel is such that civil society organisations (especially those in the ethnic/Arab sphere) are treated as potential security concerns. This is also reflected in the media where some Palestinian journalists critical of Israel have been either denied accreditation or denied entry into the state. In the past, those who have leaked stories to the press that have security/military considerations have been subject to aggressive sanctions. An ex-soldier who passed documents to the newspaper *Haaretz* was sentenced to four and a half years in prison while the journalist (Uri Blau) was indicted for the possession of these documents (Zarchin, 2011; 2012). The military has the right to censor stories or indeed shut down newspapers on the grounds of national security, although this is not commonly used and many media outlets circumvent the rule with ease.

While the importance of the violation of democratic norms that has been a part of this process should not be downplayed, nor should Israel's uniqueness among democracies (Levy, 2012). Israel is a state with more legitimate security concerns than most and despite this there has not been widespread and systemic repression of the media and journalism in the name of security. It must once again be highlighted that, while flawed, Israel does adhere to most democratic norms of political and civil rights. As such the relationship between civil and military authorities is worthy of further study.

### **Civil–Military Relations**

The predominance of the military in Israeli politics and society is such that it represents one of the most important elements of the Israeli state. This leads to the question: does the military in Israel represent a form of 'reserved domain'? That is to say, does control of the Israeli military rest outside the domain of the civilian authorities? It is also true that the military plays a role in many civilians'

lives through widespread (but not universal) conscription which may undermine democracy by negating liberties and subordinating the will of the individual to the state's objectives (Faffenzeller, 2010, p. 496). Moreover, it is also true that Israel's position is unique among democratic states. Its regional and historic conflicts suggest a state whose very existence has been threatened and this has in turn placed an emphasis within the state on the importance of the military for national survival. This has led some to suggest that Israel cannot be said to have a democratic relationship between its military and its civilian powers, due both to the relative autonomy of the military and to the proliferation of ex-military personnel within the government. Therefore, while Israel has some problematic elements concerning the relationship between civilian and military authorities from a structural perspective, at least civilian control over the army does exist.

When one looks at the relationship between military and civil authorities since the founding of the state, one does not encounter a dominant military operating free of civilian control. The army accepted its role as subordinate to the civil power in Israel and many within the armed forces felt that the civilian government headed by David Ben Gurion had the authority to command them (Peri, 1981, p. 304). Later, a new generation of leaders who served in the IDF as generals would enter the political sphere. Yitzhak Rabin, Ehud Barak and Ariel Sharon were all generals who would later become prime ministers and the inclusion of former military officers in government has undoubtedly been reflected in some policies (Heper & Itzkowitz-Shifrinson, 2005). It is also true to say that the IDF exceeds normal democratic boundaries and it has at times been the dominant force in policymaking (Cohen, 2006). Political and military interconnectedness has been further exacerbated by both Labour and Likud seeking to appoint their supporters to military positions (Heper & Itzkowitz-Shifrinson, 2005, p. 234). Despite these facts, Israel is not the 'garrison state' that it is sometimes portrayed as (Lissak, 1983, p. 1). Sheffer also disputes the notion that Israel represents a 'garrison state', writing that "If the term 'garrison state' means that security considerations have predominantly influenced political developments, it is questionable whether Israel has indeed been such a state" (1996, p. 35).

Luckham suggests the boundaries in Israel separating civilian from military should be judged independently of other states due to the nature of Israel's security situation. Thus, whereas in the European/North American tradition there is a 'non-permeable' barrier, and between the military and democracy and in totalitarian states the boundaries are permeable, in Israel the barrier is instead integrated into civilian pursuits and purposes (2007, p. 24). Cohen in fact suggests there has been a 'coup in reverse' where the civilian sphere has infringed on the military sphere and military subordination has given way to military subjugation (2007, p. 771).

The connection between the IDF, military service and citizenship is an important element of the continued rationale for the operation of a conscript army and serving in the IDF has always been seen in Israel as part of citizenship (Peri, 1981). In a wider sense the IDF is seen (especially by those who serve in it) as a means of social cohesion (Cohen, 2007). Thus, the debate about who does and does not serve in the IDF is in fact connected to the wider debate about the nature of the Israeli state. Those who do not serve (especially the ultra-orthodox and Israeli-Arabs) are not seen as 'contributing' to the state. This means that the IDF has unwittingly become part of an ideological debate about 'ownership' of the state and societal cleavages in Israeli society. This was especially apparent after the 1967 War and the start of the decline of the 'national consensus' effect in public perceptions of the IDF, especially as right-wing nationalists viewed the IDF as an obstacle to the fulfilment of the settlement of the whole of Israel including territory in Palestine (Yaniv, 1993).

There are also problematic elements of the civil-military relations in Israel, most of which relate to the importance of Israel's "Security Network" as detailed by Barak and Sheffer (2006, 2010) and Kimmerling (1993). This network is a collection of individuals who have a close proximity to what may be termed either the security forces or the defence establishment. According to Barak and Sheffer it is "a tightly knit policy network characterised by intimate ties between acting or retired security officials— including officers who serve in the army's reserves, politicians on the national and

local levels, civilian bureaucrats, private entrepreneurs, and journalists” (2010, p. 31). More specifically, Kimmerling writes that the Security Network includes the following:

The armed forces, the intelligence network and General Security Services, the civil and military administration of the Occupied Territories, the defence ministry and its governmental bureaucracy, the Knesset 'Foreign Affairs and Security Committee', the government's (not permanent) security cabinet, the many-branched military industry which includes R&D sectors (these branches are either government owned, public or private), and, finally, various lobby groups of the branches mentioned above. (1993, p. 198)

The Security Network thus consists of those who are members of the defence establishment/security services and those retired members who have entered alternative sectors. The fact is that the relatively early age of retirement for IDF personnel means many seek second careers with the backing of generous pensions. This pension combined with their reserve status means they are loyal to the defence establishment and are thus active members of the network (Barak & Sheffer, 2006, pp. 239–241). The end result is that the Security Network is an informal policy network made up not just of military personnel but also civilian employees of the security sector. It is an informal arrangement that involves a myriad of different actors, both governmental and non-governmental, that has meant that civilian actors are not able to exercise effective control over defence and security policy. This is because it is a diverse and flexible network with members who are deeply ingrained in nearly all aspects of Israeli political and public life. They also have many shared goals and interests, meaning that their interests and state interests have become intertwined at the expense of the wider public. Therefore, while there may be disagreement within the network over certain policies, they are united by the belief that the defence establishment should set military policy and that they should defend the institution from interference or attack (Barak & Sheffer, 2010).

The combination of existential threat and a permeable barrier between civil and military spheres means that the Security Network has been able to become the lead policymaker (especially during times of crisis) in matters of security. From 1948, and especially since 1967, this network has to all

intents and purposes defined and set the priorities regarding the concept of security, resource distribution and many other elements of socioeconomic political policy (Barak & Sheffer, 2006, p. 239). This has meant that actors outside the Security Network or those that do not share its interests suffer from relative weakness and are unable to stop its influence in policymaking in crucial areas – be that the budget, foreign policy or even nuclear policy. So, while individual successes over the network are possible, ultimately non-Security-Network actors are forced to share power or even in some cases defer to it, which has ultimately undermined civilian control over the defence establishment. Active and retired personnel from the security sector are present in the civilian sector in a way that does not have a parallel in western democracies and means in effect that there is little true ‘civilian’ control of the military as would be present in the ‘ideal type’ of western democracy. In Israel, the Security Network has spread far beyond the security realm and its influence and preferences are important aspects of Israeli society and politics (Barak & Sheffer, 2006, pp. 255–257).

The strength of the network is only increased by the relationship between the military and society in Israel. The nature of this relationship has meant that the strength of the defence establishment in Israel has only been increased by the fact that generals are (mostly) popular in Israel and more often than not are prompted to high government positions upon their return to civilian life. They are active in policy and political life where their opinions carry considerable weight with the public (Cohen, 2010, pp. 242–244). A key element of the defence establishment’s power has thus been that it has not faced any effective competition, either in terms of its power or its ability to dictate the ‘narrative’ of the conflict. The weakness of civilian institutions and the military’s ability to manage a violent conflict has made it into an authority in the eyes of the public and politicians, which in turn has resulted in informal dependency for politicians who are reliant on its expertise but also the legitimacy it is capable of conferring on policy decisions. The military in effect has a monopoly on the ‘truth’ that excludes rival ideas and narratives that grant it power (Michael, 2010, pp. 61–62). When

this is combined with a form of civilian militarism, it has meant that government is the realm of “militarily minded civilians” (Kimmerling, 1993, pp. 219–220).

For Kimmerling, this is part of a wider societal concern that over time, violence and militarism in Israeli society have become “routine, self-evident and integral parts of the Israeli-Jewish culture, as a state of nature that could never be changed” (1993, pp. 198–199). The kind of militarism he sees in Israel is ‘cultural militarism’, the result of the establishment of the state, which meant that for the first time Jews were no longer dependent on an external power to guarantee their security. As such, security became not only paramount, but a key element of the identity of the new Israeli state (1993, pp. 203–205). This means that even criticism of the military is through military experts and thus continues the military’s ‘narrative’ even if it criticises individual decisions/policy. It is a form of ‘total militarism’ because the populace and civil institutions are engaged in war preparations and combat. Yet this is not an ‘army cult’ but instead something internalised by social and civic elements of society as being a priority, meaning that the collective is defined by security and military principles and that the boundaries of the collective are determined by military service (1993, pp. 206–208). Indeed, one need only look at how those who (mostly) do not serve, such as the ultra-orthodox and Israeli Arabs, to see how citizenship and membership of the collective are bound up with military service.

However, there are limits to the notion of military autonomy in Israel because, despite the undoubted informal strength of the defence establishment, neither the establishment nor its leaders have denied the principle of civilian control over the military. Thus, in conflicts between the PM and/or the Minister of Defence and the defence establishment, the defence establishment has always end up submitting (Cohen, 2010, pp. 248–249). In Israel, civilian power is predominant, and while generals have a great freedom of expression this does not alter civilian control over the final decision and the ‘monopoly of the legitimate use of physical force’ rests in the hands of the PM and

civilian authorities (Cohen, 2010, pp. 255–256). When examining Israel’s civilian–military relations, one is ultimately left with two conclusions.

Firstly, from a formal/structural perspective Israel fulfils the criterion of military subservience to civilian authority that one expects to find in a democracy. Secondly, the picture is far more complex than this, mostly due to the nature of Israeli society and the predominance of a security narrative and perspective due to the already-noted Israeli exceptionalism. This has been problematic for Israeli democracy in that it has led to a permeable barrier between the civil and defence establishment that has allowed the rise of a Security Network. This means civilian oversight is not free of military interference and also that the military’s narrative is not subject to alternatives. This is an almost inevitable consequence of real enemies Israel faces and the fact that it has historically lived by the sword (Yaniv, 1993, p. 228). So while the relationship between civilian and military authorities may not be ideal for structural and political reasons, a case cannot be made that the military in Israel is free to act independently of civilian oversight or that it represents a law unto itself.

### **Corruption**

Corruption isn’t a uniquely Israeli problem but it is one that has, especially in recent years, been seen as a growing concern, especially given several high-ranking politicians, including a former PM, having been convicted. Political corruption is often identified as linked to public office and the state (Friedrich, 1989, p. 15) and the fact that “private interest contaminates public purpose in a democracy when they influence the government without the warrant of democratic process” (Thompson, 1995, p. 28). Definitions of corruption share most of the following characteristics: that an individual or groups are entrusted with collective decision-making powers, that common norms exist regarding the ways that these elites use power for collective decision-making, and that these norms are broken and that the breaking of these norms benefits some while harming the collective (Warren, 2004, p. 332).

One can take the view that corruption is fundamentally damaging to democracy, representing a threat to its legitimacy, stability and normative values, and is both a symptom and a cause of dysfunctionality within government (Della Porta and Vannucci, 1999, pp. 250–258; Rose-Ackerman, 1999, pp. 9–26). That it breaks the link between decision-making and people's ability to influence this decision-making process, since it reduces the effective domain of public action and the reach of democracy (Warren, 2004, p. 328). Public institutions and agencies are no longer seeking to serve the public good but instead serve private benefits via those who seek to 'purchase' state favours through corruption. The effectiveness of the state is decreased as it shifts benefits towards those who engage in corruption at the expense of the greater public. As such, there is a strong emphasis in the literature on minimising the amount of discretion individual bureaucrats/leaders have (Rose-Ackerman, 1999) since, as Klitgaard's well-known formula has it, corruption equals monopoly plus discretion minus accountability (1988, p. 75). This perspective sees corruption in dichotomous terms; it is either present or not, and if it is, this represents a problem for the state.

One can understand the corrosive effect of corruption through Heidenheimer's (1989) idea of black, grey and white corruption, whereby the line between black (unacceptable) and white (acceptable) corruption becomes greyer. Gradually both grey and black corruption becomes more acceptable and then the line between acceptable and unacceptable corruption breaks down. This idea of creeping corruption is only exacerbated by the modern state because, as Shleifer and Vishny (2008) suggest, democracy can actually promote corruption, as egalitarian and interventionist tendencies lead to widespread redistribution and regulation, which become a breeding ground for all manner of malfeasancess. Indeed, on the most fundamental level, democracy can be seen to promote corruption if one accepts Downs's (1957) economic theory of democracy, which suggests that politicians are fundamentally interested primarily in power and income. He suggested that benefit seeking leads to the temptation to divert funds to campaigns or to avert policy away from the median voter as long as it does not actually affect the chance of being elected. As Aidt (2003, p. 645) suggests, elites only limit bribes they accept so that they are not caught and thus can continue to

receive future bribes. At its most 'base' level, if it is possible to 'buy' votes through financial handouts; this perhaps also constitutes corruption (Rose-Ackerman, 1978, p. 1). This pessimistic view of corruption and democracy can be traced back to the writings of Aristotle and Plato (Qizilbash, 2008, p. 288) and has continued through the neoclassical/economic view of corruption and democracy, which suggests corruption is the result of financial incentives. Even with the best intentions, the more active the state is, the more this may increase the level of corruption within the state by simply increasing the opportunity for it to occur.

This understanding of corruption lacks flexibility and, as will be shown in the Israeli case, a certain amount of flexibility concerning corruption is important. In addition, it does not pay sufficient attention to the roles that context and norms play in defining and deterring corruption. Sen's writings have been the most prominent of those who view democracy 'optimistically' as a deterrent to corruption and consider that personal profit is not the sole motivating factor for people (1999, p. 278). Often the focus is on the individual (Jain, 1996, p. 4) and the debate around corruption is seen in 'moral' terms about the individual (Warren, 2004, p. 341). One has to take into account social norms because what constitutes corruption does not necessarily remain static (Warren, 2004, p. 336) and a series of actions may violate one society's norms but not another's (Heidenheimer, 2002, pp. 142–143). Public opinion is essential because this creates the 'norms' by which corruption is judged and gives corruption as concept fluidity.

Israel gives the impression of deep and systemic levels of corruption. It was ranked 36 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index (2011) and in 2012 it had fallen to 39<sup>th</sup> (2012). Political parties were seen as the most corrupt institution with a score of 4 ½ out of 5 (with 5 being the most corrupt) and corruption scandals in recent years have implicated several senior officials (Transparency, 2010). Ehud Olmert resigned as Prime Minister in 2008 amid an investigation into donations and other gifts he had reportedly received from a US executive over many years, as well as several other alleged misdeeds dating to his previous posts in

the cabinet and as mayor of Jerusalem (Black, 2008). In April 2011, the Attorney General announced a pending indictment of the leader of Yisrael Beiteinu and then Foreign Minister Avigdor Lieberman on charges of money laundering, fraud, breach of trust, and tampering with a witness (Zarchin, 2011). These represent only two examples of the higher-level scandals in Israel in recent times, while the ultra-orthodox parties (especially Shas through Aryeh Deri) have not been immune (see Chapter 5).

Much of the problem of corruption in Israel can be traced back to the pre-state period because this witnessed much clientelistic patterns of behaviour between political parties and their clients and the concept of '*Protekzia*', meaning "the importance of connections, of having friends in the right places and, sometimes, of blatant nepotism" (Kordova, 2012). It has been termed a political tool for bypassing bureaucracy (Nachman & Rosenblum, 1975, p. 95). In colloquial Hebrew, it excludes direct gifting (in effect meaning bribery) for favours and instead includes non-monetary favours and activation of non-normative objectives. So when after 1948 and the establishment of the state of Israel there was also an influx of Middle Eastern/Sephardic Jews who brought with them their system of bargaining and '*baksheesh*' (a mixture of tipping, charity and bribery). The Sephardic community were more dependent on the political machine of the new state than their Ashkenazi counterparts and so "new immigrant voters became a commodity, transferable to the highest political bidder" (Werner, 1983, p. 628). Regarding contemporary corruption, due to its ill-defined and covert nature, it is not possible to assess with any real certainty whether corruption in Israel is increasing, decreasing or remaining stable (Sharkansky, 2007, p. 453). When one looks at the 2009 campaign, we see the same pattern as in 2006: corruption is a prominent issue, but has little impact on the electorate's voting behaviour. Partially, it is because "they are inured to a chronic level of misbehaviour, arguably moderate compared to that of other countries" (Sharkansky, 2010, p. 166).

At the same time, one must accept two facts. First, corruption does not necessarily mean classic corruption, i.e. the selling of favours for political rewards. Israel has a diverse party system that leads

to large coalitions of differing parties, each with their own ministries and own sectors to reward. This inevitably leads to informal arrangements that may be construed as corrupt. As will be explored in Chapters 4 and 5, this is a complex issue that depends on the second caveat: the definition of corruption. The more broadly one defines corruption, the more corrupt Israel appears. Israel has a political system that is highly fragmented and requires cooperation among different groups that is often informal and opaque. One could see this as corruption in that it is unaccountable, opaque and open to manipulation for personal gain. As will also be explored in later chapters, this informal elite cooperation can also be seen as part of Israel's semi-consociationalist political system.

Undoubtedly, corruption and civil military relations (especially the Security Network) remain troublesome elements of Israeli democracy that, in any state, would create alarm bells. Yet, as issues, they pale next to the primary concern of Israeli democracy, namely its ethnocentrism. It is this ethnocentrism that has informed Israel's relationship between its majority and minority populations, between Jewish and non-Jewish citizens of Israel. This has traditionally overshadowed its other more successful democratic functioning and has led some to call Israel not a democracy but a form of ethnic regime type.

### **3) The Ethnic Regime Type**

In many respects, all political parties in Israel are defined by their relationship to the ethnic division between Jewish and non-Jewish citizens in Israel. In this vein, Yiftachel, in his analysis of the 2013 election, differentiates the parties into three distinctive blocs. The first is the colonial bloc made up of those parties that wish to 'Judaize' the public sphere and the Occupied Territories and oppose the establishment of a Palestinian state. This bloc consists of the ultra-orthodox parties Shas and UTJ, Likud, Yisrael Beiteinu and the Religious Zionists of Jewish Home. The second is the ethnocratic bloc of a centrist/liberal persuasion that, while promoting and seeking a two-state solution, at the same time promotes an ethnically Jewish state with individual rights for Arab citizens. This includes the

parties Yesh Atid, Labour, Kadima and Hatnuah. Finally, the democratic bloc promotes the establishment of a viable Palestinian state but unlike the ethnocractic bloc, seeks a liberal non-ethnic democracy within Israel with strong minority fights. It is this category that the Arab parties (Hadash, United Arab List and Balad) as well as Meretz belong to (2013, pp. 50–51). The Arab parties share with Meretz a commitment to representing Arabs and to the creation of a Palestinian state. Where they differ is that what unites Arab parties and what separates them from the left-wing Meretz is that none of them are Zionist parties or would self-identify with that label.

While they have much in common, one should be wary of treating these parties as identical. Hadash is a secular party dedicated to social issues and ethnic cohabitation. The United Arab List is a traditionalist Islamic party popular among the Bedouin and is the only Arab party to have a religious identity. Balad is Pan-Arab Nationalist with links to the Syrian and Lebanese regimes (Frisch, 2007, p. 369). What unites them is that ethnicity is the primary source of political mobilisation. Non-Jewish citizens (especially Arabs/Muslims) tend to have at the top of their cleavage pyramid the question of their ethnic identity and use that as their primary sources of political organisation. Indeed, in many respects, ethnic voting is unavoidable in Israel since the Jewish nature of the state and the exclusion of Arab parties means the electoral and party system is highly ethnic. Such is the saliency of this cleavage that, despite Arab voters being aware that Arab parties will be excluded from government, they vote for them anyway. Here the desire to show some form of ethnic solidarity trumps the involvement in government and/or seeking a practical means of changing the system (Cohen, 2009, p. 154).

It is the nature of this division and its voting patterns which leads to attempts to reconcile Israel's outwardly democratic appearance with its ethnic nature through a framework that understands the Israeli regime as combination of these two elements. Indeed, in line with the notion of hybrid regimes, there is a school of thought that seeks to apply this flawed democracy paradigm to those states that combine the holding of elections with an ethnocentric regime to produce a combination

of democracy within a state dominated by one ethnic group. While Israel is not the only state to have been studied through this prism (the Baltic States, Turkey and Sri Lanka are all examples) it remains perhaps the primary example. There are three key concepts that have been adapted to explain the Israeli regime in terms of its relationship between ethnicity and democracy: Herrenvolk Democracy, ethnocracy and ethnic democracy.

## **Herrenvolk Democracy**

Herrenvolk democracy is a regime that excludes all races but one (Herrenvolk translates into 'master race') and was introduced into the political lexicography by van den Berghe (1967, p. 18) and was most importantly used to describe the pre-1994 apartheid South Africa. While, originally, Van den Berghe dismissed South Africa's 'democracy' even for those whites who could actually vote, Adam and Moodley (1993, p. 18) suggested that it was a genuine democracy, if only for whites, that did have the capacity to make a peaceful transition to a full democracy. Some see apartheid as a good model to understanding the Israeli regime, not least former US president Carter, and there remains much debate in Israel and abroad about 'creeping' apartheid. A noted critic of Israel's policy toward Palestine, Meron Benvenisti, classifies Israel within its post-1967 borders as a Herrenvolk democracy, arguing that Palestinians in the West Bank and Gaza were in fact annexed in to Israel in all but name but then permanently disenfranchised, much as in the case of South Africa (Shavit, 2012).

The Herrenvolk democracy thesis, when applied to Israel, has two flaws that fatally undermine its usefulness. Firstly, 'Palestinians' and 'Israeli Arabs' have very different circumstances, and, while there are some similarities, "there are also differences which are sufficiently distinct as to render the description of the state of Israel as an apartheid state inappropriate" (Regan, 2008, p. 209). These differences include the fact that, while Israel's extensions of rights to minorities are deeply flawed, it has extended pluralist rights to minorities within the Israel state that far exceed what any Herrenvolk democracy would entail. Secondly, Israel is subject to different geopolitical circumstances because, while South Africa was a clearly defined state with recognised borders

within which the apartheid system took place, Israel on the other hand does not have this clearly defined geographical existence, because its relationship to the West Bank and Gaza is actually classified as occupation. Israel does not claim the Palestinians in the Occupied Territories are its citizens. Rather, it is an occupation because Israel has no wish to create a state with a large number of Palestinians/Israeli Arabs within it. Given this, the extinction of political rights to the residents of the West Bank is pointless because they seek liberation and sovereignty, not equal rights with Israelis within a single state (Smooha, 1998). More importantly, the extension of political rights to these residents would make them de facto Israeli citizens and the Occupied Territories de facto sovereign Israeli territory, effectively dismantling the two-state solution and thus the idea of the ethnic Jewish state.

While the circumstantial differences between Israel and South Africa suggest Israel is not a Herrenvolk democracy, more importantly Herrenvolk democracy simply is not democracy of any kind. While Israel has a contested democracy, there is at least some debate to be had. A Herrenvolk democracy along the lines of apartheid-era South Africa cannot even claim to have the pretence of democracy due to the formal exclusion of voters based purely on their race. So while Israel's democracy does have its ethnocentric flaws it has not sought to only enfranchise one ethnic group. Thus the Arab experience in Israel is far from ideal.

## **Ethnocracy**

Perhaps the most notable and widely disseminated term is 'ethnocracy', a term and concept most widely associated with Yiftachel (2006), but also Ghanem and Rouhana (1998) and Sand and Lotan (2009, p. 21), to which there are three central tenets. Firstly, there is the existence of an ethnocracy that is a distinct regime type. Secondly, certain mechanisms explain the persistent patterns of ethnic domination and regime instability. Thirdly, the ethnocratic regimes draw their legitimacy from a world defined by the nation state and their structure and practice undermine this order.

Ethnocracy follows a pattern whereby a settler society aims to alter a country's ethnic structure (Yiftachel, 2006, p. 12) through the establishment and institutionalisation of its own dominance and, later, assimilation of immigrants into the political and economic sphere unevenly. Yiftachel is not alone in his belief that Israel represents a settlement colony (Abdo & Yuval-Davis, 1995, pp. 295–323; Friedman, 1988; Shafir, 1989, p. 42).

In terms of what constitute the characteristics of the ethnocracy, there are several key principles. Firstly, despite the regime claiming to be a democracy and receiving external legitimisation of itself as democratic, ethnicity is the main determinant of the allocation of rights, power and resources within the state. There is thus a consistent tension between ethnic and democratic principles as they promote exclusion and inclusion respectively. Since significant (but partial) civil and political rights are extended to members of the minority ethnicity, this distinguishes ethnocracy from apartheid states and authoritarian regimes. Yet the ethnic organising principles of the state means they cannot be considered as anything more than ersatz democracies. Secondly, state boundaries and political boundaries are unclear, meaning that there is no clear 'demos' because of ethnic diasporas and unequal citizenship. Who constitutes the states citizens is not determined, as it should be in a democracy, by who lies within the state's boundaries, but is also determined by membership of an ethnic group's diaspora. This is relevant to Israel where membership of the Jewish diaspora acts as a gateway to Israeli citizenship. There is thus further conflict between civic notions of identity and ethnic identity and which makes one a member of the state. Thirdly, a dominant ethnic class appropriates the state resources and determines the outcome of most public policies. As such, there is ethno-class stratification and an ethno-national stratification. One's ethnicity thus becomes a significant determinant and indicator of one's socioeconomic status. In a sense, the dominant ethnic group's 'ownership' of the state is used to ensure there is economic as well as political dominance (Yiftachel, 2006, p. 16).

This regime, once established, is protected by societal and institutional arrangements that ensure the continuation of ethnic dominance by one group. First, within an ethnocracy, demographics are of the utmost importance so the dominant ethnic groups seek to have control (through the institutions of the state) of immigration and citizenship. The dominant ethnic group therefore determines who is a citizen of the state and thus has access to political power. For example, in Israel, Jewish immigrants are entitled to generous benefits that other groups are not (Lewin & Stier, 2002, p. 500). Secondly, land use, ownership and settlement are central to ethnocratic regimes and are shaped by the state's project of extending ethno-national control over its multinational territory. Thirdly, the armed forces and the subsequent force they employ are necessary for the state to maintain control over territory and population. In an ethnocracy, the armed forces of the state are predominantly affiliated with one group and represent another element of ethnic control over the minority ethnic group. Fourthly, economic capital is subject to ethnic control and heavily favours the dominant ethnic class, giving the dominant ethnic group economic power and leverage. Fifthly, the constitution/law is a form of ethnic power and 'legalism' is used to depoliticise ethnic control and legitimise patterns of control. Sixthly, public culture is formalised around a set of cultural and religious symbols which enforce the narrative of the dominant culture by ensuring the public space is dominated by one ethnic group (Yiftachel, 2006, pp. 36–37).

Thus, it is the case that "With regard to the combination of democracy and ethnicity, Israel cannot be classified as a democracy" (Ghanem, 2011, p. 22) but as a regime with restricted rights and limited integration for minority groups. Indeed, the Israeli self-perception of the state and its international legitimacy as a liberal democracy is a smokescreen for a Jewish ethnocratic regime (Ghanem & Yiftachel, 2004, p. 649) and democracy in Israel in effect provides a sophisticated justification for Jewish hegemony of the state (Gans, 2008). Ethnocracy maintains the dominance of one ethnic group and is premised on exclusion, marginalisation or assimilation of minority groups – trapping them either inside or outside the state – a choice between assimilation and loss of cultural/ethnic identity or remaining marginalised from the state. Ethnocracy is not democracy as it

is premised on inherent dominance and hegemony that cannot be changed through normal democratic means. As such, no state with the patterns of ethnic dominance within the ethnocracy could be considered democratic, although in mitigation they cannot be considered authoritarian regimes either, as they contain some (albeit limited) forms of pluralism.

Smoocha (the most widely known proponent of the 'ethnic democracy' model of Israeli politics as explained below), has critiqued ethnocracy by suggesting the model of ethnocracy is too rigid because it cannot detect erosion in its power and privilege, and protests of non-dominant groups are erroneously seen as ineffective simply because the dominant group can contain them. The model is also wrong as it sees the lower ethno-class of the dominant group as marginalised, whereas in reality they are privileged compared to members of the non-dominant groups (Smoocha, 1998, p. 22).

Indeed, the Sephardic community in Israel has sought to define itself as non-Arab in order to move itself closer to the dominant Ashkenazi group (Peled, 1998).

The main weakness is its overly demanding and unrealistic concept of democracy as a state that provides public and elite commitment to democracy, universal suffrage, free and fair elections and a free media. Thus, the full and effective use of democratic tools by non-dominant groups is trivialised and seen as deceptive, only there to legitimise the regime and as part of a sophisticated system of dominant group control. Smoocha considers this a myopic view that misses the idea that the regime is characterised by internal contradictions between democratic and non-democratic tendencies and also by incremental changes, flexibility and relative stability (Smoocha, 1998, p. 22). Essentially, the democracy that Yiftachel seeks is an 'ideal' one that no state could create, let alone one involved in such a complex web of internal and external ethnic relations. Indeed, Peleg, who echoes much of Yiftachel's work, differs in one key respect when he says:

While Israel's democracy is seriously flawed, and while these flaws are deep and structural, the overall character of the polity is still democratic. In other words, the Israeli polity has the potential of moving in the direction of improving its democratic record, but it must lower considerably the vigour of its hegemonic, statist, and ethnic behaviour. (2004, p. 433)

Thus, unlike Yiftachel, Peleg considers Israel a democracy (albeit one that is deeply flawed).

## **Ethnic Democracy**

The ethnic democracy model is one that is most associated with Smoocha (1997, 1998, & 2002). The term has also been used by Shafir and Peled (1998, 2004), Dowty (1999) and Kopelowitz (2001) to describe Israel. In principle, an ethnic democracy is “a system that combines the extension of civil and political rights to individuals and some collective rights to minorities, with institutionalisation of majority control over the state” (Smoocha, 1997, p. 199). While there is institutionalised majority control over the state, minorities are allowed to conduct democratic struggles to incrementally improve their status (Smoocha, 1998, p. 24).

Ethnic democracy operates under two contradictory principles. It is democratic, which guarantees equal rights and treatment, while also fashioning a homogeneous nation state that privileges the ethnic majority (Smoocha, 2002, p. 478). The Jewish character of the state of Israel is explicitly reflected in language, holidays, right of immigration and, in the public and political sphere in general, “coercive separation between ethnic communities and the legal provision of ethnic endogamy reinforce the ethnic nature of Israeli democracy” (Smoocha, 1997, p. 206). The potential security and political threat that Arab Citizens of Israel are seen to pose to the state and its ethnic character is a key rationale behind the ethnic democracy. Thus, as Dowty suggests, equality (especially that before the eyes of the law) runs into considerable resistance and indeed represents the ‘Achilles heel’ of Israeli democracy (1998, p. 11). Shafir and Peled (1998, 2002) suggest that citizenship is used as a means to both include and exclude from the state. Ethnicity can thus become a tool of citizenship and of social stratification (1998, p. 408). By providing minimalist inclusion for minority groups but also excluding them from full social, economic and political rights the regime remains stable. Thus, as Pedahzur notes, “the values and principles of the Israeli ‘ethnic democracy’ are intended to perpetuate the Jewish community’s uniqueness, its legitimate control over the country and its role as a centralised state” (2004, p. 14).

There is much overlap between what constitutes an ethnocracy and an ethnic democracy. The domination of one ethnic group, inequality and discrimination are part of the state and the minority population are seen and treated as second-class citizens within the state. However, the classification of Israel as an ethnic democracy has one key and obvious difference from its classification as an ethnocracy: democracy is seen as present, while in ethnocracy democracy is notable by its absence.

Indeed, Gavison argues that:

The character of Israel as a Jewish nation state does generate some tension with the democratic principle of civic equality. Nonetheless, this tension does not prevent Israel from being a democracy. There is no inherent disagreement between the Jewish identity of the state and its liberal-democratic nature. (2002, pp. 72–73)

From this perspective, Israel's ethnic democracy is a 'flawed' democracy but, importantly, it is still a democracy because the state possesses an overall democratic framework with basic civil rights. Yet, this has been subject to counter-criticism from those associated with the ethnocracy school. The first critique is that Israel is not in fact a democracy and the problem with much analysis is that it rests on the assumption of the democratic nature of the Israeli polity. The nature of Israel's borders means that if one applies the simple 'procedural minimum' definition of democracy, Israel 'fails', most notably because Jewish settlers in Occupied Territories can vote but their Palestinian neighbours cannot. There is not even universal enfranchisement, the most basic right of procedural democracy.

Even if one skirts this issue Kimmerling suggests that Israel is "a democracy only within the parameters fixed by a particular interpretation of 'Jewishness' and the Israeli state fluctuates between secular liberal democracy and nationalist theocracy" (2001, p. 174). Peleg suggests that Israel has "become and remains to date a hegemonic, statist, ethnic republic" (2004, p. 432). Israel is a state that has clear preferential treatment for the Jewish citizens, supported by its statutory law and institutional regulations, and the Israeli regime is designed to preserve the place of the Jewish population at the apex of the political pyramid (Ghanem, 1998, p. 433). Rabinowitz also critiques Smooha's ethnic democracy by suggesting he "sidesteps the historical and personal implications of disenfranchisement, dispossession and dismemberment experienced by the Palestinians who had

previously inhabited the territory, and whose offspring are now trapped in the collective time and space of the new state" (2001, p. 80). In effect the ethnic democracy debate is that it makes Palestinians the 'outsiders' and dismisses their historical roots within the territory.

This relates to the second critique: the dominance of the ethnic narrative is such that any suggestion that Israel constitutes anything other than an ethnic regime is insincere and is in effect conceptual stretching (Yiftachel 2006, pp. 89–90). The notion that a state could be 'Jewish and democratic' or an 'ethnic democracy' is oxymoronic as it consists of opposing principles, *demos* and *ethnos*, and as such is akin to the expression 'hot ice' (2006, p. 99). For critics of the 'ethnic democracy' school, the classification of Israel as a democratic regime is a means to legitimise the current status quo, but is not guided by the empirical evidence. A third critique focuses on the methodology. Danel, while accepting the premise of Israel as a western democracy with ethnic traits as Smootha does, critiques the idea that Israel is unique:

Smootha discovers Israel's uniqueness, because it was tacitly presupposed all along ... An investigation of the distinctive features of French democracy, for example, would also probably reveal that it offers a singular perspective on democracy. Smootha's conclusion that Israel differs categorically from other "western liberal democracies" in its combination of his list of ethnic attributes is correct precisely because it is so assumed from the start. (2009, p. 53)

There is a fundamental disconnect between the two schools. Indeed, much of the debate is crystallised over how one interprets the wording of the Basic Law: Human Dignity and Liberty, passed in 1992, that declared the "State of Israel as a Jewish and democratic state" (Knesset Website, 2002) and whether these two are mutually exclusive. Indeed, it is possible to argue, "these two words, Jewish and democratic, they are basically at the bottom of every major argument in Israel" (Guy Ben-Porat, personal communication, January 27, 2014). The relationship between these facets of Israel's identity has yet to be satisfactorily solved.

## The Arab Experience in Israel

The form of ethno-regime that Israel represents depends upon the status of minority populations within the state. So, which regime type best corresponds to the Arab experience in Israel? Firstly, since both ethnocracy and ethnic democracy are premised on there being limited forms of inclusion, one should not be surprised to find that Arab political parties exist. Parties such as the United Arab List and Balad, and parties which define themselves as multi-ethnic parties but which are sympathetic to Arab political causes such as Hadash and Meretz, exist. Notwithstanding, the relationship to the political process is complex in terms of their ability to affect decision-making within the Knesset.

Firstly, if one looks at the welfare state in Israel, one can see clear signs that identity politics has in effect corroded the idea of solidarity that is at the heart of the welfare state. Indeed, the public are less likely to support much of what constitutes the welfare state if it is applied to a different ethnic group from their own (Zehavi, 2012, p. 564). Ethnicity (as one would expect of either an ethnic democracy or an ethnocracy) is important (if not the key) in determining who one thinks is 'deserving' of welfare. Nevertheless, this does not exclude cooperation across factional divisions. Indeed, one can find cooperation between ultra-orthodox Jews and Arab parties where there is a shared interest in welfare. Despite the ethnic tensions, cross-party cooperation has arisen between Arab and Jewish parties (Zehavi, 2012, p. 576), and, as such, cooperation between these two distinct ethnic groups is more than nominal but less than substantive.

