

Can Israel Overcome Its Societal Divisions?

By Raphael Benaroya | September 14, 2023

In its 75 years of existence, Israel has achieved remarkable accomplishments in many fields—including science, technology, education, the economy and the military—despite being surrounded by hostile neighbors intent on the nation’s destruction. Israel’s population of 10 million, a 12-fold increase since the country’s founding, is composed of 75% Jews, 20% Israeli-Arabs, and 5% “others” (primarily Christians and Druze). These numbers suggest a clear Jewish majority, but as recent events have made clear, the Jewish population is also divided. There are really four predominant “tribes” in modern-day Israel, as former Israeli President Reuven Rivlin has noted: secular Jews, religious nationalist Jews, ultra-Orthodox Jews (Haredim) and Israeli-Arabs. Among these four tribes, the Haredim population is growing the fastest, especially across the youngest age groups. For example, first-graders in Israel are currently 35% secular Jews, 25% Haredim, 25% Israeli-Arabs and 15% religious nationalist Jews. This demographic trend will continue, as the Haredim fertility rate (6.6) is double that of Israeli-Arabs and triple that of secular Israeli Jews. As Rivlin has pointed out, these tribes, each anchored in their own worldviews, have a “different outlook regarding the basic values and desired character of the State of Israel.” For instance, many Haredim and most Israeli-Arabs do not identify with Israel’s flag or national anthem, nor do they participate in national holidays like Independence Day or Holocaust Remembrance Day. The tribes each have separate educational systems, no shared ethos, and no common civil language to foster collective understanding and cooperation. The Israeli Defense Force (IDF) once served as a cultural melting pot, but now only 50% of age-eligible citizens serve in the military—or any other national service. Today, as Rivlin observes, the four tribes of modern Israel “meet for the first time, if at all, in the workplace” as adults, where their “mutual ignorance and lack of common language ... increase tension, fear, hostility, and competitiveness between them.” Israel’s diversity of religion, ethnicity and culture has enriched the country’s music, folklore, humor and cuisine, but this heterogeneity has also led to deep societal fractures. The different segments of Israel’s population all too often fail to find common ground and, as a result, feud bitterly. The most contentious points include: Unequal contributions to national defense. Israel nominally mandates military service for all, but ultra-Orthodox Jews and Israeli-Arabs are now exempt. Unequal contributions to the economy. According to the International Monetary Fund, Israel is poised to achieve a higher per-capita GDP in 2023 than France, Japan and the U.K. But the lion’s share of this productivity comes from STEM-educated citizens outside the Haredi and Israeli-Arab communities. Haredi schools focus exclusively on religious studies, with no core academic subjects that prepare students to contribute to the economy. A wide perception of unfair economic benefits for “less productive” groups. Israel budgets significant funds to support religious studies and social benefits for the ultra-Orthodox population, which creates resentment among many secular Jews. The current coalition cabinet has approved billions of dollars to support their special-interest

institutions and programs, which critics argue puts a higher, unfair tax burden on the rest of Israeli society. Imposition of religious law practices. Secular Jews in Israel are concerned about religious ultra-Orthodoxy encroaching on business, transportation, family and other laws. Beyond tribal divisions, Israel is also split across Ashkenazi-Sephardi origin, left-right political ideology, and issue-specific opinions along party lines. Rifts like these are clearly reflected in Israel's electoral history. While Israel has a strong democratic tradition, it has been a turbulent affair, with a large number of parties involved in complex negotiations to form fragile majority coalitions. Historically, Israel has averaged only three years per election, even though a full Knesset term is four years. And since 2019, the country has held five elections, averaging less than one year per government—a clear sign of fragile and ineffective governance. The latest coalition assumed power in December 2022, with a thin majority of 64 of the 120 Knesset members. The coalition is led by Likud, Israel's leading conservative party, but is beholden to five smaller parties, including far-right and ultra-religious elements that demanded and received key ministerial positions, budget allocations and legislative actions in exchange for supporting Likud. (The three smallest parties hold only one, six and seven seats, respectively!) The governing coalition's recent attempt at judicial reform has become Israel's most contentious public flashpoint. Each side of the debate claims the political high ground, claiming that their actions are for the good of Israel's democracy. Both sides have some points that are valid ... and some that are not. According to Professor Netta Barak-Corren—formerly of the Hebrew University of Jerusalem, now a visiting law professor at the University of Pennsylvania and a research fellow at Harvard—the coalition's criticism of the Israeli judicial system is partly justified. For example: The Supreme Court of Israel had the power to strike down laws enacted by the Knesset, based on arbitrary and unevenly applied “reasonableness,” which made the Court a de facto policy-maker. (In contrast, the American framework of checks and balances does not tolerate such a one-sided relationship between the legislative and judicial branches.) The Supreme Court of Israel can hear cases brought by any entity, even if the entity is not directly connected to the case. This capability also enables the Court to make policy, taking power away from the political branches of government. (In contrast, in the American legal system, only parties who are directly affected by a case have the legal standing to seek remedy before the court.) The nine-member committee that selects judges for Israel's Supreme Court consists of five legal professionals (including three current Supreme Court judges), giving this bloc a majority advantage over four political representatives (two cabinet ministers and two Knesset members). The sitting Court thereby exerts undue influence over its successors. But the bare-majority coalition made a grave error in its reform agenda, pushing it too quickly and too forcefully, without public debate or buy-in. This “marketing” failure was costly, prompting unprecedented, continuous public protests across Israel. Citizens took to the streets and blocked key transportation arteries, medical staff went on strike, and vital military reservists threatened to refuse to serve. The protesters see the coalition's unilateral action as the “tyranny of the majority.” Critics of the protesters see them as the “tyranny of the minority.” Beyond polarizing Israeli society, the coalition's rashness on judicial reform has risked damaging Israel's relationship with world Jewry and raised concerns about diminished support from the United States, which is a vital pillar of Israel's national security. The protesters' initial demonstrations seemed just, cutting across all strata of society and engendering widespread sympathy. But the protesters were not simply white knights fighting against evil. The Israeli judicial system does need reform. Under the current system, it is easy to argue that the judiciary's power is undemocratic. The popular claim that the coalition's judicial reforms are a “threat to democracy” is also an exaggeration. After all, the democratic process put the coalition in power in the first place—and enabled the demonstrators to voice their opposition! Most importantly, the protesters' mass disobedience, especially by military reservists, puts Israel at greater risk to bad actors, both internal and external. Complicating the protesters' perceived moral high ground is the notion that the judicial issue is simply a platform for many Israeli citizens to express their distaste for the current government, in

