1. Israeli ethnocracy and the Israel-Palestine citizenship complex

Nils A. Butenschøn

We came to this land after having burned all our bridges behind us, and there is no return. The only way open for us – to advance, and when there is no possibility of advancing, we have no choice but to stand with our backs against the wall, and fight for our positions.

David Ben Gurion¹

INTRODUCTION

This chapter has three main parts. First, an attempt is made to identify basic principles of Israeli citizenship as it emerged in the extraordinary context of Zionist state-building in Palestine in the years prior to the establishment of the State of Israel in 1948. Second, I discuss how ‘three generations’ of Israeli political sociologists have conceptualised the relationship between the state and its citizens (and non-citizens). Finally, based on some of my earlier studies, I present a conceptualisation of Israel as an *ethnocracy* within the Israel-Palestine Citizenship Complex, demonstrating the interrelatedness of Israeli and Palestinian citizenship as elements not only in an intractable conflict but also in the future political organisation of state authority in Israel-Palestine.²

¹ David Ben Gurion, ‘Planning Zionist Policy,’ in *Jews and Arabs in Palestine: Studies in a National and Colonial Problem*, eds. Enzo Sereni and R.E. Ashery (New York: Hechalutz Press, 1936), 123.

² It seems that my coining of the concept of ethnocracy developed in parallel with works by the Israeli geographer Oren Yiftachel. In the late 1980s and early 1990s I published research papers defining the concept with particular reference to Israel, and a more elaborated version in Nils A. Butenschøn, ‘State, Power, and Citizenship: A Theoretical Introduction’ in *Citizenship and the State in the Middle East: Approaches and Applications*, eds. Nils A. Butenschøn, Uri Davis and Manuel Hassassian (Syracuse: Syracuse University Press, 2000), 16–28. I was not aware of Yiftachel’s work until he published his important book *Ethnocracy: Land*

ISRAEL – IN THE REGION, BUT NOT OF THE REGION

In regional studies of the Middle East and North Africa the State of Israel is often not included because it deviates in so many ways from the states and societies in its surroundings. According to the late Leonard Fein: ‘though *in* the region, Israel is not *of* the region’.³ This fundamental regional alienation of Israel and the Israeli-Jewish society has its origins in Israel’s nature as a mostly immigrant and settler-state, with its background in European models of state- and nation-building, and born in the bitter struggles over state-building in Palestine over the last century. Israel may not be of the region, but its presence is strongly felt, both as a dominant military power and as a source of regional instability. The struggle is still unfolding today as the last and undecided conflict between a European-style nationalist settler movement and a non-European local population over territorial control and entitlement to sovereign statehood.

This historical context has important implications for an analysis of the current conditions of citizenship in Israel in what I call the Israel-Palestine Citizenship Complex. As a settler-state in a regional environment that rejects its legitimacy Israel has had to mobilise sufficient internal strength, including military strength, and external support, from the moment it declared territorial sovereignty in 1948 in order to withstand potential attacks from any Arab war coalition.⁴ This has been achieved partly by organising every Jewish citizen for the building and protection of the new state – defining citizenship in terms of a common destiny between state and

and Identity Politics in Israel/Palestine (Philadelphia: University of Pennsylvania Press, 2006).

³ Leonard J. Fein, *Politics in Israel* (Boston: Little, Brown, 1967), 65 (emphasis added). James Piscatori and R.K. Ramazani give the following reason for excluding Israel in a study of the Middle East: ‘[. . .] official Judaism, European cultural affinities, the political strength of the Ashkenazi, and the intimate connection with the United States make Israel unique in, and thus different from, the region. As a result, we define The Middle East as excluding Israel, but including eighteen Arab states, Iran, and Turkey.’ See J.P. Piscatori and R.K. Ramazani, ‘The Middle East’ in *Comparative Regional Systems: West and East Europe, North America, the Middle East, and Developing Countries*, eds. Gavin Boyd and Werner J. Feld (New York: Pergamon Press, 2016 (1980)), 275.

⁴ The ambition of creating a Jewish state in Palestine was rejected almost unanimously not only by Palestinian Arabs, but throughout the region. When Israel declared independence on 14 May 1948, the Arab states immediately went to war as they had warned when a majority of the United National General Assembly voted for the partition of Palestine into a Jewish and an Arab state in November 1947.

its Jewish citizens – and partly by seeking security guarantees and military assistance from external powers, including from former colonial powers (thereby strengthening the regional perception of Israel as an alien entity and instrument of foreign domination). The lack of local and regional legitimacy, and confronted with a history of displacing large tracts of the non-Jewish Palestinians in times of war, a narrative justifying a separate state for Jews in Palestine has always been needed as a central theme in the building of Israeli citizenship as membership in a state with a historic mission for the Jewish people. The Israeli argument has been that Israel as a state for the Jews would not survive a military defeat since its legitimacy was rejected by the Arabs; it could lose a battle, but not a war. This is also why a strategic priority for the Israeli leadership has been to recruit as many immigrant citizens as possible from the pool of world Jewry, including the need to justify the Zionist state-building programme as a genuine ‘Jewish’ programme, either within secular or religious conceptions of the term.

Consequently, Israel needs to have not only a large contingent of its citizens, both men and women, mobilised and fully motivated as citizen-soldiers for military action on a short notice, but also to command an effective ‘military edge’ over the Arabs, at least as long as there is a credible external threat.⁵ Furthermore, it needs to activate as much support as possible from external sources, both governments and public opinion. With references to the central geostrategic location of the country on the one hand, to ever-present ‘existential threats’ from neighbours, and to the tragic destiny of European Jewry on the other, this political-military doctrine, still operational today, resonates strongly with Jews in general, and also with influential segments of Western opinion. Among other motives, the doctrine reflects a world view that serves as a politico-moral shield against critics of Israeli human rights violations and violations of international law, and in support of requests for military, economic, and diplomatic support from European and Western powers in particular.