Thus, cooperation within the legislative body is possible between distinct ethnic groups if there is a shared interest; for example, with "opposition to universal conscription you can see Arabs and ultra-orthodox parties joining forces in order to oppose such a proposal" (Aviad Rubin, personal communication, January 29, 2014). This form of enlightened self-interest, while not indicative of Arab inclusion in the political process, does suggest that pragmatism can overcome ethnic divisions and that exclusion is neither permanent nor consistent.

Despite this perceived cooperative potential, one must accept the fundamental weakness of Arab parties and MKs because Arab political parties are not effective and the hegemonic Jewish majority determines political discussions and decision-making (Jamal, 2011, pp. 73–74). Their exclusion from government goes far beyond ‘competitive’ coalitional politics and actually represents ethnic exclusion. Large parties that court Arab parties risk alienating both their voter base and other potential coalition partners (Smootha, 2008). This also means in effect that those who cast their votes for Arab political parties are being effectively ignored and “The Arab public is becoming more aware of its own insignificance in Israel's political configuration and of its inability to affect government policy, despite being an inseparable part of Israeli society” (Schafferman, 2009, Para. 6). This is reflected in voter turnout, which “has fallen from 75% in 1999 to 53% in the last election; this time<sup>11</sup> it could fall below half” (Ghanem cited in Qasem, 2013). Thus, those who vote for ethnic Jewish parties and those who vote for ethnic Arab parties are subject to the ethnocentrism of the state because this form of ethnic communal voting is tolerated for the former but excluded for the latter. Hence, there has been a shift in recent Israeli-Arab political dialogue away from seeking civil/liberal democratic rights to seeking collective ethnic rights (Jamal, 2011).

The question of how one interprets the relationship between the Israeli state and the Arab minority is an essential part of determining how one views ethnic relations in Israel. For example, one could understand state–minority relationships in Israel within the context of the Israeli-Palestinian conflict (Reiter, 2009). From this perspective, Palestinians and Israeli Arabs are part of the same security dilemma due to their ethnic affiliation, providing legitimation for discrimination and the ethnocentrism of the Israel regime. Indeed, it has been the case that the political and social problems of the Arab community have often been addressed from the Israeli perspective (for example, Lustick calls his work ‘Arabs in the Jewish state’ (1980). The ‘liberal democratic model’ of rights has permeated the debate surrounding majority–minority relations and has centred on Arab rights within the Israeli state by looking at the extent to which Arabs have the same rights as Jews

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<sup>11</sup> The elections held in 2013.

within Israel. The debate has usually thus concluded that Israel has failed as a state to live up to the democratic ideals due to its ethnocentricity – the critique of both the ethnic democracy and ethnocracy schools of thought.

Jamal (2007) suggests that this approach reflects a conceptual framework established and defined by a hegemonic Jewish majority. It accepts the Jewish character of the state and that Arabs represent a minority within the state and, as such, should have the same rights as other minorities within liberal democracies. This leads Kymlicka and Shapiro to ask “Whether the familiar system of common citizenship rights within liberal democracy ... is sufficient to accommodate the legitimate interests which people have by virtue of their ethnic identity” (1997, p. 4). Does this form of liberal democracy provide a means by which legitimate collective ethnic rights can be realised? Kymlicka and Norman think not, because individual liberty and equality do not meet the demands of ethnic groups or movements for equality which require ‘additional’ minority rights (2000, pp. 2–5). The democratic procedures of majoritarianism decision-making have translated (as Lijphart suggests would happen) into ethnic majoritarianism within Israel, proving that democracy and majority rule are incompatible in deeply divided societies (Lijphart, 1977, p. 114). The minority has lost considerable influence over policy even within their own affairs and indeed the last ten years have seen a considerable decline in influence for minority groups over policy since power has been focused less in the Supreme Court and more in majoritarian government bodies (Navot & Peled, 2009, p. 442).

However, as previously detailed, the pluralist nature of democracy means that political parties are not the only means by which group interests are represented. It is in the pluralist sphere of civil society that one finds the most striking evidence of the existence of Israeli democracy. Indeed, “organisations have played a significant political role in the campaign of the Arab minority for civil equality in Israel” (Payes, 2003, p. 83). Arab society has been undergoing a deep process of civic institutionalisation and there has been a subsequent increase in the number of civic organisations,

the scale of their activity and their lobbying of the state (Jamal, 2011, p. 224). The *raison d'être* of minority civil associations is to challenge the hegemonic political order and the structural bias of the state, especially in the case of an ethno-cultural state like Israel (Jamal, 2011, p. 189). Given the hegemony of Judaism and Zionism within the cultural public space, Arab civil associations have to combat political hegemony, but also the hegemony of Jewish symbolism within the state and the public space. Thus, according to Haklai, Arab civic activism should be understood within the idea that it is an “ethnic civil society” and “a model of ethnic mobilisation targeting the empowerment of an ethnic community” (2004, p. 157), reinforcing the primacy of ethnicity within Israel as the means of political and cultural mobilisation. Yet, this interpretation of minority civil associations overlooks the fact that many have Jewish activists within them and many actually promote universalist/liberal values (Jamal, 2011, p. 196). Minority civil society in Israel is pluralistic and does not have a unified goal. Instead, it seeks to improve the conditions of Arabs, be that politically, culturally, socially or economically and be these groups either ethnic or civic in nature. The increase in minority civil society is partially due to the move from political parties (which are seen as ineffectual) to civil society (which is seen as more effective) and increasingly pluralistic strategies. In many respects, civil society has provided the ‘democracy’ (or at least pluralism) that has been missing from the political process and has provided a degree of autonomy to Arab citizens and acted as a counter-hegemonic force.

One can clearly delineate between civil national states and ethno-cultural national states (Gans, 2003, p. 2; Harris, 2009, pp. 28–34) and Israel is clearly a member of the latter and is part of the wider abuse of democracy within multi-ethnic states (Mann, 1999). If deep divisions within a state are the litmus test for democracy (Glazer, 2010, p. 7), Israel looks like a state that has ‘failed’. In many respects the question of whether ethnocracy or ethnic democracy defines the Israeli regime does not alter the fact that Israel as a regime has failed to uphold basic democratic rights in respect of minorities.

## Israel and Democracy: A Summary

Democracy is a mixture of procedural and normative elements. On the one hand, it is a mechanical means of translating votes into a form of governance, of transferring popular legitimacy to governments. Therefore, a democracy must have procedural elements that protect and regulate this function. At the same time, democracy has a normative element that is made up of ill-defined concepts like civil society that complicate the matter. Few doubt that strong civil society and the functions it performs are an important part of democracy. Yet, concepts like civil society cloud the assessment of a regime's democratic nature and, as noted in the first section of this chapter, there is no clear definition of what constitutes a democracy. With this in mind the measurement/assessment of democracy will inevitably contain normative elements because it requires the assessor to define democracy and in doing so they will draw different conclusions from others who have their version of democracy.

At the same time we encounter the problem of how and what we categorise. Do flawed democracies exist? Do some hybrid regimes have forms of democracy? In short, do we start from a dichotomised assumption that there are democracies or do we start from the assumption that all states can be graded against an ideal type, regardless of how little democracy is actually present in the state?

In many respects, the debate surrounding the Israeli regime echoes the already detailed debate about whether democracy should be measured in dichotomy or gradient. For those who support the notion that Israel is an ethnic democracy, clearly there is a graded understanding of democracy in which Israel is placed somewhere on a democratic scale. Yet, for the ethnocracy advocates, there is a clear dichotomy in which Israel cannot be placed within the democratic family, but instead is to be seen as a different form of regime that, while containing some democratic elements, cannot be labelled even as a flawed democracy. A flawed democracy is capable of changing and improving whilst an institutionalised ethnocracy is not. At the same time, both approaches follow a diminishing

subtypes methodology of avoiding conceptual stretching by creating smaller and more specific approaches to understanding Israeli democracy, albeit with different categorisation.

Concerning the question of whether one should classify Israel as a democracy or as something separate (such as an ethnocracy) one must ask whether the flaws in Israeli democracy are such that Israel should not be measured against other democracies. Analysis of the regime suggests it fits within the sphere of flawed democracy/hybrid regime/ethnic democracy. It is hard to argue with Aviad Rubin and Guy Be-Porat when they say respectively that “Israel is definitely democratic (but) it has to go some way forward in terms of its liberal values” and

Well, I think it's a strong democracy, at least on the procedural level ... elections are free and fair and governments were changed and everything works perfectly ... but the currency of democracy; committing into human rights, to liberalism, I think there is a worrying trend.” (personal communication, January 29, 2014; January 27, 2014)

The ideal type of democracy that Yiftachel et al. want to see in Israel is simply that, an ideal, while Smooha et al. and their concept of ethnic democracy recognise that Israel's imperfect democracy has too much that is democratic to be simply dismissed out of hand, as universal suffrage, liberal rights and pluralism are all evident within the state. Yiftachel does not provide an adequate argument as to why these elements of Israeli politics should be ignored in the face of the (admittedly considerable) ethnic fault lines that run through the state. Within the cleavage pyramid in Israel, ethnic divisions between Arabs and Jews clearly represent the apex of the pyramid and all subsequent divisions have to be measured against it.

Given this understanding of the Israeli regime, without engaging in ‘concept stretching’, it is difficult to categorise Israel as one of the ‘established’ forms of hybrid regime because it lacks democratic ‘faults’ of those aforementioned regime types. Instead, what unites the faults identified above with Israeli democracy most pervasively is the question of minorities in Israel, especially Israeli Arabs.

They are the victims of insufficient minority protection – their press is censored on security grounds,

their ethnic parties are tacitly excluded from government and they are discriminated against politically, economically and socially.

Thus, overall, Israel meets the minimum standards. It has a 'strong' procedural element that gives it a democratic hue along with extensive collective civil rights and a relatively strong (if ethnocentric) civil society that is given further strength through the pluralist nature of the regime. Israel, as a regime, has extensive faults within the sphere of minority protection and collective ethnic rights. Thus, the assessment of democracy given by institutions like Freedom House or indeed any organisation is always likely to be high because its faults derive from those areas that are not 'established minimums'. It also lends credence to the idea that, while democracy can be measured, the true nature of a regime has to take place with reference to the specific context of that state because only this can provide detailed analysis of the state in question.

This thesis makes two assumptions about Israeli democracy. First, Israel is a flawed democracy, especially within the realms of minority protection and rights. While Israel may have valid and historical reasons for having security concerns that have spilt over into ethnic profiling, as a democracy it fails to fulfil some basic functions concerning equality and as long as there is discrimination and suspicion directed at Israeli-Arab citizens, Israel will continue to be a flawed democracy. Second, Israel fulfils enough criteria (extended franchise, pluralism) to be considered a flawed democracy, not a hybrid regime. Discrimination, while prevalent, is neither systemic nor officially sanctioned. Israel should be considered an ethnic democracy/ethnocentric regime, yet this does not place it outside the sphere of democratic analysis. It is to be considered a troubled democracy, not a unique regime type.

By establishing that Israel can be considered a full (if flawed) democracy, one can move on to the study of specific elements of Israeli democracy that this thesis covers: ultra-orthodox religious parties. By establishing that these parties operate within a framework of pluralist, free and multiparty democracy (at least for Jewish parties) one can seek to understand their behaviour by

understanding the structure within which they operate. Hence, the next step is to examine how ethnic and religious parties are likely to behave within a democratic framework.

## Chapter 3: Religion and Ethnicity in Divided Societies: Theoretical Perspective

The aim of this chapter is to explore three important and interrelated theoretical concepts so that they might be applied later to the Israeli context.

Firstly, it needs to be established what the relationship between ethnicity and religion is and the level to which religion can be and is politicised. How in practical terms have religious parties behaved in democracies, what guides religious voters and parties and are they capable of truly being democratic? Can they compromise the divine ideology that inspires them as their secular counterparts can, or are they incapable of anything other than exploiting democracy or seeking to undermine it due to their religious principles?

Secondly, in order to understand the role that ethnicity can play in democracy, we need to understand how we define ethnicity and ethnic identity. More importantly, how does ethnic identity affect democracy? Ethnic voting and parties are the obvious manifestation of ethnic divisions and identity within the state and the concepts must be assessed and defined. Do ethnic voting and parties inevitably lead to the exacerbation of ethnic tension and possibly conflict, or are they expressions of democracy that can exist within a pluralistic and open democratic framework?

Thirdly, what of democracy in divided societies? Both religion and ethnicity, separately or combined, can represent identity politics that in a democratic society can tend a political system or society towards conflict. Where this is the case, what are the means by which this conflict can be moderated and/regulated? Do theories of consociationalism and centripetalism suggest rival means by which conflict can be dampened in these societies, or should ethnic parties simply be banned?

Israel is a state that is a complex and combusive mixture of religious and ethnic identities that all exist, as noted in Chapter 2, within a democratic framework. With this in mind, the aim of this

chapter is to provide a theoretical framework for the contextual analysis of divisions within Israeli society and politics in the following chapters.

## 1) Religion and Democracy

Since Chapter 2 gave a detailed analysis of democracy before continuing with an analysis of religion and democracy, we must ask what constitutes religion. Perhaps the most influential definition of religion is provided by Durkheim, who suggests that shared rituals and ceremony provide a form of group unity that ultimately act as the basis of religious communities:

Because society cannot make its influence felt unless it is in action, and it is not in action unless the individuals who compose it are assembled together and act in common ... it is action which dominates the religious life, because of the mere fact that it is society which is its source. (1964, p. 418)

Religion is a source of collective action that forms the boundaries of the group and is not just an organising principle and a source of social mobilisation – it is also a reflection of shared values.

Attendance at religious service is an important element of establishing group identity because, as Durkheim suggests, religious rituals act as a transmitter for the norms and values of religious groups and also as confirmation of those norms (Jansen, Graaf & Need, 2012, p. 760). At the same time, Mol sees religion in terms of psychology and security in that religion is a means of giving an orderly interpretation to a complex reality that allows people to function (1976, p. 266).

Yet this is a sociological/anthropological understanding of religion. For a political understanding we can turn to Mitchell and her “rule of once removed” (2006, p. 1137) that holds that, regardless of an individual’s spiritual beliefs, if they are socialised into a form of religious behaviour, even if their religious beliefs are ambiguous they are still a factor in their identity. Religion need not be guided by spiritual considerations alone but can be seen as part of a wider communal identity and ethos and, regardless of one’s spiritual beliefs, religion can have a political effect through the mobilisation of

voters and political action. Yet religion can seldom (although this is not always the case) be understood on its own and is often partnered with ethnicity and the collective ethnic identity.

## **The Relationship between Ethnicity and Religion**

The relationship between religion and ethnicity is an important one and in the Israeli case inseparable. The question here is about theoretical connections between the two and which (if either) is the 'primary' form of identity.

Firstly, religion and religious identity can be viewed as a part of ethnic identity and in some ways 'subserving' to it, a way of forming and mobilising it, but not something capable of challenging that ethnic identity within its own right (Gans, 1979; 1994). McGarry and O'Leary note that in Northern Ireland, where "people belong to 'religious communities' irrespective of their actual religious or non-religious convictions, because the religious label is an ethnic label, hence the well-known, and only half joking references to Protestant and Catholic Atheists" (1995, p. 212). Religion is an in-built element of ethnic identity. As Peled (1998) observed of the Sephardic community in Israel, some vote for a religious party because of socioeconomic and cultural grievances related to ethnicity.

Religion's relationship to ethnicity in this framework is somewhat 'passive'. Gans defines 'symbolic ethnicity' as characterised by "a nostalgic allegiance ... love for and pride in a tradition that can be felt without having to be incorporated in everyday behaviour" (1979, p. 9). Symbolism and irregular participation are utilised as a means of 'symbolic religiosity' but this does not contradict the participant's otherwise secular existence (Gans, 1994, pp. 585–586). Another variation on this framework is Demerath's concept of 'cultural religion' defined as "identification with a religious heritage without any religious participation or a sense of personal involvement per se" (2001, p. 59). Like Gans' 'symbolic religiosity', this is religion not as participation but as part of a cultural identity, which, as will be explored in Chapter 4, is of significance for Israel where culture is overwhelmingly dominated by Jewishness and Judaism. These analyses of religion focus on religion as symbolic but

are ultimately lacking in real content – a form of identity rather than something in which people actively participate.

Secondly, religion can be viewed as the ‘equal’ of or even ‘rival’ to ethnicity – as a source of interest and group mobilisation that cannot simply be reduced to an element of ethnic identity because:

Whereas other common features of ethnicity (language, ancestry, social constructions surrounding skin colour, etc.) frequently fail to provide clear bases for the establishment of group boundaries, religious self-identification as a basis for delineation of group boundaries can be comparatively straightforward. (Seul, 1999, p. 566)

Hamf (1994, pp. 10–15) endorses this point. He argues that cultural distinctions (and therefore communities) can have their grounding in many places, yet religion and its boundaries are far more stable and reliant than other distinctions between identities and have been used by ethnic groups and leaders as a means of validating their people and their history. Yet Hamf also concedes that religion and its rituals are “an instrument of mobilization” (1994, p. 16) and thus can be a force for ethnic mobilisation. If one moves away from simply looking at religion as part of ethnic identity, one can come to see that “religion is not just a marker of identity, but rather its symbols, rituals and organisations are used to boost ethnic identity” (Mitchell, 2006, p. 1140). Religion is a more substantive element of ethnic identity or indeed is an identity that in its own right can provide mobilisation independent of ethnic identity (Nash, 1989, p. 37).

Thirdly, one can see religion as part of the ‘construction of group identity’, where in certain contexts ethnic identities are intertwined with religious ones (Ruane & Todd, 2004, p. 217; Mitchell, 2006) so that one cannot be separated from the other. Ruane and Todd suggest that, while ethnicity is a framework through which we can understand much, it is a ‘thin’ categorisation that needs more substantive content which can derive from other sources including religion (2004, p. 218). From this perspective, ethnicity is a malleable concept because how one defines an ethnic group and how the group self-identifies become signifiers as to the ‘type’ of ethnic group one is dealing with. Religion

and ethnicity are integrated through a process of mutual reinforcement – religion can make the ethnic sacred, which in turn means that the ethnic becomes religious.

In some cases, religion and ethnicity must be treated as interconnected and inseparable, and it is seldom the case that religion and ethnicity can be treated as separate and non-interacting ideas.

Where there is a clear relation between the two, one must identify the values that inform both the religious and ethnic identity, as is the case in Israel, where attempts to divorce ethnicity from religion as forms of identity are doomed to failure. Yet, given that the focus of this thesis is on ultra-orthodox voters, for whom religion is the primary source of identity, it is necessary to examine political religious behaviour, especially voting.

## **Religion and Political Behaviour**

The acceptance of the important role that religious parties have to play in many democracies is a relatively new one, partially because the success of religious parties runs counter to the ‘secularisation thesis’ that assumed the decline of religion for a number of reasons. One of these reasons is the increased urbanisation and decline of local communities based on interpersonal relations and the rise of societies based on more formal relations, in which religion is far less pre-eminent (Lerner, 1958, pp. 54–68; Wilson, 1966, pp. 221–234; 1976). Secondly, increasing wealth and economic diversification create a myriad of occupational and social classes, which in turn breed a further diversification of lifestyles. Religion then becomes part of the ‘marketplace of ideals’ and cannot command the monopoly it once did (Berger, 1967, p. 142). In a more pluralistic society, religion loses the monopoly on truth and hence its relevancy declines (Bruce, 1996, pp. 43–47). Thirdly, as individuals feel increasingly secure in society, their need for religion decreases as high levels of welfare and literacy give citizens existential security which reduces their need for religion (Norris & Inglehart, 2004, pp. 14–19). It would appear that the more educated a society is, the more likely it is to embrace individualistic and liberal norms, and religious affiliation becomes more infrequent (Need & De Graaf, 1996, p. 96). However, the secularisation thesis is open to some

obvious challenges – most notably the decline of secular nationalism and the rise of religious nationalism, especially since the end of the Cold War (Juergensmeyer, 2010).

Looking at religious voting, we have in essence two measurements – the particular religion of which one is a member and its saliency to the individual compared to other ideational/political factors (Bean, 1999, p. 552; Dalton, 1996, pp. 176–179). Differentiating between the two, Lane and Ersson suggest (1999, p. 51) that religion can have two distinctive effects on voting. It can reflect value orientations (i.e. the extent to which religion is a primary source of values), which signifies the ‘manifest’ cleavage, or it can reflect conflict between religious denominations (including secularism), which is the ‘latent’ cleavage.

The voting effect is predicated on the fact that “religious values are related to a wide range of social and political beliefs” (Knutsen, 2004, p. 99). This is likely to be reflected in voting since this is a reflection of the saliency of these values (De Koster & Van der Waal, 2007, p. 458) and, the more salient religious beliefs are, the more they will determine voting behaviour. Even in the western world where there has been a supposed decline in religiosity, Raymond noted in a study of the US, Germany and the UK that there was a persistent link between religious voters and right-wing parties (2010, p. 132). One can view religious parties (like their secular ideological counterparts) as a source and reflection of values since it “does appear that level of activity within a church has an independent effect on political orientations and behaviour beyond any effects attributed to church doctrine” (Peterson, 1992, pp. 137–138). Church involvement can spill over into political attitudes, while Djupe and Gilbert (2002) suggest that clergy often express opinions on current public affairs that are value laden and seek to influence attendees.

The alternative view is that religious voting is guided by latent structural concerns. Whereas Lipset and Rokkan (1967, p. 15) identified the main societal cleavage concerning religion to be the conflict between church and state over education, conflict between religious denominations (most prominently as part of the secular–religious cleavage) is more prevalent today. The difference

between a religious voter (the first category, i.e. manifest voting) and a religious party voter is best characterised by Berger's summary of Emile Poulat's work. If a liberal Catholic is a socialist and a Catholic, this suggests ordinary cross-cutting cleavages but if one is a socialist because one is Catholic, then one's identity is rooted in religion (1987, p. 125). Hence, a religious voter may vote for a party because of their position on a number of societal cleavages, whereas the religious party voter is motivated solely by religion. A religious voter votes according to values, whereas the religious party voter votes for 'their' religion.

In terms of Israel's ultra-orthodox voters (including Shas voters) they are clearly religious party voters. Religion represents the primary (if not only) source of voting behaviour which is guided by both manifest and latent cleavage voting. It represents manifest cleavage voting in that religion is what directs voters through the instructions of the rabbi and the centrality of Judaism to their life. It is also a latent cleavage voting in that it is a reaction against fears of secularism and the need to preserve their way of life against the secularising state. Categorising ultra-orthodox voters in Israel one would say that voting is communal rather than normative and their voting is a reflection of a sectorial community rather than individual choices guided by religious beliefs.

## **Religion and Democracy**

Considering the relationship between religion, voting and democracy as a concept one must address the question of compatibility: are religion and democracy compatible or mutually exclusive?

Gunther and Diamond suggest religion and democracy are incompatible because they are not subject to the normal political rules of compromise, since their beliefs are not determined by the party, but outside of it, by religious institutions and clerics (2001, p. 21), meaning its practitioners are not willing to compromise, unlike their secular counterparts. Religious politics, like all ideational politics, tends towards sectarianism and is thus fundamentally incompatible with democracy. It is unstable since, as Dahl suggests, religious politics and parties represent a form of identity politics

that tend towards conflict and must be managed by proto-consociationalist means (1966, p. 358).

Religious parties and politics are too dogmatic to respond to democratic compromise.

Some also argue that religious parties simply use democracy as a means to come to power and do not have any ideological commitment to its continuation. This perhaps finds its best justification in the previously mentioned 'free Islamic election trap', whereby if Islamic/Muslim parties are allowed to compete in elections once they win power, they will set about dismantling democracy and civil society from within (Diamond, 2003). This derives from the belief that Islamic parties advocate political ideologies that are inherently anti-democratic and are therefore unable to adhere to democratic values and practices (Tibi, 2008, p. 47).

The alternative school of thought views the above as an extremely narrow vision of religion and is challenged by those who argue that democracy can be legitimised by appealing to certain concepts of religious tradition. There is no reason to assume that religious parties will be any more irrational and dogmatic than those governed by other ideologies, regardless of their religion. Elements of religious tradition are compatible with democracy, such as traditional Islamic concepts including *shura* (consultation), *ijma* (consensus), and *ijtihad* (independent analysis) that support the political pluralism and compromise that is inherently necessary for a democracy (Esposito & Voll, 1996, p. 27). Equally, within Judaism from the 10<sup>th</sup> century onwards, "Jewish law went beyond the democratic principle of majority rule. Like current western democracies, it also protected the basic rights of minorities" (Elon, 2002, p. 42). When one seeks it, there is usually ample room within religion to justify its functioning within a democratic framework and of making religion compatible with democracy. Critics of religious parties fear they act as Trojan horses for authoritarian/theocratic regimes. Yet, most religious parties are constructive actors (or at least pragmatic) who represent those for whom religion is an important element of life and, as such, they are a manifestation of the democratic principle. Their motivation cannot simply be reduced to strategic adaptation of democracy (Wickham, 2004, p. 224). Democratic participation can also be beneficial for religious

actors by tempering them and their demands. It can have a moderating effect on both radicals and those who are already relatively moderate, providing moderates with opportunities to increase their visibility and deny radicals a large support base (Schwedler 2006, p. 194). The process of democracy can democratise religious parties while their exclusion from the political system may further promote radicalisation.

One should not assume that religious parties are intrinsically undemocratic. Even so, since religion invokes the 'sacred', this may make some groups more antagonistic and inflexible because religion provides the spiritual resources to justify their beliefs and actions. These religiously formed characteristics, when mixed with cultural and historical context, can seep into the "common-sense understanding of daily life" (Mitchell, 2004, pp. 249–250) and become influential on people's political actions and identity. Religion is unique in that the source of its ideology is the divine, which gives it a strength that in many respects is akin to ethnic parties, with which they have much in common. However, these factors do not make religious parties intrinsically undemocratic, as the success of religious parties in democracies as diverse as Israel, India and Turkey attests. As will become apparent in Chapter 5 with the study of Shas religious parties can be flexible and pragmatic

As discussed at the top of this section, there is an implicit relationship between ethnicity and religion, and this is very true of Israel. The ethnic identity of Ashkenazi and Sephardic Jews is not solely ethnic, but it also has religious connotations. Firstly, there is a division between Ashkenazi and Sephardic ultra-orthodox Jews who are represented by different political parties (UTJ and Shas respectively). This means that, for ultra-orthodox Jews, their religious identity is also an intra-Jewish ethnic identity. Secondly, the division between non-ultra-orthodox Ashkenazim and Sephardim in Israel is also tied to religion. For the Ashkenazi, there is tendency towards a binary split between the religious and the secular whereby one has a religious or secular identity, while for the Sephardim there is a much greater embrace of 'traditionalism' whereby the religious and secular mix to create

an ethnic identity that is shaped by religion. Given the mixture of ethnic and religious identities inherent to Israel in this thesis an evaluation of ethnicity and ethnic parties follows.

## 2) Ethnicity and Democracy

Ethnicity, like democracy and more so than religion, falls into the category of essentially contested concepts, since what an ethnic group is and what lies at the heart of ethnicity are not universally agreed truths. Therefore, in order to explore the relationship that ethnicity has to democracy there needs to be clarification of the nature of ethnicity.

### **Ethnicity Identity and its Effect on Political Behaviour**

There are a number of explanations as to the cause of ethnic identity and where it derives its power to mobilise from. The first is the primordial school of thought most prominently associated with A. D. Smith, which assumes that ethnicity and the membership of an ethnic group/nation are key elements of one's identity: that the nation/ethnic group is a "natural and organic" form of organisation and that ethnic identity is a determined genetically (Smith, 1981; 1986). Primordialists assume that ethnicity is the result of biological and historical factors that create social 'markers' that account for people's ethnic and/or cultural group (Geertz, 1973, Chapter 10; Shils, 1957, p. 140).

The primordialist view is one in which the *ethnie* is a population with ancestral myth, history, culture, territory and a sense of solidarity and is an enduring community for whom history only adds to their strength and uniqueness. Modern nations are built on ethnic affiliation and shared past so, while the nation may be modern, its foundations in the ethnic group are not. The nation state may be a response to modernity in its organisational structure but the ethnic group predates this modernity. Nations may have arisen because of modernity, and the increased levels of interaction between different groups reinforce communities, yet the means by which these communities are established is through the old ethnic identity (Harris, 2009, pp. 48–52).

One critique of this is that it is deterministic and does not explain the evolving nature of ethno-nationalism (Devotta, 2005, p. 145). Ethnicity has remained a potent identity that has adapted to different environments, yet primordialism implies a rigidity that does not sit well with ethnicity's changing nature. Nor does it account for why ethnic conflicts can remain dormant for long periods before reemerging. If identities are fixed, what accounts for the different levels of saliency at different times? As Verkuyten puts it, a "primordial understanding tends to leave the changeable, conscious, and dynamic character of ethnicity out of consideration. Individuals' attachments vary across situations and identity shifts do occur" (2005, p. 88). Posner (2005, p. 11) also argues that identity is not always the result of a 'passive psychological process', but instead can be a deliberate decision designed to maximise material and/or non-material payoffs. Furthermore, primordialism suggests a primitiveness that will 'wither away', yet modern nations have also seen the rise of ethnic and national awareness (Conner, 1978, p. 391) and, as Steinberg (1982, p. 170) suggests, often ethnic conflict is not 'traditional' hatred but a response to contemporary and real social and economic concerns.

The second school is the constructivist, which unlike the primordialist, sees ethnic identity as a fluid concept whose structure and shape is capable of changing over time and whose traditions are 'inventions' (Hobsbawn, 1983). This school views ethnicity as the result of sociological factors and as part of a modern movement linked to the rise of modernity and the nation state. Anderson's (1991, p. 6) contention is that capitalism and print technology was what enabled the nation to emerge as an 'imagined political community' and so nationalism and ethnicity represent modern concepts, and nations, like states, are a contingency not a universal necessity (Gellner, 1983, p. 6). Identity should be seen as a construct and, for Weber, that means there need not be an biological relationship between 'past' and 'present' (1996, p. 35). The concept of the constructed identity is a prevalent element of literature on ethnic parties, be it Wallerstein's 'constructed peoples' (1991, p. 84) or Phinney's (1996, p. 923) suggestion that ethnicity is the result of societal constraints and based on the perception of 'the other'.

The critique of this notion of ethnic identity comes from those primordialist theorists who say that this interpretation is an overtly western interpretation that ignores the nationalist and imperialist tendencies of western culture prior to modernity (Smith, 1986, pp. 212–214). Identity, whether tribal, caste, religious or national, is not solely a modern creation and these forms of identity predate the modern state. So, while the constructivists are right to suggest modernity has played a role in shaping modern notions of ethnic identity, it is hard to accept they ‘created’ it. As Castells pointedly writes when criticising Gellner at the turn of the millennium: while nation states have weakened, nationalism has exploded (2004, pp. 30–31).

Thirdly, there is the ‘instrumentalist’ school, in which ethnicity is part of an elite strategy. It is the result of “the rational and conscious decisions of individuals from ethnic groups to mobilise ethnic symbols in order to obtain access to or to protect their access to social, political, cultural and material resources” (Drury, 1994, p. 14). This is usually the result of threats to a group’s interests, be that social, political or economic (Esman, 1990, p. 54). From this perspective, ethnic elites and political entrepreneurs manipulate and use ethnic identity as a means of enhancing their competitiveness and power and “official favouritism has been practiced to strengthen their support basis and enrich ruling coalitions” (Chazan, 1986, p. 150). Much of the instrumentalist school assumes that ethnic elites are driven by “desire for goods measured in terms of “wealth, power and status” (Hutchinson & Smith, 1996, p. 89).

The critique of this school of thought is that it overly simplifies ethnic identity and conflict by reducing it to a series of ‘rational choices’ and it lacks empirical and methodological strength (Green & Shapiro, 1994, pp. 33–47; Walt, 1999, pp. 46–47). The question remains: why is mobilisation along ethnic lines instead of socioeconomic lines? Essentially, ethnicity has an advantage over issues such as class because it can call on more powerful emotive investments. Moreover, ethnicity is an easily identified constituency making mobilisations easier. The instrumentalist school is right to suggest

that elites can take advantage of ethnic identity, but only because they can harness a pre-existing identity; thus, it cannot alone explain ethnic identity and mobilisation.

All three schools offer different interpretations as to how the ethnic group is formed. Despite this, one can extrapolate three common characteristics of ethnic groups, regardless of the genesis. Firstly, common ancestry is intrinsic to understanding ethnicity (Horowitz, 1985, p. 52; Hobsbawm 1992, p. 63) and that thus identity is accepted by other members of the group (Fearon & Laitin, 2000, p. 8). Ethnic identity comes with perceived common ancestry based on genetic and biological connotations but also some form of collected mythological identity accepted by the group (Abizadeh 2001, p. 25; Scarritt, 2008, pp. 112–113). Secondly, a 'fictive kinship' (Yelvington, 1991, p. 168) manifests itself as a connection to some geographical location and it is usually the case that ethnic groups have some notion of a homeland to which they claim primordial attachment and ownership (Geertz, 1973). Indeed, most intense ethnic conflicts revolve around territorially concentrated minorities seeking either autonomy or separation from another state (Gurr & Harff, 1994, p. 2). The ethnic kin state and the idea of the ancestral home is thus an important element of many ethnic identities. Thirdly self-definition against the other'. Membership of one ethnic group is predicated on distinguishing those 'inside' from those 'outside'; as such, it is dependent on boundaries (Barth, 1969, p. 14). These elements, when taken together, provide a framework by which one can understand ethnicity – as a group identity derived from some notion of shared descent, ancestry and history that is tied to a geographical location that represents their homeland.

In the Israeli case the position of Israel as the Jewish state is part of the notion of their being a distinctive Jewish ethnicity. This ethnicity contains a shared culture and history with a commonly accepted narrative, a notion of a homeland (Israel) and an acceptance of barriers and borders that delineate them from others. However this has been contested on both religious (non-orthodox Jewish movements such as Reform and Conservative Judaism) and ethnic grounds (the status of converts and others that the Orthodox Rabbinical authorities doesn't consider Jewish). Perhaps what

is perhaps more relevant to this thesis is the effect this has had on minority groups in Israel including the Sephardim and Arab Israelis. For the Sephardim there was a desire to entrench their position as within the boundaries of this collective identity and not as part of the 'other'. For Arab Israelis there is a different dynamic. From a cultural and ideational perspective, they considered are part of the 'other' by both themselves and Jewish Israelis. Yet their position as legal and political members of the Israeli state which is founded on ethnic Jewish grounds makes them a de facto part of this ethno-cultural project often at the expense of their own minority rights (as detailed in Chapter 2).

If ethno-political identities can be vital in shaping political interactions and identity (Scarritt, 2008, pp. 112–113), then ethnic voting (where ethnic identity is the primary source of voting) is the political manifestation of this. There are a number of schools of thought as to what motivates the ethnic voter, although most can agree that ethnic ties can play a crucial role in party politics (Norris & Mattes, 2003, p. 2). The disagreement is about why people vote for ethnic parties.

The first explanation for ethnic voting is related to the primordial school of ethnicity, namely that voting for an ethnic party is a form of expressive voting. Perhaps on the most basic level, ethnic voting is motivated by the saliency of the ethnic cleavage within any given society (Birnie, 2007, p. 58), especially when ethnic cleavages overlap with socioeconomic cleavages (Tolvaišis, 2011, p. 110). Voting here is a matter of identity and, as Horowitz (1985, p. 86) suggests, is a form of ethnic census, whereby voting simply reflects the demographic make-up of the state. Yet, as Ferree (2006, p. 814) observes of South Africa, often voters in elections evaluated the government's performance as well as a party's racial credentials. Horowitz (2010, p. 555) also found that in Malawi it was possible to restructure ethnic cleavages where a president supported overwhelmingly by one ethnic group gained wider support by convincing voters that the government was concerned about the welfare of all citizens, suggesting that voters do not respond solely with ethnic loyalty, but also to other factors.

Secondly, ethnic voting can also be seen as a 'rational act' based on the belief or promise of patronage. Ethnic parties are especially prone to being based on patronage networks due to the fact

that they limit those who can benefit to any easily identified group, creating a natural boundary to those who can benefit and ensuring these benefits are not lost due to over-demand (Fearon 1999, p. 5; Caselli & Colman 2006, p. 30). Ethnic identity provides 'visibility' or 'informational clues' that allow trading and contract enforcement to take place more easily than via ethnic identities (Landa, 1994, Chapter 5). Voting is thus about securing resources for oneself and one's ethnic group. Like all ethnic behaviour, this is about inclusion and exclusion, where ethnic parties act as "special interest groups focusing on a single issue" (Bugajski, 1995, p. xxi), i.e. seeking resources/policies that benefit them without wider consideration of the state or other ethnic groups. Thus, for Kitschelt (2001, p. 305), the ethnic party is one that only seeks material and political gains for its own group and does not pursue a more universalist agenda.

Thirdly, there is policy voting/'informational shortcut' voting where ethnic bloc voting can also be seen as part of some perceived community notion of shared interests and reflection of shared policy preferences rather than an 'ethnic bond' *per se*. Therefore, for concentrated ethnic groups, it could be a regionalist response to something like discrimination (Gherghina and Jiglaou 2011, p. 72). Ethnic voting can be the aggregation of 'common interests' that derive from ethnic identification so that, for the voter, there is an 'informational shortcut'. Ethnicity acts as a clue as to one's interests and acts as a sort of 'brand name' since, as Downs suggests, the voter seeks to 'best serve their political ends' with information available to them (1960, p. 219). The ethnic voter will be aware of past experiences, while historical cleavages mean that they will often associate individual interests with group interests and use ethnic identity as a means of reducing uncertainty within societal and political contexts (Brubaker, Loveman & Stamatov, 2004, pp. 37–38). It is also true that ethnic group(s) may vote for ethnic parties to maintain their position, while those who feel alienated vote ethnically in order to alter the current situation (Bratton, Bhavnani & Chen, 2012, p. 47). The logical conclusion of ethnic voting is of course ethnic parties.