general, and Prime Minister Netanyahu, in particular. A wise Israeli friend of mine said, “All these issues come from the same root—dislike of, and opposition to, Benjamin Netanyahu.” In fact, some say that an opposition leader who wants to topple Netanyahu has masterfully organized many of the public demonstrations. A recent visit to Israel supports this viewpoint. When asked about their motivations, protesters gave a variety of answers. Their grievances went far beyond judicial reform, including an “unfair” burden for national security and economic prosperity, religious coercion, social justice, and even the cost of living. For the well-being and security of Israel, diffusing the current, divisive situation is essential—and urgent. So what can be done to unify the country? To begin with, any Israeli government—right, left or center—must recognize that it serves the entire nation, not just the narrow interests of its coalition members. The current governing coalition must tone down its hardline approach and be more sensitive to the entire country’s sentiments. The coalition must acknowledge that, to a large number of Israelis, its unilateral judicial reform appears to weaken the checks on power that are vital for a healthy democracy. Next, to calm the nation and begin to heal its societal rifts, the governing coalition should, as quickly as possible, form an independent commission on judicial reform. This commission should consist of legal professionals, academics, active and retired judges, and legislators—from both the coalition and the opposition. The commission should methodically analyze the flaws and merits of the existing system and submit recommendations aimed at improving the quality of the judicial process, bolstering the judiciary’s relationship with the other branches of government, and strengthening Israel’s democratic checks and balances. The protesters must also immediately dial back their strikes and threats. Israel’s enemies must not believe that Israel is so fractured that they can step up their aggression. Mass disobedience that affects national security and essential services, like healthcare, inflicts severe wounds on the entire nation. The organizers of these demonstrations should cease this tactic at once. Longer term, it is hard to imagine that Israel’s political divides can be bridged—or dysfunction addressed—without sweeping changes to the parliamentary election system. There is no chance for unity or effective governance if coalition fragments force narrow special interests on the entire nation. Specifically, the 3.25% vote threshold for a party to hold seats in the Knesset must increase meaningfully to enable more rational, stable governance. This 3.25% threshold makes a one-party majority in the 120-seat Knesset essentially impossible (the most seats ever won by a single party was 56 in 1969) and, as demonstrated by the current government, that can empower tiny factions to dictate terms despite little popular support. Small factions of the current coalition also insisted on and gained the appointment of 33 ministers who can demand the prime minister’s time, set policies, control budgets and incur costs. Imagine a CEO who has to divide attention between 33 vice presidents? It is a dysfunctional and unsustainable management model. Israel’s government must also address the country’s changing demographics, which will exacerbate societal, political, and economic divisions over time. With Haredi birth rates increasing, the ultra-Orthodox community’s demands for support will only grow, even if it does not contribute equitably to Israel’s defense and economic prosperity. To build a more cohesive society, Israel must emphasize common needs over factional desires—for example, by requiring national service of some kind, a shared core of education, and greater access to economic opportunities for all citizens. Specifically: Every Israeli should be obligated to serve the country, even if in a non-combat or other national service role that does not conflict with their religious beliefs. All schools, including religious schools, should be required to teach core classes (such as STEM subjects) and some schools should offer technical or vocational training to prepare all students to contribute to the economic health of the nation. Much more should be done to make economic opportunities available for all Israelis. For example, national service tracks in healthcare, education, law enforcement and land management could enable Israeli-Arabs to expand their career horizons and close the productivity gap that currently exists between them and Jewish Israelis. If all strata of society enjoy fair access to resources, productivity and quality of life, the entire nation—and all of its

inhabitants—benefits. Despite its current societal divisions, Israel's history of determination and endurance gives cause for optimism that the nation will overcome its current challenges. No adversity in the nation's history has been insurmountable. Israel has fought five major wars and faced many violent confrontations between the wars. Israel has successfully absorbed millions of refugees and immigrants—from post-World War II Europe, from Arab countries in the Middle East and Africa, and in the 1990s from the collapsing Soviet Union. Israel can and will solve its internal issues, overcome its “tribal” conflicts, and improve the quality and stability of its government.

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