General Principles of Israeli Citizenship: A Context of Extraordinary State-Building

It follows from this introduction that Israeli citizenship can only be understood in the historical context of ‘the Zionist Revolution’ of

⁵ Michael I. Handel, *Israel's Political-military Doctrine* (Cambridge, Mass.: Harvard University Center for International Affairs, Occasional Papers in International Affairs, No. 30, 1973); Nils A. Butenschön, ‘Israel as a Regional Great Power’ in *Regional Great Powers in International Politics*, ed. Iver B. Neumann (London: Macmillan, 1990), 95–120.

(re-)creating a Jewish nation in historic Palestine. When the Zionist programme was first announced, almost the entire world Jewry was living outside Palestine, for the most part in Europe. The Zionist programme would imply, in a practical sense, moving Jews on a massive scale to a country totally different from Europe in terms of resources, climate, infrastructure, and culture and making them into an 'old-new' nation in an 'old-new' country.⁶ And since the country was under Ottoman-Muslim rule (until after World War I) and already populated almost entirely by non-Jewish Palestinians, the country would somehow have to be made available and accessible for Jewish immigration and colonisation, whether through negotiations with Ottoman authorities or conquest. Negotiations failed; it was only after the British conquest of Palestine in 1918, and based on the promises of the British government to the Zionists the previous year of supporting the establishment of a 'national home for the Jewish people' in Palestine (the Balfour Declaration) that the Zionist programme became *realpolitik*.⁷

Mandatory Palestine is the state territory defined by the League of Nations as 'Palestine' in 1922 – including today's Israel within the 1949 ceasefire lines (the 'Green Line' or 'Israel proper'), the West Bank including East Jerusalem, and the Gaza Strip – as part of the post-Ottoman organisation of the Levant into British or French Mandates. According to the Mandatory Regulations the Mandates were to be 'guided' towards independence by the Mandatory Power. In contrast to neighbouring countries (who got local governments) Palestine was to be ruled directly from London and the substance of the Balfour Declaration was included in the preamble of the Mandate for Palestine.⁸

From that point onwards defining state authority and citizenship in Palestine became an international issue and responsibility; a 'dual

⁶ See Theodor Herzl's utopian novel, *Altneuland* (Berlin: Verlag der Contumax, 2015 (1902)).

⁷ The Jewish population constituted only a small minority of about 65,000 persons (less than 10 per cent of the country, and many of whom were not necessarily sympathetic to the Zionists), and only a fraction of world Jewry. Zionism became *realpolitik* because the promise (albeit in conflict with other promises) was given by the coming Mandatory Power in Palestine, and because it was included in the League of Nations Mandatory Regulations for Palestine in 1922, reflecting that it was already accepted by other leading powers at the time (including US President Woodrow Wilson) and given a legal status.

⁸ The Balfour Declaration was issued in the form of a short letter to Lord Rothschild, a leading British Zionist, signed by foreign secretary Arthur Balfour on behalf of the government on 2 November 1917. The Declaration was controversial at the time and is so still today.

commitment',⁹ as it were, by an international body that had promised self-determination and future statehood to the people of Palestine, on the one hand, and a 'national home' for the Jewish people in the same territory, on the other. The inherent inconsistency between the two commitments was never explicated and clarified or resolved at the time, leaving the Mandatory Power (Great Britain) with an escalating intractable conflict. Was the 'national home' meant to become a Jewish state, some restricted form of self-government, or merely the right to form autonomous religious and cultural institutions in the country? The World Zionist Organization headed by Chaim Weizmann, who had negotiated the declaration with the British government over several years, took the declaration to imply effectively British support for a Jewish state,¹⁰ whereas the Palestinians protested against what they saw as an infringement of their rights of self-determination.

The Zionist programme was, in many ways, the most radical Jewish solution to 'the Jewish problem' in Europe, and did not gather much support among European Jews in the first stages of its history. Other solutions, not involving the uprooting of the Jewish societies in Europe were more popular.¹¹

Convincing Jews to move to Mandatory Palestine, and rich sponsors to support the project would furthermore require propagating a narrative and an ideology that presented the Zionist programme both as a liberating continuity with references to millennia of Jewish history of 'exile', as well

⁹ Nils A. Butenschön, 'The Paradox of Palestinian Self-Determination' in *Where Now for Palestine? The Demise of the Two-State Solution*, ed. Jamil Hilal (London and New York: University of Chicago Press, 2007), 75–99. For an excellent book on citizenship in pre-Israel Palestine, see Lauren Banko, *The Invention of Palestinian Citizenship, 1918–1947* (Edinburgh: Edinburgh University Press, 2016).

¹⁰ Weizmann described the Declaration as 'the Magna Charta of Jewish liberties', and in a letter to Balfour comparing it to the proclamation of Cyrus the Great called upon the Jews to return to Jerusalem and rebuild the Temple. Ronald Sanders, *The High Walls of Jerusalem: A History of the Balfour Declaration and the Birth of the British Mandate for Palestine* (New York: Holt, Rinehart and Winston, 1983), 616.