Regardless of the school of thought on ethnicity that one subscribes to, the outcome of politicised ethnicity will be ethnic parties. When examining ethnic parties, the characteristics of the ethnic identity will vary since while ethnic party champions the interest of one ethnic group; how that ethnic group is defined; and whether the party is really representing their interests are important questions (Chandra 2011, p. 151). Despite this, there are still some characteristics that are a part of all ethnic parties. Firstly, ethnic parties are political parties in that they meet Sartori's minimum definition as "any political group identified by an official label that presents at elections, and is capable of placing through elections (free or non-free), candidates for public office" (1976, p. 63). Ethnic parties behave like all political parties in that they seek to win elections and govern. As such, they are generally consistent with the theoretical literature on political parties as discussed previously.

Secondly, ethnic parties tend to mobilise the votes of their own ethnic group (Gunther & Diamond, 2001, pp. 22–23). Perhaps most famously, Horowitz (1985, pp. 291–292) suggested that an ethnic party should be defined by its membership. Its support derives from clearly identifiable ethnic groups(s) whose interests it serves. Even if a party denies its ethnic nature, if one observes that its membership has an overwhelming ethnic character then it can be classified as an ethnic party. Ethnic parties are therefore the mobilisation of an ethnic group within the political process to pursue collective goals (Olzak 1983, p. 355).

Thirdly, they seek to represent the interests of their own ethnic group(s) and present themselves as champions of the interests of an ethnic group(s) while excluding others (Chandra & Metz, 2002, p. 5). They seek not only to represent themselves but "impinge on the relative power or position of ethnic groups" (Ishiyama & Breuning, 1998, p. 4) and Chandra makes exclusion and ethnic boundaries the core of her definition of ethnic parties (2005, p. 236). It is also the case that ethnic parties will seek to monopolise ethnic power and become "that one political organization dominant in representing the demands of the ethnic group against its rivals" (Brass cited in Ishiyama, 2009).

Ethnic parties are distinct because they do not seek to integrate themselves into the national identity but appeal explicitly to a communal identity and limit their appeal to a particular ethnic or regional constituency, and “explicitly seek to draw boundaries between ethnic ‘friends’ and ‘foes’” (Kitschelt, 2001, p. 305). Yet, while this is true, an ethnic party is a political party seeking to contest elections in order to gain political power to represent their ethnic group and thus achieve some political, cultural or material success. They behave like all political parties, albeit parties which at times bear a great deal of resemblance to interest groups: the question is whether they actually exacerbate conflict.

The Arab parties detailed in Chapter 2 are clear examples of ethnic parties in Israel as is (to a lesser extent) the Russian backed Yisrael Beiteinu. More pertinently for this thesis the Shas party (subject to analysis in Chapter 5) is clearly an example of an ethnic party most notably since it was born out of a split that left two ultra-orthodox parties the Sephardic Shas and the Ashkenazi UTJ. It meets the criteria of an ethnic party in that it seeks power and support for its own and for its supporters benefit. At the same time it seeks to exclude others (most notably the secularist) with which has a radically different agenda, in order to gain more political and material resources. Finally it has a strong communal identity that they use to galvanise votes and the majority of their voters share their Sephardic identity. Whether this makes them undemocratic is the question that now must be asked.

## **Ethnicity, Democracy and Conflict**

If ethnic voting and parties are the manifestation of ethnic identity and democratic competition, does the appearance of ethnic parties and in a wider sense the ‘ethnification’ of party systems increase the propensity of a political system and society towards conflict, political or otherwise? Alternatively, is it the case that ‘ethnicity’ is no harder to manage than other divisions and can actually facilitate inter-group cooperation?

The process whereby ethnic parties exacerbate conflict and lead to the “ethnicisation” of political life, creating instability and extremism, is commonly known as ethnic outbidding. Ethnic outbidding is an established concept within the framework of ethnic relations and the seminal text on this is Rabushka and Shepsle (1972). They suggested that ethnic parties and elites play a key role in ethnic conflict by the process of ethnic outbidding, which undermines cooperation and leads to increased ethnicisation of politics. This is because each appeal to ethnic identity must be more exclusionary and extreme, i.e. ‘outbid’ previous appeals, creating a cycle of outbidding that has a centrifugal effect on politics within the state (Reilly, 2003, p. 2), often as the result of internal party competition (Horowitz, 1985, pp. 342–343). Outbidders present themselves as more committed than their opponents and make underbidding or non-ethnic politics unproductive when ethnic tensions are high (Coakley, 2008, p. 788).

Many political leaders therefore base their appeal on the notion of a community/ethnic group being ‘threatened’ (Lake & Rothchild, 1998, p. 20) as was the case of Serbia where elites made a ‘threat’ the main cause of conflict (Gagnon, 1994, p. 165). Ethnic outbidding can also have the effect of causing moderate voters to vote for more ethnically hard-line parties. This is motivated by their awareness that, within any form of power-sharing, institutional arrangements require compromise since their preferences are likely to be ‘watered down’. Voting for a more ‘extreme party’ this can be a means of negating the effects of power-sharing institutions (Kedar, 2005, pp. 185–186).

Eventually, the party system is fully ethnically polarised and, as such, attempts at inter-ethnic cooperation can damage and weaken politicians (Rabushka & Shepsle, 1972, p. 86; Tilley, Evans & Mitchell, 2008, p. 400) by making those who attempt this open to charges from ‘outbidders’ and hardliners who accuse them of betraying their people. Cooperation becomes either very difficult or impossible because moves to do so can result in loss of support to the less compromising outbidders who position themselves as the protectors of groups’ interests and accuse others of weakness (Saideman, 1998, p. 133). Rabushka and Shepsle conclude that the competition inherent within

democracy leads to polarisation and centrifugal politics in the form of ethnic outbidding, thereby fatally undermining cooperation.

This echoes Sartori's (1976, p. 26) notion that parties that appeal along 'exclusive' lines are not able to perform the aggregation role that is required of political parties to ensure stability. Sartori was also an early proponent of the dangers of outbidding, noting that in the political process "somebody is always prepared to offer more for less, and the bluff cannot be seen" and that outbidding and over-promising can represent the "very negation of competitive politics" (1966, p. 158). Once ethnic outbidding has taken hold of the party system, politics becomes about the reinforcement of group identity, increasing the likelihood of conflict (Becher & Basedau, 2008, p. 8). The ethnicisation of a political system means that parties that mirror ethnic divisions eventually exacerbate them (Horowitz, 1985, p. 291). Once this ethnicisation has taken place, small segments of the population make factionalist demands that are not necessarily in the best interest of the general good, which can undermine democratic institutions (Hardin 1995, pp. 180–181). When ethnic voters, elites and parties concentrate securing benefits for themselves and their community at the expense of dealing with policy issues, this tends towards segmentation and self-interest, which in turn increase the tendency towards 'victory at all costs' by parties at the expense of consensus and compromise.

Most solutions to ethnic outbidding are premised on the wider notion that ethnically divided societies need some form of institutional arrangement to ensure cooperation. Yet, cooperation between ethnic parties is possible without this. For example, Hungarian ethnic parties in Romania, Slovakia and Ukraine have tended towards cooperation rather than outbidding (Stroschein, 2001, p. 66). Ethnic parties, as opposed to being destabilising (as ethnic outbidding suggests), can in fact encourage stability in both voting and party systems (Birnie, 2007, pp. 14–16). It is the case that ethnic voting within the 'outbidding model' does not imply an explicit rejection of peaceful coexistence among ethnic groups. It can, in fact, be an electoral strategy to maximise the ethnic

group's share of resources among inter-ethnic power-sharing institutions (Tilley et al., 2008, pp. 416–417).

Horowitz acknowledges (1985, pp. 346–349) that the ethnic outbidding model is not universally applicable. It only holds if voting is ethnically intransigent, cooperation is unnecessary and, to the excluded, exclusion appears permanent. Also, much of what minority ethnic group parties engage in is the 'natural' struggle for rights given their 'structural disadvantage' relative to the larger ethnic group(s) in terms of size (Offe, p. 1998, pp. 126–127). As such, ethnic parties and voting can be seen as part of the democratic process, a legitimate expression of political mobilisation. In the Israeli context, Arab political parties cannot be said to be a manifestation of outbidding behaviour but are instead manifestations of an ethnic minority voting for the parties they consider to be closest to their political agenda. One can also argue that the appearance of Sephardic and Russian ethnic parties in the Jewish sphere did not lead to ethnic outbidding even if it did lead to the increased ethnicisation of the party system. The question is why ethnic identity and politics are so salient in Israel.

### **Variables in the Saliency of Ethnic Identity**

There is no single answer to the question of whether ethnic divisions and their political manifestations cause conflict. Instead, there are a number of variables that affect the saliency of the conflict. The most significant is the nature of the societal cleavage structure within the state because the more cross-cutting cleavages there are within a state, the less chance there is that one will emerge as unduly intense (Lipset, 1959, pp. 77–78) by cancelling the others out and preventing disintegration along one single societal division (Coser, 1956, p. 80). When a society has a multitude of forms of identity (Race, religion, caste, clan etc.) there are different interactions between them and, from this, political conflict may or may not become embedded across a single 'identity' and some identities may become more salient than others. As Posner (2004) notes, in Zambia and Malawi different ethnic groupings have different relations – in one they are adversarial and in one

they are allies. In different places and in different circumstances, ethnic relations can change. Laitin (1986, p. 183) observes something similar with the Yoruba people on the Nigerian–Benin border where ancestry became the politicised cleavage, rather than religion.

The most prominent writer on this is Chandra, whose argument is that ethnic parties can help democracy if these parties are encouraged to compete on multiple and criss-crossing cleavages, not on a one-dimensional ethnic cleavage. She argues that the solution to ethnic outbidding and extremism is not to depoliticise ethnicity or decrease its saliency but instead ensure that the more fluid ethnic identities are, the more democracy is protected (2005, p. 236). Rather than constrain ethnicity, attempts should be made to help create a myriad of ethnicities/identities that overlap. Cross-cutting identities negate risks, since parties that consist of dual ethnic alliances are less prone to outbidding/extremisms because this would alienate some section of the party. Therefore, parties have to stay ‘moderate’ because while *Party A* may have a majority from population segment A, there will be members who are members of population segments C and D also, while *Party B* will also have segments that are from C and D. If either becomes too extreme, parties that represent C or D will benefit. By the same token, there will be a split between *Party C* and *Party D*, both of whom will have segments of A and B in their ranks. Thus the links between the parties are complicated by different members having different loyalties to different ethnic groups. This means that outbidding becomes a costly business because it alienates other members, who may transfer their allegiances.

Chandra has based much of this on analysis of Indian politics, where she has argued that ethnic outbidding and extremism has given way to centrist behaviour. The plethora of identities (tribal, caste, language and religion to name the most salient) mean that there is a fluidity in ethnic relations since there are many means of constructing a majority (Ahuja & Varshney 2005, p. 264). The strength of ethnic cleavages will play a significant role in electoral volatility since, when there is an ethnic cleavage structure that is ‘solid’, there are less likely to be large swings between different ethnic parties (Bartolini & Mair 1990, p. 212), and we are more likely to see Horowitz’s already-

detailed 'ethnic census elections' (1985, p. 86). Yet, failure of parties to represent large ethnic groups adequately can also lead to electoral instability (Madrid, 2005, p. 17).

Where there are multiple types of societal cleavages that parties can appeal to and where most groups have some form of access to political power (or at least the potential for it), one is likely to find low levels of conflict and volatility. Where there is a single cleavage combined with in-built exclusion, one is likely to find increased conflict and less stability because exclusion from the political system increases the propensity of a group towards violence, whereas freedom from institutionalised competition produces greater stability (Scarritt, 2008, p. 122).

This means of understanding the relationship between different forms of identity is important for the Israeli context. As will be explored in subsequent chapters, Israel has a complex and overlapping cleavage structure that reduces conflict precisely because there are so many ways of forming a majority among the various segmented groups in Israeli society. This has played an important part in decreasing societal conflict within Israel. Yet, there are also institutional arrangements that can be and are used to decrease tensions in a divided state, and it is to these we now turn.

### **3) Democracy in Divided Societies**

It is generally accepted that implementing democracy in divided states is intrinsically harder than in homogeneous ones. It is not a new notion to suggest that ethnically diverse states are incapable of being truly democratic. John Stuart Mill was of the opinion that

Free institutions are next to impossible in a country made up of different nationalities. Among a people without fellow feeling, especially if they read and speak different languages, the united public opinion, necessary to the working of representative government, cannot exist. (1861, p. 296)

Yet, democracy is a form of government dedicated to accommodation and states that are not diverse are few and far between and seldom democratic. In short, it is not impossible for democracy to function in divided societies, indeed it can actually be the answer to inherent tensions. In some

ethnically diverse states, there is the need for institutional arrangements that can dampen potential sectarian conflict and allow strategic actors (parties in this case) to trust each other by creating a set of rules and standard operating procedures that encourage cooperation (March & Olsen, 1989, pp. 37–38; Hall, 1986, pp. 19–20).

Political institutions are important in shaping policy preferences (Steinmo, 1989, p. 533) and institutions are part of the systemic features that affect political decisions (Immergut, 1998, p. 26). They also have the effect of being ‘normative’ (Rothstein, 1996, pp. 136–138) and determine whether these institutions reflect an aggregate political view or all viewpoints equally (Powell, 2000, p. 26). There is also an acceptance that an institutional vacuum should be avoided because ethnic nationalism is especially prevalent when institutions are weak or unable to fulfil people’s basic needs (Snyder, 1993, p. 12). In order to avoid this, a number of solutions have been suggested for dealing with ethnicised politics and party systems.

## **Managing Ethnicity**

### **Ethnic Party Bans**

For those who are pessimistic about the role that ethnicity can play in democracy one approach is to prevent the formation of ethnic parties or to weaken their tendencies towards sectarianism and ethnicisation of the political and party systems. If ethnic parties are banned and legislation enacted that stops parties either prompting ethnically exclusive policies or restricting membership on ethnic grounds, this should allow politics to function along less incendiary lines. One could either ban ethnic parties outright or create legislation requiring parties to have branches across the state and representation statewide (Reilly, 2006, p. 816).

One can argue that bans are effective. Sartori writes that political parties are the “central intermediate structure between society and government” (1976, p. ix) and that the party system is a means of transforming aggregated societal interests into political outcomes. If this is true, then the

banning of ethnic parties should mean that ethnicity is not transmitted to the party system and does not become an interest that can be aggregated and transformed into political demands. Once bans are in place and are effective they may also have a pre-emptive effect as parties seek to organise along other lines, reducing inter-ethnic conflict (Basedau & Moroff, 2010, p. 207), decreasing the polarisation of ethnicity and inter-communal violence and contributing to party stability. Bans can have a positive effect on democracy by moderating behavioural polarisation in the party system and moderate/decrease ethnic tensions within the state (Becher & Basedau, 2007).

The counter-approach (exemplified by the consociationalist school) is that ethnic parties are necessary in order to maintain a peaceful democratic system by legitimising ethnic identity as part of the political process (Lijphart, 1977). Party bans exacerbate conflict by marginalising certain groups, leading them to seek extrajudicial means of expression outside the political system, increasing ethno-political conflict (Birbir, 2008, p. 175) by further radicalising their views rather than engaging them in the democratic process. Party bans can also be seen as inherently undemocratic and as such may lack legitimacy, especially if they are seen as self-serving (Randall, 2008, p. 246).

Given the multitude of factors that can cause and exacerbate conflict (social, political, economic, elite behaviour etc.), bans usually have little effect or are unenforceable, as Newman, Reilly and Nordlund all note of Africa (2008, p. 6). If ethnic tensions are high enough, conflict will manifest itself somehow, either by ethnic parties that disguise themselves through token members from other ethnic groups, or by conflict between ethnic communities, rather than parties (Becher & Basedau, 2007). There is no clear evidence that ethnic party bans are a universal solution and given the strength of ethnic identity it may exacerbate conflict by placing it outside a democratic framework leading to radicalisation. Ethnicity is too powerful to simply be marginalised by party bans, and therefore they do not represent a realistic, viable solution for states with deep division and conflicting ethnic relations. So, one must seek alternatives.

## Consociationalism

Perhaps the best-known form of ethnic conflict management is the **consociationalist** school widely associated with Lijphart (1977; 1981; 1991; 2004), which is undoubtedly the dominant model of power-sharing for ethnically diverse states (Reilly, 2012, p. 261). Indeed, the central concepts of consociational democracy are the 'de facto' norm for many UN-supported elections (Reilly, 2004). Consociationalism is a collection of ideas that cannot be said to have a single source of origin and Lijphart claimed not to have invented it but to have observed its existence (2004, p. 97). Lijphart is part of a tradition of Dutch consociationalists who have emphasised some of the consociationalism elements of Dutch politics, such as Daalder's (1966) analysis of cooperation among elites. Later, this was taken up by others who applied it to a variety of divided societies, including Lorwin's (1971, pp. 162–165) analysis of the 'Belgium school pact' on agreements across identity lines weakening segmented pluralism. Steiner and Obler (1977, p. 340) suggest it "appears to be a plausible explanation for the relatively low levels of hostility in Switzerland" and Katzenstein suggests that Austria bears some of the hallmarks of a consociational regime (1978, p. 128).

Consociationalism is a theory of institutions, and this is no truer than for the electoral system, which plays a decisive role in the party system of any state because it structures incentives and rewards/punishes different types of behaviour (Reilly, 2001, p. 10). Therefore, it plays a key role in any political arrangements designed to manage ethnicity within a party system since "although electoral-system design is only one cog in the intricate constitutional machine, a misshapen cog may cause the whole structure to grind to a halt" (Reynolds, 1995, p. 97). Much of this importance is connected to the proportionality of the electoral system and the size of the district magnitude (DM) and the larger this is, the more proportional the vote (Sartori, 1994, pp. 8–9) and the more parties and representation one will find in the party system and vice versa (Lijphart, 1984, p. 154–155). In the case of Israel its low threshold (2%) and its use of a PR system in which the state is one constituency have produced a high varied, fluid and fragmented parliamentary system.

The consociational school holds that PR represents the best form of electoral system for divided societies (in line with many others) and it is commonly used in small and diverse states as a means of accommodating religious and ethnic minorities (Boix, 1999, p. 620). Saideman et al. (2002, p. 124), in their pool-time series analysis, suggest PR is an important tool for inhibiting or preventing ethnic conflict, while Schneider and Wiesehomeier's (2008, p. 199) study of democratic regimes also suggests PR has the potential to pacify ethnic relations. The argument is that PR increases the ease of entrance of political parties into the political/party system (as is the case with Israel) so that each ethnic group can have political representation, binding them to the political system and avoiding alienation. This ease of entry galvanises all segments of society politically, increasing the number of societal cleavages and increasing the cross-cutting cleavages and reducing the severity of each. The permissiveness of the system means that not only can ethnic appeals be made, but also appeals to issues other than ethnicity (Huber, 2012, p. 1000). The use of PR in consociational democracy is part of the central role that political parties play as the representation of ethnic divisions focused on their segment of society (Norris, 2004, p. 10).

Outside of the proportional electoral system, Lijphart highlights in *Democracy in Plural Societies* (1977, pp. 21–47) that there are four key institutional characteristics of consociationalism. Firstly, the grand coalition, which in effect amounts to power-sharing. The political leaders of all segments cooperate in a grand coalition, as opposed to the normal system of coalition government whereby only a minimal majority is strived for. In a state where opinions are not radically different, politics can afford to be adversarial. Therefore, where there are population segments that are hostile to each other, decisions always have high stakes and majority rule can stain the peace (Lijphart, 1977, p. 28). In ethnically stable states, exclusion is not seen as permanent and government can rotate. Yet, this is not an option in a divided/segmented society, where exclusion can be perceived as permanent, which can drive some to non-legal/violent protest since only one ethnic group is in the majority (Chandra & Boulet, 2005). The consociationalist structure seeks to avoid this, by use of a grand coalition that avoids permanent exclusion through power-sharing arrangements whereby the

main political actors agree to rule together, avoiding permanent exclusion and fostering cooperation at an elite level. It also moderates behaviour due to the need for cooperation in government, therefore creating over time new patterns of behaviour and creating a norm of ethnic group cooperation.

The second aspect is mutual veto. Smaller members of a power-sharing agreement may need assurances that agreements will not be hijacked by a majority or a coalition of ethnic groups who push their own agenda. The mutual veto ensures that all parties must be in agreement before decisions can be made, and that decisions are the will of all parties. This has the effect of not only protecting minorities, but also of increasing cooperation since all decisions require unanimity. It creates behaviour that seeks consensus, rather than an adversarial politics, and over time means the veto does not need to be used as new patterns of behaviour and cooperation take hold (Lijphart, 1977, p. 37).

The third aspect is proportionality in government (rather than a 'winner takes all' system), where the spoils of government are divided. It works so that deals are struck and decisions are made by leaders so that seats, power and jobs should be proportionally distributed amongst the various groups within any power-sharing agreement. This furthers the notion of an inclusive government, meaning that all parties have something to lose from its failure. In effect, it gives all groups a stake in the success of the power-sharing agreement and encourages cooperative behaviour and bargaining as opposed to conflict and exclusion (Lijphart, 1977, pp. 38–41). Finally there is segmented autonomy and federalism, so that groups have some degree of regional autonomy, usually through a federal system (Lijphart, 1977, pp. 41–42). This allows communities to be run in a way that is culturally suitable and minorities to have some form of partial self-rule. Israel in the past has had a system not dissimilar to this (See Chapter 4). Religious parties have traditionally had a veto on matters of religion and indeed were often invited into government as part of (if not grand) then expanded coalitions. They have had a proportional share of power and resources as well and some degree of

segmented authority. However, Arab parties have always been excluded and as such Israel's accommodationist practices have always been flawed.

There are also broader criticisms of consociationalist democracy. Firstly, because consociational democracy is based around the recognition and legitimisation of ethnicity as a means of political organisation, this leads to suggestions that consociational democracy actually entrenches ethnic divisions by making them the basis of party organisation and the primary source of political organisation, thereby solidifying conflict and preventing the emergence of other, rival societal cleavages (Garry, 2009). Lijphart's democracy reduces the voter to an ethnic identity who responds to ethnic cues, who votes for ethnic elites out of blind ethnic loyalty. As Muskie observes of the Dayton Agreement:

A Bosnian citizen is valuable only as a member of an ethnic group. He or she, according to her individual life: a reproductive purpose (to increase the biological mass of the collective) and a pseudo political purpose (to vote for 'his or her' kin in elections) ... The notion of the individual citizen, abstracted from his ethnic and religious kinship, is viewed as subversive. It is thought of as a despicable form of atheism, moral corruption, decadence, and rebellion. (2007, p. 119)

Consociational democracy rests on the division that it is supposed to solve, and identity is seen as primordial rather than malleable (Wilson and Wilford, 2003, p. 6). Thus, consociationalism can harden divisions by entrenching them in a bipolar, zero-sum division that sharpens the conflict (Mitchell, 1995, p. 774). Therefore, any potential solution to ethnic division must be based on seeking to transcend ethnic partisanship (McGarry & O'Leary, 2004). Consociationalism tends to assume the relationship between elites and the masses is one of deference (Caspersen, 2010, p. 10), yet the ethnic votes can splinter and ethnic outbidding tends to take on a life of its own.

Secondly, one can also be critical of the institutional arrangements and the democracy element of consociationalism more broadly. A PR electoral system creates an ethnic party system because it allows elites to create parties that appeal to voters based on ethnicity, while also promoting a dispersion of competitors along a wide ideological spectrum, pushing parties to seek voters with

extreme views (Cox, 1990). When PR is used, ethnic extremism and fragmentation is more likely to enter the political system (Reilly & Reynolds, 1999, p. 22; Powell, 1982, p. 96) and threaten political stability (Duverger, 1959, p. 420; Sartori, 1976, pp. 139–140). Certainly Israel has had experience of this. Lijphart's democracy also bears a resemblance to 'elitist democratic theory' (Thompson, 1970, pp. 22–26), whereby democracy is reserved only for the elites with an absence of mass participation (Schendelen, 1989, p. 173)

The institutions and arrangements at the heart of consociational democracy are simply no better than the alternatives and in certain situations may exacerbate problems (Selway & Templeman, 2012, p. 1543). Power-sharing institutions that endeavour to build elite cooperation have the potential for paralysis because the more parties that are included with their own interests the more potential 'veto players' there are (Tsebelis, 2002) and oversized coalitions may tend towards inaction and paralysis. The form of power-sharing arrangements envisioned by consociational democracy can exacerbate conflict by giving excluded groups a reason to continue fighting – by encouraging 'spoiler' and splinter groups. It can also breed dependence on the external maintenance of agreements and, in the long term, power shifts may cause the breakdown of agreements – all in all, it represents a short-term solution (Jarstad, 2008, p. 130; Roeder & Rothchild, 2005, pp. 13–15).

Thirdly, one can question the methodological and empirical rigour of consociationalist democracy because "If conditions are favourable for consociationalism Lijphart's theory leads him to propose a consociational system; if conditions are unfavourable, he proposes the same" (Laitians, 1987, p. 265). Even if the chances of success are infinitesimal the solution according to Lijphart is consociationalism (McRae 1990, pp. 102–103). This lack of 'hard' rules and conditions for consociationalist democracy's implementation and success lead both Lustick and Steiner to describe it as 'impressionistic' (1997, p. 113; 1981, p. 341) and Dutter as "largely inductive" (1978, p. 566). Some of these criticisms are unjust since Lijphart does, as already noted, provide several clear criteria for the application of consociationalism. Indeed, in the case of Northern Ireland in 1975 he

suggested that Northern Ireland lacked most of the characteristics that were favourable to power-sharing, including an elite willing to adopt this form of institutional arrangement. Instead, he concludes that the most viable solution is partition (1975, pp. 104–106).

## Centripetalism

The school of thought known as ‘centripetalism’ (most associated with Horowitz) suggests that the solution to ethnic conflict is to design institutions that provide “political incentives to encourage interethnic moderation” (Horowitz, 2003, p. 14). This is done by ensuring that elected officials have to secure votes from ethnic groups apart from their own through a system that seeks to create moderation by making parties dependent on vote transfers from other ethnic groups (Horowitz, 1991, p. 177). The aim is to create a situation whereby ethnic cooperation becomes normalised through incentivising cooperation that breaks down ethnic segmentation and unlike consociationalism, it does not seek to banish competition but instead transforms antagonism into agonism.

In divided societies what is needed are elections that produce ‘centripetal’ effects. For Horowitz (1985, pp. 365–396; 1990, pp. 461–467; 2002), this means the use of an electoral system that encourages coalitional formation across party and ethnic lines that moderates behaviour at the expense of extremism. Even Lijphart writes that, “within the category of majoritarian systems, a good case could be made for Horowitz’s alternative-vote proposal, which I agree is superior to both the plurality method and the two-ballot majority runoff” (2004, p. 100). Indeed, there is some evidence to suggest that Horowitz’s ‘majoritarian’ approach does have some effect in weakening societal cleavages as seen in Canada, the UK, the USA, France, New Zealand and Australia (Norris, 2004, pp. 123–124). There is also in some ways a democratic rationale behind a majoritarian system because single-member districts may be needed where there is a rural population that needs clearly defined physical representation (Barkan, 1998, pp. 69–70), which is often the case for ethnic minorities.

Perhaps the most significant difference between the centripetal school and the consociational school is their choice of electoral system. Horowitz's argument is that, in order to encourage cross-ethnic cooperation coalitions and vote-pooling, one must encourage a majoritarian/plurality voting system (1985; 1991). This is often referred to as centripetalism because "the explicit aim is to engineer a centripetal spin to the political system – to pull the parties towards moderate, compromising policies and to discover and reinforce the centre of a deeply divided political spectrum" (Sisk, 1995, p. 19).

In order to achieve this, it utilises the alternative vote system, whereby a candidate must secure 50% of the vote, meaning it is beneficial for parties to arrange exchanges of preferences with other parties/groups in order to gain the votes of their ethnic group needed to win a majority through reciprocal arrangements. This encourages moderation, since politicians have to secure a majority of votes, while voters will have to vote for other ethnic parties in their 'lower' preferences in order to form a government of ethnic allies. Even if a group loses some 'extremist' voters by this moderation, it will gain from lower preference choices among other ethnic groups (Horowitz, 1985, pp. 628–633). As evidence of the viability of this system of pan-ethnic voting, Horowitz (1991) points to Chinese voters supporting ethnically Malay candidates in Malaysia. Centripetalism should in theory create a moderate pan-ethnic majority; it is thus not exactly majoritarian as it does not advocate a 'winner takes all' approach per se (Sisk, 1993, pp. 83–84). While consociationalism is designed to encourage ethnic fragmentation and parties that represent community concerns, centripetalism is designed to encourage multi-ethnic and moderate alliances by incentivising cross-ethnic cooperation and vote-seeking (Reilly, 2001, pp. 10–11). The fragmented nature of Israel's party system has traditionally meant that coalitions are having a wide range of parties with a myriad of different cleavages. In many respects, this is similar to Horowitz idea of cross-sectorial cooperation since cooperation is often required across cleavage lines.

The plurality/majoritarian system also has its critics, including McGarry and O'Leary (both from the consociationalist school) who believe that this approach is a 'winner takes all system' that encourages participants to think of ethnic competition as a zero-sum conflict (1993, p. 25). Saideman et al. (2002), in their comparison of majoritarian and PR systems, suggest that PR is in fact better at constraining conflict. A majoritarian system requires that the 'loser' accept the result with good grace and on the understanding that future victory is possible but this may not be realistic in deeply divided societies. As such, successful democracies are those that make it difficult to fortify a temporary advantage (Przeworski, 1991, p. 36). This is especially prominent where there is a powerful presidential executive that can undermine representation and participation (Mainwaring, 1993, p. 223). The concern is that majoritarian systems do not have the ability to protect ethnic minorities from majorities and in extreme cases can lead to genocide and crimes against humanity (Conversi, 2011, p. 802) and the imperative should be to avoid permanent exclusion of any group (Diamond, 1999, p. 104). The more majoritarian the electoral system, the greater the potential disproportionality in the conversion of votes into seats, and the "less accurate and secure" (Lijphart, 2004, p. 100) minority representation will be.

**Summary.** Consociationalism and centripetalism have at their core the idea that institutional arrangements are imperative to overcoming ethnic tensions and conflict. They differ over what form of behaviour any institutional arrangements should seek to encourage.

Cooperation as a means of 'escaping outbidding' is essentially the heart of consociational democracy. It recognises the basic principles of outbidding: that ethnic voters and parties create a centrifugal pressure that radicalises politics and exacerbates conflict in divided societies. Its solution to this is power-sharing institutions that incentivise cooperation among ethnic elites.

Consociationalism, to use Bartolini's model of party behaviour (1999, 2000), views the relationship between ethnic parties at best as 'negotiative', where they have different goals but are able to negotiate solutions of existence, and at worst as 'conflictive', whereby they have mutually exclusive

goals and also seek to damage directly or indirectly their opposition. The negotiated relationship represents the more 'moderate' party system, but this is also prone to conflict because outbidding and radicalism diminish the ability and wish of elites to compromise as it becomes increasingly 'costly' (1999, pp. 339–343). For the consociationalist, the best solution to ethnic divisions is a situation whereby one focuses on creating a negotiative system in which cooperation is based on negotiated compromise and solutions and avoiding competition (Bartolini, 2000, p. 40) by separating the political actors and then forcing them to cooperate across ethnic lines.

The alternative model is Horowitz's 'centripetal' model that, unlike consociationalism, promotes competition by encouraging broad coalitions that contest elections. Unlike the consociational model, there is 'genuine' competition in that it utilises a semi-majoritarian system that means the losers of any election can be excluded from power. In the centripetal model, ethnic group behaviour is characterised by Bartolini's definitions of competitive and cooperative types of interaction – where actors share essentially the same goal. However, the means by which they achieve this can vary. There can be competition, whereby they seek their goals independently of each, or cooperation, where resources are pooled in the pursuit of the same goals (Bartolini, 1999, pp. 438–440). Thus parties are able to 'escape' ethnic outbidding if their relationship is marked by competition between them and/or by cooperation.

In many respects the question as to which is most appropriate would seem to be context-dependent: the number of ethnic groups, the intensity of the conflict and other variables will mean that different states have different forms of ethnic relations. The centripetal and consociational models with their distinctive electoral arrangements can be a means to promote power-sharing – yet they are dependent on other factors and are not simply mechanical tools that can be applied without reference to context, and "a culturally and ethnically divided society will remain culturally and ethnically divided whatever electoral system is adopted" (Taylor, 2005, p. 461).

Looking at this from an Israeli context, there are unlikely to be ethnic party bans. The Israeli party system has been ethnicised with Arab and Jewish parties. The ethnic regime types explored in Chapter 2 point to the fact that at the present time ethnicity cannot be divorced from the Israeli party system. As will be detailed in Chapter 4, the party system in Israel has historically had some proto-consociationalist elements, albeit intra-Jewish. At the same time, it has evolved over time into a competitive and fragmented party system with overlapping divisions that bears some resemblance to a centripetal model with its fluid pan-community alliance-building. The nature of the Israeli societal cleavage structure is such that there are two political fault lines. The first is the Arab–Jewish division across which cooperation is difficult and uncommon. Arab parties are informally excluded from government participation and, as such, are not considered viable coalition possibilities, except in the most unusual cases, such as Rabin’s reliance on them to pass the Oslo Accords (1993–1995) which created the Palestinian Authority and the first limited self-rule.

The second division is the intra-Jewish cleavage. Here we find much more fluidity and overlapping of cleavages. Whereas the division between Arabs and Jews is mostly polarised, in the Israeli coalition system, while one issue may divide a party, another will unite them and vice versa. Within the Jewish parties, ethnicity, religion, socioeconomics and foreign and security policy are all significant cleavages that divide the parties but also mean that there is seldom no common ground between them. As Chapter 4 will explore, this has proven to be the key to Israel’s management of its societal divisions.

## **Democracy and Identity Politics: A Summary**

Communal identities, whether religious or ethnic or, more likely, a combination of the two are of central importance to those who wish to understand divided societies. These identities carry with them great power and, as such, where salient, can become the de facto political identity to those who embrace it. When this happens in divided societies, it escalates the risk that communal tensions will spill over into violence.

Religious and ethnic identities are often (but not always) interlinked. Religion can provide the basis of an ethnic identity, or act as a component of it. The significance is in the nature of the boundary between groups. Where divisions in society are seen in primarily religious terms it will become the most salient element of the identity as it is this which dictates in and out group membership. Where religion is less salient or actually shared then ethnicity/ancestral identity can become the most salient boundary between groups. The form of factionalism that exists within the state will often be a reaction to what the primary cleavage division is and in many respects is governed by a 'cleavage pyramid', whereby some divisions take primacy over others, which, as will be noted later in the work, is of special significance for Israel.

Democracy in these societies can exacerbate the problem by providing an outlet for the expression of problematic sectarian identities that lead to processes such as ethnic outbidding. Nevertheless, to paraphrase Churchill, democracy remains the worst form of government for these states apart from all the others that have been tried. Therefore, the solution to divided societies has more often than not been democratic in some form or other. Yet, the success or failure of these solutions mostly stems from context and some states have intrinsically more chance of operating successful democracies than others. States with a single point of division will have high degrees of polarisation, which will tend a system towards a zero-sum understanding of politics that will most likely exacerbate conflict through the fear that exclusion is permanent. On the other hand, states with a myriad of divisions that overlap have a greater chance of success since the saliency of each division is decreased, while the number of cleavages provides the opportunity for parties divided in one area to cooperate in another.

Israel resembles the latter more than the former, although not entirely. It resembles a polarised society when one looks at the state in terms of the division between Arabs and Jews, which is "absolutely" the most significant cleavage in Israel (Guy Ben-Porat, personal communication, January 27, 2014). There the exclusion of Arabs from the political sphere by the dominant ethnic

majority suggests (as documented in Chapter 2) an ethnically exclusionary state. Israel is a state governed by a myriad of cleavages of which this is only one – albeit the primary cleavage. The second tier of cleavages in the Israeli state is concerned with the divisions between Jews. Here, we find the cleavage structure echoes much of Chandra's work on the significance of overlapping cleavages.

This is reflected in Israel's political structure. Their coalitions are fluid, and exclusion (apart from Arab parties) is not permanent. Ultra-orthodox parties, including Shas, have been able to govern with both left- and right-wing coalitions, although they have been excluded in periods when more militantly secular parties like Shinui and, more recently, *Yesh Atid* have been in the government. If we are to understand the nature of divisions in Israeli society, then we must understand both the historical nature of these divisions and their current status. With this in mind, the work now turns to an examination of ethnic and religious divisions in Israel.

## Chapter 4: Ethnicity, Religion and Democracy in Israel

The aim of the thesis is to explore the Israeli political system and its divided society with a particular focus on religious parties. The last chapter made it clear that ethnicity is one of the most difficult issues for democratic polities on a number of levels: equality, participation, cultural and socioeconomic accommodation. Therefore, the analysis of the role of ethnicity in Israel requires a deeper understanding of the historical development of the Israeli state and the Zionist ideals that shaped its formation. In the context of this thesis, equally important is migration into Israel from the Middle East and North Africa. Both Zionism and this migration lay at the foundation of the divided society that Israel currently is. This chapter will analyse ethnicity in Israel, the original formation of the Zionist ideals that would shape the formation of the state and how these have created a stratified society. Yet, despite these divisions and their saliency, Israel has managed to utilise some of the forms of conflict management detailed in Chapter 3 – namely consociationalism and centripetalism.

Despite the saliency of the Sephardic identity relative to the Ashkenazi it would continue to be the case that it would be a lower rung on the cleavage pyramid than either the primary ethnic division in Israeli society (the Arab/ Jewish divide) or the more politically active secular-religious divide. This secular religious divide is especially prevalent in relation to ultra-orthodox Jews, which has exacerbated tensions within the Israeli state. It will also explore the functional and societal barriers that the ultra-orthodox have created that separate them by and large from the rest of the Israeli state and society. It will then draw on the consociationalist ideas examined in Chapter 3 to assess whether Israel is (or was ever) a form of consociational system and the form that the Israeli party system currently takes. Finally, I will revisit the theory from the previous chapter and clarify the Israeli political system.

## 1) Zionism and Jewish Ethnic identities

It is impossible to explore in any depth the nature of the Israeli regime and its sociopolitical history without reference to its founding ideology of Zionism. Zionism was a 'rejection' of what had previously characterised Judaism and by extension the collective identity of the Jewish people. The Zionists wanted to reject much of the recent past of Judaism, especially the Ghetto, which for many Zionists was not just geographic, but about physical and social separation that reinforced the negative anti-Semitic stereotypes of Jews as haggling pedlars who had not advanced since the Middle Ages. Those Jews who had embraced the Enlightenment internalised this stereotype and sought to overcome this through integration and assimilation (Aschheim, 1982, pp. 5–7).

The project in the early days of the Israeli state was predicated on the institutional and ideational task of creating the 'new Hebrew identity'. To this end, secular bastions of this new identity, such as an education system, cities (Tel Aviv and Haifa), and a newspaper (Haaretz) were created (Kimmerling, 1998, p. 61). Anything connected to the old Jewry, such as 'weak' Holocaust survivors, "backwards" Yiddish speakers and the diaspora in general were held in a mixture of contempt and disgust (Khazzoom, 2003, pp. 488–489). Given this, from the beginning of Zionism, the attitude towards all Jews was "strictly assimilationist, repressive, and impatient"; they were all expected to adapt to the 'new Jew' model of Zionism (Smootha, 2008, p. 6). Education in the early years was predicated on the same mantra as the state itself: absorption and assimilation. The Zionist state through the educational system would transmit an identity that would then lead to socialisation and foster a collective identity (Sibzehmer & Lehmann, 2008, p. 24). Explicitly, this would mean the rejection of any identity that was contrary to the new Zionist one. The early Zionist founders of the state had an almost utopian notion that the correct educational system could be used to turn anybody (Sephardic, Arab, religious) into the 'new Jews' with a staunchly civic Israeli identity.

Zionism from the start was a conflicted ideology. While it embraced some elements of the Enlightenment (rationality, secularism and individual liberty) it also rejected the assimilation approach of seeking to improve the position of Jews in states in which they resided. Instead, it sought to establish their own homeland as Zionism sought equality and pride for the Jews not through improving their standing as a diaspora people but by creating their own homeland. At the same time, the exercise was imbued with a sense of creating a new culture absent of old Europe and the medieval religious elements that had been a key element of Jewish collective identity (Khazzoom, 2003, pp. 499–500). Therefore, from the outset, Zionism was a potentially heady mix of western enlightenment, nationalism and ‘primordial’ ties to an ethnic homeland, meaning it has had an ambiguous relationship with its original goal of becoming a western democracy. This leads Aviad Rubin to say that “the real risk for physical survival plus the very long history plus scatteredness plus western sources of this type of national movement created a very unique project” (personal communication, January 29, 2014). Zionism was founded as a nationalist project that sought to unite a people through a shared homeland. Like all nations, it needed a unifying collective identity – a means of determining who was ‘in’ and who was ‘out’ – i.e. the boundaries of the identity – and Zionism had a ready-made boundary through Judaism.

Even though the new Zionists embraced a secular identity and political programme, from the start Israel was founded on religious notions, albeit ones adopted for the Zionists’ purpose as it embraced “biblicisation” as a means of divorcing itself from rabbinical Judaism (Beit-Hallahmi, 2007, pp. 163–164). The Jews of the Old Testament were ‘proud and independent’, not the subservient and sovereignless people of the diaspora years, and Zionism embraced their mythology and language (Hebrew) to distinguish itself from the years of exile characterised by rabbinical authority and use of Yiddish. The founding of the Israeli state was predicated not on a ‘state for the Jews’ but instead a Jewish state, as the state took on a Jewish identity and extended the right to belong to the state to all Jews in diaspora (Kimmerling, 2006, pp. 411–412). This would lead to there being a myriad of competing identities and, as Kimmerling suggests,

Certain symbols, values and social groups were included, while others were excluded from the boundaries. Thus, despite the potentially considerable stress and conflict of interests between the diverse segments within Israeli society ... the cultural and socio-political boundaries were drawn in such a way that 'dissonant' voices were excluded, or rewarded by partial inclusion, in exchange for conformity with the hegemonic values. (1998, pp. 66–67)

The Zionist state, with its secular nationalism and religious symbolism, was from the beginning a contorted mixture. This was partially because Jewish tradition has intertwined religion and the state as well as religion and the public sphere, meaning that “Judaism is also a nation as well as a religion” (Moshe Hellinger, personal communication, January 11, 2014). Creating a Jewish state would always, therefore, embed it with some religious identity regardless of its secular foundations. Zionism in its formative years provided a narrative and shared political framework that marginalised non-Zionist views of the past. This has over time been weakened and replaced by other versions of the past – be they ultra-orthodox, Sephardic or Israeli Arab; all have historically sought to challenge the secular–nationalist framework constructed by the European settlers of Israel (Zerubavel, 1995, p. 230).

One of the other versions has been the religious, specifically the ultra-orthodox, for whom there has been great ambiguity over the establishment of the Israeli state. On the extremes in the ultra-orthodox community there remains a sect (*Neturei Karta*) who actively seek the dismantlement of the Israeli state, which they believe was established against Jewish Law, since only the return of the Messiah can herald the rebirth of the Jewish state. They believe their duty is “to shout to the world that the Zionist regime was a blasphemous institute, a rebellion against God and therefore a true Jew had to support any entity dedicated to ending its hegemony in the holy land” (Pfeffer 2010). They even go as far as to support the Iranian regime and celebrate Shabbat in Gaza with Hamas (Haaretz & The Associated Press, 2010). Yet, it is a very small group even by ultra-orthodox standards and most religious Jews have never had a unified stance towards modernity, the Enlightenment or indeed the establishment of the Israeli state (Ravitzky, 1996, p. 146). However, there were some, including Rabbi Kook, who believed that the socialist/secular founders of the state were tools for the emergence of a theological/Halakha state, examples of ‘useful idiots’ who were

tools of a divine project of redemption (Kimmerling, 1998, pp. 56–57). These messianic beliefs were only exacerbated after victory in the 1967 war, as many became convinced that this victory was a sign of the ‘blessing’ of the state of Israel. From the beginning, there was a perceived conflict between the values of Judaism and religion, the state and Halakha law. At its most extreme, Yigal Amir, the assassin of PM Yitzhak Rabin, claimed that he was acting according to Jewish Law (Haaretz, 2011).

## **Sephardic Migration and Zionism**

The nature of the Zionist project was one imbued with secularist zeal dedicated to building a home for the Jews devoid of the ‘old’ elements of their identity (most importantly religion) and was built on notions of civic nationalism. Yet the state was in need of migrants and the answer to this problem was an influx of Jewish immigrants from the Middle East and North Africa (often referred to as *Mizrahi* or *Sephardic* Jews) as a means to populate the state and grow the economy. This wave of immigration would have a long-term impact on the nature of the Israeli state, although the dominance of European/*Ashkenazi* Jewry in the early Zionist organisations and pre-state *Aliyah* has meant that there has been historically less attention to the Sephardic community in the history of Zionism (Stillman, 1995, pp. 49–50 ).

As Anti-Jewish violence increased in the Middle East and North Africa after the establishment of the Israeli state, many Jews fled. States with traditionally considerable Jewish populations such as Algeria, Egypt, Iraq, Libya, Morocco, Tunisia and the Yemen would find them drastically reduced. As migrants from the Middle East and North Africa started to arrive in Israel from 1948, there was an immediate difference between their situation and those who migrated from Europe. While European and American immigrants found in Israel a veteran population of a similar background (including relatives) and in many cases a common language, the North African and Middle Eastern immigrants encountered a different, strange and, at times, hostile community (Gadnor, 1989, p. 133) and were without social support networks and dependent on the established state framework.

In many respects, the welcome they received was not in keeping with the supposed idea of Zionist Jewish fraternity. The Ashkenazi attitude towards the early immigrants was not what one would expect of an attempt to create a (Jewish) utopian society; it did not seek to distribute power and resources evenly nor use those resources to achieve equality (Della Pergola, 2007, p. 38). In the early years, there were many in the Ashkenazi community who felt they, as an ethnic group, were inherently superior – Karl Frankenstein (who specialised in education) suggested that recent Sephardic/Mizrahi immigrants to the country had the same primitive expressions of ‘children, the retarded and the mentally disturbed’. Kalman Katznelson published a book in 1964 called *Ashkenazi Revolution*, an openly racist text that suggested the Ashkenazi represented a superior species harmed by intermarriage with the Sephardic (as cited in Shohat, 2003, pp. 63–64). Even David Ben Gurion himself said

Those [Jews] from Morocco had no education. Their customs are those of Arabs ... The culture of Morocco I would not like to have here ... We don't want Israelis to become Arabs. We are duty-bound to fight against the spirit of the Levant, which corrupts individuals and societies, and preserve the authentic Jewish values as they are crystallized in the Diaspora. (cited in Kamil, 2000, pp. 23–24)

The Israeli state sought to create a melting-pot policy within Israel, but this was based on the assumed Ashkenazi superiority that would create much inter-ethnic divisions in Israeli society (Shuval, 2006, p. xxvii). The Ashkenazi sought to establish and dominate culture within the state, meaning that, subsequently, Sephardic culture was defined against it. In this vein, Eyal suggested that Ben-Gurion created the notion of the Arab-Jew as Oriental and therefore too close to Arabic culture, despite the reality being their relative similarity to the Ashkenazi (2006, p. 135). The distinction between ‘east’ and ‘west’ would become a cultural exercise because the geographical position of Jewish communities became intertwined with their cultural identity.

At the same time, they were unable to take advantage of their automatic Israeli citizenship due to their de facto refugee status, but also due to Ashkenazi dominance of the state in welfare and job creation, while the co-option of ethnic elites by established Ashkenazi parties (especially Labour and

the NRP) stifled opposition. Overall, the strength of the state (and the dependency of new migrants upon it), along with a lack of alternatives to the dominant Ashkenazi parties, left the immigrants with neither the ability or will to challenge the ethnic status quo. This eventually led to an ethnic hierarchy, but also an economic one that was reinforced by the position of the Sephardic immigrants, who were often placed at the geographical periphery of the state (Smootha, 2000, pp. 7–8). These new immigrants did not share the language (Modern Hebrew), cultural heritage (nationalism, modernity and the Enlightenment) or even appearance of the Zionist pioneers. Family sizes became a key issue because the Sephardic immigrant families were usually at least twice as large as their Ashkenazi counterparts, which in turn had an overall detrimental effect on their economic and social status. They also lacked the ‘correct form’ of secular education, material goods/wealth and the social support network from either the state or society. These factors, in effect, meant that Sephardic integration into Israel from the beginning was bound to be problematic. In essence, they were the ‘wrong’ sort of Jew and, as such, it was the role of the state to correct this – to either assimilate them into the Ashkenazi/secular Zionism or to push them to the periphery where they could do less damage to the Zionist project.

Part of the root cause of the different treatment received by different immigrants derived from assumed and real perceptions about each group’s position vis-à-vis Zionism in the period. From the beginning, there was a division between the Sephardic and Ashkenazi communities based on their understanding of Zionism and the state of Israel. While the European/Ashkenazi Jews defined themselves and Zionism in secular terms, for the Sephardic community, it was their Jewish religion that made them a part of the Zionist project (Shenhav, 2003, pp. 525–526). In Europe, Zionism was predicated on a secular tradition founded on the Enlightenment and modern socialist movements, in which Jewish identity was founded on a secular ethnic identity and set in opposition to the established ultra-orthodox religion, while, in the east, Jewish nationalism was religion and Judaism acted as an ‘entry ticket’ into the nationalist project.

## The Constructed Sephardic Identity?

Chapter 3 detailed how there are different schools of thought as to where ethnic identity derives from. In the Israeli case that has interesting applications when looking at the Sephardic identity since given their position as an immigrant population, the question as to what constitutes 'Sephardic' identity is a complex one. One notion is that it is a construct and the result of migration to Israel rather than an innate/intrinsic identity – that the very labels Sephardic and Ashkenazi are the result of eastern immigration. This derives from the fact that, over time, one's country of origin has ceased to be one's defining characteristic, but instead has merged into broader categorisation of Sephardic/Mizrahi as distinct from the Ashkenazi (Goldberg & Bram, 2007, p. 233). So what lies at the root of the Sephardic identity?

Firstly there is the constructivist perspective once sees the Sephardic identity as a creation intrinsically tied to the modern Israeli state. The creation of a bureaucratic state complete with its need for information on its subjects created an impetus to divide the population into broad categories, such as Ashkenazi and Sephardic, instead of more specific categories based on the country of one's origin. The 'Melting Pot' for Jews that the founders of the Zionist state envisioned in Israel has thus been only partially successful. It has melded Jews together but also created new ethnic groups, Ashkenazi Jews, from Europe and America, and Sephardic Jews, from North Africa and the Middle East. In attempting to create a single, unified Israeli identity, it reinforced ethnic fault lines that prior to it were more ambiguous and complex. It created the Ashkenazi identity and placed it in a position of cultural superiority when compared to its other creation, the Sephardic identity. The process by which the new immigrants were orientalised was a process led by the Ashkenazi, whereby they used an already existing binary split between the East and West to cast the new immigrants in one role and themselves in another (Khazzoom, 2003, p. 482).

The established/Ashkenazi Zionists had a binary view of the world. They perceived it in terms of cleavage identities – one was either secular or religious, Arab or Jew, and, as such, could not

comprehend the “in-betweenness” of the new immigrants whose identity was more ambiguous (Shenhav, 2006, p. 23). For the new migrants, this new identity was a means of distancing themselves from the Arabs, of reinforcing their Jewish identity while also preserving their own (albeit partially constructed) identity. The labelling of these new immigrants as ‘Arab Jews’ in and of itself was a political act since it was not a categorisation that would have been recognised, or accepted, by the community themselves. It would not be recognisable to those Jews who would define themselves through their geographical location (be that Baghdad, Morocco or elsewhere). Nor would they have accepted they were part of a larger ‘Arabic’ identity, and neither, incidentally, would many Arabs themselves in this period (Ein-Gil and Machover, 2000, pp. 67–68). Thus, the Sephardic identity was a means to distance themselves from Arabs and in a wider sense their Arab cultural history.

Secondly there is the primordial view which instead see Sephardic identity and culture as a result of historical forces in existence in far before the state of Israel and that the Sephardic identity is the manifestation of North African and Middle Eastern culture distilled into a single cultural identity. Jewish Sephardic identity is bound up with notions of its relationship to other communities, and notions that the Judeo-Arabic culture that was fundamentally interwoven with the wider world, whereby identity became defined through a combination of internal and external factors. As detailed in Chapter 3, identity requires the ‘other’, the boundary that determines in- and out-group membership. For Jews in Arab states, it was clearly the case that their identity was that they were not Arabs, and more importantly not Muslims. The means by which they differentiated their identity were tied to religion far more than ethnicity – they were Jews because they were not Muslims. Therefore the cultural markers that distinguish them from other religions, would inevitably play a large part in forming their identity and the barriers to their community. Each community would develop its own identity because it constructed itself not just around an ethno-religious identity but also as a reaction to the dominant ‘other’ which would vary from community to community.

However, this changed with the rise of Zionism and Arab nationalism. Zionism had made the Jewish identity resemble a national identity (an overarching identity pertaining to the nation state) which made clashes with a new pan-Arabic national identity almost inevitable. When the Sephardic migrated to Israel, they brought with them a Judeo-Arabic culture, and while emigration to Israel may have shaped that, it did not create it, but built upon it. One of the key differences between the European Ashkenazi community and its Sephardic counterpart is that the debate between secularism and religion did not cause the same rift and intensity of debate in the Middle East as it did in Europe among the religious.

Historically within the Sephardic community, the rabbi was a significant and powerful figure and there was no clear demarcation between the rabbi's 'secular' and 'religious' roles as he was a key figure in external decision-making as well as within the community, including collection of taxes (Gale, 1997, pp. 323–324). In the European/Ashkenazi community, there was a fundamental shift in the role of the rabbi and religion because, increasingly, their functions were no longer needed by their community as the modern state took over their community functions. They became increasingly political, a trend not shared by their Sephardic counterparts. Traditionally, the Sephardic rabbi had a broad role that encompassed religious and civic duties, often in an informal manner. Ashkenazi rabbis, on the other hand, had much more formalised positions (Deshen, 2005, pp. 82–83). In the Sephardic community, the synagogue, the rabbi and religion itself remain key elements of the broader community while, in the Ashkenazi community, religion became more polarised. Zionism in the west had been predicated on a division between the secular and the religious that simply did not exist in the Middle East. Sephardic communities seemed to fit neither the secular nor religious modes as understood in the west: they were religious so could not be classified as secular, yet they did not have the same level of dedication as the ultra-orthodox and, therefore, they were not religious as understood in the western sense (Shenhav, 2003, p. 527). The traditionalism that is a hallmark of Sephardic Jews did not fit the binary division between the secular and the religious as in the Ashkenazi understanding of the world. Thus, there are many Shas voters who fit this

traditionalist category who “have a basic respect for religious tradition but in their life they will drive on Saturday and watch TV” (Einat Wilf, personal communication, August 3, 2011), in effect breaking the rules of Shabbat. They have support among those who are “traditionalist who won’t necessarily wear a Kippah<sup>12</sup>, they won’t observe the Sabbath, or maybe go to the Shul<sup>13</sup> in the morning and go to a football game in the afternoon” (Bernard Susser, personal communication, August 16, 2011). They are neither religious nor secular in the binary sense, but instead embrace a form of ethnic/cultural Judaism that, while not actively religious, is not hostile to it either. This semi-peripheral status would have consequences for their economic circumstances.

Finally there is the instrumentalist view in which ethnicity is a tool of mobilisation. In this case, the most applicable manifestation of this is the Shas party. As will be detailed in Chapter 5, Shas as a party where able to (and to a lesser extent still can) mobilise Sephardic/ Mizrahi voters on an ethnic platform that was actually a front for their religious goals. As well be shown in Chapter 5 whist it is unfair to say that Shas have used ethnicity cynically it has mostly been a secondary concern when compared to religion.

## **The Economic Position of the Sephardic Community**

The importance of the division between the Sephardic and Ashkenazi communities for ultra-orthodox religious parties will be explored in greater deal in Chapter 5 with the study of Shas, but suffice to say that the inequality was prevalent in the economic realm and cultural marginalisation reflected in the socioeconomic foundations of the Israeli state. Workers from the Middle East and North Africa were seen as being the physical labourers of Zionism, while the Ashkenazi were its intellectual labourers. Ben-Gurion himself noted in a speech in 1911:

We need people who are born workers. We have to pay attention to the local element, the oriental Jew, both the Yemenite and the Sephardic. Their standard of living and their needs are lower than the European workers. They will be able to compete successfully with the Arab workers. (Cited in Alcalay, 1993, p. 43)

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<sup>12</sup> Skullcap.

<sup>13</sup> Synagogue.

The post-1948 wave of immigration was driven by needs that were economic (the need to replace Palestinian workers) and sociopolitical (demographic repopulation to establish a Jewish majority in the state, service in the armed forces). Europe alone could not provide the number required so an alternative source was found – Jews from the Middle East and North Africa (Ein-Gil and Machover, 2009, p. 64). This gives us a very clear insight into two aspects of later Sephardic migration. Firstly, it was built on assumed superiority – that the Sephardic were somehow less advanced and more primitive than the Ashkenazi and, as such, would be more suited to manual work. Secondly, that they were designated as replacements for Arabs that preserved the status of Israel as a Jewish state while creating a division of labour that kept the Ashkenazi at the top.

This was no truer than in education, as many young Sephardic migrants entered the vocational stream of Israeli education to gain skills that that would place them in a better employment position than Arabs, while securing the position of the Ashkenazi within the professional/academic stream (Shavit, 1990, p. 123). It was, in effect, a way of integrating the Sephardic without challenging the position of the Ashkenazi, and, as Semyonov and Cohen suggest, the higher one's pay and occupational position, the more one gains from discrimination against minority groups (1990, pp. 113–114). In other words, the Ashkenazi benefited from discrimination against both Arabs and the Sephardic community more than the Sephardic community benefited from discrimination against the Arabs alone. Thus, Hodge and Krause also found (in 1974) that, overall, the educational and occupational attainment for the African-Asian community was worse than for their European-American counterparts, and, while that gap was decreasing, it remained significant (1990, pp. 66–68). It continues to be the case that “ethnicity is related to fixed perceptions of students' abilities that result in questionable decisions on their placement in different curricular programs” and that Sephardic students continued to be undervalued because of their ethnicity (Feniger, 2013, p. 19).

This peripheralisation was also reflected in employment and housing, where the new migrants were mostly placed in the development towns that would become a major source of their political and

collective identity, as they became, in essence, a trapped community – neither included nor excluded but operating within the state from a standpoint of structural inferiority (Tzfadio & Yiftachel, 2004, p. 2). They were reliant on heavy and traditional industry, which created an economic situation characterised by cheap labour and job instability (Gradus & Einy, 1981). From the outset, many eastern immigrants were, in fact, caught between two opposing identities as they suffered from structural and cultural inequality while also being part of the Zionist project by virtue of their Jewishness. This tension meant that

The structural options for integration available to them on the one hand, and the absence of a meaningful and viable alternative separate from their national identity on the other, prevent them from formulating a destigmatization strategy explicitly based on the affirmation of their collective identity. (Mizrachi and Herzog, 2012, p. 429)

Now in Israel, ethnicity is no longer intrinsically linked to one's socioeconomic status except for Israeli Arabs. There has also been considerable assimilation. By the 2000s, 60% of the Sephardic community belonged to the middle class and many of these raised children that are not aware of any ethnic allegiances and embrace the secular Zionist Israeli identity (Ben-Rafael & Peres, 2005, p. 109). Inter-marriage is quite prevalent and even by the early 1970s one in four marriages was between Sephardic and Ashkenazi. Therefore, "if we look at the second and third generation there is much inter-marriage between ethnic backgrounds" (Dan Meridor, personal communication, August 8, 2011). While a "large part of Ashkenazi marries Ashkenazi, and a large part of Sephardic marries Sephardic, although it is slowly being chipped away at" (Bernard Susser, personal communication, August 16, 2011). At the same time, movements that sought to improve the position of the Sephardic community such as the Black Panthers and the more intellectual Democratic Mizrahi Rainbow attracted support from both the Ashkenazi and Sephardic populations (Goldberg, 2008, p. 181). The Sephardim because they were the least visible of the minorities in Israel (when compared to Arabs and Ethiopian Jews) had "better prospects for full integration and participation" (Mizrachi & Herzog, 2012, p. 427).

Notwithstanding, there are still socioeconomic differences overall between the Sephardic and Ashkenazi Jews. In educational attainment, the gap between Ashkenazi and Sephardic students for college graduation rates is as great for the third generation as it was for the second. The gap between Ashkenazi and Sephardic graduation rates is still sizeable: 21%–23% for men and 27% for women (Cohen, Haberfeld & Kristal, 2004). Yet, Cohen and Haberfeld in their study of gender, ethnicity and earnings find that modern inequality is the result of individual inequality rather than systemic factors and that overt discrimination has decreased. There remains a significant gap between Ashkenazi men and others (including Sephardic men and women) in terms of earnings, which Cohen and Haberfeld suggest is the result of external circumstances (the peace process, the influx of migrants from the former Soviet Union), but also internal concerns such as social networks. Either way:

it is likely that earnings inequality hurts other weak groups in Israeli society – new immigrants, younger and older workers, and high school dropouts – relative to the most advantageous group in the Israeli labor [sic] market: Israeli born men of Ashkenazi origin. (2007, pp. 669–670)

The larger the gap, the more that the Sephardic community suffers from relative deprivation compared to the Ashkenazi. In fact, many of the gains made by the Sephardic community after their migration were outstripped by those made by the Ashkenazi or made little difference to their socioeconomic standing (Peled, 1998, p. 708). The general picture is one of socioeconomic progress and mobility for all groups, but with respect to inequality this has done little for the gaps between European and Middle Eastern Jews (Ben-Rafael & Sharot, 1991, p. 32). The gaps that still exist between Ashkenazi and Sephardic Jews are less to do with ‘active’ discrimination (which is in considerable decline) and more to do with the lack of social mobility that exists in Israel as a result of the early years of active discrimination. As such, while the cultural/political discrimination may be in decline this has not been matched by a decline in socioeconomic inequality (Ein-Gil and Machover, 2009, p. 72). So, while the situation may improve for all, the inherent gap between different ethnic groups remains, and the Sephardic remain relatively deprived.

**Summary.** Approaches to Sephardic identity have fallen into one of two camps – either a primordialist camp that sees their Arab culture as simply an intrinsic part of their identity or a constructivist camp that sees this identity as the result of class, education and labour positions relative to other ethnic groups. The mobilisation of the Sephardic identity and its eventual emergence is a complex affair and there is not one single source of Sephardic identity; instead, it “was only formed after the arrival of the immigrants to Israel, and it can be understood as connected to three ethnic experiences: ethnicity, religion, and socioeconomic class” (Nissim Leon, personal communication, January 29, 2014).

Chapter 3 detailed what constitutes an ethnic group (pages 118-125) the question is whether Sephardic is sufficiently different from Jewish as to be distinctive. Overall there is obviously a great deal of overlap and it's true that being Jewish is far more significant than being Sephardic for defining their ethnic group. yet it is distinctive in that it is an adaptation that incorporates Arab, Mediterranean and Jewish influences, an Israeli-made subculture that is formed of both its historical roots and the dominant Ashkenazi culture. Overall, Ben-Rafael suggests that one can define Mizrahi/Sephardic identity through the following traits:

1. A large majority of Mizrahi respondents selected Jewish identity as their first choice, with Israeli identity a short distance behind;
2. Ethnic identity is visible and emphasised as a second- or third-choice allegiance;
3. The more it speaks of middle-class subjects, the weaker the ethnic orientation;
4. An overwhelming majority would like their children to live in Israel;
5. Respondents whose identity is firstly Israeli feel more fully integrated into society (2007, p. 77).

Overall, it is an identity that is overwhelmingly Israeli, yet also one that is distinctive.

It is also true that those eastern migrants who adapted to the existing framework (be that the secular Zionist state or the Yeshiva of the ultra-orthodox Ashkenazi) were included, whilst those who did not, remain on the periphery of the state without ever being fully excluded in a state of semi-peripheralisation. By appealing to notions of collective Jewish identity, many in the Sephardic community were only reinforcing Ashkenazi prejudice, as they were basing their identity on an ethno-religious concept, not the civic-nationalist collective identity that the Ashkenazi Zionists wanted to create. Indeed, it was those in the Sephardic community that embraced the Ashkenazi Zionist understanding of collective identity that fared best in the state. They understood that the route to equality was not through seeking equality for both communities but accepting the Ashkenazi narrative and integrating themselves into the new Israeli identity. By accepting this and as much as possible losing their Sephardic identity their integration into the state would be much smoother. Nowhere was this new identity more apparent than in attitudes towards religion, which remains one of the most active cleavages in Israel.

## **2) Religion in Israel**

Outside of the ethnic cleavages in Israel, there is considerable division over the role that religion plays within the state and personal identity. In order to understand ultra-orthodox parties in Israel, one must understand the position of the ultra-orthodox community in Israel and the politicised nature of the secular–religious divide, which is atop of the cleavage pyramid for many voters on both sides of the secular-religious divide. There exists in Israel an ultra-orthodox community that has largely segmented itself from the rest of Israeli society and used the coalition system of government to leverage support for the community, both financial and otherwise. This in turn has exacerbated the secular–religious divide and had the effect of exasperating many secular and traditional Israelis who view the ultra-orthodox as exploiting the system. Thus, the ultra-orthodox play a key role in the saliency of the secular–religious divide in Israel.

## The Ultra-Orthodox

As already detailed in Chapter 1, the ultra-orthodox have been politically active within the state since its very formation and were key in crafting the 'status quo' arrangement that has continued to define the relationship between state and religion in Israel. The social and cultural isolation of the ultra-orthodox is not something that can be said to apply to the political realm (Miles, 2010). As Chapter 5 will illustrate through the example of Shas, the ultra-orthodox are experienced political actors in Israel and the relationship between the ultra-orthodox and the state has been one of eventual co-option and economic dependence (Kook, Harris and Doron, 1998, p. 21). Ultra-orthodox voters differ from other religious voters in Israel in that they are primarily guided by religion and moral conservatism and that all other ideological considerations (nationalism, security) are 'dwarfed' by this (Hirsh-Hoefler, Canetti & Pedahzur 2010, p. 686). For the ultra-orthodox at the top of their cleavage pyramid is their religion to such an extent that there are almost no other considerations as to their voting behaviour. As detailed in Chapter 5 they represent a form of sectorial/ communal voting where by at the top of their pyramid is their communal religious identity.

The structure of their cleavage pyramid leads to the primary political goals of ultra-orthodox parties (in the early days, Agudat Israel and later Shas) being their educational institutions. These were partially responsible for the further rise of a religious subculture, first through the NRP and the settler movement and later through the Sephardic ultra-orthodox Shas (Rosenblum, 2003, p. 29).

The education arrangements within the state of Israel are such that from the beginning (and in the pre-state period) there was an ultra-orthodox religious stream dominated by the Ashkenazi and later joined by Shas's Sephardic stream (Siebzehner & Lehmann, 2008, p. 26). The status quo agreement of the early state period meant that, from the beginning, a system emerged whereby there were different streams in the educational system rather than a central and universal system. It was from this point onwards (most especially via the Educational Act of 1953) that the chance to create a universal identity through education was lost, since each stream sought to socialise its pupils

according to its own world view (Schiffman, 2005, p. 97). The ultra-orthodox educational system seeks to separate its pupils from technology and any secular subjects that are part of the professional (and non-ultra-orthodox) world of employment and to instead encourage immersion in the world of religious studies, including through the *Independence* stream of Agudat Israel/UTJ and Shas's the *Well Spring of Torah Education* (Schiffman, 2005, p. 98). The educational structures of ultra-orthodox institutions are designed to provide a fully comprehensive educational system to cover all educational needs, from kindergarten, Talmud Torah schools/Yeshiva/Bais Yaakov for children aged 5-16, up to, finally, Kollels for married men, wherein Torah study becomes their full-time occupation. The educational framework is designed to fundamentally shape the pupils through a comprehensive religious education. These religious institutions have exempted status that excuses parents from registering the children in recognised educational institutions; they are also exempt from the standard legal curriculum. Funding comes from a myriad of sources, including directly from government and from local authorities, sometimes directly to the institutions and sometimes channelled through other organisations (Shiffer, 1999, pp. 139–143). These institutions have also allowed ultra-orthodox parties to attract voters through patronage politics since the Religious Services Ministry has traditionally proven a “honey pot of Israeli patronage” or ultra-orthodox parties, being, as it is, charged with allocating funding (and jobs) to schools, synagogues and other religious roles and duties (Sharkansky, 2000, p. 113).

Understanding the ultra-orthodox in economic terms is an important element in the debate about the role of religious parties in Israel. From one perspective religion provides a barrier through the necessary commitments one must make, especially in terms of education. Time spent in a Yeshiva has a high cost as it is time spent neither earning nor gaining educational achievements which can increase one's earning potential. The ultra-orthodox community benefits can only be accumulated by those who engage in the correct activities – something that gets rid of potential free-riders and signals commitment to the community (2000, p. 909). This is further enhanced by successive Israeli governments who have been generous to the ultra-orthodox community and allowed them to ‘opt

out' of much that is compulsory for everybody else (Shiffer, 1999, pp. 158–161). There are thus incentives for the ultra-orthodox to maintain their way of life because subsidies and avoidance of conscription can make an attractive proposition for all, not just the young but also those aged 25–45. This has the effect of causing a fall in the labour supply, and families in the ultra-orthodox community with 'prime age' (in economic terms) fathers are likely to live below the poverty line (Berman, 1999, p. 183), and welfare payments account for around 70% of all income for these families.

These arrangements have not gone unchallenged and the benefits that the ultra-orthodox have received from the state has created tension between them and other communities that believe that resource consumption by the ultra-orthodox and their lack of contributions diminishes the resources available to others. One can therefore see the conflict between secular and religious actors as a socioeconomic/class conflict over resources. Aviad Rubin says "the secular majority have nothing in particular against the culture represented by the ultra-orthodox in Israel, they are more concerned of the issue of resources and allocation" (Aviad Rubin, personal communication, January 29, 2014). At the same time, this tension over the allocation of resources has only further exacerbated an already noticeable tension between the secular and the religious.

## **The Secular–Religious Divide**

Generosity to the ultra-orthodox has proven divisive and has contributed to the fact that the relationship between the religious and non-religious is viewed by some as worse than between ethnic groups (Levy, Shlomit & Katz, 2005, p. 300). For many Israelis, both secular and religious (but non-ultra-orthodox)

the most disliked part of the Israeli population, Arabs aside, are the Haredi because they don't pay taxes and for the most part they don't serve in the army etc. ... the moment people start to complain about their country ... first base is the Haredi because "they are parasites, they don't serve the country's needs etcetera." (Bernard Susser, personal communication, August 16, 2011)

This has been reflected in the debate surrounding the secular–religious divide where the ultra-orthodox are seen by the secular as a ‘burden’ and the need to ‘equalise the burden’ is often used as a covert (or not) means of criticising the ultra-orthodox community – often codified as being good for the wider society and the ultra-orthodox themselves. As Perez suggests in a Haaretz editorial:

Equalizing the burden is about values. It's about giving Israel's heterogeneous society a common base that will reduce its polarization and strengthen its fabric. This will also reduce racism and discrimination in the workforce. National and military service brings diverse sectors of society closer together, increases integration, provides professional training and gives those who complete it a sense of worth. (2013)

There are thus many voters for whom the secular-religious divide is atop the cleavage pyramid. For many voters of the secular (or anti-clerical) parties of Shinui and later Yesh Atid their votes were motivated by resentment against one group in particular- the ultra-orthodox. Their fear of ‘losing’ the state political and materially lead them to prioritise the secular-religious cleavage in their voting patterns, in many respects echoing the communal voting of the ultra-orthodox. This division between the religious and secular in Israel is one that in many respects is rooted in identity. The identity of those in the ultra-orthodox community, as already noted, derives from a complex mixture of its historical ambiguity to Zionism and ethnic identity (Sephardic or Ashkenazi) but most fundamentally from the absolute centrality of religion within their lives. For the secular, identity can vary. There are those who wish to reject Jewish tradition and symbolism entirely in favour of an entirely civic identity, and those that wish instead to create a new relationship between tradition and secularism that does not reject either (Katz, 2008, p. 238). Liebman and Yadgar identify two types of secular Jew. The first is the ‘secular by default’ – those who observe little or no tradition and reject the religious establishment and its demands. There are also those who are ‘ideologically’ secular who, at one extreme, deliberately observe some rituals and traditions despite their atheism/agnosticism; these are termed ‘secular-Judaists’. Essentially, this is a division between political and non-political secularism, explained here by Guy Ben-Porat:

There's a liberal secular identity, which includes a commitment for secular values, for liberalism, and that's a relatively small public. Then you have what you call secularism ... People who act secular; they may shop on the Sabbath, they may not obey religious authority, but they don't define themselves as secular and they're disinclined to take part in struggles of any kind ... that's like a non-political secularism. (personal communication, January 27, 2014)

Secondly, there are the 'secular-universalists' who reject Judaism and Jewishness and believe that in reality these concepts impede the creation of a harmonious society between Arabs and Jews. They actively reject their Jewish identity and are often classified as post-/anti-Zionist (2009, pp. 2–3). All attempts to classify the secular, Jewish identity are divided over one key element: whether it is possible to be a secular Jew, or whether this within itself represents an oxymoron. One side seeks to maintain some elements of religion (albeit hollowed out) as part of a notion of a collective Jewish identity and to replace their religious meaning with some Israel/civic identity. The second side seeks to reject all religion and implicitly rejects the notion of a Jewish identity or at least rejects its fundamental connection to religion. Forms of secularism differ in the level of hostility they have towards religion, the form they want the Israeli state to take and ultimately whether they seek a two-state solution with a Jewish state or a post-Zionist one-state solution. However, despite divisions between the politically secular in Israel they tend to be united by one common element, their active hostility to the ultra-orthodox.