¹¹ Responding at the time to European nationalism and anti-Semitism, including Russian, pogroms Jews chose different strategies. Between 1881 and 1914 a large wave of westward emigration of Jews from Central and Eastern Europe took place, about 2.6 million to the USA alone. Others chose to engage in political and other civil society organisations in their home country struggling for equality and freedom (for example, almost half of the delegates to the 2nd Congress of the Russian Social Democratic Party in 1903 had a Jewish background). Yet others, mostly Yiddish-speaking Jews in the so-called Pale of Settlement, mobilised for cultural autonomy for Jews in this region.

as being compatible with Jewish religious conceptions of 'redemption' on the one hand and secular universalism of modern nation-building, on the other. According to Theodore Herzl, the founder of modern political Zionism, the Zionist programme was not only a solution for the Jews, realising their potential as *one* people, but also for the European nation-states who would not or could not integrate or accommodate the Jews and Jewish societies in their midst.¹²

Rewriting Jewish history and constructing a functional modern Hebrew language were essential elements in the strategy of the 'practical Zionists' who took over from Herzl after his early death in 1904. The foundations were thus laid for a kind of Zionist and later Israeli patriotism of building the land and building the people, standards for Israeli citizenship in the historical struggle for survival. A clear expression of the task bestowed on the Israelis is the slogan *ein breira* – (we have) no choice: There was no choice but to build a state for the Jews, and the state had to be militarily strong enough to encounter whatever resistance came from the Palestinian Arabs or the Arab states. Consequently, the 1948–1949 Arab-Israeli war (War of Independence/Al-Nakba in Israeli and Palestinian parlance, respectively), the 1956 Suez War (when Israel for a short period occupied the Sinai Peninsula for the first time), the 1967 Six Day War/June War, and the 1973 Yom Kippur/October War were all understood by most Israelis as wars of an existential nature, wars of *ein breira*, whereas the 1982–1983 Lebanon war – presented by Prime Minister Menachem Begin as necessary under the motto of *ein breira* – was much more controversial among Israelis.¹³

Another dimension in the formative experience of Israeli citizenship is the spirit of the *settler*, the pioneer (*halutz*, pl. *halutzim*), the life and commitment associated with conquering the country bit by bit for the common good of the Jewish nation. In the pre-state period this was most famously organised in the form of the *kibbutz* (pl. *kibbutzim*): small collectivist agricultural communities, often set up overnight as vanguards of an expanding Jewish settler movement in Palestine, protected by Zionist militias.¹⁴

¹² There is a huge literature on the main trends in Zionist thought. One classical work is Arthur Hertzberg (ed.), *The Zionist Idea: A Historical Analysis and Reader* (Westport, Connecticut: Greenwood Press, 1959). See also Shlomo Avineri, *The Making of Modern Zionism: The Intellectual Origins of the Jewish State* (New York: Basic Books, 1981).

¹³ Mark A. Heller, 'Israel's Dilemmas' *Survival* 42 (2000) 2: 21–34.

¹⁴ See for example 'The Virtues of Ashkenazi Pioneering', Chapter 2 in Gershon Shafir and Yoav Peled, *Being Israeli: The Dynamics of Multiple Citizenship* (Cambridge: Cambridge University Press, 2002), 37–74.

Few have expressed the vision of ‘the Zionist revolution’ and the logic of its ethnic exclusionism in a more passionate way than David Ben Gurion, the leader of the pre-state Zionist institutions and later, as Israel’s first Prime Minister, the foremost founder of the state.¹⁵ In a well-known collection of articles, he underlines time and again the revolutionary nature of Zionism as a basis for building a completely new citizenship:

Zionism in its essence is a revolutionary movement. One could hardly find a revolution that goes deeper than what Zionism wants to do to the life of the Hebrew people.

...

This transformation [in the life of the Hebrew people] does not limit itself to its geographical aspect, to the movement of Jewish masses from the countries of the Diaspora to the renascent homeland ... it means taking masses of uprooted, impoverished, sterile Jewish masses, living parasitically off the body of an alien economic body and dependent on others – and introducing them to productive and creative life, implanting them on the land, integrating them into primary production in agriculture, in industry and handicraft – and making them economically independent and self-sufficient.¹⁶

Whereas the right-wing Zionists focused on the need to create a Jewish majority in Palestine and declare Jewish sovereignty as fast as possible, Ben Gurion and the socialist Zionists wanted a complete new *qualitative* start, basically rebuilding a new Jewish (or Hebrew) nation from scratch; the dominant idea both before and after the establishment of the state itself was that the new Jewish society would have to be built profoundly independent of the Arab Palestinian society. Realisation of Zionism in this view was a question of large-scale collective mobilisation of Jews, and the socialist model was considered best suited for the purpose.

The extraordinary fact is that a socialist movement, identified as the ‘Labour Settlement Movement’ by Shafir and Peled, came to play the dominant role in a settler-colonial project. They explain this terminology by tuning down the movement’s socialist credentials:

¹⁵ For a classical study of the founders of Zionism, see Arthur Hertzberg, *The Zionist Idea: A Historical Analysis and Reader* (New York: Doubleday, 1959; Philadelphia: The Jewish Publication Society, 1997 [Kindle edition 2014]). See also Shlomo Avineri, *The Making of Modern Zionism: Intellectual Origins of the Jewish State* (New York: Basic Books, 1981).

¹⁶ Quoted from David Ben Gurion, *From Class to Nation* (1933) in Shlomo Avineri, *The Making of Modern Zionism: The Intellectual Origins of the Jewish State* (New York: Basic Books, 1981), 200. Avineri explains that ‘Ben Gurion’s usage of *Hebrew* rather than *Jewish* in referring to the new community in Palestine is indicative of this feeling of breaking with the exilic tradition’.