For both the secular and the religious, Israel is a response to the Holocaust and the devastation to European Jewry. For secular Jews the answer was modernity and the nation state as means of protection, while for the religious (especially the ultra-orthodox) modernity was the root of the Holocaust. This means that the secular–religious divide is further exacerbated by the fact that there are those in the religious community who are convinced that their lifestyle is impinged upon by the non-religious and for whom the Holocaust profoundly affected their self-perception. For orthodox European Jewry who survived and emigrated to Israel it was an almost messianic endeavour because they were the remnants of their culture. Therefore, it was imperative that their culture and way of life be protected at all costs – especially against the threat of modernity (Stadler, 2009, p. 8).

All the above illustrates that Israeli society remains engaged in a long-term struggle over what constitutes its collective identity, which is further exacerbated by the centrality of the religious-ethnic-class identity nexus in political life and a high degree of polarisation within the party system (Kimmerling & Moore, 1995, p. 388). The divisions in Israel were the result of a division over the nature of the state: between 'Eretz Israel' and the 'state of Israel' that is between the ethno-cultural nation and the legal concept of the state, between the primordial Jewish notion of collective identity or the civic Israel collective identity (Kimmerling 1985). This is reflected in the fact that the view of Israeli politics (especially within the media) is that the 'left' (from the centre-left of Labour to the more progressive Meretz) was/is seen through an anti-clerical framework, as dovish and secular. The right was/is seen as nationalist and religious (even the nominally secular Likud party) and more so as religion and nationalism became intermeshed. This led some to view the ultra-orthodox and Gush Emunim as part of the same axis, which become known as 'hardel' (meaning mustard), a combination of the Haredi and the 'dati leumi' – National Religious (Shamir & Arian, 1999, p. 271). This meant that the secular–religious divide has become increasingly political as the division between ultra-orthodox and the secular in recent years has only further been exacerbated by the Likud–ultra-orthodox 'bond' that has made Shas and UTJ partner to the right/hawks in recent years (Sharon & Hoffman, 2012).

As noted in the previous chapter on conflict between groups in divided societies, in order for there to be an active cleavage, both sides of the division must have established boundaries and recognise the existence of the 'other', and indeed the division is as much a result of secular ambivalence (and hostility) towards the ultra-orthodox as vice versa. Horowitz and Lissak suggested Israel was (and is) in effect a series of party and social "enclaves" that act as a resource distribution but also as a form of "socialisation" into that particular enclave (1989, p. 28).

Historically speaking, Israel has been a series of enclaves. A study by Barnea and Amir conducted in 1981 among Israeli students found that there were two distinct subcultures: religious and non-

religious, and that each viewed the other more negatively than they viewed their own culture, and preferred to conduct activities among themselves (1981, pp. 68–71). These are standard results for all surveys conducted in ethnically diverse states where members of groups prefer isolation to mixing. Israel conforms to this model and the conflict between the religious and secular in Israel of ‘in’ and ‘out’ group behaviour, a preference for one’s own and competition with others that entails verbal and sometimes physical confrontation (Gordon, 1989, p. 636).

A further study by Tabory in 1993 found that the relationship between religious and non-religious Jews is one that is characterised by isolation, even when they are geographically close, and when interaction takes place it is usually within a formal/goal-orientated setting. Friendships, when they occur, are usually ‘segmented’, with friendship between the religious and non-religious taking place in one-to-one settings rather than as mixed groups (1993, p. 149). Studies conducted more recently do little to dispel the notion of society divided along religious lines. In 2007, a study by the Israel Democracy Institute (IDI) found that, despite an improvement of 10% from 2003, 66% rated secular–religious relations as “not good” or “not at all good” (2007, pp. 76–77). The most recent study by the IDI found that overall 86.3% of Israelis asked rated the levels of tension between the religious and secular as either high (55.7%) or moderate (30.6%), which speaks to the continued saliency of the secular–religious divide in Israel (2013, p. 83).

This is reflected in popular perceptions of geographical divisions, especially of Tel Aviv (the secular heartland) and Jerusalem (the religious heartland). For the religious in Tel Aviv, secularism rules, the Shabbat is ignored, women dress immodestly and generally it epitomises secular hedonism. For the secular, the perception of Jerusalem is as the “heart of the religious community”, a place where Shabbat is obeyed and cars that are driven on Shabbat are shouted at, as are immodestly dressed women (Weitzman, 2001, pp. 6–7). Much of the relationship between the secular and the religious is defined in terms of fear and contamination of a way of life, especially for the secularists, who have a consistent fear of the (supposed) hegemonic tendencies of the religious public. Magazines and

journals for this audience preach to the converted without providing a religious counterpoint or narrative (Katz, 2008, p. 241). The fear that the secularists have of the ultra-orthodox is reflected in the disconnect between what they believe to be their ideals (tolerance and pluralism), as opposed to the religious, who are seen as conservative, closed-minded and seeking to make all Israelis live by their religious codes. The reality is even more complex. Gordon finds that the secular respond with more negativity, stereotyping and a greater reluctance to engage in interaction than the religious, a fact she attributes to the secular community feeling threatened by the religious who, as a group, represent an existential threat to their lifestyle. This is true in the residential arena, where there is a fear that the more 'blacks' (the ultra-orthodox) that move in, the more the area will change and become religious, complete with restrictions on what people can do on the Shabbat and enforced dress modesty (Gordon, 1989, 643-645). Interestingly, the 2007 study by the Israel Democracy Institute found that the more religious one is, the more positive is one's attitude towards the divisions. 70% of the secular rated the relationship as not good, compared to 66% of the traditional, 56% of the religious and just 47% of the ultra-orthodox (2007, pp. 76–77).

This division is further complicated since the 'secular–religious divide' does not reveal the full picture of the relationship between religion, people and the state. Many within the state do not fall into easy categorisation of either secular or religious and instead exist somewhere in-between. Those who are part of the (broadly speaking) Sephardic community tend to consider their Jewish identity as more important than their Israeli identity, while the reverse is true for the Ashkenazi community (Kimmerling & Moore, 1995, p. 403). Indeed, one cannot make a clear distinction between the religious and secular because of the ambiguity of the state itself. Levy, Levinsohn and Katz found in a survey of Israeli Jews that 93% perform some kind of religious ritual despite the fact that 21% classify themselves as totally non-observant (1993, p. 15). Even among secular Sephardim and Ashkenazim, the Ashkenazi secularists are more anti-religious than their Sephardic counterparts. Of all the secular who observe very few religious traditions or are anti-religious, the Ashkenazi

constitute 65% and 59% respectively, while for the Sephardic community the numbers are significantly lower – they contribute 15% and 12% respectively (Liebman and Yadgar, 2009, p. 9).

After collating the data from a number of studies, Liebman and Yadgar observe that there is something anomalous about the results, especially regarding the secular community, and that many who classify themselves as ‘secular’ are in fact ‘traditional’. This sizeable minority of the secular population share many traditions, beliefs and ties to Judaism, yet still classify themselves as secular. Liebman and Yadgar’s explanation for this is that when those who describe themselves as secular perform these rituals and observe tradition they see it as not just as a ‘Jewish’ act but also an ‘Israeli’ one (2009, p. 11). Since the Israeli state is also the Jewish state, founded not just on modern civic lines but also connected to the idea of the primordial homeland, this convergence between the identities is natural for those who feel that Israeli and Jewish identity are in fact one and the same. The relationship between religious and the civic identity is such that it is impossible to distinguish between the two: many rituals and customs are both religious and national. This is reflected in the fact that Israelis regardless of their religious beliefs in some sense observe Jewish holidays,

This division is subject at times to the realities of the cleavage pyramid in Israel, namely, at times, its saliency is secondary to security as tension increases the unity by creating a common cause to rally around (Zarembski, 2002, p. 52). In times of conflict and violence, group relations in Israel are at their best, and they are worse in periods of relative normality, such as the period of ‘security complacency’ between the wars of 1967 and 1973. In Israel, a healthy state of security and economy is associated with worsening social tensions (Levy, Shlomit & Katz, 2005, pp. 300–305). Since periods of stability cause the saliency of security and the peace process to fall down the cleavage pyramid, this tends to mean that secular–religious tensions actually increase.

### 3) Consociationalism and the Israeli State

As documented in Chapter 3, consociationalism is an established means of seeking to ensure peaceful coexistence between diverse people. Given the segmented nature of Israeli society (most notably between the secular and the religious as detailed above) and the proto-consociationalist status quo agreement covered in Chapter 1, it can be argued that Israel has (or had) some form of consociational political system. Therefore, it is worth drawing together both the theoretical framework and the historical elements established in this chapter to examine the question of consociationalism in Israel.

The most apparent and applicable element of consociationalism in Israel can be found in the means by which the state deals with religion, especially with the status quo agreement. This, despite its name, is a flexible and dynamic system and “there has been a continued active resort to various methods of political accommodation in order to resolve or restrain conflicts over religious issues” (Don-Yehiya, 1999, p. 106). There is a division between the formal political framework of Israel, which suggests a competitive model, and the fact decisions are made by bargaining between government branches (quasi and official) and social groups. This is what gives Israel a power-sharing system, including grand coalitions, autonomy, proportionality, mutual veto, pluralism, and social bargaining that suggest (to some) a consociationalist model (Dowty, 1998, p. 170).

The early years of the Israeli state were indeed marked by the kind of elite-level cooperation that is the hallmark of consociational democracy, albeit for pragmatic self-interest on both sides. The ultra-orthodox were part of Ben-Gurion's first Government, in which they were granted privileges that are maintained to this day (Kaufmann, 2011, pp. 214–216). The secular Zionist elite, on the one hand, felt they had nothing to fear from the religious since the key political player of the period, *Mapai/Labour*, could consolidate its power. Its dominance gave it a choice of coalition partners, while at the same time its dominance was not so complete as to spark a backlash (Medding, 1972, p.

306). Mapai/Labour power in the early years was due to a lack of alternatives and because it did not exercise dominance. It needed partners and its partners needed it. This gave it power over which it chose to include in government formation. Thus, Hazan suggests that coalitional governments were reflections of consociationalism because while not 'grand coalitions', they were also not numerically small coalitions in the early period of the state (1999, p. 118).

There were disagreements over the relationship between church and state, the nature of education and how Jewish the state should be, but where these disputes arose they were resolved through consociational means (Bick 2006, p. 14). Religious parties benefited from these early arrangements, Galnour suggests, since they retained in effect veto power on core religious matters, a high degree of autonomous control over religious institutions and inclusion of religious parties in government coalitions which gave them considerable power and autonomy (1989, p. 139). Dowty also notes that consociational power-sharing arrangements have allowed for the legitimacy of diversity within society, despite the presence of diametrically opposed groups. They have also allowed the ultra-orthodox to become part of the system while also maintaining doubts about the legitimacy (religious) of that system and indeed the state itself – a system of mutual dissatisfaction that preserves stability (1998, pp. 180–181). The ultra-orthodox had a cleavage pyramid with religion at its apex, yet in the early days the Israeli state was more concerned with questions of defence, security and the ethnic character of the state (in relation to both its Arab and newly arrived Sephardic population). As such, there were very few who sought religion as an important issue of the time. Thus the ultra-orthodox faced little overt opposition, instead being viewed more as a curio than a threat. This would change as their size grew and there arose a class of secularist voters for whom this was the top of their cleavage pyramid.

This is reflection of the fact that historically speaking, the founding of the state was based on assumptions that there had been a historical change in the Jewish identity. Originally, the secular Zionist founders of the state thought religion irrelevant, as a relic that would fade and be replaced

by a national identity for the Israelis that was ethnically Jewish but not religious. Many in the religious camp also thought that they would be victorious in the long term and Israel would become the Jewish state. Ironically Ben-Gurion and Rabbi Kook both believed they would prosper in the long term and thus were willing to compromise on the founding of the state of Israel; hence, “each side preferred to hold out, waiting for more favourable conditions” (Ravitzky, 2000, p. 99). In the early days of the state, Mapai adopted a consociationalist pose for pragmatic reasons, namely the need for internal unity in the face of existential threat and to concentrate on the internal concerns of a new state (Asher & Rynhold, 2005, pp. 728–729). While it is true that, after 1977 and the fragmentation of the party system in Israel, religious parties derived a lot of their power from their position as ‘kingmakers’, this was not true in the early state period (Cohen & Susser, 1996, p. 820).

This consociational logic was also in evidence over the debate about the adoption of a written constitution and from the early days of the state there was religious opposition to a codified constitution. The religious political grouping of the time, the Religious Front, was adamant that no secular document could replace the Torah and Talmud, a position that its then partners Mapai were sensitive to (Sager, 1985, p. 38). Thus, Strum suggests, the early secularists did not foresee that not adopting a constitution and maintaining the status quo would result, in her opinion, in “theocratic rule as pervasive as that of the 1990s” (1995, p. 88). This played a large part in ensuring that Israel did not adopt a codified constitution, which further allowed for a more informal structure to emerge that helped foster elite-level cooperation and the consociational element of early Israeli democracy. It would allow the government to include groups on opposite ends of cleavage divisions with seemingly mutually exclusive cleavage pyramids whilst also avoiding conflict.

All these factors taken together produced ‘ideal conditions’ for a consociational system of governance. Clearly defined subgroups are segmented and sufficiently intense to alter the outlook of participants, elites that recognise that fragmentation is dangerous and thus seek to manage the system with other elites and a political culture based on accommodation arising from historical

circumstances (Hazan, 1999, p. 115). As such, in an early study of the Israeli coalition system (and prior to the victory of Likud in 1977), Paltiel suggests (with prescience) that accommodative practice in Israel

has permitted the society to cope with the major and over-riding problem of sovereignty and military security, the bargaining process has at best postponed rather than resolved the problems of the relation of religion to the state and the shift in the ethnic balance. (1975, p. 413)

Paltiel highlights what would become apparent in the later period of the Israeli state – that accommodation could only go so far in dealing with the internal contradictions inherent in the state. The Israeli system would not be as accommodating as it had been historically.

### **The Decline or Otherwise of Consociationalism**

The 'decline' of consociationalism is inherently linked to the changes in the Israeli party system from the two-camp period of Herut/Likud and to the reforms of the 1990s that fundamentally altered the Israeli party system. Until 1977, the Labour Party dominated Israel in its various incarnations. However, the election in 1977 of Likud undermined the old party system arrangements as Israel moved into a two-camp period and became a bipolar system with a pivotal role for the smaller parties (Bogdanor, 1993; Hazan & Diskin, 2000). Likud provided an alternative government that allowed potential coalition partners to use the threat of forming an alternative government with a rival grouping as a bargaining tool, and subsequently secure greater concessions than they might have been able to achieve under the old system of single-party dominance. This empowerment of smaller parties allowed them to, in effect, become "kingmaker" parties (Ottolenghi, 2007, p. 462). Parties like Shas are "no longer invited into the coalition because of reasons of legitimacy. They are invited in because without them the coalitions either could not exist or would have to be so secular they would delegitimise the government in the eyes of many" (Bernard Susser, personal communication, August 16, 2011).

This was especially important to ultra-orthodox parties who prioritised their religion and their closed communities, for whom wider issues of security and defence were less important than they were to others in the Israeli party system. This made it easier for both left- and right-wing parties to compromise with them (Fox & Rynhold, 2008, pp. 509–510). In effect, an ultra-orthodox party's cleavage pyramid with its religious priorities was easier to deal with than parties who placed national issues at the top of their pyramid cleavage. This period also marked the beginnings of the political mobilisation of the Sephardic identity (Diskin, 1984). Herut mobilised many in the Sephardic community behind their banner by appealing directly to them and also by simple virtue of offering some alternative to the Ashkenazi elites associated with Labour. These hoped-for gains never materialised and led many in later years to vote Shas.

Following this, between 1984 and 1990 there was a series of 'unity governments', in which Labour and Likud governed jointly along with the religious parties. This was a period characterised by a party system that was fragmented and had in effect become an 'overburdened polity' (Horowitz & Lissak, 1990) that made the country difficult to govern (Hazan & Rahat, 2000, pp. 1315–1316) because the large parties neutralised each other and the system lacked an effective opposition (Doron & Peretz, 1996, pp. 530–531). There was therefore an impetus for reform of a system considered by some dysfunctional.

This reform would crystallise in the Basic Law: The Government introducing a directly elected prime Minister in 1992. Each citizen would vote twice, once for the PM and once for an MK. Its aim was to introduce a degree of majoritarianism into a system that had been previously characterised almost entirely by its proportionality. This was a unique hybrid of parliament and president by virtue of the fact that the PM was now directly elected but still drawn from the legislature (Hazan, 1996).

Reformers made a number of assumptions about the effects of reform. Most people would vote for the same party twice for the prime ministerial and Knesset elections, decreasing the size and number of smaller parties. Consequently, this should lead to increased stability as the system

became dominated by large centre left/centre right parties with smaller parties (including the religious ones) becoming more peripheral (Hazan & Rahat, 2000, pp. 1318–1319). It would decrease the power of smaller parties by placing the power to form governments only in the hands of the directly elected PM, giving that person a wider choice of potential coalition partners and undermining the role that smaller parties had assumed of 'kingmakers' (Brichta, 1998, pp. 187–188).

The results of the reform were a victim of the law of unintended consequences, and their failure to achieve their aims would ultimately lead to their repeal with only two PMs elected under this system (Netanyahu 1996, Barak 1999). The reforms actually increased the number of parties and fragmentation within the system due to the unforeseen problem of 'ballot-splitting'. Instead of voting twice for the same party, many voters instead opted to split their vote, by voting for a PM from either Labour or Likud and then casting their vote for a smaller, often factionalist party. Ballot-splitting gave them the opportunity to cast a vote for a PM that reflected their stance on foreign affairs and the peace process, and then to vote for a political party based on their domestic considerations (Rahat, 2006, pp. 49–52). As a result, the electoral reforms increased the power and number (which was already substantial given Israel's established PR system) of smaller parties (Mesquita, 2000, pp. 10–12).

The system exacerbated the problem because smaller parties grew in size and number and instead of clear coalition alternation between left and right blocs in which the balance of power rested with the large parties, the opposite was true and the two-bloc system that had been present in Israel was damaged by 1999 (Hazan & Diskin, 2000). For the ultra-orthodox parties, the reforms had mixed results. For UTJ they made no discernible difference but no party benefited more from the reforms than Shas. In 1992 they received six seats, after reform in 1996 they jumped to 10 seats, and in the 1999 election received an unprecedented 17 Knesset seats, making them the third-largest party (Bick, 2000, p. 55). Ballot-splitting attracted a great number of extra voters because, before, potential Shas voters (like other Israeli voters) had avoided Shas in order to vote for Labour or Likud.

By 1999, as the reforms became a part of the Israeli system, voters had learned that they could ballot split. This was reflected in Shas's campaign in the 1999 election, in which Shas encouraged a ballot-splitting strategy with the slogan "Netanyahu–Shas, Shas–Netanyahu" suggesting that people voted for the party Shas and for Netanyahu as PM (Anderson & Yaish, 2001, p. 29). Rahat (2006, p. 50) notes that of all sectarian MKs (defined by Rahat as those belonging to Shas, UTJ, the NRP, Shinui, *Yisrael BaAliyah*, *Yisrael Beiteinu* and the Arab Democratic Party) 34 voted to reject its repeal compared to 10 who supported its repeal with five abstentions. The reform was repealed due to near-unanimous support from Labour, Likud and the other small non-sectarian parties.

The electoral reforms increased the power of smaller parties and the two-bloc system that had previously been present in Israel was heavily damaged by 1996. These failures would lead Sartori to call the reformed system "the most incredibly stupid electoral system ever designed" (cited in Hazan, 2001). Although the reform was eventually retracted, the consequences are still being felt today. The societal cleavages that had been strengthened remained evident, especially in the ethnic and religious sphere, where they remain key points of political mobilisation (Hazan, 1999, pp. 127–131; Shelef, 2004). Also, the Israeli party system has remained fragmented (Lijphart, Bowman & Hazan, 1999, pp. 49–50) and the success of Shas in this period has continued as it remains a stable party in terms of support and Knesset seats. Shas's success (along with the Russian-immigrant-backed *Yisrael BaAliyah* and later *Yisrael Beiteinu*) ensured that ethnic and religious identity remained points of political mobilisation in Israel. The mobilisation of these cleavages exacerbated by the effects of the reforms has remained part of the Israeli party system.

These changes to the party system only exacerbated the decline in the compromising/consociationalist tradition and agreements/promises between party leaders became rarer. Shopping malls opening on Saturdays exacerbated secular–religious tensions and became political battles, and civil marriage became an issue following Russian migration to Israel in the 1990s because many were not considered Jewish in the eyes of Orthodox Jewish Law (Asher &

Rynhold, 2005, pp. 730–731). Bick suggests that the withdrawal from the Gaza strip in 2005 marked the end of consociational relations between the religious Zionists and ‘mainstream’ Israeli politics (2006, p. 37).

As the party system changed in Israel and become more competitive, the conditions that had been so ideal for consociational democracy began to break down. Firstly, party elites lost the ability to control their segments as is required of consociational arrangements, as Israeli society has strengthened and become more independent of the state and political parties. Secondly, there was a move away from segmented communities concerned only with their own status, towards attempts to influence the Israeli state more broadly. Thus, the religious Zionists pursued an actively right-wing foreign policy while the secular intervened in the religious sphere through the auspices of the Supreme Court. Thirdly, the emergence of the ‘two-camp’ era of the 1980s increased the power of radicals, especially in the ultra-orthodox parties. Finally, the polarisation of Israeli society has further exacerbated tensions because secular Israelis have followed the western pattern of increasing individualism and liberalism and perceived religion as an impediment to this. The religious camp, meanwhile, has grown more nationalistic, while at the same time the ultra-orthodox segment has expanded demographically and fragmented, as “the percentage of religious children rises all the time” (Moshe Hellinger, personal communication, January 11, 2014). These factors have led to the increasing radicalisation of religious parties both in the nationalist and religious sense (Cohen & Rynhold, 2005, pp. 742–743).

In short, elites could no longer ‘control’ their voters, while at the same time voters on either side became more radical and sought more to impose their beliefs on those from other communities. The more competitive the party system in Israel, the more it exacerbates tensions. This is echoed by Don-Yehiya, who identifies a key problem with attempting to regulate the secular–religious divide in Israel by use of consociational methods. Religious parties are always going to be more intense and determined because, for them, this is a battle of life and death because they are seeking to protect

beliefs which are sacrosanct. Thus, their expansion leads to the exacerbation of conflict with secular actors (1999, pp. 92–94).

**Is Israel a consociational democracy?** Israel is not, nor has it ever been, a consociationalist state in a formal sense. It does not embrace much of the formal institutional arrangements of a consociationalist state nor are its arrangements in anyway codified. Yet, Lijphart himself suggested that defining the Israeli regime is difficult because it has the characteristics of both a majoritarian and a consociationalist system (1993, p. 118) and a segmented society does not have to have a uniformly consociationalist system. Lustick suggests two groups can adopt a consociationalist relationship (in this case the secular and the religious) while adopting a joint ‘control’ relationship over a third group, in this case Arabs (1979, pp. 335–336). Thus, if Israel can be said to have a semi-consociational system, it is not uniform and instead is only applied to the accommodation of the intra-Jewish conflict and not between Arabs and Jews in Israel.

Overall, the Israeli system has been relatively effective in dealing with inherent tension in Israel, despite the seemingly polarised and competitive nature of politics in modern Israel. It is possible to argue, as Hazan does, that “consociationalism’s decline in Israel is not because it failed, but precisely because it succeeded” (1999, p. 120). The Israeli government regularly includes most elements of Israeli society (with the already-documented exclusion of Arabs) and there is the inclusion of former ‘outsider’ groups such as Sephardim, ultra-orthodox and religious-nationalist/settlers.

As Israel has developed a more fluid and competitive model of politics so there has been a further dilution of the single/unitary Zionist ideology, and the old elites (secular, Ashkenazi) will continue to have to come to terms with this new ‘other’ and accept the duality of the state (Ravitzky, 2000, p. 24). Changes in the Israeli system and the introduction of a more competitive model have meant that pressure from one side leads to pressure from the other, which acts as a counterbalance, meaning that no one side can become dominant. This has had the problematic side effect that in “30 years almost no government was able to complete its term. Governments exist by pretty much doing

as little as possible” (Guy Ben-Porat, personal communication, January 27, 2014). Deadlock and immobility are the price of this system. Yet, at the same time, tensions at a public level have not necessarily manifested themselves at the elite level where cooperation is still possible (Don-Yehiya, 1999, p. 94); politics in the new era is competitive but still requires cooperation, just not, perhaps, the ‘collusion’ of old.

## **Revisiting the Theoretical Framework: Conceptual and Explanatory**

To conclude this section of the thesis, it is necessary to combine the theoretical elements laid out in Chapters 2 and 3 with the contextual factors detailed in this chapter to create a detailed understanding of the relationship in Israel between ethnicity, religion and democracy, which will then inform the analytical and empirical considerations later in the thesis.

Looking at ethnicity, one has to address two questions: firstly, who in Israel constitutes an ethnic group; and secondly, how can we define and classify this. As already established, the key ethnic divide in Israel is along Arab–Jewish lines, thus all analysis has to start with the proposition: that in Israel the primary source of one’s identity is derived from one’s position on this main ethnic cleavage line. Given its central importance in defining the collective identity of all ethnic groups in Israel, any analysis of intra-ethnic Jewish competition starts from the assumption that this fault line has shaped the identities of all ethnic groups by creating clear boundaries. It also means that divisions within these communities (secular–religious, ethnic) are substantially less than might otherwise be the case. Thus, whether secular or observant, there is a national consensus around the notion of a ‘Jewish’ identity (Beit-Hallahmi, 2007, pp. 164–165) and, hence, the failure of purely civic nationalism in Israel. This reflects the fact that cleavages in Israel are pyramid-shaped and the division between Sephardic and Ashkenazi Jews is a secondary division that takes place on a lower rung of the pyramid beneath the division between Arabs and Jews. Therefore, what is the relative strength of these ethnic identities? As already noted, the division between Sephardic and Ashkenazi

Jews is not predetermined, integration between the two communities is common and there exists (now) an implicit acceptance of their equality; in short, there is no formal competition between them as ethnic groups.

The division between the two is apparent, and is predicated on the fact that the identity of the 'Sephardic Jew' has altered almost beyond recognition in the past 100 years. It used to be the case that Jewish communities in the Middle East derived their identities from two sources – their Judaism and geographical location. Their Judaism was what created their community; they were a people united in their religious beliefs and its associated ethno-cultural markers. However, they were also defined by their location because this embedded in them a sociocultural identity that also defined them; prior to the rise of pan-Arab nationalism, Baghdadi Jews and Moroccan Jews were no more identical than Baghdadi Muslims and Moroccan Muslims. Each had their own sociocultural identity that derived from their history and relationship to their current location, but also to the relationship they had with the majority Muslim population, which could vary from barely concealed hostility to enlightened toleration. Nonetheless, the 19<sup>th</sup> and 20<sup>th</sup> centuries were the centuries of nationalism that applied to both Jews and Arabs, and these communities with their own identities came under threat from both Zionism and Arab nationalism. Zionism created a notion of Jewish nationalism that made Jewish communities across the Middle East de facto part of these nationalist identities. Their Judaism incorporated them into the Israeli project regardless of their other identity as part of various Middle Eastern states/communities.

While Arab nationalism excluded them, creating a 'pull' and a 'push' towards Israel. Once in Israel, their multifaceted identities became subsumed by both their new civic identity as Israeli citizens and by their broader Sephardic identity. The Israeli state and its Ashkenazi elite simply labelled all those from outside of Europe as Sephardic/Mizrahi and in effect created a new ethnic group. This was done formally (through census) and informally (by systemic discrimination against them as a group) to create a new identity. Yet, it was not the Ashkenazi/Israeli identity that had been hoped for but a

pan-Middle-Eastern one that borrowed broadly similar elements from across the various communities to create a distinctive identity. Thus, through attempts to remould them by denying the legitimacy of their old identities this created a new ethnic identity that was systematically discriminated against and created its own ethnic divisions within Judaism.

It would be religion that gave many in the Sephardic community a key means of differentiating themselves from the Ashkenazi. The divide within the Ashkenazi between the secular and the religious did not apply to these new immigrants, most of whom were traditionalists. Traditionalism is a well-established identity within the Sephardic ethnic sphere, leading Bernard Susser to comment that “some say that that there is no such thing as a Sephardic secular and it’s exaggerated but there is something to that” (personal communication, August 16, 2011). Avishay Ben-Haim concurs: “it’s the same thing, to be Sephardic is to be traditional” (personal communication, January 10-15, 2014). This traditionalism and embrace of Judaism as an identity differentiated them from the Ashkenazi and acted as a boundary, they were less religious than ultra-orthodox Ashkenazi but more than the secular Ashkenazi. This is more in line with the ‘folk’ notion of religion, as a means of social cohesion rather than an absolute doctrine. In terms of their ethnic identity, “unlike most Ashkenazi groups, Mizrahi communities have always tended to perpetuate their ethnic identity and culture by retaining traditional patterns and forms of religious observance” (Ben-Rafael & Peres, 2005, p. 108).

Outside of ethnic divisions there was a complex relationship between Judaism and Zionism. Judaism was the reason for Zionism; the collective identity that bound together those engaged in the project, but at the same time, it was a secular-modernist project that sought to reject Judaism. At its heart, Zionism had a fundamental contradiction that exists to this day and is reflected in the conflict between the religious and the secular. From the beginning, it was the case that Jews did not simply represent an ethnic group, but were an ethno-religious group. In many respects, it was religion that made them an ethnic group since their isolation from other cultures (enforced or voluntary) over time meant religion and ethnicity became fundamentally interlinked and mutually reinforcing. Being

Jewish meant one mostly married someone Jewish, which in turn kept a unified and distinctive ethnic identity with its own unique symbolic markers, rituals and ethnic characteristics. The Zionists wanted to take this identity and divorce religion from it. They wanted to create a notion of Jewishness that either rejected religion or hollowed it out and replaced its religious connotations with a nationalist one, to secularise Judaism and leave only the ethnic identity that would be combined with a civic nationalism.

Thus, religion acted as the point of unity for the new Zionists' identity but more as an ethnic marker than as an active religious identity. The original Zionist enterprise sought to create boundaries for this new identity that would be ethnic rather than religious. However, in many respects, this was doomed to failure since religion was the underlying 'boundary' of the identity; it was never going to become submerged into a civic nationalist identity and was always going to remain a potent element of the Jewish identity. Their mobilisation of the Jewish diaspora behind a return to the biblical homeland and their use of religion as a means of mobilisation meant that Israel as a state was never going to have a truly secular identity, nor were religion and its symbols going to be procured by the state and used for civic nationalism. So, while religion may have acted as an impetus for unification, it has also acted as a point of division along both ethnic and religious lines.

The division between the secular and the religious is significant because, as discussed in Chapter 3, ethnic identity is partially genealogical, but the most important element is that sociocultural factors reinforce the identity, and there exists a narrative that acts as a historical means for understanding the group. For Jews, all of this is fundamentally tied to religion and the culture derives from religion, something recognised even by the secular Zionists who embraced religious symbolism. The boundaries of the ethnic group are also religious; one is a Jew or not, regardless of race or other ethnic markers. Indeed, Judaism, through being 'passed down' through the maternal gene, is almost a cultural gene that one inherits. This use of religion as a means of boundary is also evident in the secular-religious divide. The conflict within Judaism is about religion, much more so than in other

ethnic groups because, for secularists, the rejection of religion is an attempt to reframe their identity as a cultural identity, derived from civic nationalism. For the religious the converse is true – the Jewish identity is only the religious identity and the two cannot be separated. Thus one finds in Israel a division between two distinctive groups both of whom have at the apex of their cleavage pyramid the question of the relationship between religion and the state albeit with radically different opinions.

Understanding the secular–religious divide in Israel is about understanding the inherent tensions in the foundation of the state, of a conflict between European Jewry about the position that religion should play in the state and indeed in the identity of the Jews. It is a binary conflict where identity is mutually exclusive. This conflict/division for the secular is a question of the existential survival of Israel and in many respects the debates surrounding the ultra-orthodox in Israel today echo those same debates that existed about the Sephardic in the early years of the Israeli state (assimilation, absorption and what makes a ‘good’ Israeli). For secular Israelis, what is needed is a solution to the problem of the ultra-orthodox, of making them conform to their version of religion that includes army service, employment and a general acceptance of the Zionist state. When one looks at the secular debate, the overarching theme is very clear – the belief that the ultra-orthodox are not supporting the Zionist project, as imagined by those secular Israelis.

The ultra-orthodox counter-narrative to this is that it is they who are the most important element of the state and that without their religious strength there would be no Israel. Zionism (if it is to be engaged with at all) is merely the means by which religious salvation will be delivered. Their dedication to the Torah and their religious strength is not only what protects Israel but also what gives the Israeli state its identity and meaning. For the ultra-orthodox, they are not the ‘burden’ that has to be carried by the secular; they are the salvation of the secular and the means by which the glory of God will be delivered to the Jewish people. This complex mixture of ethnicity and religion is no more apparent than through the political party Shas, which in many respects, is the culmination

of this hybrid of old traditions and the new Israeli society (Goldberg, 2008, pp. 178–179). Shas is a means through which ethnic voting, parties and the related cleavage pyramid structure can be understood in the Israeli context, as Chapter 5 will demonstrate. But then again Shas is only a part of the Israeli polity and democratic system and it is to this wider issue of democracy in Israel that we now turn.

### **Israeli Democracy?**

As previously argued, ethnicity and democracy can conform to a number of models and Israel makes an interesting test case for the consociational versus centripetal debate. Israel did (and to a lesser extent still does) have a form of ‘accommodation’ between the secular and the religious, whereby those particular cleavages have been dampened by the methods already mentioned. At the same time, Israel has become a more competitive political system. This raises the question as to what effect these changes have on the Israeli party system. Has Israel become more divided as its party system has become more competitive?

Addressing the type of regime Israel has, it cannot be characterised as consociationalist. At the same time, the fact that it still has some remnants of the accommodationist system of old means it does not represent a centripetal model either. While it is a competitive system, the exclusion of one group (Arabs) and the nearly permanent presence of the ultra-orthodox in coalitions mean that the system does not have the cross-divide cooperation and multi-ethnic coalitions that Horowitz sees as an important element of the centripetal mode of overcoming ethnocentric conflict. It is not centripetal because there is not the encouragement to build broad coalitions and Israel’s electoral system of low-threshold PR means that there is fragmentation. Rather than large parties, there are smaller parties dedicated to factions divided along religious, ethnic and political lines. The fragmented nature of society, along with its PR system, means that it is not a majoritarian system. There is cooperation across party lines because, unlike the models of consociationalism and centripetalism, Israel does not have a single cleavage division, but a myriad.

This means that, in terms of ethnic outbidding, Israel does not seemingly fit this pattern within the ethnic sphere because, despite the presence of ethnic parties (to be addressed in further details in Chapter 5), the rhetoric and actions of these parties have not conformed to a model of outbidding. Indeed, the reverse is true and those ethnic parties have instead sought to downplay their ethnic identities and instead placed other concerns at the top of their cleavage pyramids. Certainly, it is not the case that ethnic outbidding plays a prominent role in Israeli politics within the intra-Jewish cleavage, although those who argue that Israel is an ethnic democracy may suggest it is relevant to Arab–Israeli relations.

Overlapping societal cleavages are very important in Israeli politics: ethnic, religious and foreign policy all guide voting. Thus, Israel is not an ‘ethnic census’ democracy and instead fits Chandra’s model (Chapter 3) of overlapping cleavages that stop ethnicity becoming a primary source of political identification and has overall moderate politics. Within the ethnic and secular–religious divide, the two are intertwined and, as such, should not be separated. There is an ethnic divide in the religious community and different perceptions of the role of religion among the Sephardic and Ashkenazi. At the same time, there are secular people on both sides – there is no cleavage division in ethnic and religion – instead, a criss-crossing of multiple and overlapping ethnic and religious identities of the kind that Chandra suggests dampen ethnic outbidding.

This outbidding is dampen by the fact that there is no single cleavage which acts as a single polarising divisions instead there is a myriad of division with lesser saliency. Referring back to the conceptual model (Chapter 1 pages 29-39) the cleavage pyramid allows for parties to cooperate by compromising on issue that are not at the apex of their pyramid on the understanding that this form of behaviour is reciprocated- the idea down ideological stand-down agreements. Since many Israelis have a multitude of identities connected to ethnic, religion and politics this is reflected in its myriad of parties.

Thus, Israel's strength and indeed what acts as its moderating force is its cross-cleavage nature and the fact that most Israelis have a number of ethnic, religious and political affiliations. Parties that are too extreme on any of these societal cleavages risk alienating voters. For example, any politically hawkish party cannot be too aggressively secular or religious for risk of alienating either religious or secular hawks in voters or potential coalition partners. The nature of Israel's electoral system and coalition governance means that politics are fluid; coalitions can contain a combination of ethnic, secular/religious and left/right parties that mean pragmatism and flexibility across elite lines are necessary – Israel's institutional arrangements require this or parties risk permanent exclusion.

Two caveats must be added to this. Firstly, as already noted, this 'competitive segmentation' excludes those parties identified as Arab. Secondly, outbidding may be said to take place in the religious sphere where demands are more unitary, so that "A strong party like Shinui which represents the secular issues, ... becomes a trigger to the religious parties to start fighting one against the other and this affects the streets, the crowds" (Senior Ministerial Advisor, personal communication, August 17, 2011). Whereas for non-ultra-orthodox voters a complex mixture of religious, ethnic and political factors guide voting choices for the ultra-orthodox, this is not the case for the ultra-orthodox and instead their identity and voting is more unitary and subject to other considerations. As such, their demands are more likely to be factionalist, which can lead to internal outbidding among the different sects within the parties or, as happened with the Sephardic community, the rise of the Shas party.

## Chapter 5: A Case Study of Shas

*"Not right and not left"* – party election slogan in 1992 (Kopelowitz & Diamond, 1998, pp. 689–690).

*"Shas: It's not a platform, it's an identity"* – party election slogan in 1996 (Nocke, 2009, p. 197).

So far, this work has provided a detailed analysis of the theoretical ideas behind the study of democracy, ethno-religious identities and the use of democratic frameworks to reduce conflict between ideational groupings. It has examined Israeli democracy and its ethnocentric nature, as well as the salient ethnic and religious divisions within the state. It has also explored how the Zionist pioneers were responsible for the nature of the divisions that still exist in Israel, especially the Sephardic/Ashkenazi divide and the continued growth and success of the ultra-orthodox.

This chapter will bring those elements together through a case study of Shas, the largest Israeli ultra-orthodox political party. Shas represents the Sephardic community as opposed to the Ashkenazi United Torah Judaism, or its component elements of Agudat Israel and Degel HaTorah. Though not as old and established as the Ashkenazi Agudat Israel or the only ethnic party, it makes an ideal focal point due to the complex mixture of cleavages it represents and the multifaceted nature of its support. The reasons for its success, its effect on Israel in sociopolitical terms, its longevity and historical Sephardic experience make it an ideal framework through which to understand wider divisions and trends within Israel including the conceptual framework of the cleavage pyramid.

From a structural perspective, one of the cornerstones of discussions about the role that Shas (and more broadly the ultra-orthodox) plays in the Israeli party system is that its power is disproportionate to its size. As noted in Chapter 4 on the decline or otherwise of consociationalism, fragmentation of the party system and society more broadly has enhanced the role of smaller parties, while the political system in Israel encourages fragmentation by rewarding small parties through ease of entry into the Knesset and access to governance. This has meant that the position of smaller/factionalist parties has changed from one of dependence on the main parties to one where

the large parties are the dependents because they “can tip the balance and have more bargaining power than larger parties” (Dan Meridor, personal communication, August 8, 2011).

## **1) Shas: Ideology and Personalities**

Shas is a party born out of ethnicity and religion, more specifically from the tensions between ultra-orthodox Sephardic and Ashkenazi communities. Sephardic leaders and constituents believed that the Ashkenazi were marginalising the Sephardim in the Yeshiva (religious schools) and that cultural discrimination was taking place through the enforcement and adoption of Ashkenazi rules and rituals. The Sephardic ultra-orthodox had, in the early days of the state, an almost paternalistic relationship with the Ashkenazi ultra-orthodox. Yet this relationship was one characterised by simmering resentment because many felt they had never been fully integrated into the Ashkenazi ultra-orthodox structure and that they were being denied the prestigious jobs and functions that were being reserved for the Ashkenazi (Kimmerling, 1999, pp. 36–37). Tensions were exacerbated by the alienation of Sephardic Chief Rabbi Ovadia Yosef after the ending of unlimited terms for chief rabbis as the result of a deal between the NRP and the chief Ashkenazi rabbi. This was egregious to many in the Sephardic community, including Yosef, who would become the party’s spiritual and de facto political leader. This combined with the wider discontent among many Sephardic ultra-orthodox and caused some to rebel and splinter from Agudat Israel in the 1983 Jerusalem local elections, where they surprised many by winning three seats (Sarfati, 2009, pp. 126–127). This electoral success was then combined with Sephardic religious parties that sprang up in Tiberias and Bnei Brak, followed up by success as a national party, culminating in the 11th Knesset in 1984, in which it won four seats, compared to the NRP’s four and Agudat Israel’s two (Weissbrod, 2003, p. 81).

The 1984 election was crucial for Shas because it distinguished itself very clearly from Agudat Israel when it joined the Likud-led coalition and Yitzhak Haim Peretz (then Shas leader in the Knesset)

accepted a position as Minister of Internal Affairs. This would be the start of a pattern of behaviour displayed by Shas because when it “gains access to the state coffers it will adopt a pragmatic policy to further its goals. But when the opposite is true, then Shas will adopt oppositional religious rhetoric with strident, extremist overtones” (Nissim Leon, personal communication, January 29, 2014). This would also signal Shas’s first involvement with government and its long involvement with the Minister of Internal Affairs. Shas’s leader Eli Yishai was in this ministry for the last full Knesset and Aryeh Deri became the minister in 1988 despite not being an elected member of the Knesset – a position he would hold until 1993. From the beginning of its involvement with the state, Shas has followed a pattern set by Agudat Israel and the original status quo agreement as it started to divert funds to religious institutes, and in 1988 Shas founded its education and welfare arm, the ‘Wellspring of Torah Education’ (Davis and Robinson, 2012, p. 71). This move left few in doubt that Shas was seeking to provide an alternative to the Ashkenazi ultra-orthodox educational stream and, more broadly, to establish itself as a distinct community.

This independence would also end the involvement of Rabbi Elazar Shach, a key individual in the foundation of Shas who had encouraged those who felt aggrieved at discrimination against the Sephardim to splinter and form Shas. The early years of Shas were guided by the Ashkenazi Rabbi Shach and many of Shas’s members (including Aryeh Deri) studied in his Yeshiva. Despite being an Ashkenazi ultra-orthodox in the Lithuanian tradition, he led Shas in the beginning. Shas was a means for him to politically confront the Hasidic-dominated Agudat Israel and he called on his supporters (both Ashkenazi and Sephardic) to vote for Shas, effectively splitting the ultra-orthodox vote (Weissbrod, 2003, pp. 82–83).

Rabbi Shach’s grip on the party became more and more tenuous, and from 1988 onwards, it started to break away from its Ashkenazi patrons, as Yosef and Deri became more prominent and Shas become more overtly Sephardic (Chetrit, 2000, p. 57). The relationship between the Sephardic and Ashkenazi ultra-orthodox was ambiguous, and even if the Ashkenazi were partially responsible for

the creation of Shas, Rabbi Shach had been accused by Shas of condoning criticisms of Sephardic religious and political competence (Kimmerling, 1999, pp. 63–64). Statements by Shach, such as "The Sephardim are not ready yet to manage affairs of religion and state ... They are growing and developing and returning to their roots but they still need more and more to learn" (Willis, 1993, p. 190), did little to suggest that the paternalistic and patronising attitude of the Ashkenazi towards the Sephardic had changed. In 1992, Deri and Yosef broke free from the ultra-orthodox Ashkenazi elite – and specifically Rabbi Shach – when it joined Rabin's government despite explicit orders to refrain from doing so. This along with Yosef's increasingly independent rabbinical works was a de facto declaration of independence (Yadgar, 2003, p. 232). Henceforth, this was reflected in Shas's political behaviour as it sought positions for its own people in religious works and created its own institutions. Thus, parallel to the larger Ashkenazi/Sephardic relationship, Shach lost control of Shas as the Sephardic community sought to establish itself as distinct. As established in Chapter 4, the Sephardic immigration experience was one characterised by fundamental questions about identity. One response to this was the emergence of a distinctive Sephardic religious tradition that had a wider appeal than the Ashkenazi ultra-orthodox community.

This establishment of Shas as a party and a movement that was truly independent of the Ashkenazi ultra-orthodox, however, was completed by two men: Rabbi Ovadia Yosef and Aryeh Deri. Both men are key to understanding Shas, and at the same time the careers of both men provide key insights into the wider Sephardic and religious experience in Israel.

### **Rabbi Ovadia Yosef: The Spiritual Leader**

Shas as a party is the result of a myriad of factors, yet there is one individual who has played a pivotal role: Rabbi Ovadia Yosef. Decision-making is theoretically controlled by a four-member council of Torah sages, but Ovadia Yosef held the ultimate power until his death in 2013. Shas MKs pledged their allegiance to him, so "the party does not have elected representative institutions or registered membership as do modern political parties" (Sarfati, 2009, p. 204). While it would be

incorrect to suggest that the party was merely his vehicle, Yosef had been at the forefront of Shas's success. His standing in the Sephardic community has undoubtedly been important in both its success and stability, but it is also the result of wider trends, including Yosef's populist appeal. His 'folksy' language was combined with the fact that he is a highly respected Sephardic scholar and an impressive orator, which allowed him to present himself as both a part of the community but also its leader (Filc, 2010, p. 88). Yosef was the most significant figure in the Shas party, the intellectual/religious centre of Shas. Other figures are important, such as Aryeh Deri as the political/populist element of Shas, but no single figure has been as significant (Bick, 2000, p. 59).

Yosef in many respects mirrored the wider sociopolitical changes that were occurring in the period and his life and the Sephardic movement he created in Shas has echoed the wider Sephardic experience. Yosef did not come from a rabbinical tradition – he is a self-made scholar who rose from a humble and unscholarly family from Baghdad. He arrived in Israel in 1923 and was educated in an Ashkenazi ultra-orthodox school, then in an oriental/Sephardic Yeshiva. He distinguished himself academically from an early age and was acknowledged as an outstanding scholar who would later rise to become the chief Sephardic rabbi (Weissbrod, 2003, pp. 81–82).

Yosef's early life and subsequent religious career are of interest because of what they suggest about the Sephardic experience. Yosef was not from the established elite (religious or otherwise) and is something of an outsider, echoing the Sephardic experience, even though he arrived prior to the creation of the state of Israel. He, like many Sephardic in Israel, sought integration into the state/religious community and was faced with prejudice that reinforced his ethnic identity. Yosef was fond of saying that the point of Shas and their religious institutions is "restoring the crown to its past glory" (Leon, 2008, p. 150). There should be no doubt that for Yosef religion was the primary focus of Shas and unquestionably at the top of the cleavage pyramid. Shas may have been born out of Sephardic traditions, but these traditions and indeed ethnic identity itself was always

subservient to religion. Religion and religious goals were to be the focus at all times, even if this meant compromise in areas of secondary importance on the cleavage pyramid

Yosef's (and Shas's) ethnic element has at its core a desire to revive 'Sephardic' scholarship, which he has sought to do through a dual process: firstly, adopting the Ashkenazi model of independent but state-funded institutions, and secondly, homogenising Sephardic Judaism by emphasising a Jerusalem-based Sephardic tradition above all other North African/Middle Eastern traditions (Deshen, 2005, p. 96). For Shas "the most important thing for them traditionally was the revival of the spiritual legacy of Israeli Jews, of Mizrahi/Sephardic Jews" (Aviad Rubin, personal communication, January 29, 2014). This spiritual revival has been engineered through emulating the Ashkenazi ultra-orthodox in two key ways: the adaptation of their institutional framework but also the creation of a 'centralised' Sephardic religion, rather than a collection of traditions. Yosef echoed the wider Sephardic community by taking traditions and identities that have come from a myriad of sources and, from this, crafting a central identity that encompasses that wider community, even if it actually negates some of their community's traditions. Thus, Shas has had a profound influence on the Sephardic communities' religious identity and lives through "their rabbis, symbols, religious world-views, religious rites – in other words, everything that encompasses the traditional Mizrahi person" (Nissim Leon, personal communication, January 29, 2014).

This quasi-constructed Sephardic identity that Yosef has created is further evidence of a desire not for rivalry but acceptance. Just as many Sephardim who emigrated to Israel demanded no preferential treatment, but a Jewish equality they perceived as their birthright, so Yosef's approach to the Sephardic identity was one that is an adaptation to the state. It sought to work within it rather than act as a potential rival identity, resulting in a sub-identity and culture that has been 'Israel-ised' and diluted (Goldberg, 2008, p. 183). Prior to Shas, religious parties in Israel had been divided between the religious Zionists and the ultra-orthodox (Kopelowitz and Diamond, 1998, pp. 688–690). Shas does not fit this division because Shas does not have the anti-Zionist tendencies that were

especially prevalent in the early days of Agudat Israel and instead it has sought to present itself as genuine Zionism as opposed to the Ashkenazi project that is/was secular Zionism. Shas thus follows in the tradition of seeing Zionism as a social construct, as a concept that is defined by groups according to their aims (Silberstein, 1992, pp. 336–337). .

The Sephardic identity is a subsection of a larger Israeli/Jewish identity; one is a Sephardic Jew and an Israeli. This is why Yosef's success is not simply reflected in the ultra-orthodox world; he is partially responsible for the breakout of Shas from the ultra-orthodox world that other, equally respected, Ashkenazi have not managed. He has managed to create a 'middle of the road' approach (Deshen, 2005, p. 97). Yosef, through Shas, has created an ethnic identity that delivers two key elements: an ethnic pride that recognises a form of Sephardic ethnic identity but one that does not threaten their place in the Israeli or Jewish collective identity. Yet, it was the politically savvy Deri that would guide Shas to its greatest success before his own downfall.

### **Aryeh Deri and the Downfall of Shas's Political Leader**

If Yosef echoes the religious experience, then Deri echoes the political. His rise, fall and rise offer key insights into the Sephardic political experience and the nature of the Israeli party and political system. Aryeh Deri (born 1959 in Morocco) is different to Yosef and their respective characteristics provided a successful division of labour: Yosef was the spiritual leader of Shas while Deri was its political and Knesset leader, and both would dominate Shas until Deri's conviction and subsequent prison term (Weissbrod, 2003, p. 82). Deri, like many Sephardic immigrants, did not find the acceptance and Jewish unity they were expecting but instead found discrimination. He also found that, upon arrival in Israel, Sephardic's would suffer indignities (being treated with the anti-insecticide DDT) and be culturally, socially and economically marginalised.

He was once seen by some as potentially Israel's first orthodox Prime Minister (*Jewish Tribune*, 2011) who "rose virtually overnight from a 24-year-old Yeshiva student in 1983 to the key post of Minister of Interior Affairs in 1989, becoming widely regarded as a 'kingmaker' in Israeli politics" (Davis and

Robinson, 2009, pp. 1309–3010). Yet he would ultimately be forced out of Shas and jailed for corruption, ending the meteoric career of the youngest government minister ever in the. Yet, his arrest and trial, along with the changes wrought by reforms, would ensure that Shas would gain an unprecedented 17 Knesset seats in the 1999 election by further mobilising voters (Bick, 2001; Miles, 2010, p. 193).

Deri sought to change the image of the ultra-orthodox community of being purely self-interested by playing a more active role in government and demonstrating a commitment to wider Israeli society. He introduced a new form of politics for ultra-orthodox parties, participation, and Shas under Deri were willing and able to play the ‘political game’ and to make demands and threats in order to achieve what it wished. Deri represented a new form of religious orthodoxy: neither the closed isolationism of the ultra-orthodox nor the religious Zionist/nationalist axis concerned with the territorial expansion of the state. Instead, he was a populist who mixed ethnic pride with a wider language of socioeconomic equality and consensus ‘one nation’ politics that resonated outside of the traditional Shas’s votership.

For Deri, the Sephardic experience had created a more ‘earthly’ response – a dedication to socioeconomic redistribution. For Yosef, the salvation of the Sephardic people would come through religion and a return to Sephardic traditions, while for Deri the political realm and its compromises and negotiations were more important. If Yosef represented engagement with the state and the political realm to advance religious interests, for Deri it also had a socioeconomic agenda. Religion was a means to improve the community by restoring community, individual and family pride. For Deri, funding for religious institutions was not just a matter of religious salvation, but was also a means of improving people’s lives (Willis, 1995, p. 7). Deri’s vision of Shas and the wider revival of the Sephardic identity is that its goal is “to return the pride by returning the religious identity” (Avishay Ben-Haim, personal communication, January 10–15, 2014). In short, the creation of a religious/traditional Sephardic identity and community is the solution to perceived ethnic inferiority.

Deri's notion of Shas and who it should appeal to was wider and he envisioned a party that didn't just have a narrow religious (and sectorial) appeal but instead one whose cleavage pyramid had at the top of it a more traditionalist concerns. Religion would be a core part of this, but so to would economic redistribution and ethnic pride. In short, Shas for Deri had placed ethnicity much further up the cleavage pyramid than Yosef did.

As Deri sought to shape Shas in the 1990s, he also faced legal problems. In June 1993, he was charged with accepting bribes from executives concerning flats in Jerusalem and illicitly transferring money from his department to Shas-affiliated institutions. Shas under Deri was characterised by "lots of patronage and even some corruption ... there was an unwritten deal meaning that we (Shas) will get more resources legally or borderline or even illegal and in return we'll be more tolerant on other issues" (Aviad Rubin, personal communication, January 29, 2014). During the period, questionable practice went hand in hand with pragmatism, meaning that Deri and Shas found continued electoral success and Shas and Yosef gave Deri their full support. In March 1999, Deri was found guilty of accepting bribes (*The Economist*, 1999) for which he served time in jail. His conviction created a sense of crisis for Shas; without him, many thought his modernising of Shas would be undone and was doomed to failure in the 1999 elections (Leon, 2011, p. 93). Without Deri, it was thought Shas would either cease to be or would revert to being an ultra-orthodox party akin to Agudat Israel.

However, Shas used Deri's conviction as a springboard to mobilise Sephardic voters and turned potential disaster into opportunity. Much of the Israeli press were keen to link the conviction to other criminal cases involving Shas figures and to present Shas as a corrupt party that sought only to enrich itself and its leaders. Yet, Shas succeeded in framing the media coverage as an Ashkenazi plot against Shas through a ground-level campaign involving the distribution of video- and audio tapes. Shas had traditionally distributed cassettes as a means of attacking the Israeli establishment, the education system, the media, and the judiciary, among others. Tapes also bypassed mass political

advertising that was regulated by the state and instead allowed Shas to appeal directly to those who share its ethno-religious background and represent their most likely potential voters (Leon, 2011).

A tape called “J’accuse” (a reference to Émile Zola’s letter accusing the French state of anti-Semitism over the Dreyfus affair) was a detailed response to the allegations of corruption, accusing the government of an anti-Sephardic bias (Sarfati, 2009, p. 218). Shas turned Deri into a political martyr slain by the Ashkenazi elite, be they in the media, the Knesset or the judiciary. Consequently, the narrative of the election for Shas was one of ethnic discrimination, of the Ashkenazi versus the Sephardic. In effect, “Deri had turned himself into a symbol of popular dissatisfaction with the Israeli social and political system as such, and in this situation Rabbi Yosef became more a backup than a central figure” (Bick, 2000, p. 77).

Yosef and the religious element of Shas became of secondary importance as Shas embraced the ethnic component of the party. Its campaign went from the defensive (fighting claims of corruption) to the offensive (Deri’s conviction was the result of an Ashkenazi conspiracy against a rising Sephardic star), a tactic that had real traction with many Sephardic voters who had not traditionally supported Shas (Leon, 2011, p. 102). By making its narrative one of justice, Shas’s 1999 campaign was able to reach more people than any ultra-orthodox party before or since.

Despite this success, Deri was given a three-year prison sentence in 1999 and legally prohibited from holding public office for several years. Eli Yishai was appointed his successor by Yosef, and in doing so, Yosef established a new hierarchy in Shas, with himself at the top. With the support of Yosef, Deri re-joined Shas as part of its leadership prior to the 2013 elections, despite Yishai’s protestations, but such is the rabbi’s power that he was forced to accept the decision (Ettinger, 2012b). This re-established that within the ultra-orthodox party the spiritual leader remains the dominant force and that within Shas the power lies with the rabbi, not the MK. It also established that in the hierarchy of the cleavage pyramid religion was at the top. But it was not just the structure of the party that changed with Deri’s departure; the ideological and political stance of the party also

changed. As the informal channels utilised by Deri shrank and became more tightly monitored, so Shas found “their ability to get a grip on resources much more restricted and to compensate for this and still maintain its electoral base they needed to be more hawkish” (Aviad Rubin, personal communication, January 29, 2014). Decreasing Shas’s ability to distribute material benefits hampered its ability to present a more moderate position regarding any future peace process since it could not deliver the ‘rewards of moderation’ that would have been need to justify going against its own voters’ hawkish stance.

Deri had been attempting to make Shas a political party with an ethno-religious base but, after trying to move Shas away from factionalism towards the centre, following his departure, Shas has largely reverted back to being an ultra-orthodox party, albeit one with a wider ethnic appeal. This was also true of the peace process where Deri was “More pragmatic when it comes to questions of the future of the peace process ... more centre-left than the former leader, Eli Yishai” (Moshe Hellinger, personal communication, January 11, 2014).

It has also returned to its position in the party system as a party that can hold the balance of power between governments, rather than, as Deri had sought, being the government – kingmakers rather than kings. Their failure to be part of the government after the 2013 election is a reflection of their position as only a potential, not automatic, party of government. Deri’s position in the wider public has also changed as “he is weak in the wider public because of the ethnic campaign(ing) ... in the last election” (Avishay Ben-Haim, personal communication, January 10–15, 2014). He can no longer present himself as being above factionalism, and instead is associated with a Sephardic/ultra-orthodox faction of Israeli society. Deri’s downfall played into an established ethnic narrative in Israel: the Ashkenazi establishment (represented by the mainstream media, political parties and most significantly the judiciary) seeking to keep the Sephardim ‘in their place’. Whatever Deri was guilty of, it is unlikely that it is a particularly Sephardic trait; it was already established that the line between corruption and ‘*Protekzia*’ is thin in Israel.

Both men in their own way are indicative of the split within the Sephardic and indeed religious community in Israel. Deri and Yosef were part of a debate that still exists today between isolation and integration, between seeking to govern their sector and seeking to be part of the wider community, between the religious and ethnic identity, between seeking earthly or spiritual salvation. Ultimately, the Shas that exists today is Yosef's Shas, a party for whom religious principles take precedence over all others. Yet, the death of Yosef has potentially troubling consequences for Shas; such was the esteem that Yosef was held in that "There is no obvious heir apparent. No one in their world seems comparable to him; in his spiritual capacity" (Bernard Susser, personal communication, August 16, 2011). Without the rabbi, there is a worry that Shas will fragment because "there is no spiritual figure on the horizon who can step into Rav Ovadia's shoes and even in Shas circles, the rabbi is perceived as an historic, almost irreplaceable figure" (Nissim Leon, personal communication, January 29, 2014). Within Shas and the wider ultra-orthodox public, Deri will never be able to command the same level of respect that Yosef could and there remain fissions in Shas that threaten to undermine it as a cohesive political unit. Yet it is also true that if there is any person who can keep the party together and navigate between the religious world of the Torah and Yeshiva and the secular political world of coalition governments and compromise, it is Aryeh Deri.

Yet Shas's rise and success is not just the result of individuals. It is also a party that exists due to the structure of the Israeli party system and more importantly the electoral system. Israel's use of PR has been vital in ensuring that there is an open political market that has allowed small and often sectorial parties like Shas to flourish.

## **2) Shas and the Israeli Political System**

Despite the importance of societal context, there can be no understanding of the politics of Israel (or indeed any democratic state) without reference to its electoral system. If one follows a structural perspective, electoral system are the key determinant of party systems. Theorists like Duverger

(1954), Sartori (1976), Riker (1982) and Lijphart (1990, 1994) have all assumed that if one understands the electoral system of a country, one can understand the rules that govern political behaviour in that state and the party system. This, in effect, means that the electoral system is responsible for the number of parties, the degree of ideological polarisation and the likelihood of coalition governments within any political system. They create rules that reward or punish parties, yet they also determine the level of ideological polarisation by creating incentives for centrist catch-all parties (Safran, 2009, p. 546). The other effect they have is behavioural, in so far as parties and voters will adjust their choices according to the options they are presented with (Sartori, 1999, pp. 22–23). Consequently, modern democracy is ultimately party democracy. The electoral system has an effect on voters because it can be constraining (i.e. manipulative) by causing people to alter their vote based on what they perceive the effect of the electoral system will be. The classic example of this is that people don't vote for small parties even if they are their closest ideological fit in a majoritarian system, because they think they will lose. Both in terms of the rules of electoral systems and their effects on voting behaviour, the structure acts as the key determinant of both outcomes (the structure of the party system) and choice (who people vote for) by manipulating both (Downs, 1957; Neto and Cox, 1997; McGann, 2002; Calvo & Hellwig, 2011). Hence, understanding Shas requires understanding of Israel's electoral system.

Israel operates as a proportional representation (PR) system that has been referred to as an extreme electoral system by Rahat (2003) and as hyper-representation by Shugart (2003), due to the fact that the whole country acts as a single constituency, giving it a district magnitude of one. Votes are directly translated into seats in the Knesset without the distorting effect of a district magnitude greater than one, which would otherwise reward large parties (Gallagher, 1991, pp. 43–44; Moser, 1999, p. 362; Benoit, 2001). It also has only a 2% threshold for entrance into the Knesset, which is not a significant obstacle for any but the very smallest of parties. These two aspects make Israel's electoral system highly proportional.

These systemic elements are important in explaining Shas's success because Israel's single district magnitude and closed list system makes for an extremely party-centric system and for exaggerated responsiveness to small parties due to coalitional politics (Hazan, 1999, p. 126; Mesquita, 2000, p. 73). This, in effect, means that the success of Shas is partially due to Israel's electoral system being a relatively 'open' system, a political market with low barriers to entry. This 'extreme PR' with low threshold and the dominance of political parties in candidate selection and election has led not only to religious parties entering the political arena, but also to the systemic fragmentation and polarisation that have since allowed them to flourish.

The instability in the system has led many to propose changes that seek to increase stability by lowering the number of parties in the Knesset, such as the idea of a directly elected PM, detailed in Chapter 4. These are likely to fail for two basic reasons. Firstly, "at society level it might create even less trust in government, even more alienation" (Guy Ben-Porat, personal communication, January 27, 2014) by further distancing certain groups from the government and other centres of power. Secondly, it fails to take into account that Israel is a dynamic country in its ethnic and sociocultural make-up. It is a country in a state of flux and it is not the case that "changing the system will change this problem" (Moshe Hellinger, personal communication, January 11, 2014). The fragmentation of the party system is a condition of a society that is already fragmented and means that changing the system would not change the realities on the ground. Overall, Israel's electoral system is, as Aviad Rubin suggests, a mixed bag because, while "any sector that wants to can compete in elections, on the other hand it creates problems with stability" (personal communication, January 29, 2014). This means that the system has the benefit of encouraging cross-cleavage cooperation among ethnic Jewish parties, but often at the price of stability and governability.

The fragmentation of Israel's political structure, while rooted in societal changes, is also a rational response to the relative ease of access to higher level's politics. As such, the Israeli electoral system

does not have a strong manipulative effect because it neither restrains parties from entering the political sphere nor the electorate from voting for them. As Sartori puts it:

It is not only a worst case of pure proportionality (on a par, in purity, only with the Netherlands), but also a worst case of multi-dimensional competition. Israel thus displays the most fragmented and atomized party system for which the notion of system still makes sense, and over the decades its dismembering has been growing. (1999, p. 25)

As Israel has gradually moved to a more western/competitive democratic model with elements of majoritarianism (Hazan, 1999, pp. 124–133; Lijphart, Bowman & Hazan, 1999), it has also moved towards a system characterised by Sartori's 'polarized pluralism' (1976, p. 116). This denotes a political system characterised not by moderation and consensus, but instead by polarisation and conflict that makes compromise difficult in the party system. This can also lead to a dysfunctional polity in which governing becomes difficult because cooperation between the polarised parties breaks down. Government in Israel thus suffers from the fact that "decisions are rarely made and when they are made they are not implemented" (Guy Ben-Porat, personal communication, January 27, 2014). This polarisation and immobility has occurred across a myriad of cleavages, with religion, ethnicity, Jewish/Arab and attitude towards the peace process perhaps being the most salient divisions. This has made government problematic and volatile due to the multitude of possible conflict points. It has also placed a great deal of power into the hands of parties like Shas, who, as detailed later in this chapter, have a series of domestic demands that those on both the left and the right find easier to compromise over than any potential two-state solution.

If a party can find enough voters (more than 2% of those who vote) that share its cleavage pyramid structure/ priorities and is able to mobilise them by either being unique or more extreme than the alternative it can enter the Knesset. This ease of entry has succeeded in galvanising more varied cleavages and different pyramid structures. Furthermore this fragmentation has been exacerbated by the fact that social groups have stopped being represented within parties, but are instead represented by parties and, as a result, the effective number of parties has risen over time, although

of late the volatility has declined somewhat (Rahat & Hazan, 2010, p. 415). This multitude of societal cleavages also has the effect of negating the chance for true alternation to occur in government because the party system is not divided across a single dimension that promotes centripetal coalitions (Sartori, 1999; Shugart, 2003, p. 25). This tends to mean that government formation is not the result of voter choice but the result of complex bargaining between parties post-election. Shas are part of a change that has occurred in the Israeli party system, whereby new cleavages are introduced – in Shas’s case, introducing a new ethno-religious cleavage. Shas’s mobilisation of this ethno-religious cleavage has been at the heart of their success and “in the most successful period of Shas there was some kind of (link) between the religion and ethnic identity” (Avishay Ben-Haim, personal communication, January 10–15, 2014). Shas’s mobilisation of this Sephardic religious traditionalism has further fragmented the religious camp, thus diminishing the ability of secular and religious elites to compromise and accommodate, as these elites have fragmented. The mobilisation of the Sephardic identity as a political value that influences voting patterns has further entrenched the notion that Israeli politics is defined by factionalist politics and its corresponding political manifestations. This is backed up by Shas’s record in government.

### **Shas and Coalition Politics**

Electoral systems are an – if not the – most important element in determining the party system in a state and, as noted above, the electoral system has played an integral part in the rise of Shas and its continued success. However, as shown of Arab parties in Chapter 2, these factors alone cannot account for the success of a political party, because as in the case of Arab parties’ exclusion remains a possibility. Thus, the success of Shas as a political party derives from two additional sources, namely the structure of the party system and the nature of the party. The structural reason is that its position within the party system has granted it power beyond its size due to its (semi-)kingmaker status. The second reason that is more specific to Shas is its relative pragmatism and the fact that many cleavage divisions that are of primary or secondary importance to other parties are for Shas

less significant (such as the territorial cleavage), meaning the party finds it easier to compromise on what to other parties are highly divisive issues.

This is especially applicable to Shas. An example of this kingmaker position was in evidence in 2009, which David Glass, as a member of the Shas negotiating team, can provide an insight into. Speaking of the 2009 election, he says, “Eli Yishai and me ... have been on the negotiation team for Shas for the last 20–25 years and before Netanyahu called the elections, Tzipi Livni, the head of Kadima, tried to form a government coalition with Shas” and “it would have either been Bibi or Tzipi Livni, or more correctly Tzipi Livni or an election and after that the decision was in the hands of Shas” (personal communication, August 15, 2011). This potential coalition was only scuppered by the fact that Yishai said that there was to be no negotiation over the issue of Jerusalem’s status. Therefore, it was ultimately the decision of Shas not to support the potential government of Kadima and Tzipi Livni. Another insider, in the form of the Senior Ministerial Advisor, backs up the account of David Glass concerning the 2009 election, saying that:

At the end of the day everybody knows because it is not secret ... it didn’t happen because Shas preferred to go with Netanyahu, as did Yahadut HaTorah, because they thought ... they were getting more than Tzipi Livni could afford on paper to offer them. (personal communication, August 17, 2011)

This kind of manoeuvring is what has led to a perception that Shas (and to a lesser extent its Ashkenazi brethren in UTJ) is the kingmaker of Israeli politics, able to make or break governments. That potential prime ministers have to “more or less give them as much as you can, whatever they want; that’s why there are negotiations before, both formal and informal” (Senior Ministerial Advisor, personal communication, August 17, 2011). This causes frustration for some who believe that Shas has too much power, deriving from the fact that “they are always joining the coalition; there is no coalition without religious parties” (Shlomo Molla, personal communication, August 7, 2011).

This success and ability to achieve its goals means that the consensus view of Shas (and the ultra-orthodox historically) is that:

They've been very powerful. I mean if you look at all the religious state arrangements, these were done by parties. From the issues of military service, to funding of religious schools, to monopolies over issues of marriage and divorce etc. etc., yes, parties have been very powerful. (Guy Ben-Port, personal communication, January 27, 2014)

One should be wary about overemphasising the power of the ultra-orthodox since, as already noted, there have been periods in which they have been excluded from government, usually at the behest of secular actors such as Shinui or more recently Yesh Atid. So while Shas as a Jewish party is not subject to the same exclusion as Arab parties, neither is its inclusion inevitable. It is also true to say that, since its formation in 1984, Shas has spent far more time in government than out (see Table 1), which should be considered the hallmark of a successful political party.

Focusing on Shas specifically, it has also been successful because it has displayed a high degree of pragmatism in many areas, especially during the period of Rabbi Ovadia Yosef. In this period, it was more pragmatic, especially "when compared to the old ultra-orthodox, Ashkenazi party" (Aviad Rubin, personal communication, January 29, 2014). Indeed, it is unique within the realm of ultra-orthodox politics because "unlike the ultra-Orthodox Ashkenazi parties, Shas is not deterred from exercising direct ministerial responsibility" (Leon Nissim, personal communication, January 29, 2014). This meant that Shas has been more proactive in government affairs than the Ashkenazi strain of ultra-orthodox Judaism.

Thus, Shas's success is partially derived from the ability to appeal across the political spectrum since, outside of the religious sphere, its views can be politically flexible, and as such, it makes an attractive potential coalition partner for those parties that exist along a broadly left/right/centrist spectrum and whose choice of coalition partners can be limited. So, while there may be some truth in the idea that they "feel more natural with the right wing rather than the left wing", it is also true that "many of them don't have a basic principle problem joining a more hawkish or more dovish, or a more left or right coalition" (Shlomo Molla and Dan Meridor, personal communication, August 7–8, 2011).

Thus, according to Einat Wilf, Shas's preferred coalition partners are "the parties in power", due to its factionalist nature. This means that it fears not being in the centres of power because "if they're

in the opposition governments can kill all the benefits they have amassed for years, so they are willing to bend a lot to be in power” (personal communication, August 3, 2011).

Because of these considerations, Shas has realised that there are limitations to what it can achieve and that to be successful in achieving its primary goals it needs to be flexible elsewhere. This means “they must bargain and compromise all the time with the secular majority meaning that they must be pragmatic in order to gain power” (Aviad Rubin, personal communication, January 29, 2014). Guy Ben-Port concludes that, in the process of seeking power, “they play the political games ... they are pretty pragmatic” (personal communication, January 27, 2014). This pragmatism also extends to a certain amount of self-restraint and an acceptance that being too dogmatic will, in the long run, damage the party politically. This flexibility is motivated by two concerns. The first is purely resource driven – the need to acquire resources for their community, to ensure that there is continued support for the constituency. This means that, when it comes to engaging in political activity within coalition governments, Shas seeks to ‘play the game’. It diverts resources to its sector since, as the Senior Ministerial Advisor explains, “each Prime Minister is entitled to play with 10% of the budget ... a certain small amount of the budget you are allowed to play the way you want, you can allocate from it more to other sources” (personal communication, August 17, 2011).

Concerning money that is not yet allocated, Shas seeks to ensure that as much as possible is diverted to its community, its institutions and its causes. At the same time, it seeks to use its own ministerial and non-ministerial positions (especially in Knesset committees) to seek beneficial quid pro quo arrangements. So, in practice:

Shas, when they want something for their institutions, they’re telling different ministers or clerical office ‘if you want things in our office to move faster, they have to move faster in yours’. There is an informal relationship that each one wants to promote their own stuff within government and the bureaucracy. (Senior Ministerial Advisor, personal communication, August 17, 2011)

This also means that “they’re more pragmatic when it comes to the questions of diplomacy ... less when it comes to the Yeshiva and money for the Yeshiva and the exclusion of Yeshiva [attendees]

from the army” (Moshe Hellinger, personal communication, January 11, 2014). Maintaining financial support and the exclusions for Yeshiva students and the ultra-orthodox community more broadly are an integral part of Shas’s political goals and motivate its participation in government.

The second concern and also at the apex of the Shas cleavage pyramid is the maintenance of the ‘status quo’ between religion and the state and their effective monopoly on religious authority. Here it could be said that there is less room for compromise since not everything is a question of resources, but instead:

Religious parties don’t always need things that directly need budgeting, it could be things like considering keeping more stores closed on Shabbat, it could be things like recognising certain places as holy, not everything is a matter of budget. (Senior Ministerial Advisor, personal communication, August 17, 2011)

Dan Meridor explains that what ultra-orthodox parties really want is control of the religious agenda and that when he was Minister for Justice “there were some things we didn’t do because they have this power ... not so much to initiate as to stop it happening” (personal communication, August 8, 2011). These considerations mean that while Shas can be pragmatic to a certain degree, it also has to guard against infringement on what it considers key interests representing the apex of its cleavage pyramid and in which its ability and willingness to compromise is limited.

Shas (along with UTJ) seeks to have a ‘reserved domain’ that, since the status quo agreement, has been a central demand for the ultra-orthodox. Shas has fought any compromise on this in the belief that this would ultimately set the state on an inevitable slide towards total secularism. Therefore, religion remains very much a reserved domain, and religious parties have always made ‘ownership’ a key demand in any coalitional government. This is a demand that Shlomo Molla argues the majority of governments have been willing to concede because “they (the ultra-orthodox) would leave the government if it tried to interfere with the Shabbat ... there isn’t one PM who would pass a law on that or civil marriage” (personal communication, August 7, 2011). This ultimately makes government wary of engaging with the issue when in government with the ultra-orthodox, meaning that in the

case of attempts “to dismantle or change the framework of the coexistence of the state and religion, if the rabbinical courts would be affected, they would leave the government” (David Glass, personal communication, August 17, 2011). The reality is that, like all political parties, Shas is able to compromise in some areas to achieve greater returns for its primary concerns, which means that on “some issues they’re very pragmatic, on others they can be very militant” (Aviad Rubin, personal communication, January 29, 2014).