The most distinguishing characteristic of the Jewish Labour Movement in Palestine was that it was not a labour movement at all. Rather, it was a colonial movement in which the workers' interests remained secondary to the exigencies of settlement. Keeping this observation in mind will allow us to properly describe the movements' dynamics and understand the variety of citizenship forms it fostered.¹⁷

Regardless of how the left-wing Zionists at the time are labelled, they came to play a dominant role in the pre-state Jewish society in Palestine (the *yishuv*) and for several decades after the establishment of the state. They introduced a concept of Israeli citizenship based on a collectivist republican model that laid the foundations for what they envisaged as a secular, democratic state for the Jewish people. That would only be possible, of course, if the Palestinian Arabs, who constituted the established majority of the country, were not to be included as equal citizens in this national revival of the Jewish people. There were only two logical solutions to this problem as seen from a Zionist point of view: The Palestinians would either have to leave the land projected as a Jewish state or accept a subordinate position recognising that Palestine is the homeland of the Jews and open for Jewish immigration.

Israel today has the character of a *frontier state*¹⁸ to the extent that it applies its traditional Zionist strategy of 'ingathering the exiles' and 'creating facts (settlements) on the ground', developed in the pre-state period. This strategy was reintroduced by Israel after the victory in 1967 and the occupation of new territories. As occupying power Israel was in a position (however in contravention of international law) to expand its infrastructure and Israeli-Jewish civil population into the territories – as long as more powerful actors did not intervene to curb its expansionism – thereby confronting the indigenous Palestinians over the material foundation of society.

The State of Israel and Israeli Citizenship

When the State of Israel was declared in 1948 a civil war was already raging between Zionist and Palestinian militias and the military forces of the British Mandatory had just left the country. The entire Jewish

¹⁷ Gershon Shafir and Yoav Peled, *Being Israeli: The Dynamics of Multiple Citizenship* (Cambridge: Cambridge University Press, 2002), 37.

¹⁸ Daniel J. Elazar, *Israel: Building a New Society* (Bloomington: Indiana University Press, 1986), 2. See also, for more references, Nils A. Butenshon, 'The Frontier State at Work. Models of Contemporary Israeli State-Building' *Journal of Theoretical Politics* 4 (1992) 4: 413–33.

population of the country in 1947 was about 650,000 (a ten-fold growth since 1917); the Palestinians comprised some 1.3 million (a two-fold growth since 1917), and would make up about 50 per cent of the population in the Jewish state projected in the United Nations Partition Plan of 1947. The demographic basis for a Jewish majority state in Palestine was fragile indeed, and with reference to the very purpose of Zionism of bringing the bulk of world Jewry to Palestine it was clear that the new state saw itself as the embodiment of that purpose. On 14 May 1948, on the date when Britain had decided to end its Mandate for Palestine, the State of Israel was declared at a meeting of the recently established Provisional National Council. David Ben Gurion, leader of the provisional National Administration, stated: 'By virtue of the national and historical right of the Jewish People and of the Resolution of the General Assembly of the United Nations we hereby proclaim the establishment of the Jewish state in Palestine to be called Israel.'¹⁹ The laws and institutions of the new state were consequently designed to facilitate the recruitment, immigration and settlement of Jews. Due to a lack of consensus in the National Council and later in the Knesset, Israel did not get a constitution. A number of Basic Laws were enacted to implement a policy of Jewish nation-building and Jewish ascendancy within the new state.²⁰ Of these, the Law of Return (1950) is one that both by virtue of its ideological premises and policy implications most clearly expresses the *organic relationship* between the state and the non-territorial nation (world Jewry) that it takes upon itself to represent. The first article declares: 'Every Jew has the right to come to their country as an *oleh*.'²¹ The word 'return' expresses the basic motive in the Zionist narrative; Jews living outside Palestine (Eretz Israel/the Land of Israel) are living outside their national homeland, which is an abnormal situation, so they should 'return' to the land of their ancestors. The same principle is expressed in the World Zionist Organization – Jewish Agency for Israel Status Law 1952 that portrays Israel as the succession of the pre-state Zionist institutions (rather than a successor state of the previous

¹⁹ Walter Laqueur, *A History of Zionism* (London: Weidenfeld and Nicolson, 1972), 586.

²⁰ The controversial issue of adopting a constitution, and thereby conclusively defining the 'Jewish' nature of the state, is known as 'the religious status quo'; a *modus vivendi* whereby the religious camp accepts Israel as a secular state, and the secular camp recognises the Chief Rabbinate's prerogative to define who is a Jew for the purpose of issuing citizenship under the Law of Return. For a summary of arguments, see Yohoshua Freudenheim, *Government in Israel* (New York: Oceana Publication, 1967), 24–36.

²¹ *Oleh* – a person ascending towards Zion (pl. *olim*), a Jewish immigrant to Israel. See for example, Elazar, *Israel: Building a New Society*, 138–9.

Mandatory State of Palestine), and establishes that the World Zionist Organization and its agencies have the status as 'national institutions' in Israel. Article 1 stipulates that '[t]he State of Israel is considered to be the creation of the entire Jewish people; its gates are open, in accordance with the law, to every Jew who wishes to immigrate'.²² The two said institutions 'will continue to operate in the State of Israel for the development and settlement of the country, the absorption of immigrants from the Diaspora and the coordination of the activities in Israel of Jewish institutions and organisations' (Article 4); and '[t]he mission of gathering in the exiles, which is the central task of the State of Israel and the Zionist Movement . . . requires constant efforts by the Jewish people in the Diaspora; the State of Israel, therefore, expects the cooperation of all Jews, as individuals and groups, in building up the state and assisting the immigration to it . . .' (Article 5). Finally, the Nationality Law was passed by the Knesset in 1952, giving detailed provisions for acquisition of citizenship with the prime purpose of securing that immigrants recognised as Jews have the automatic right to citizenship and settlement on arrival. Article 2 (a) declares: 'Every *oleh* under the Law of Return, 5710–1950, shall become an Israel national.'²³ The category 'Israel national' does not, however, imply a reference to an *Israeli nation*, a nation of all Israeli citizens, Jews and non-Jews. The 'national level' as understood in Israeli laws is the Jewish nation, an ethnic nation, not a territorial nation.

The other side of the coin, so to speak, in order to secure a Jewish majority in the country, and justify the claim of national self-determination on behalf of the majority, would be to prevent, as far as possible, Palestinian refugees from returning and acquiring citizenship in the State of Israel. The first Arab-Israeli war in 1948–1949 resulted in a massive flight of Palestinians, about 726,000 according to the United Nations Relief and Works Agency for Palestine (UNRWA), the UN institution that was given the humanitarian responsibility for the refugees. Eighty-three per cent of the Palestinians living in territories that came under Israeli control were made refugees.²⁴ Through a number of legal measures (among them the Law of Return and Nationality Law) the refugees as non-Jews were prevented from returning to their homes in what became Israel, in spite of UN Resolution 194 (III) of December 1948 stating that 'the refugees

²² Claude Klein, 'A Jewish State or a State for the Jews?' *The Jerusalem Quarterly* 7 (1978) (Spring): 40–41.

²³ <https://jewishvoiceforpeace.org/wp-content/uploads/2016/06/Citizenship-Law-1952.pdf> (accessed 03.04.2017).

²⁴ Uri Davis, *Citizenship and the State. A Comparative Study of Citizenship in Israel, Jordan, Palestine, Syria, and Lebanon* (Reading: Ithaca Press, 1997), 40.

wishing to return to their homes to live at peace with their neighbours should be permitted to do so at the earliest practical date . . .'. In addition, hundreds of Palestinian villages were razed to the ground, and land and other properties of the refugees were confiscated, thus also erasing the traces of a major part of the Palestinian society.²⁵

With most of the Palestinians and their old habitats out of sight, they were also easier to be kept out of mind as lawful citizens of the land, strengthening the Zionist narrative that Jewish immigration was politically feasible and morally justified. This *externalising* of the Palestinians was not least important in relation to the new immigrants who had never experienced the indigenous population and who for a large part were settled in areas previously inhabited by Arab Palestinians.

THE POLITICAL SOCIOLOGY OF ISRAELI CITIZENSHIP

Israel is an extraordinary, in many ways an exceptional case of state-building, as indicated in the previous section. But *as a state* it shares many basic characteristics with other states making comparative studies fruitful. Indeed, Israel is a laboratory for students of state formation, nation-building, and citizenship. It is a new state based on settlers and immigrants, an emerging state, born in conflict still unfolding, an expanding state with borders and a demographic composition still to be finally decided, and a contested definition as a 'Jewish' state – the programmatic *raison d'être* of the Zionist movement.

Israeli academics, largely originating and trained in the Western tradition, were from the beginning intimately involved as participants and interpreters of the state and society emerging around them. The debate among them as it has evolved is particularly interesting because it reflects both dominant Israeli self-perceptions at different points in time as well as some of the most critical assessments of Israeli state-building.

A main dividing line in this debate can be drawn between those who basically regard Israeli state-building as Jewish nation-building modelled on Western European democratic (liberal or socialist) patterns, on the one hand, and those who consider the settler-colonial aspect of Israeli state-building as the most significant aspect of the state-building project. Proponents of the latter position tend to be more or less critical of the whole Zionist endeavour.

²⁵ Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited* (Cambridge: Cambridge University Press, 2004).

Analysing the State of Israel from a citizenship perspective should include both dimensions: In a historical perspective Israeli citizenship is clearly modelled on European experiences, both socialist and liberal, but uniquely set in the settler-colonial context in Palestine. This is a reflection of the two parallel processes of state-building that were necessary for the creation of a separate state for Jews in Palestine: The recruitment and organisation of massive immigration of Jews, and the acquisition, through whatever means available, of sufficient land, resources, and infrastructure for settling and incorporating the immigrants, while protecting them against resistance by the non-Jewish population and other neighbours in the region. So, while Israel is often portrayed and studied as a kind of Western political system,²⁶ alternatively in combination with post-colonial Third World systems,²⁷ the two processes mentioned create patterns of state-building completely different in important ways as compared to both, related basically to the frontier aspect of Israeli state-building.²⁸

The Six Day War/June War of 1967 is a watershed event in this context. The striking Israeli victory and conquest of new large tracts of Palestinian territory meant a 'reopening of the Zionist frontier', i.e., the building of Israeli civil settlements in the occupied territories. The Israeli settlers continued to enjoy citizenship rights as Israeli Jews, the Palestinians were left without basic civil and political rights. They were not considered a serious challenge to Israel in this period, either politically or from a security point of view. In short, the Palestinians were *externalised* as a factor impacting the Israeli society; they were basically seen as irrelevant.²⁹

Israel and Jewish Nation-Building: The Endogen Perspective

The first generation of Israeli political sociologists had as their dominant experience the post-1949 era characterised by the relative abolishment

²⁶ Arend Lijphart, *Patterns of Democracy* (New Haven and London: Yale University Press, 1999).