Shas’s successful manoeuvre within the political realm to achieve its goals is a result of a party system that is structured to give disproportionate power to smaller parties, but also its own ability to present pragmatic actors willing to play the political game. It has been able to do this very successfully, more so than the more established Ashkenazi ultra-orthodox parties, and in doing so has been able to plough its own uniquely Sephardic path. Since 1984, it can claim to have been highly successful, in terms of achieving material benefits for its core religious supporters, protecting the dominance of Orthodox Judaism within the state, and dominating the religious sphere in Israel. Yet, this success is tempered by the fact that, as Chapter 4 detailed, the Israeli party system has shifted from quasi-consociationalism to competitive pluralism (pp. 104–109), making Shas less part of a grand social pact and more an overtly political actor that contributed to its own exclusion after the 2013 election.

Looking at Shas from the perspective of the relationship between religion and democracy, one can argue that it is undemocratic through its attempts to create a ‘domain democracy’ (Chapter 2, pp. 44–45) rather than let the legitimate democratically elected government have control over a policy area – in this case religion in the state. Therefore, religious parties, through their actions, are attempting to turn Israel into a hybrid regime. This is in line with the argument (Chapter 3, pp. 68–69) that religious parties are fundamentally incompatible with democracy because their ideology derives from the divine. Alternatively, Shas can be seen to echo the other side of the theoretical argument in that its involvement with the secular world of politics has instead moulded it into simply

another political party and that, while one may say it has too much power; it has behaved relatively predictably and certainly within the realms of democratic behaviour. Inclusion has decreased its tendency towards isolationism and democracy may have moderated the ultra-orthodox and at the very least made the ultra-orthodox active participants in the state, albeit as a means to an end. It is to identification of those ends that we now turn.

### **3) Ideological Components of Shas**

The electoral and systemic factors are of importance in understanding the political structure in Israel that has played an important part in the creation and continued success of Shas. However, as noted by Lipset and Rokkan (1967), political parties are responses to social and societal segmentation and the number of parties in any given political system corresponds to the number of societal cleavages. Aside from this, works by Alford (1962), Knutsen (1989) and Curini and Hino (2012) have also further established the link between political divisions and segmentation and the number of political parties.

The Israeli vote is partially structured by issues and divisions, and there is a strong connection between cleavages and party choice, with religion and ethnicity being the key motivators in the cleavage pyramid. Yet, the identity dilemmas and overlapping issues make it a complex picture that mixes issues and “social group allegiances” and reinforces the “existing social cleavage structures” (Arian & Shamir, 1999, p. 247). Shas is the manifestation of two cleavages in Israeli society: ethnicity and religion, although in the case of Shas these cannot be separated wholly. At the core of Shas, its primary concern is religious rather than ethnic in nature.

#### **Religion**

Shas is a response to the nature of the structural relationship between the state and religion in Israel. There is no formal separation between church and state in Israel (Ben-Porat & Feniger, 2012, p. 839). While there is neither a formal state religion nor a requirement that one holds certain religious beliefs to hold office, there is in practice a deep intertwining of religion and the state that

means Orthodox Judaism serves as the established religion of the state (Fox & Rynhold, 2008, p. 509). This is further reflected in the education system, where there exist different educational streams depending on one's religious belief and practice that range from the secular to the ultra-orthodox (Schiffman, 2005, p. 97; Sibzehmer & Lehmann, 2006, p. 24). These structural elements have helped Shas (along with UTJ) remain an unambiguously religious party, but have also ensured that their institutional arrangements, especially within religious education, have remained quasi-independent of the state.

Shas is a party that was formed out of divisions within the ultra-orthodox community and the core of Shas's ideology remains one that is guided by religious concerns (Chetrit, 2000; Charbit, 2003; Weissbrod, 2003; Lehmann & Siebzeher, 2006). Shas is therefore part of the wider political mobilisation and the increased saliency of religious identity as a factor in political preferences for both religious and secular voters (Ravitzky, 2000; Sheleg, 2000; Peres, 2006). Shas, due to its success, has become the totem for secularists, the cause and symbol of (for them) the problematic entanglement of religion and politics, something reflected in the avowedly secular Shinui party's crowd chant of '*Rak Lo Shas*' – 'Just not Shas' (Haddad, 2010, p. 228). In many respects, Shas's position within the secular–religious cleavage is similar to the ethnic outbidding model covered in Chapter 2 – mobilisation by the ultra-orthodox religious parties causes a counter-mobilisation among the politically secular leading to increasing confrontational language and exacerbating tensions between the groups. Clashes occur because of these groups share the same apex of their respective cleavage pyramids questions of religion and the state but have mutually exclusive positions on it. This has the effect of creating tensions, not necessarily between the community members, but between "the cultural leaders, the Rabbis, academia, the politicians. Sometimes it's good for all sides to have a clash ... everybody gains" (Moshe Hellinger, personal communication, January 11, 2014). That is to say that the prominent members on both sides of the secular–religious divide reinforce their position and also ensure the continued saliency of the division they represent.

The communal character of the ultra-orthodox is one in which there is a clear self-definition distinct from the secular world (Ravitzky, 2005). Shas, through its political success, has encouraged the ultra-orthodox to mobilise along the lines of having a shared and collective identity that has produced an equal and opposite reaction in the secularist camp, furthering the belief that they have a collective identity (Katz, 2008, p. 241). This division is further exacerbated by the fear that the ultra-orthodox are gaining ground in this particular ‘culture war’ (Ben-Porat & Feniger, 2012) over the dominance of the Israeli state. The historical change in the secular identity has occurred, as secularism has become a politically active cleavage as secularists (those whose secular identity has become politically relevant) have sought to counterbalance religiously active parties (Shelef, 2004, pp. 90–92).

Shas plays an important role in this, as does its opposition, leading many to talk about a ‘KulturKampf’<sup>14</sup> between the religious and the secular (Kimberling, 1999; Etzion-Halevy, 2000; Ravitzky, 2000; Katz, 2008). It is certainly the case that Shas seeks to defend its religious component far more than any ethnic or social component. At an institutional level, it seeks to acquire resources for its religious Institutions (Shiffman, 2005, p. 91; Sibzehmer & Lehmann, 2008, p. 26). At a political level defending the religious “status quo” between church and state (Kook et al., 1998, pp. 6–7) and protecting the societal benefits that it has accumulated for the ultra-orthodox community, such as exemption from military service for Yeshiva students and subsidies for Yeshiva attendance (Berman, 1999, 2000; Kamil, 2001). On a wider societal level, cities have been the site of tensions and violence between ultra-orthodox and secular elements. In Beit Shemesh, there have been conflicts between radical ultra-orthodox and moderate religious and secular residents (Livneh, 2011) that have been so contentious that even Rabbi Ovadia Yosef spoke out against the more radical elements of the ultra-orthodox community (Jerusalem Post, 2012).

Shas has (largely) been more successful than its secular counterparts have because, while parties that are secular may be part of the coalitional government and secular ministers may occupy cabinet

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<sup>14</sup> Meaning a cultural struggle.

positions, they are rarely secularists who define themselves as serving that community, unlike Shas and its religious community. Thus, much secular anger with the ultra-orthodox derives from the fact that “ultra-orthodox representatives are much more efficient than the secular ones, they promise and they deliver and this is something most secular representative don’t do” (Aviad Rubin, personal communication, January 29, 2014). This frustration, along with the principles of community conflict, is part of the dynamic that shaped Shas, but is also inherent in Israeli politics. Shas plays a key role in this as the political manifestation of one element of this divide, namely the ultra-orthodox, Sephardic community. The existence of Shas as a political party for which religion is the primary ideological concern attests to the fact that the secular–religious cleavage is an active one and that parties whether secular or religious can gain votes from placing these issues at the apex of their cleavage pyramid. The truth of this is also that Shas is a multifaceted party that draws in voters for whom religious considerations are not their primary source of political and voting behaviour. Therefore, consideration must be given to the other societal cleavages that mobilise Shas voters, most notably ethnicity.

## **Ethnicity**

According to Horowitz’s definition (1991, pp. 293–294), an ethnic party’s vote and membership is almost exclusively from one ethnic group even if not all of an ethnic group vote for that party. Since “the numbers will testify that if you take the Shas voters, at the end of the day, most of them are Sephardic” (Dan Meridor, personal communication, August 8, 2011), Shas by this definition is an ethnic party. This is important in accounting for that element of Shas’s support that does not come from those voting out of purely religious concerns (Charbit, 2000; Ben-Rafael & Peres, 2005, p. 121). It is the key reason that Shas has consistently outperformed the ultra-orthodox Ashkenazi party UTJ in Knesset seats obtained. The difference between Shas and UTJ is that “the ultra-orthodox Ashkenazi has more control, in the sense that these are smaller parties with a more homogenous population that votes for them” (Guy Ben-Porat, personal communication, January 27, 2014). UTJ

has a smaller and less diverse membership and as such its leadership exerts a greater control than Shas does over its more diverse supporters. UTJ, unlike Shas, with its broader ethnic appeal, UTJ “takes care of their small sector and do it well ... they have found a kind of niche that suits them” (Einat Wilf, personal communication, August 3, 2011). Alternatively, Shas seeks to utilise its ethnic identity as a means to empower the Sephardic community and restore pride to their identity, giving it a wider appeal. Shas is, in many respects, a ‘classic’ ethnic party, in that it represents a community that is seeking to assert itself and its identity against a dominant elite (Esses et al., 2001) and is a result of the failures of integration and attempts to create a single Ashkenazi-dominated Jewish identity (Kimmerling, 1998, p. 61). Many Shas voters are drawn to it as a symbol of ethnic pride and as a vote against what they see as the economic and political discrimination that they have received at the hands of the Ashkenazi elite. Therefore, they “vote for Shas because they see it as an ethnic mouthpiece for them” (Shlomo Molla, personal communication, August 7, 2011). Thus for Sephardic voters for whom their ethnic groups is their at the apex of their cleavage pyramid Shas represents obvious voting choice.

What Peled calls the ‘enigma of Shas’ (1998) can be understood by seeing it as an alternative to the Ashkenazi and as a mean of creating pride in some form of Sephardic/Mizrahi identity. The reason that this took the form of Shas (as opposed to other sociopolitical movements either defined as left-wing, right-wing or Zionist), Peled (1990, 1998) argues, is because of a cultural division of labour. Since the Sephardic community represents not a peripheral group (as Arabs are) but a semi-peripheral group when compared to the Ashkenazi for the non-ultra-orthodox, voting for Shas is a means for a marginalised group to express their dissatisfaction with the dominant ethnic elite (Peled, 2002, p. 102). At the same time, as a semi-peripheral group it is inclined to emphasise similarity to the dominant Ashkenazi group rather than subordinate Palestinians, with whom it shares many socioeconomic and cultural values. Shas is not seeking to infuse Israel with a strong ethnic politics, but to promote equality for an ethnic group through an integrative Jewish identity (Peled, 1998, p. 720). Shas has chosen to align itself with the dominant (Ashkenazi) against the

subordinate (Arab) group. Shas represents more the idea of Jewish unity in the face of the 'other', i.e. Arabs and Palestinians, than a distinct ethnic grouping. It seeks to promote Jewish unity and equality, albeit under a religious rather than secular banner.

Shas also reinforces the link between religion and ethnicity as explored in Chapter 2 since its Sephardic identity is informed by religion. For Shas, religion, the synagogue and the Yeshiva remain the true markers of ethnic identity (Kamil, 2001; Lehmann & Siebzehner, 2006; 2008). With Shas, ethnicity and religion cannot be treated as separate elements of its appeal and the increased saliency of ethnicity coupled with religion is a factor in electoral decisions concerning Shas (Miles, 2010, p. 186). While Shas may be an ethno-religious party, there can be no doubt that religion, certainly for its leadership, remains the abiding core of its identity and at the apex of its cleavage pyramid.

As a political entity, the continued success of Shas highlights a number of issues. Firstly, Shas is a product of two divisions in Israeli society: the secular/religious divide and the existence of an ethnic Jewish cleavage, both of which are sufficiently salient to motivate voting behaviour. Within the ethnic sphere, Shas can attract voters despite the fact that most (unlike the ultra-orthodox) will receive no direct benefit from the election of Shas and may not share its religious convictions. However, ethnicity remains much less divisive and politically salient than its religious identity, especially to the ultra-orthodox. In Israel, at both a political and societal level, mobilisation and conflict occur with much greater regularity and intensity along the secular-religious cleavage. Shas's failure to make socioeconomic redistribution key elements is matched by the intensity of its defence of the ultra-orthodox community. Recent events have confirmed this, including the defence of exemption from military service for Yeshiva students (Ettinger, 2012a; Somfalvi, 2012), in which "they tend to be quite strong in their demands to continue the ongoing requirement that they don't serve in the army" (Guy Ben-Porat, personal communication, January 27, 2014). Also protecting the dominance of Orthodox Judaism by threatening to leave government (Ettinger, 2012b), through

which Shas shows how it prioritises its religious concerns. While ethnicity may be a motivator in voting behaviour, it is the secular–religious cleavage that remains the primary societal cleavage that concerns the party. Yet there are other elements to Shas, including its populism, its complex attitude to the Arab–Israeli conflict and the role that its institutions play in guiding its political actions.

## **Populism**

As already noted, the secular–religious divide and intra-Jewish ethnic identities are the main tools of mobilisation for Shas. There are also other significant elements that, while not primary, do play a secondary role in voter mobilisation for Shas. Given Shas’s nature, it could lead one to ask whether in fact Shas is actually a ‘populist party’ as argued by Filc (2010). Populism is essentially anti-status-quo and, as such, simplifies the political discourse by dividing society into ‘the people’ and the ‘other’ – namely, elites who are repressing the rights and will of the people. Within this discourse “the identity of both ‘the people’ and ‘the other’ are political constructs, symbolically constructed through the relation of antagonism, rather than sociological categories” (Panizza, 2005, p. 3).

Populism is not, therefore, a predefined ideology, but a discourse with a dichotomy between ‘Us’ and ‘Them’ with both terms being malleable depending on the audience. There is some obvious applicability to Shas, as it stresses its identity as being apart from the political elite within an ethnic framework, especially since Shas is a very deliberate response to the perception of Sephardic exclusion and Ashkenazi dominance of Israel.

Filc’s classification of Shas as a right-wing populist party is premised on four elements of Shas’s ideological identity (2010, pp. 95–102). Firstly, Shas’s implicit ‘anti-elitism’ derived from opposition to discrimination against Sephardic students by the Ashkenazi elites, a narrative that has only been exacerbated by perceived persecution against leading figures such as Aryeh Deri. Shas has a rich source to draw on in promoting itself as a party of the Sephardim because not only are the differences noticeable and exploitable, but the hostility of the Ashkenazi elite has only perpetuated Shas’s cause, allowing Shas to claim that there is a wider plot to discriminate against the Sephardic

population. Secondly, Shas's position as a party with an ethnic identity has furthered its ethnocentricity by enforcing a narrative that the Israeli state and the Ashkenazi elite are discriminating against the Sephardim. In this, the ethnic narrative of the Ashkenazi elite is blamed for the relative poverty of the Sephardic community. Thirdly, anti-liberalism is a core element of Shas's identity, which, given Shas's ultra-orthodox religious foundations, is not surprising and Shas does not share the western/secular/Ashkenazi view of the separation of spheres – be they personal and political or church and state. Finally, Shas's politics are those of anti-politics and the outsider, and in line with most populist parties, which sees them market themselves as existing outside of traditional politics.

Is Shas a populist party? In many respects it is, in that it has a strong strain of anti-elite rhetoric and a disdain for the established Ashkenazi institutions and elites. At the same time, Shas has been part of the majority of Israeli government since its formation and has been active within them, furthering its own and its supporters' interests.

Like many Israeli political parties, Shas seeks to portray itself as fighting for the interest of its voters against the established elites and against the status quo, and to suggest that voting for it is a means of advancing its voters' interests. The nature of Israeli politics is such that each political party has some concept of an 'other', be this the secular, the religious, Russians, Sephardim, hawks or doves – each segment of society believes that there is a system that is prejudiced against their group in favour of the 'other'. The secular believe that the state is becoming dominated by the religious, while the religious believe that there is a secular elite that is actively seeking to minimise the role that religion plays in the state against the will of the people. Within this debate, the true outsiders in the state, the non-Jews, are not factored in and Arab parties have been systemically excluded from power in a way that no other parties have been. Thus, Shas is no more populist than any other party in Israel and, unlike the Arab parties, has no legitimate claim to be the victim of exclusion.

Shas's rhetoric also seeks to portray itself as a social justice party given that there is evidence that socioeconomics plays an important role in explaining support for parties in Israel (Yaish, 2001; Shalev & Kis, 2002; Pedahzur & Canetti-Nisim, 2004). Since competition over economic, cultural, spatial and political resources (Esses et al., 2001), housing (Barkan, 1986, pp. 181–189) and jobs (Olzak, 1992, p. 22) can become increasingly ethnocentric in all societies, one would expect an ethnic party such as Shas to be active in terms of redistribution to its ethnic kin. Indeed, "Shas demonstrates class-related involvement in attaining social welfare benefits for the Mizrahi public in Israel's periphery" (Nissim Leon, personal communication, January 29, 2014).

The original Israeli policy of rapid absorption of Jewish immigrants and the perceived need to expand Jewish population centres in Israel led to the creation of development towns for new migrants. This made them the home of many Sephardic immigrants who were socially, politically and geographically marginalised (Tzfadio & Yiftachel, 2004) and was exacerbated by the fact that the Sephardic community were systemically placed in vocational and non-academic streams (Cohen & Leon, 2008, p. 58). Therefore, prior to Shas, these served as the focal point for the Sephardic 'Black Panther' movement (Cohen, 1980; Frankel, 2008).

Shas was born out of socioeconomic concerns and Shas as a political party/'social movement' is connected to an ethnic identity that derives from mobilisation of Sephardic voters in the 'development towns' in the geographical periphery of Israel, in Dimona, Netivot and Sderot. As such, Shas "builds a complex chain of equivalences between words like Jew, religious, traditional, Sephardic Jew, Mizrahi, blue collar worker, poor, and peripheral" (Filc, 2010, p. 102). Shas's 'mission' was "a religious rehabilitation project ... a spiritual and practical solution to the tribulations of ethnic identity and economic distress" (Nissim Leon, personal communication, January 29, 2014). Religious revival would be the answer to both spiritual and earthy poverty, which has ultimately meant its vision of the state is not inclusive and it has shown scant concern over poorer immigrants who are not Sephardic. Shas is neither a social justice party nor a party that seeks to (at least

directly) create a fairer society for all and conversely it has been the partner in Israel's transition to a more neoliberal economy (Filc, 2010, p. 98).

Socio-equality and redistribution are elements that can be sacrificed on the altar of coalitional politics in order for Shas to get what it really wants – support for its institutional framework. Ultimately, it is the case that this represents an issue of secondary importance that Shas is willing to compromise on to achieve religious goals, which are higher up its cleavage pyramid. One of the consequences of Shas's success has been that the ultra-orthodox Sephardim affiliated with Shas have become dependent on the state for jobs provided by the Religious Affairs Ministry or the chief rabbinate. Shas has created a culture of dependency and separation, so, while it has elevated some people out of poverty, they have become reliant on the continued success of Shas (Sarfati, 2009. pp. 143–145). The form of education that Shas provides is ultimately not one that gears those communities toward jobs in the secular or non-governmental sector; rather, it has created a clientelistic relationship with its supporters that requires their continued support to simply maintain the status quo. So, while Shas does seek to redistribute resources, it is only to its religious constituency since its religious focus and disregard for others that are not part of its ethno-religious community means there is scant evidence that Shas could be seen as a social justice party of any form.

### **The Arab–Israeli Conflict**

No analysis of an Israeli political party should fail to address the question of its position on the future of any Palestinian state, which too many is the primary division in Israeli politics. The central point that must be understood about Shas (and indeed UTJ) is that, unlike the religious Zionists of the NRP/Jewish Home, there is a more ambiguous relationship to the settlements and indeed the notion of 'Eretz Israel'. While (some) religious Zionists believe that the creation of the state of Israel is a messianic act that can bring about redemption, most ultra-orthodox do not believe this. For them the creation of the state of Israel in its true religious form can only come after the arrival of the

Messiah and therefore their attitudes towards the state range from open hostility to weary engagement (Fox & Rynhold, 2008, pp. 509–510). For the ultra-orthodox community, the primary goal is not the territorial expansion of the state but the protection of their religious community. There is, however, an increasing overlapping of these communities with the rise of what has become known by the term the 'hardel', which denotes those from the ultra-orthodox community who have become closer to the nationalist community and vice versa (Elman, 2008, p. 93). This community do not follow any clear lines, except for a right-wing political persuasion. They may vote for the Moshe-Feglin-led 'Jewish Leadership' wing of Likud, the Nationalist NRP/Jewish Home, the far right in one of its various manifestations or indeed the ultra-orthodox UTJ or Shas. Politically, there is considerable difference between the ultra-orthodox parties and the other orthodox parties whose positions are much more hard-line, right-wing and anti-Arab.

Shas's position on the peace process is in many respects hard to decipher as a result of two factors – firstly, its position as an issue of lower importance than other domestic concerns (and hence is lower down the cleavage pyramid) and secondly, a policy of deliberate ambiguity towards the matter. Peace and the Arab–Israeli conflict have always been secondary for Shas – the key has always been their ethno-religious agenda and therefore it has no definitive position vis-à-vis territorial concessions, borders, and the Palestinian state, and is unique in its pragmatism. In fact, it is deliberately ambivalent, hence the perception among some that Shas is a 'dovish' party, unlike other religious parties such as the NRP or UTJ (Yuchtman-Yaar & Herman, 2000, p. 33). This led some to believe that should a dovish/politically left government be formed, "Shas will go with them" (David Glass, personal communication, August 17, 2011).

In 1992, Shas's dovish image and perceived pragmatism led Rabin and Peres to include it in their governing coalition, as it was preferable to Likud or the NRP. Both the left and right view Shas in this light, i.e. as a political party that can be included in a coalition, and that is willing to be ideologically flexible, if the rewards are sufficient (Chetrit, 2000, p. 68). Indeed, Shas was, for a while, part of the

Rabin government, and both Yosef and Deri supported the Oslo Accords (Shapira, 2012, p. 434).

Within the realms of coalitional government, Shas has benefited from its ambiguity, as Shas's notion of Zionism is preferable and less militant than the Zionism of the nationalistic/settler/Gush Emunim bloc (Peled, 1998, p. 705).

This stance has been used by Shas and others as a means to distance themselves from other more militant and hawkish religious Zionists. Statements from Rabbi Ovadia Yosef further endorse this:

Is it possible that Jewish blood should be spilled like water? I personally knew some of the boys who were killed and I learned about the circumstances in which they were killed. The horror! How could I allow them to die for a piece of land? For a hill or mountain? (Hen and Pepper cited in Schoenfeld, 2010)

Yet the most significant element of Shas's ambiguity towards the peace process rests on Ovadia Yosef and his pronouncements, particularly the ruling permitting the return of territories in case of national '*Pikuach nefesh*'<sup>15</sup>, aka 'the preservation of life' (Kopelowitz & Diamond, 1998, pp. 691–692). For example, in "Ceding Territory of the Land of Israel in Order to Save Lives" Yosef stated it was "both permitted and necessary to give portions of the land of Israel to 'Ishmaelites' if doing so will prevent war or bloodshed" (Schoenfeld, 2010, p. 1). David Glass, an Ashkenazi and a self-proclaimed "lefty" (Pfeffer, 2008), has an allegiance to Shas that partially derives from his respect for Rabbi Ovadia Yosef's pronouncements. Most importantly that any prospective peace can be based on the notion of '*Pikuach nefesh*' and Rabbi Ovadia Yosef's decree that "in order to gain peace, a secure peace, a negotiated peace one can return all the territories, even those that are considered to be sacred" (personal communication, August 17, 2011). On a more political level, it had the fortunate side effect of legitimising Rabin's government (of which Shas was a member) while the Oslo Accords were drawn up. Not for the first time with Shas, religion would overlap with pragmatism.

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<sup>15</sup>The principle in Jewish Law that one must do everything in one's power to save another's life, even if one must break other elements of Jewish Law.

Yet, this is only a partial picture of Shas. Rabbi Ovadia Yosef has used anti-Arab rhetoric, including in 2001 a call for the “annihilation” of Arabs (Abdelkarim, 2001). More significantly, when one examines those who vote for Shas there is a clear tendency towards a hawkish stance on foreign policy and the peace process. Its supporters were more hawkish than Likud’s, but to the left of the NRP and the UTJ, and the majority of Shas voters are right-wing in every respect. 71% of Shas voters did not believe Israel could countenance the establishment of an independent Palestinian state, compared to the general populace, of which 52% could. Only the UTJ on average was more hawkish, and Shas voters on average were more hawkish than those of the NRP and Likud and considerably more hawkish than an average Labour voter. Shas voters are, on the whole, hawkish in relation to Arabs and the Palestinian state and, as such, there is no empirical basis for Shas’s “dovish image” (Yuchtman-Yaar & Herman, 2000, p. 44).

Overall, with Shas, it is the case that its ambiguity means that people can see in Shas whatever they want and its position is ambiguous since the legacy of Yosef can be contradictory. On the one hand, he “authorised the land-for-peace formula; on the other hand, he emphasised that this is dependent on the professional assessment of Israel’s security experts” (Nissim Leon, personal communication, January 29, 2014). Thus, it maintains no clear position, but instead is ‘reactive’ to events, coalitional government and the need not to alienate supporters or potential allies from either side. This ambiguity at the heart of Shas gives it flexibility in coalitions because foreign and security issues are not Shas’s top priority. By presenting itself as flexible on the issue, it is able to get ideological stand-down agreements with other parties for whom the issue is more central and in turn, it can advance its religious goals. This is how parties with different shaped cleavage pyramids operate within the coalition governments in Israel.

Shas can only be pragmatic to a certain degree because the peace process has been identified with secular Ashkenazim and for many Sephardic voters their focusing on the peace process and Palestinians is to the detriment of dealing with Sephardic problems. Yet, this must be weighed

against potential gains that Shas can acquire. As shown by Shas's admittedly weary support of the original Oslo process, if there are sufficient incentives, politically and economically, it will support any potential peace process, tacitly or otherwise. So, while "their voters and their constituency tend to be right-wing ... depending on what the price is and what the gains are, they could join governments that is in a peace process" (Guy Ben-Porat, personal communication, January 27, 2014). Shas, like all political parties, can only go against what the majority of its voters believe if there is sufficient reward for it.

Ethnicity remains an important part of Shas's identity and it must be viewed as an ethnic party. Its vote is virtually entirely Sephardic, and it seems to have no desire to sideline that identity in the pursuit of a greater share of the vote. In this respect, Shas is a factional party that represents only one group of people, with no desire to expand its vote outside of its ethnic base, which makes it an almost classic example of an ethnic party. The ethnic character is complemented by religion and anti-elitism, socioeconomic factors and a certain amount of core/periphery cleavage structure. Yet, religion remains the main prism through which Shas views all other issues and events and a figure like Aryeh Deri was capable of giving the party a wider appeal by making Shas a more populist party with a core ethnic identity backed up by an anti-elite/socioeconomic platform. Ultimately, for Shas's current political leaders and because of the legacy of Rabbi Ovadia Yosef, religion is the key element of its function as a political party. So, when Aryeh Deri returned to the party in 2013, it was to a predominantly religious Shas then controlled by Yosef, and there is no greater manifestation of what Shas aims for or how it seeks to achieve this than its institutions. Support of these institutions through state funding arguably represents the key objective for Shas and it is to this that the work now turns.

## **Institutions and the State**

If religion is at the apex of Shas cleavage pyramid then support for its institutions is a key element of this and is thus of central importance since for Shas (like UTJ), interaction with the state is a means

to an end and, in this case, the ends are securing state support for their institutions. Shas behaves like an interest group and “take[s] from the country what the country can give them; this is normal and religious parties are no exception” (Dan Meridor, personal communication, August 8, 2011). Shas’s behaviour is perfectly rational because “when you have power you want to help your institutions, your Yeshiva, your schools” (Senior Ministerial Advisor, personal communication, August 17, 2011). Therefore, Shas and the ultra-orthodox “always have the same traditional jobs in government, jobs that have to do with sitting on key resources ... through which they can help their people, housing, the Ministry of Interior, the Ministry of Religion” (Einat Wilf, personal communication, August 3, 2011).

This is important given the continued resonance of the status quo agreement, meaning that religious education for the ultra-orthodox operates under the notion of ‘separate but equal’, giving them de facto control of their own educational institutions that operate with a high degree of autonomy but are dependent on state funds. Shas seeks to secure continued and, if possible, expanded funding and autonomy for those institutions that are affiliated with religious parties. The difference is that while the Ashkenazi ultra-orthodox stream is relatively old (in that, it existed pre-state); the Sephardic Shas stream is relatively new. It originates with the entrance of Shas into government and has ‘piggybacked’ off existing Ashkenazi ultra-orthodox arrangements (Sibzehmer and Lehmann, 2006, p. 26). As an organisation and political party, Shas has always placed the transfer of state assets and resources away from the state to its supporters and community above all else, regardless of ethical, or indeed at times legal, considerations. Indeed, it is the case that “the ultra-orthodox religious parties are quite sectorial in the sense that they see their main goal as to serve and help their voters, their people” (Daniel Hershkowitz, personal communication, August 4, 2011). However, Shas’s behaviour in either the Religious or Interior Ministry is neither unique to those ministries nor political parties in Israel more generally.

Government is, in many respects, a means of resource gathering for religious parties, something that has only grown exponentially since the 1990s (Brichta, 1998, pp. 189–190). While these institutions and social provisions do receive some outside funding from Israel and abroad, the behaviour of religious parties has remained consistent since they are partially dependent on the allocation of state funds to their institutions. This means that Shas has been willing to be flexible on certain policy decisions when the prospect of government funds are raised, be this on any potential peace process (Schiffman, 2005, p. 117; Elman, 2008, p. 87) or more broadly (Bick, 2001, p. 95; Davis & Robinson, 2009, p. 1338). To this end, Shas has joined coalitions of the left, right, and even overtly secular ones (Kopelowitz & Diamond, 1998, p. 674). Shas (more than UTJ) has been able to penetrate the centre of power, as Rabbi Ovadia Yosef put it rather bluntly in 2008:

Now we have the Knesset elections ahead of us. If we gain 15 [seats], or if we are 18, how good it will be. Whoever is Prime Minister, would love to have them. He would receive them honorably [sic]. He would do anything he is told. "Give us the Housing Ministry." "You are welcome to it." "Give us the Social Affairs Ministry." "Sure thing." "Give us the Education Ministry." "You can have it." If they [Shas MKs] are strong, they could demand anything. (BBC Worldwide Monitoring, November 29, 2008)

In short, the stronger Shas is, the more it can demand, and it has concentrated those demands on domestic institutions that can be a source of funds for its community, such as housing, health etc. Two ministries are of special significance – the Ministry of Interior Affairs and the Ministry of Religious Services and Affairs, which have historically been the domain of the NRP (Elman, 2008, p. 83), but by the 1990s Shas, had started to make inroads into this fiefdom (Kook et al., 1998, p. 16). It is the case that both are vital in the allocation of funds that are important to Shas (Charbit, 2003, p. 113) and since the total allocation to ultra-orthodox institutions is around NIS1.3bn (Haaretz, 2013), this is of considerable importance.

Firstly, the Ministry of Religious Affairs and services is an important political domain for Shas. Indeed, it has become so associated with Shas that in 2003 the Shinui required, as part of its coalitional demands to enter the Government, that the ministry in effect be closed down, which they succeeded in achieving (Lazzroff, 2013). It would later be reborn in 2008 as the Ministry of Religious

Services under the control of Shas. The lack of separation between church and state in Israel means the state is directly involved in religious institutions and the appointment of rabbis (Fox & Rynhold, 2008, p. 511). The Ministry of Religious Affairs funds religious institutions, educational or otherwise, at a local and national level, and synagogues, ritual baths, supervision of dietary laws, marriage and funeral services are also part of its remit and it has a large staff and a considerable budget (Berman, 1999, p. 169). The Ministry of Religious Affairs is important for Shas because it is thought that it is able to provide funding and jobs for their ultra-orthodox constituents, especially through funding for its religious institutions and religious labour (Sarfati, 2009, pp. 136–140) in everything from kosher food inspectors to religious court judges. These jobs are vital to the ultra-orthodox section of the Sephardic community because they have no formal training that would allow them to enter the secular work force, but instead have religious training that allows them to work within the religious sector. As such, the control of appointments to religious work is a powerful political tool.

Secondly, The Interior Ministry, like The Ministry of Religious Affairs, became associated with Shas. It would become symbolic of Shas's presence in government to the point that it exacerbated ethnic tensions between Sephardim and Russians who sought to wrestle control of the ministry away from Shas (Bick, 2001, p. 71). The Interior Ministry controls the budget for local and regional government, as well as all-important discretionary funds that are unallocated, which were used by Deri in his period as Minister of Internal Affairs to provide additional funding to Shas's institutions. Deri also used these funds to build reciprocal agreements with Jewish and Arab councils, whereby Shas would provide social services that would be repaid on Election Day. For example, the Druze community gave Shas 4.3% of the vote in 1996 and 10.9% in 1999 (Bick, 2001, pp. 74–75) and so, through this exchange, Shas was able to extend its clientelistic system outside of its own ethnic community. It also further emphasises Shas's ambiguous relationship to Arabs. In this case, it was perfectly willing to enter into a quid pro quo relationship that would have been unthinkable for orthodox or religious Zionist parties, or even the UTJ.

Deri used the Interior Ministry to illegally fund religious organisations affiliated to Shas, and around NIS 100 million, a quarter of the budget, went to religious organisations close to Shas. He conditioned the transfer of ministry funds to municipalities on having some of the funds redirected to Yeshiva, ritual baths and other Shas programmes (Bick, 2006, p. 41). It filled positions with Shas supporters and favoured Shas-based institutions and when, in 1999, Barak tried to regulate and shut down this practice, as Sarfati (2009, p. 140) notes, “Shas continued its illegal or law-evading practices of transferring government funds to its own organisations”. These institutions remain at the heart of Shas’s community and as direct points of recruitment for the ultra-orthodox and Shas.

### **Institutions as Sources of Recruitment**

It is unquestionably the case that the main benefactors of Shas’s institutional arrangements have been its core ultra-orthodox supporters. Shas has been astute in using these institutions to reach out to other sections of the Sephardic community as a service provider in the form of its educational network, *HaMa’ayan Hachimuch Hatorani* (the Wellspring of Torah Education). Through this, it runs its various educational branches as well as welfare and religious programmes (Bick, 2001, pp. 59–60; Kamil, 2001, p. 139; Yadgar, 2003, pp. 233–234). It mostly provides primary education, with a few secondary schools, and they have been expanding in size and scope. Education has always been a key plank of Shas’s agenda and, under its watch, a new special, orthodox education system for North African and Middle Eastern children has arisen. Whereas previously the only special ethnic education was discriminatory, i.e. for Arab children, Shas provides for the benefit of Sephardic children things such as schools, clubs associations etc., but there is nothing explicitly ethnic in the provisions; instead, it is entirely implicit and maintained by tacit and informal means (Lehmann & Siebzehner, 2008, p. 243). While it has concentrated many of its resources on educational provision for the ultra-orthodox community, Shas’s outreach to non-ultra-orthodox populations has had a significant impact through enrolment of non-ultra-orthodox children in its educational institutions. This is because, in Israel, enclaves form around movements that act as ‘secondary’ centres that mobilise and allocate resources and commitments, which continue through socialisation and indoctrination

(Horowitz & Lissak, 1987, pp. 21–31) – something that applies to education and the Shas network.

While the original goal in Israel in education policy was the assimilation of the Sephardic community into the Ashkenazi community, with the emphasis on the dominance of Ashkenazi culture, as documented in Chapter 4, attempts at socialisation through social programmes and education did not produce integration.

The rise of Shas produced new competition for loyalty derived from service provision. This was not just from direct benefactors, but also from widespread perceptions of the party's beneficence and commitment to the population (Schiffman, 2005, p. 90). This manifests itself in the fact that demographically similar areas are more likely to vote Shas if their institutions are present, even in areas that are more Sephardic than ultra-orthodox (2005, pp. 195–196). Support for Shas in Sephardic areas where educational institutions are present but rabbinical authority is not suggests an alternative social dynamic, leading people to vote for Shas based more around support for the existence of these institutions than their direct use. So, while those who make use of Shas's institutions vote for them either out of some notion of client–patron relationship or because of rabbinical command, Shas's success have also been that it has been able to bring in a wider array of voters through its institutions. While the number of parents with children in Shas-affiliated schools represents only a small share of Shas voters, they form a bridgehead for the party's wider appeal, since, through direct or indirect encounters with them, others learn of Shas's largesse and commitment to the Sephardic causes. Because people value perceived commitment to the community, they vote for Shas, even if they do not directly benefit from these institutions.