²⁷ Ian Lustick, 'Israeli State-building in the West Bank and the Gaza Strip: Theory and Practice' *International Organization* 41 (1987) 1: 151–71.

²⁸ For an elaboration of the argument, see Nils A. Butenschøn, 'The Frontier State at Work: Models of Contemporary Israeli State-Building' *Journal of Theoretical Politics* 4 (1992) 4: 413–33.

²⁹ During my first field work in Israel in the immediate aftermath of the 1973 war (as part of a larger Middle East project at the Norwegian Institute of International Affairs), I conducted a survey of Israeli politicians, among others. One of the standard questions was: 'How do you see a solution to the Palestinian problem?' One of the respondents (later to become president of Israel) answered: 'Palestinian problem? What Palestinians, what problem?'

of the threat by the Palestinians, the vast majority of whom had been incapacitated by the war as political and military actors. Israeli academics were mostly concerned with the enormous challenges of building the institutional, economic, social, and security infrastructure of the new state, and the absorption and integration of hundreds of thousands of new Jewish immigrants coming from the war-ridden Europe, soon also from Arab countries who had not experienced European anti-Semitism. These challenges of both organising sufficient absorption capacity and of identifying a common platform for citizenship in the new state defined the agenda of the first generation of Israeli political sociologists, foremost among them Shmuel N. Eisenstadt.³⁰

In a brief introductory chapter to a book on studies of the Israeli society from 1980, Eisenstadt retrospectively presents his own approach, responding to critics from a younger generation of Israeli sociologists.³¹ He presents himself solidly within the 'functionalist school' of the 1950s and 1960s. The focus was on nation-building as an essentially benign transitional process of modernisation from the 'traditional' society to 'modernity', 'a dichotomy between traditional and modern societies, a dichotomy which very often became closely identified with that between primordial and civil symbols as bases of legitimation of societies'.³² The assumption was that the nation-state facilitated the diffusion of universalist values and modern (European) institutions, a dynamic civil society and equal citizenship, and that traditional elements in the society would be absorbed in the process. This was the appropriate model for Israel. Eisenstadt admits that the functionalist approach was inward-looking, basically concerned with processes *internal* to the dominant society, and that 'the construction of different types of criteria of membership and of boundaries of communities were mostly taken for granted as given, and were barely analysed'.³³ Israeli nation-building was Jewish nation-building with the Jewish people as the constituent *demos*. The Palestinians in Israel (or 'Arabs'; a separate Palestinian identity was not part of the vocabulary) were considered as a

³⁰ Two books by Eisenstadt are particularly well known: Shmuel N. Eisenstadt, *The Absorption of Immigrants* (Glencoe: The Free Press, 1953); Shmuel N. Eisenstadt, *Israeli Society* (New York: Basic Books, 1967).

³¹ Shmuel N. Eisenstadt, 'Introduction: Some Reflections on the Study of Ethnicity' in *Studies of Israeli Society, Volume I. Migration, Ethnicity and Community*, ed. Ernest Krausz (New Brunswick: Transaction Books, 1980), 1–5. See also Uri Ram, *The Changing Agenda of Israeli Sociology: Theory, Ideology, and Identity* (Albany: SUNY Press, 1995).

³² Shmuel N. Eisenstadt, 'Introduction: Some Reflections', 2.

³³ *Ibid.*

residual element of a traditional society leaving little or no imprint on the Israeli or wider Jewish society and therefore mostly left out of the analysis. Shafir and Peled observe that this analytical framework fitted very well with the agenda of the Israeli leadership, describing Israel ‘as at once Jewish, Western, democratic and “revolutionary”’.³⁴ David Ben Gurion, Israel’s first prime minister and leading strategist, saw the opportunity in using the new state and its institutions as foundations for a new collective identity for the modern Jewish people with the Israeli Jews as its vanguard. He was an exponent of a new ethos, *mamlachtiyut*, whereby the pioneering spirit (*chaltziyut*) of the pre-state settlers was to be converted into a republican, state-oriented citizenship, more or less expressing: ‘Don’t ask what the country can do for you, but what you can do for your country.’

As understood in the context of *mamlachtiyut*, the uniform rule of law did not entail a neutral liberal state or a universal conception of citizenship. The state was to continue to be committed to the values of *chalutziyut* and to demand such commitments from its citizens.³⁵

At this early stage there was a broad general agreement among scholars and leaders of the state that now, as the new state had been established, the imperative task of the state, if it were to survive, was to incorporate the many disparate groups of *Jews* with their different religious and cultural backgrounds and ideological cleavages.

Israel as a Plural Society – An ‘Ethnic Democracy’?

Among the next generation of Israeli sociologists who entered the academic discourse relevant to citizenship in the 1970s and 1980s, Sammy Smootha stands out. His 1978 book *Israel: Pluralism and Conflict* challenges the dominant paradigm of the Eisenstadt school and analyses the Israeli society as a fragmented or ‘plural’ society.³⁶ He identifies three major cleavages: An ethnic cleavage (Ashkenazi (European) vs. Mizrahi (‘Oriental’/non-European) Jews); a cultural-religious cleavage (Orthodox vs. non-observant Jews); and a national cleavage (Jews vs. Arabs).³⁷

³⁴ Shafir and Peled, *Being Israeli*, 24.

³⁵ *Ibid.*, 18.

³⁶ Lijphart, *Patterns of Democracy*. Lijphart was a leading proponent of the pluralist school in Western political sociology at the time.

³⁷ Sammy Smootha, *Israel: Pluralism and Conflict* (London and Henley: Routledge and Kegan Paul, 1978), 21–48. More recent works by Smootha include: *Arabs and Jews in Israel, Vol. I: Conflicting and Shared Attitudes in a Divided Society* (Boulder: Westview Press, 1989); *Arabs and Jews in Israel, Vol II: Change*

Contrary to the expectations of the functionalists, Smootha finds that the level of conflict between these different ethno-cultural groups increases and that a new integrated national identity under the dominance of a pioneering Ashkenazi Labour movement is not emerging. Furthermore, he concludes that Israel cannot be considered a democracy without qualifications due to systematic differences in citizenship rights, particularly along the Jewish/Israeli Arab cleavage:

The Orientals and religious Jews are integrated into the broader society voluntarily, whereas Israeli Arabs are integrated involuntarily. Israeli political democracy is a reconciliatory 'consociational democracy' for the religious Jews, a restricted democracy for the Orientals, and a failing '*Herrenvolk* democracy' for the Israeli Arabs.³⁸

Whereas the functionalists considered the State of Israel as a democratic nation-state on the route towards a fully integrated modernised nation, Smootha and a large group of younger scholars opened up a more critical perspective. Still, Smootha distanced himself clearly from the growing non- or anti-Zionist camp of Israeli and other scholars who 'portray Israel as a white settler, neo-colonial, theocratic *Herrenvolk*, an artificial entity which will not endure'.³⁹

In later works he develops a conception of Israel as an '*ethnic democracy*', a term that has sparked a heated debate, not least among Israeli scholars. Smootha defines ethnic democracy as:

a system in which two contradictory principles operate: 'the democratic principle,' making for equal rights and equal treatment of all citizens, and 'the ethnic principle,' making for fashioning a homogen[e]ous nation-state and privileging the ethnic majority.⁴⁰

Importantly, he states that the state (Israel) is identified with a 'core ethnic nation' (i.e., the Jewish nation), *not with its citizens*. 'The state practices a policy of creating a homogen[e]ous nation-state, a state of and for a particular ethnic nation.'⁴¹ In the Israeli context this implies that citizenship as an expression of *demos* extends over and beyond the borders of the state (irrespective of how these are defined) and includes the entire Jewish

and *Continuity in Mutual Tolerance* (Boulder: Westview Press, 1992); 'Ethnic Democracy: Israel as an Archetype' *Israel Studies* 2 (1997): 198–241.

³⁸ Smootha, *Israel: Pluralism and Conflict*, 265.

³⁹ *Ibid.*, xvii.

⁴⁰ Smootha, 'Israel as an Archetype', 200.

⁴¹ *Ibid.*

ethnos. Palestinians in Israel are accorded (second class) citizenship, but do not form part of the *demos* – of the collectivity for which the state primarily exists, and are not to be integrated in the *demos* because they are not Jews.⁴² Israel is the nation-state of the Jewish nation, not the *Israeli* nation, since such a nation is not recognised by the State of Israel.⁴³

Israel as an Ethnocracy

Is ‘ethnic democracy’ a meaningful categorisation of Israel as a political system? A number of Israeli scholars have taken part in that discussion; we can call them ‘the third generation’. The debate tends to be politicised and heated because, in the final analysis, it addresses the question of whether Israel can be labelled a ‘democracy’ at all, and how an analysis of the Israeli political system should be structured. In their criticism of Smooha, Ghanem, Rouhana, and Yiftachel contend that he takes the boundaries of the State of Israel for granted as his unit of analysis, but operates, just like Eisenstadt, with world Jewry as *demos* and the subject of nation-building. ‘Ethnic democracy’ therefore entails ‘a problematic mix’ of *ethnos* and *demos* as principles of political organisation:

‘Demos’ denotes an inclusive body of empowered citizens within a given territory. It is a competing organising principle to that of the ‘ethnos’, where membership is determined by common origin. The term ‘democracy’ thus means the rule of the ‘demos’, and . . . points to an overlap between permanent state residency and political rights as a necessary democratic condition. Such overlap is the one and only way to enable the ‘law of the land’ to be equally imposed over all subjects. This entails the institutionalisation of clear and permanent borders. In other words, the state should belong to *all* its citizens and *only* to these citizens.⁴⁴

The authors find that ‘ethnocracy’ is a term that better covers a description of Israel as a political system since it highlights the state’s ethnic nature rather than its democratic nature.⁴⁵ A further basic point in the critique is that, in addition to systematic legal and institutional

⁴² Klein states that ‘the idea of the Jewish state is that the state can be defined over and beyond its mere geographic identity. In particular, it can be defined in relation to a particular ethno-political structure. See Klein, ‘A Jewish State’, 39.

⁴³ Yedidia Z. Stern and Jay Ruderman, ‘Why “Israeli” is Not a Nationality’ *Jewish Telegraph Agency*, 3 March 2014.

⁴⁴ As’ad Ghanem, Nadim N. Rouhana, Oren Yiftachel, ‘Questioning “Ethnic Democracy”: A response to Sammy Smooha’ *Israel Studies* 3 (1998) 2: 261.

⁴⁵ Further on the coining of ‘ethnocracy,’ see note 2 above.

discrimination against non-Jews (which Smootha also accepts and has analysed), Israel advances and expands a process of ‘Judaisation’ both in parts of Israel ‘proper’ inhabited by Israeli Palestinians and in the occupied territories. The authors ask: ‘Can a state which facilitates an ongoing process of ethnocratic colonisation and domination be considered an “archetype” ethnic *democracy*?’⁴⁶

THE ISRAEL-PALESTINE CITIZENSHIP COMPLEX

Citizenship is the institution that regulates rights and obligations in the relationship between a sovereign state and its citizens, materialised in formal documents like a birth certificate and a passport. Everyone has the right to citizenship; no one should be left stateless.