Shas's institutions are therefore in many respects a manifestation of what Charbit called identity clientelism, where clientelism is not material but instead is the result of ideological, ethnic and religious considerations (2003, p. 115). This form of clientelism is underpinned by an idea of a relationship that is greater than simply some form of materialistic quid pro quo arrangement. There is a connection between Shas supporters and the party because Shas, like its institutions, are about

more than services. Shas wins supporters because it has dealt with subjugation in society by bringing the Sephardic community to prominence under the banner of identity, thereby motivating people to vote for Shas because of its “religious involvement in preserving the Mizrahi identity and the traditions of the various Mizrahi origin groups” (Nissim Leon, personal communication, January 29, 2014). Its educational network is important, also, since it plays into the narrative of self-sufficiency rather than dependency upon established elites.

It is part of the Sephardic community even for those who do not use it, and, like visiting the synagogue on a Friday evening even if one is not religious, it is about creating a sense of community. Shas is not simply seeking to gain votes by providing benefits and should not be considered a political machine, but instead is closer to a social movement (Kook et al., 1998, p. 16). Indeed, within the wider religious/global context, Shas is similar to other social movements and “like Hamas even, their popularity relies on the fact that they are social funnels ... taking state money” (Bernard Susser, personal communication, August 16, 2011). It seeks the continuation of the Sephardic identity of traditionalism, of the centrality of the synagogue and the rabbi in community life in a way that is not just religious. At the same time, Shas’s institutions can be seen partially as a response to the failures of integration of both the Sephardic population and of the ultra-orthodox because of the ‘enclaved’ nature of Israeli society.

Synagogues under Shas’s control were able to offer a civil society based around the synagogue and, over time, Shas has developed a tangled relationship with the Israeli state and society. At first, the Israeli state believed that Shas and its parallel civil society offered a more moderate and state-controlled alternative to the ideologically motivated settlers and Gush Emunim. Under the supervision of the state, Shas, with its institutional framework, set about building enclaves, or a dual civil society, and Shas and its synagogue-based dual civil society continued to thrive (Kamil, 2001, pp. 138–140). The state had sought to nurture Shas as a bulwark against religious and secular extremists; however, this led to Shas creating its own civil society, outside the state, exacerbated by

the fact that parties in Israel have been happy to buy Shas's support by allowing them state funding, but not supervision. Ultimately, this separatism is born out of the fact that "Shas offers the Sephardim what the Israeli state fails to do: integration into Israeli society through a network of educational and social service institutions" (Kamil, 2001, p. 130). This has allowed Shas to move from being simply a political party to a social movement complete with its own social/institutional framework. This in turn has meant that voters who don't share Shas dedication to placing religion at the apex of their cleavage pyramid vote for the party anyway out of some form of ethnic/traditionalist motivation.

Shas has developed what Lehmann and Siebzehner (2008) call a strategy of self-exclusion. This strategy allows them to thicken the social and symbolic barriers between 'their' community and the rest of society, whilst further isolating the community from rival political factions. This is not exclusion in the sense that this group is powerless and materially deprived, but a form of self-imposed withdrawal. Leaders gain from this as gatekeepers and kingmakers for the community in the political sphere. Shas has managed to keep the community separate from the state, while never explicitly using ethnicity as an issue, giving Shas's leaders significant bargaining power (Lehmann & Siebzehner, 2008, p. 245).

Effectively, Shas has created an enclave with its own civil society within the Israeli state, which is partially due to rational political reasons based in coalition politics and the attempt to seize as many of the resources of the state as possible. Yet it is also because the history of Sephardim in Arab/Islamic states is one in which synagogues were more than simply a place of worship. They had a strong social dimension, and this tradition of a religious-based dual civil society within a state is a tradition maintained by Shas and the community. In other Jewish communities in the Middle East, marriage, social gatherings, medical care and more were both a source of unity and security, protection in numbers against a society that was at best ambivalent to them and at worst openly hostile – something that has only continued in the Israeli state.

## What Does Shas Tell Us About Israel?

Shas's manipulation of the coalitional system to ensure support for its institutions echoes the same manipulation of the electoral system. In both cases, Shas has used the structure, electoral or party, to maximise its pay-offs and rewards, be that increasing its number of seats or increasing its influence over the distribution of resources. In this sense, Shas mirrors every other political party by acting rationally to maximise its power and influence. In many respects, it also echoes the old arrangements of the Ashkenazi ultra-orthodox institutions who used the political process to build institutions funded by the state but quasi-independent of it, and who have an established client-patron relationship with many of their voters. Where Shas differs is that many Sephardic voters are drawn to Shas not because of a client-patron relationship, but because of ideational concerns that derive from their status as a migrant population and their traditionalist religious stance. Placing Shas within the wider Israeli context, it is part of a fragmented and segmented political and social sphere that consists of sociopolitical and geographical enclaves. This has manifested itself in "the separation between Ashkenazi and Sephardic ... amongst ultra-orthodox Jews" (Einat Wilf, personal communication, August 3, 2011).

While many systems are worthy of Sartori's label of polarised pluralism, few have gone as far as to develop institutions that separate polarised communities. The secular-religious cleavage in Israel is such that the ultra-orthodox community refuses to seek education through state institutions, something that the secular community are happy to accept, instead seeking to isolate themselves in their own institutions. At the same time, Shas has been developing educational institutions outside the ultra-orthodox community that challenge the traditional secular-religious relations by seeking to recruit those who would have traditionally been part of the state education stream. This fragmentation of institutions is symbolic of the increasingly fragmented nature of the Israeli Jewish electorate. Shas's ability to gain support for its institutions from those who do not, nor ever plan to, use their institutions derives from the increased saliency of competing identities. In Shas's case, this

is Sephardic, but there is also the Russian immigrant identity represented by Yisrael Beiteinu, the Ashkenazi ultra-orthodox UTJ or the religious Zionist/nationalist Jewish Home/NRP, and, like Shas, most of these have and are seeking to develop their own institutional networks.

The alignment of ethnic origin with occupation, educational attainment, residency and political orientation created the circumstances necessary for Shas, as well as creating an “identity (that) is sensitive to marginal social groups and, as a result, attempts to create an alternative identity for what is usually viewed as the hegemonic Ashkenazi group” (Nissim Leon, personal communication, January 29, 2014). The ethnic concentration that was evident in the early days of the state of Israel laid the foundation for many of the societal cleavages that we see today, by allowing for the effective creation of ethnic communities, but also for there to be sufficient socioeconomic gaps between these communities so as to create ethnic mobilisation as a response. The immigrant experience of the Sephardic population means that many did not view the Israeli state as a Jewish melting pot; instead, they came to the view that there was a difference between them and the Ashkenazi establishment. Shas as a party gave those on the periphery a sense of ethnic pride as a means of overcoming peripheralisation and established an identity that, while distinctive, was definably Jewish and Israeli. It made no attempt to reach out to other disenfranchised groups (Arabs, Bedouin, and Druze) and instead firmly established itself as Jewish.

Like the relationship between religion and ethnicity, there is a hierarchy, in that, while class and geography have played a role in the creation of an ethnic identity and indeed remain important, they are not key determinants of Shas’s support. They have instead created the conditions for a party, like Shas, to fill the self-evident political vacuum for a party with a Sephardic identity. The socialist left of the Labour Party had failed the Sephardic community during its period of predominance, and Herut/Likud, after its victory in 1977, had not really rectified this problem, despite Begin’s direct appeal to Sephardic voters (Arian & Shamir, 1982, pp. 323–324). Therefore, we should not be surprised that we see a return to more traditional values, a rejection of the current cleavage models

in favour of the more traditional ethno-religious identity of Shas. Shas voters are not homogenous in terms of their religiosity, and there is a disconnect between a leadership that is ultra-orthodox and a support base that is far less homogenous and in fact has a different structured cleavage pyramid. Some are drawn from the ultra-orthodox and some are even secular; for Shas voters religion is ethnic and ethnicity is religious. While the ultra-orthodox vote for Shas out of religious conviction, those who vote for Shas based on ethnic considerations are also voting for Shas because of religion, even if it is just symbolic religion, and so religion becomes the de facto definition of Shas's ethnic mobilisation.

The question of why people vote for Shas brings us back to Chapter 3 (Pages 123-125) and the different types of ethnic voting that can spur support for ethnic parties. In the case of Shas, all three are of interest. The rational perspective can offer some clues as to why people vote for Shas. Shas are providers of educational and welfare programs that many are reliant on as well as the support they gain through 'identity clientelism' (page 226). At the same time there is some degree of expressive voting that derives from frustration within an Ashkenazi dominated political system. Voting for the clearly Sephardic Shas is a means of expressing ethnic solidarity. Still the biggest element of Shas support derives from policy/ informational shortcut voting. The majority of Shas voters are Sephardic ultra-orthodox and they vote for Shas since they share their interests. Shas is a party dedicated to the Sephardic ultra-orthodox community and their votes derive from recognition in that community that they are in the best position to represent that community. Thus Shas likely most sectorial and ideational parties derive their support by appealing to the heart (ethnic appeals, anti-elite populism) and the head (shared policy goals, redistribution of resources) that allows them to make appeals behind their ultra-orthodox heartland.

Yet, Shas tells us about more than simply movements and changes in the Sephardic community; it informs us that Israel is a state in a long-term and ongoing struggle over its own collective identity. Its founding members believed that, over time, the Zionist state would cause other divisions within

Judaism, especially religion, to effectively disappear. As western, secular socialists, it was their belief that it was inevitable that religion would simply disappear over time, as people became part of the modern secular world. However, this notion that divisions would simply wither away after the successful assimilation of other communities into the Zionist state did not happen, and Shas is part of the new political reality in Israel, one in which the Zionist illusion of unity is no longer evident. Shas and its place in the political fragmentation in Israel is testimony to this fact, to the saliency of the societal cleavages it represents and their importance in Israeli politics. It is the importance of these cleavages and their pyramid structure that is also a key element of understanding Shas's relationship to its own institutions and the wider state.

As already noted in Chapters 2, 3, 4 and 5, both structure (democratic regime types) and agency (societal divisions) provide the opportunity and incentives for communal conflict, and Shas is evidence of the saliency of divisions in society, the importance of identities and their boundaries. Yet Shas also suggests something else about the permeability and flexibility of Israeli political and social spheres/boundaries. This is because Shas has been a significant factor in government coalitions since its formation and during this period, politics has continued with some degree of normality. During this period it has proved itself to be a pragmatic political party, one that is able to adapt and 'play by the rules' and it responds to incentives, and has shown itself to be willing to embrace governments of both the left and right.

This form of behaviour is not unique to Shas because, while it is true that Israeli society is more fragmented and more diverse than once it was, it is also true that, in Israel, the electoral system has, somewhat ironically, meant that there has not been the emergence of truly sectarian blocs. The nature of the Israeli electoral and party system is such that it is nigh impossible to form solid blocs that are able to maintain power indefinitely, which forces cross-cleavage cooperation between parties within a coalitional setting. Therefore, paradoxically, Israel's volatility and fragmentation give it a degree of stability that would probably not be present were it not for the multitude of divisions

and the overlapping cleavages in Israeli society that stop the system having a solidified polarisation along any single cleavage line. This is because of the pyramid structure of Israeli cleavages. As already noted, Shas prioritises its religious (and to a lesser extent ethnic) concerns over much wider political elements, which means that it is able to make compromises on issues that for it are lower down the pyramid, but for other parties are higher up. Shas is a complex and multifaceted party with forms of identity that have different levels of saliency to the party and its voters. As such, it is part of this fragmented and overlapping system of divisions that make both the party and the Israeli party system flexible.

## Chapter 6: Theory, Context and the Conceptual Model

In Chapter 1 (page 18) I referred to the principle that my work represents a 'puzzle' namely the examining Shas within the framework of conceptual theories on democracy and identity politics whilst also address Shas as part of the context of the Israeli party system and society. Within a regional context, there is an interesting paradox between a 'western democratic' system and a party system that has produced a party that has been compared to the Muslim Brotherhood (Davis & Robinson 2009, 2012). This poses a further question addressed in this chapter: is there something unique about the Israeli electoral system that has enabled this, or is Israeli society less European than has been assumed, thus negating the effects of electoral system manipulation?

Shas represents part of the segmented nature of Israeli politics, but its involvement in the Israeli state is one of convenience rather than acceptance. Secondly, Shas, despite its ultra-orthodox Judaism, represents not a unique actor, but instead fits within established notions of ethnic and religious parties and their patterns of behaviour. Ultra-orthodox parties are part of Israel's pyramid-shaped cleavage structure in which cleavages overlap and prevent permanent polarisation of intra-Jewish cleavages, if not concerning divisions between Arabs and Jews. In order to address this hypothesis, four specific questions about Shas were addressed:

- 1) Where does its support derive from?
- 2) What does it seek to gain by political involvement in the Israeli state?
- 3) How does it operate within the framework of the Israeli political system?
- 4) What is likely to be its future role and status in the Israeli political system?

## Democracy and Divided Societies

Those who look at Israel from the outside and especially with wider reference to the Middle East all too often assume that Israel is a homogenous society. The originality of this work lies in placing Shas within the established framework of ethno-religious division in democracies in order to reveal a great deal about the fragmented nature of Israeli democracy and society. The framework established here highlights how Israel is a state that faces many of the same challenges as other divided democracies – ensuring the quality of democracy, encouraging cross-community cooperation and dampening potentially explosive communal tensions that can be corrosive for democracy.

This thesis is not about Israeli democracy or about conflicts between communities in isolation, but instead the role they play in Israeli democracy and society. I argue that to simply analyse these parties or concentrate on one specific element of Israel's divided society does not reveal as much as if one understands Israel as having a fundamentally fragmented society. This thesis has formed a theoretical framework that combines Israel's complex pyramid-structured cleavages with the wider debate about democracy and group conflict. The originality of this work derives from its study of intra-Jewish cleavages and attempt to place them within context through the idea of the cleavage pyramid that recognises that divisions in Israel are subject to different levels of intensity depending on the parties involved. While the primary division is between Arab and Jews there are a myriad of subset divisions along ethnic, class, religious and geographical lines that also act as forces of mobilisation. Each division is of differing importance to different parties and a solidified structure does not exist. Instead, each segment prioritises certain cleavages and, in Israel, like all states, political parties respond to structure, be that electoral or societal or, more likely, a combination of the two. Ultra-orthodox parties in Israel are no different. What is unique about the system they operate in is just how fluid and interconnected it is.

This is partially the result of the electoral system and the PR system has provided a key structural element for the success of all factional parties in Israel including the ultra-orthodox by providing incentives for fragmentation through the low threshold. At the same time, the coalition system of government makes it possible not only to achieve electability, but also to be part of any potential government. As such, parties and social movements have incentives to coalesce not around large broad-church parties, but around small, specific interest groups, from where they can be assured of continued support by focusing on their core supporters. So, while Shas has a “very, very wide spectrum of voters ... they don’t have control over many of them, and many of them can switch parties” (Guy Ben-Porat, personal communication, January 27, 2014). Therefore, it makes electoral sense to ensure that your core constituency is taken care of, rather than those voters who may abandon the party. Hence the need for Shas to focus on its ethno-religious identity.

### **Ethnicity and Religion in Israel**

In order to fully explore Israel’s party system, this thesis has provided a holistic view of Shas that does not just examine the parties themselves, but the context in which they operate. This means understanding democracy, ethno-religious identities and how the two interact contextually within Israeli society and politics. Only by understanding them as both parties within a political system and as manifestations of divisions within society can one truly understand the role these parties play within the Israeli state.

This leads to the question of how communal divisions and democracy interplay, and what constitutes ideational voting and whether this represents fundamentally undemocratic behaviour, or instead is the direct manifestation of democracy. From the negative perspective, there is much evidence to suggest that, once a democratic system is ‘ethnicised’, communal conflict, while not inevitable, increases exponentially. So while the wealth of literature detailed in Chapter 3 seeks to use different forms of democratic behaviour to decrease the saliency and intensity of divisions, it all embraces some form of democratic framework. Democracy in divided societies has a fraught

relationship because it can turn identity into a form of political mobilisation, transforming competition into conflict. Despite this, there has been no serious scholarly attempt to seek a solution that does not involve some forms of democratic framework – thus, democracy can be both the cause and panacea for ideational conflict.

It is therefore imperative that one understands the context within which political parties operate. While Israel has elements that detract from its democratic status, it is the ethnic element of the regime – especially Arab exclusion – that represents the primary fault in Israeli democracy. This draws together the underlying theme of the analysis of democracy in Israel – the difference between substantive and procedural democracy. Israel has been successful in creating a qualified procedural democracy that resembles a western European state, yet at the same time it is also apparent that the substantive and less easily definable elements of democracy that revolve around civil society and the treatment of minorities are more problematic. Israel's democracy thus passes muster on those elements that are easily measurable and qualified, but has substantive problems elsewhere, especially in the extension of full collective rights to minority groups and the ethnocentric nature of the regime.

In Israel democracy is flawed, fragmentation is rife and arguably exacerbated by democracy. The pyramid-structured cleavages in Israel in terms of the saliency of divisions place ethnic divisions between Arabs and Jews at its apex. This means voting in Israeli elections is a tacitly ethnic act because the Jewish nature of the state and the exclusion of Arab parties mean the electoral and party system is highly ethnic. Voting for either an Arab or Jewish party becomes a de facto ethnic vote; even if it is unintentional, meaning the primary fault line in Israeli politics is ethnic in two senses. Firstly, it is the most significant cleavage in determining one's position within the state because the level of inclusion/exclusion is most prominently related to one's position on this division. Secondly, it is the most significant flaw in Israeli democracy since the exclusion and unequal collective rights of Arab citizens occurs despite the existence of extensive individual rights for all

citizens. The fact that it is the most significant division in Israel has meant that it has not been part of the cross-cutting structure that has made Israel's politics fluid. Instead, it has remained a form of polarisation that has tended towards permanent exclusion. Yet, flawed or not, Israeli democracy is a political reality, and is self-evident upon even the slightest examination of the second rung of Israel's pyramid-shaped cleavage structure, the cleavage divisions between Jews in Israel.

This thesis, through the study of Shas, has shown how they are part of the already detailed pyramid and cross-cutting cleavages present in Israeli politics and society. With the ultra-orthodox, there are three important elements to the construct of their cleavage pyramid, all of which interrelate – religion, ethnicity and clientelism. The most prominent element of ultra-orthodox cleavages and the apex of their cleavage pyramids is religion, which manifests itself in two important ways – through the secular–religious cleavage and seeking state resources for the funding of their institutions. Ultra-orthodox parties like Shas are the manifestation of the secular–religious cleavage, or more accurately a politicised secularism/ultra-orthodox cleavage. Secularism by itself does not entail in-built hostility to ultra-orthodox communities, while the politically secular are not as uniformly hostile to the orthodox/religious Zionists. As such, “the debate in Israel between religious and secular is, in effect, between those identified as strident religionists (such as the ultra-Orthodox) and those who want to preserve their own form of secular/traditional lifestyle” (Nissim Leon, personal communication, January 29, 2014). Thus, there is a differentiation between “the religious Zionist sector which is well merged in the general society and the ultra-orthodox society which has very different socio economic characteristics, it's poorer and rates of education and employment are lower” (Aviad Rubin, personal communication, January 29, 2014).

There are two ways this division can be approached. The first sees it as a materialistic debate over resources and participation within the state (paying taxes, military service etc.), often referred to by its secular proponents as ‘sharing the burden’. The second sees this division as about something more fundamental – the civic versus religious state and what form the Israeli state should take.

Secularists fear that they are 'losing' the state to the religious and that Israel's civic/democratic character is under threat from religious groups that are seeking to make its Jewish identity (as opposed to its democratic one) primary. They fear "religious coercion and the damage to the definition of Israel as a democratic state with democratic values" (Avishay Ben-Haim, personal communication, January 10–15, 2014). Thus, the ultra-orthodox and their high birth rate represent a demographic fear that in the future this will lead to the loss of the secularism and pluralism secularists consider the very nature of the Zionist project. This is sometimes placed within an existential threat narrative because of the belief that

The real existential danger for Israel comes from down the road; from the demographic fertility<sup>16</sup> of the Orthodox community and the Arab community ... Take the number of children entering first grade and take the ones who are religious and Arab; they are more than half of the population of the 1st grade ... that is an existential threat to the country. (Bernard Susser, personal communication, August 16, 2011)

Most secularists are motivated by a combination of the two factors, although the first is more likely to be the articulated position of secularists – Yair Lapid in the 2013 election made 'sharing the burden' his rallying call. The division between the two sides is predicated on the very different ways they perceive the segmentation of communities in Israel. For the secular, it is a form of 'attack' because it seeks to isolate the ultra-orthodox community from the state, a community that does not 'play by the rules' and abuses political power to seek resources for its own gains without contributing to the state. They represent a threat because, as their numbers expand, they will undermine the civic Israeli state and seek to replace it with a religious Jewish state. Yet, for the ultra-orthodox, the barriers are a form of 'defence' against state encroachment on their way of life, and a legitimate isolation away from the secular world. Therefore, attempts by anyone to destroy these barriers represent, to them, a form of attack on them, their community and their way of life, and, as such, are an existential threat.

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<sup>16</sup> In this context, fertility means attitude towards having children, rather than referring to a biological context.

These barriers are most significantly maintained through the use of institutions that keep the ultra-orthodox separate from the state and the importance of their affiliated religious institutions to ultra-orthodox religious parties is exceptionally high. One must not assume the relationship between voters for ultra-orthodox parties (including Shas) and the parties themselves, or the relationship between those parties and the state, is a simple client-patron relationship.

While financial support for institutions and the ultra-orthodox is a key element of voters' support for parties and the parties' support for various coalition governments, the relationship is more complex than that. These institutions are about the maintenance of a distinctive (and, for the ultra-orthodox, threatened) way of life by acting as a boundary by means of inclusion and exclusion. Being a member of the ultra-orthodox community involves making a commitment through attendance at religious institutions that signal membership. This gives the political elite significant 'gatekeeper' advantages to a community that has little interaction with the external/secular world, and both the community and their elites view attempts to enlist the ultra-orthodox into the IDF, limit Yeshiva places or cut financial support as existential threats to barriers the community has erected around itself. The relationship that ultra-orthodox voters have to their political parties is a deep one in that voting for these parties is both a reflection of communal values and a means to ensure the preservation of that distinct community.

The role of ethnicity is a secondary one, although one still innately bound up with the religious. For the ultra-orthodox, ethnic divisions between the communities are significant, but they are still of secondary concern compared to the divisions between the secular and the religious. It is also the case that this ethnic division is secondary compared to the division between Arab and Jews in Israel.

## **Shas in Context**

Yet, since ethnic division is context-dependent, while the boundaries between Ashkenazi and Sephardic Jews are relatively minor comparative to the boundaries between Jews and Arabs, when comparing them in isolation, the boundaries seem much thicker. Hence, when we examine Israeli

politics in relationship to Shas, we find that there is an observable ethnic boundary in existence and that the cleavage between Ashkenazi and Sephardic moves up the cleavage pyramid in terms of saliency if one is examining Jewish identity (as this work does) or down if one is examining the relationship between Jews and Arabs.

Shas is thus the culmination of all the aforementioned intra-Jewish cleavages in Israel because, while the foundations of Shas are divisions within the ultra-orthodox community between Sephardic and Ashkenazi, Shas's success also reflects wider social forces. Shas's rise is part of the complexity of the Israeli political system where a myriad of factors concerning one's identity overlap, creating parties that have broader ideational appeal. Yet, Shas has remained successful in the fragmented and volatile world of Israeli politics because, at its core, there exists the ultra-orthodox voter whose primary identity is religious, which, while distinct from that of the Ashkenazi, is still ultimately a religious identity. Shas's other non-ultra-orthodox voters are a more complex collection who respond to a plethora of ethnic, religious, social, economic and political elements that have created a situation whereby these voters and Shas share a common ethno-religious identity and cultural markers. The Sephardic identity that Shas has utilised is the combination of both a collective history and identity as well as the result of the 'creation' of a Sephardic identity post-migration.

Shas's cleavage pyramid with its emphasis on religion and ethnicity appeals to those voters who share its belief in the saliency of these issues. Shas is able to combine ethnic and religious identities into an interrelated identity so that it is able to appeal to voters who have different-shaped cleavage pyramids. Despite Shas's clear prioritisation of religion at the apex, it has been able to draw in those who hold ethnic identity as important – although in this case, those identities are related since Shas is a manifestation of the complexity of the Israeli cleavage structure. They represent two distinctive types of voter – the ultra-orthodox and the ethnic. Yet, at the same time, the ultra-orthodox are defined as separate from other ultra-orthodox by their ethnicity, while the ethnic vote is partially derived from Shas's position as an ethno-religious party. The difference between the two ultra-

orthodox parties is thus the potency of their ethnocentrism and the functions they perform. For UTJ, their ethnic identity is non-motivational outside of the ultra-orthodox sphere, and its function is singular – the protection of its community. It acts much like a single interest/factionalist party dedicated only to its core community. For Shas, its ethnic identity is a mobilising factor for its non-ultra-orthodox voters, meaning that, historically, “Ethnicity is undoubtedly responsible for the rise of Shas ... Shas grew much less on the religious issue and much more on the ethnic issues” (Einat Wilf, personal communication, August 3, 2011). Therefore, Shas as a party has a dual identity since it performs the same function as UTJ, i.e. the protection of its ultra-orthodox community, but it also has a secondary function as an ethnic party that seeks to act as a rallying point for a certain form of Sephardic ethnic identity, both in the traditionalist and ultra-orthodox worlds. Thus, Shas has a broader appeal yet, at the same time, it still acts much like UTJ does, as a camp party, because, despite Shas’s clear ethnocentrism, this has not affected its cleavage pyramid, in which religious concerns remain primary.

This is in line with the notion that ultra-orthodox political parties have traditionally acted as interest groups who defended vigorously their section of the community and effectively vetoed attempts to alter the status quo. During the early years of the Israeli state, the ultra-orthodox were given significant leeway because it was assumed they were a relic of old Judaism that would eventually wither away. In fact, the main religious concern was the settler movement of Gush Emunim, compared to which the ultra-orthodox were moderate in their demands.

This is a fundamental difference within the religious community in Israel and perhaps one of the most important distinctions to be made: that the ultra-orthodox in Israel have a different relationship to both those who are ethnically Arab and the Israeli state as an entity from that of religious Zionists. While religious Zionists have made the creation of a Jewish state that encompasses the biblical state of Israel their primary goal, the ultra-orthodox made the protection of their community from outside forces their primary goal. This gives them different priorities – for the

religious Zionists, it is expansion, but for the ultra-orthodox, it is isolation. Therefore, while ultra-orthodox leaders may engage in occasional anti-Arab rhetoric, this has not been a uniform position for them as it has for the religious Zionists who view the Arab population in both Israel and Palestine as a potential impediment to their desire to create a unified Jewish state. While the ultra-orthodox can tolerate Arabs as long as their enclave is not impinged upon, religious Zionists have a more confrontational approach. This is also reflected in the peace process. For religious Zionists, the creation and maintenance of the Jewish state is the primary goal – the apex of their cleavage pyramid. They could not countenance being part of a government that divided the state of Israel and, for many, attempts to do so would likely lead to a violent reaction against the Israeli government of the time.

The fragmentation of Israeli society applies also to the religious community and means that there is no united religious community in Israel since they have a different-shaped pyramid structure – especially concerning territorial concession and the future nature of any Israeli state. So, while both have religion at the apex of their cleavage pyramid, their priorities differ – isolationism or expansionism. This has meant that, like all groups in Israel, they can cooperate based on the pyramid-shaped cross-cutting cleavage structure. However, it is also the case that the pyramid-shaped criss-crossing nature of Israeli politics means that, when a group is on the wrong side of what are currently the most significant issues, they will face exclusion. Secular–religious tensions (or, more accurately, anti-ultra-orthodox feelings) arise periodically and come to dominate political discourse, and when this occurs, the ultra-orthodox are likely to be excluded from government because they represent a minority group.

### **The Cleavage Pyramid and the Conceptual Framework**

This thesis, with a combination of academic sources and interviews, has argued that support for Shas derives from a mixture of religious, ethnic and clientelism bases. Shas and UTJ have many shared characteristics but also differences that derive from Shas's ability to mobilise a broader ethnic voter

base. Looking at their shared aims, they both seek the provision of resources that their ultra-orthodox voters are dependent on, ensuring that their enclave within Israel remains outside of the state so they remain its effective gatekeepers and retain control over their religion and the monopoly of Orthodox Judaism in Israel. These are their primary concerns.

Their operation within the framework of the Israeli political system is subject to the cleavage pyramid in that they seek to prioritise certain issues over others and religion is by some distance their primary concern. The cleavage pyramid that has formed the conceptual framework for this thesis is built on the idea that, within Israeli politics and society, different people, parties and segments of the community have different priorities. While for some (including the ultra-orthodox) these do not change, for others issues can increase and decrease in saliency. For the ultra-orthodox, this has traditionally given them a degree of flexibility in some policy areas because issues that are high up the cleavage pyramid for others represent less significant concerns for them. In the future, they will find many elements of any peace agreement (especially any prospective division of Jerusalem) problematic and their voters are overwhelmingly hawkish. While it may be hard for them to be active participants in any peace process, that does not mean they will not tacitly endorse it by not objecting or simply retreating to their enclave to avoid political confrontation with those for whom this is a more salient issue. Ultra-orthodox parties including Shas engage with the state with an eye on self-interest and the protection of their segment of the community. This makes them very similar to all other groups in Israel.

Yet, most significantly, the pyramid structure of Israeli cleavages allows for cross-cutting cleavages. Since there is no uniformity as to what represents the apex of the pyramid, no two parties have the same set of priorities and policy goals. Alternatively, a society in which the apex of the cleavage pyramid was the same issue for all parties would tend towards polarisation and conflict since parties would all be unwilling to compromise on the same issue. To put it another way, if everybody has the same red lines, nobody will ever progress.

If a society (like Israel) has parties that prioritise different issues, have different apexes and concerns, then compromise is possible. It works by virtue of the fact that *Party A* can compromise with *Party B* on an issue as long as it is not the primary concern of both of them. If it is neither's primary concern, then compromise is possible as a result of negotiation and concessions. On issues that represent primary concerns (the apex of the cleavage pyramid), cooperation is still possible since, if it is *Party A's* primary concern but not *Party B's*, *Party B* can give way on the understanding that *Party A* will give way on *Party B's* primary concern. In effect, both agree to give way to each other on the issues that are of primary importance to them. Conflict arises when there is direct polarisation between parties, whereby both place the same issue at the apex of their pyramid, but they are on different sides, thus the likelihood of tension and conflict increases exponentially.

Israel, politically, has largely been able to avoid the last form of politics, i.e. direct confrontation between polarised groups, although not always. For the ultra-orthodox, religion is at the top of this pyramid, and most parties it has worked with have accepted this or at least learned to defer to avoid conflict. At the same time, the ultra-orthodox parties have learned to be flexible in those areas that represent others' apexes of the cleavage pyramid. For ultra-orthodox parties, the most intense conflict occurs when political parties arise who place secularism/the anti-ultra-orthodox at the apex of their pyramid. This has happened in the past with Shinui and most recently in 2013 with Yesh Atid, who made it clear that the exclusion of the ultra-orthodox from government was non-negotiable.

Indeed, the upper-middle-class segment of society that Yesh Atid represents seek to undermine Shas by labelling it "as an ethnic and fundamentalist force and ... brand[ing] it as an illegitimate party" (Nissim Leon, personal communication, January 29, 2014). This polarised division is not just between the secular and religious: it actually occurs across a number of different cleavages and parties.

Meretz and Jewish Home clash over the fact both have at their apex the peace process and ethnic rights while, along the ethnic cleavage, Yisrael Beiteinu would have the same problem with any of the Arab parties, while Meretz would, in the economic sphere, clash with Likud.

Usually, Israel can avoid this kind of conflict by the careful management of coalition governments and operating a sort of compartmentalised domain democracy. Each societal segment/party is given its own fiefdom in government and society at large, which means society stays fragmented but also avoids cross-community conflict. The state has largely negated integration in favour of legitimising homogenous communities and has thus avoided intra-Jewish conflict through lack of integration. This occurs at a societal level where large areas are de facto secular, religious, Russian, Sephardic etc., but also politically, where some parties also represent clearly defined communities.

While this system has proven resilient and versatile, any potential peace process may spell the end of it. The most fissured the state has been was during the Oslo accords, which led to the assassination of PM Rabin, and any future peace process could fissure the state in a similar way. A peace process could create a single line of polarisation that exacerbates tensions within the state since all other cleavages would become secondary in the cleavage structure. This would have the effect of negating the cross-cutting cleavage pyramid model that has kept Israeli politics fluid.

Ultimately, it is also true that if one solved the question of the territorial status of the Israeli state without the security/territorial cleavage, there will be a greater tendency to polarise around fewer issues, which would have the effect of diminishing the fluidity of Israeli politics and coalition building. No cleavage is likely to become exacerbated more than the secular–religious, which in any Israeli state that no longer faced the same level of existential threat could prove much more divisive than it currently does. In effect, as Bernard Susser states, “I don’t think there’s much doubt that the existential threats that faced the country have created a kind of national union that otherwise wouldn’t have existed” (personal communication, August 16, 2011). A quiet security environment has a tendency to create a situation such that “all the other divisions rise up, the religious/secular divide, the ethnic divide, the Arab Jewish divide” (Einat Wilf, personal communication, August 3, 2011). Thus, the solving of one conflict may be only the prelude to another.

## The 2013 Elections and the Future

The election of 2013 is further evidence of the fact that, despite their religious concerns, the religious Zionists do not see the ultra-orthodox as part of their community and are willing to see them isolated from government. Yesh Atid made secularism and decreasing state support for the ultra-orthodox a key electoral platform; therefore, when it was time to form a government, there was a conflict because Yesh Atid wanted to diminish that which the ultra-orthodox prioritised most, namely financial support for the ultra-orthodox community. This meant that, in 2013, “Yesh Atid wanted the Ultra-Orthodox out in order to change the issue of going into the army and the money that is given to the people living in the Yeshiva” (Moshe Hellinger, personal communication, January 11, 2014). At the same time, the fluid nature of Israeli politics, where different parties with different priorities can cooperate, meant that, while Yair Lapid and Yesh Atid insisted that the ultra-orthodox were excluded from government, they were able to accept the inclusion of the religious Zionists who also accepted the exclusion of the ultra-orthodox.

The formation of the coalition after the 2013 election highlights how cooperation is possible as long as there is no conflict over the apex of the cleavage pyramid. There was space for a great deal of cooperation between Lapid and Naftali Bennett, the leader of the religious Zionists, since Lapid had concentrated on domestic issues and attacking the ultra-orthodox, and had largely neglected talking about the peace process or Arabs, bar the occasional vague statement. This meant that cooperation with the religious Zionists was possible because, while Bennett and the religious Zionists placed at the top of their cleavage pyramid the peace process and settlements, Lapid did not. Indeed, they agreed on many things concerning domestic policy, and Bennett has shown scant regard to the ultra-orthodox, focusing on his own religious nationalist community. The fluidity of the cleavage structure and the ability of parties to cooperate across various cleavages means those parties are fused to the political system as the ultra-orthodox will occasionally find themselves on the minority side of a division and thus excluded from power.

Overall, Shas's relationship to democracy would seem to be one of pragmatic engagement. They have been relatively sophisticated operators in terms of their ability to exploit the system for their own and their constituents' interests and have been active participants in Israeli democracy and its government for the majority of its existence. The question is whether they have internalised democratic behaviour or are using it as a means to an end, be that material gains, controlling the relationship between church and state, and/or a religious/Halacha state. Yet, despite their relative ambiguity towards both the state and the democratic process, there is nothing to suggest that Shas harbours anti-democratic leanings, or, if it does, it has not sought to overtly act upon them. All the evidence suggests that the ultra-orthodox seek not the domination of the state but isolation from it, even if, paradoxically, they have to engage with the state to achieve this.

Ultra-orthodox parties including Shas are part of a divided and fragmented society and, as detailed in Chapter 3, democracies with high degrees of segmentation and divisions are prone to conflict, or at the very least permanent exclusion of one group. As already noted, Israel does not fit any formal pattern of measurement of conflict reduction measures, even if in its early days it did have an accommodationist structure similar to consociationalism. However, now its political system is too competitive to be consociationalist, while it lacks the majoritarian aspect and alliance-building of centripetalism. Israel's stability and inclusivity is the result of the fluidity of the political system, which allows factional parties, like the ultra-orthodox, to be in government with secular parties, yet also occasionally isolated from government. So, while Israel does not have any formal mechanisms that are used to decrease tensions, the nature of the state, with its comparative electoral system, large coalitions and cross-cutting cleavages, has acted as a pressure valve on intra-Jewish tensions, albeit as well as tacitly excluding Arabs from the political process.

This thesis did not deal with the struggle for physical and geographical boundaries and it is clear that the ongoing struggle for identity and democracy affects Israel's security and geography. Domestically the Israeli state is engaged in a long-term struggle over its nature and identity. At the heart of this is

a division between the somewhat superficial political structure of the state (electoral and party) – the western, secular Ashkenazi democracy – and its real demographics, which tend it towards a Middle Eastern state. Within its fragmented society, ideational identities have been introduced and, increasingly, the party system represents competing communities that are less western representations of ideology and more social movements deeply rooted in their communities. Israel's success has been to find a way to include these groups and this has meant that its polity and society have been (relatively) stable despite high degrees of fragmentation.

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