This proposition, although enshrined in the founding documents of the United Nations,⁴⁷ is by no means self-evident or universally accepted and implemented by all UN member states. For example, in some states sovereignty is located in a royal family (as in the Gulf monarchies); in others in a religious leadership representing and interpreting a divine will (the Iranian theocracy and the Vatican mini-state). In yet other cases ‘the people’ is understood to mean ‘the nation’, and the nation might have different extensions, larger or smaller, than the actual inhabitants of a state. This means that the *state-idea*, the founding principles of a state, its constituent purpose (normally, but not always, reflected in the constitution of the state), is a major factor that determines the *extension* of citizenship. In this sense the state is a membership institution which administers territorial sovereignty, commands monopoly of coercive powers, and adopts laws and regulations that provide the legal basis for distributing rights and obligations among the inhabitants, on an equal basis or not; in short, the state as a membership institution defines who are included and who are excluded from access to public goods and political participation, in this way organising inhabitants in different legal classes on a more or less discriminatory basis.

The nature of Israel as a political system, whether it should be termed a ‘democracy’, ‘ethnic democracy’, ‘ethnocracy’, ‘apartheid’, or something else, is hotly debated both among academics and the general public. Liberating the debate from the grip of polarisation is probably

⁴⁶ Ghanem et al., ‘Questioning’, 264.

⁴⁷ Asbjørn Eide, ‘Citizenship and International Human Rights Law: Status, Evolution, and Challenges’ in *Citizenship and the State in the Middle East: Approaches and Applications*, eds. Nils A. Butenschøn, Uri Davis and Manuel Hassassian (Syracuse: Syracuse University Press, 2000).

not possible due to the ‘existential’ nature of conflicting narratives, but applying a citizenship approach gives an opportunity to identify major dimensions in what we can call the Israel Palestine Citizenship Complex. The basic consideration is that the political organisation of Mandatory Palestine is still today an unsettled question, raising questions of who should be included and who should be excluded as members of the polity that organises the territory. In short, who belongs to Palestine, who ‘owns’ it, who can claim the country as his or her homeland? To the extent, but only to the extent, that these questions are posed in *ethnically exclusionist* terms does the conflict become an unsolvable zero-sum conflict.

The Israel-Palestine Citizenship Complex Illustrated

We have so far discussed some major historical trajectories of Israel-Palestine as a state territory and theoretical debates related to alternative analytical frameworks of Israel as a state formation and how conceptions of citizenship have evolved. It should be clear by now that we are dealing with a very complex reality in terms of demographic and territorial entities, constitutional principles, and ethno-national political identities. I have tried to draw the threads together in Figure 1.1.

Notes: ^aThe relative size of the individual boxes does not represent in any accurate way the actual sizes of groups. ^bAn earlier and slightly different version of this figure appears in Nils A. Butenschön, ‘State, Power, and Citizenship in the Middle East: A Theoretical Introduction’ in *Citizenship and the State in the Middle East. Approaches and Applications*, eds. Nils A. Butenschön et al. (Syracuse: Syracuse University Press), 22.

Figure 1.1 *Alternative demographic foundations for claims of self-determination and citizenship in Israel-Palestine. Parameters for final status negotiations between the State of Israel and the Palestine Liberation Organization*

Of the six demographic entities in Figure 1.1, four are located within the territory of 1922 Mandatory Palestine – including today's Israel 'proper' within the 'Green Line' (1949–1967) and the Occupied Palestinian Territory (OPT; the West Bank, East Jerusalem, and the Gaza Strip). The other two represent the diasporas living outside the territory. Within Israel 'proper' Palestinian Arabs make up around 20 per cent of the population, within the OPT Israeli-Jewish settlers is a segment systematically being built up since 1967 and constitutes currently some 12 per cent of the population. Each of the groups represented have a particular status or relationship to the State of Israel and/or the Palestinian Authority. In addition, many individuals within these groups have citizenship, a non-citizenship refugee status, or some other status in other countries than Israel-Palestine. The peace process, in particular the final status issues, is all about a conclusive political organisation of Palestine 1922 and the distribution or sharing of rights and obligations between citizens included in the polity. In the political dispute between Zionists and Palestinian nationalists the different groups indicated in Figure 1.1 are included or excluded in the narratives, declarations, and negotiating positions of the parties in order to substantiate claims to all or parts of the 1922 Palestine state territory, or even beyond.⁴⁸

Figure 1.1 represents just a first mapping of the 'ethno-political archaeology' of the Israel-Palestine Citizenship Complex. If we start digging beneath the surface we will discover yet new layers of subgroups, both within the Jewish and Palestinian sections, with or without particular legal statuses in a citizenship regime.⁴⁹ These groups have been formed as identity groups not least over the last century as participants and/or victims of conflict and war, but also because they have been ascribed rights, or denied rights, in a citizenship regime imposed by local or external powers in the struggle for Palestine. The relevance of the different groups and the cleavages that separate them with a view to the future political organisation of Israel-Palestine is difficult to predict. It will depend to a large extent on the conflict dynamics created by the further development of

⁴⁸ In addition to the Syrian Golan Heights, occupied by Israel in 1967 and included in Israel's jurisdiction (if not formally annexed) in 1981, right-wing Zionists and left-wing Palestinians often refer to the national territory as including today's Kingdom of Jordan (the East Bank of Jordan, Transjordan), rejecting the League of Nations partition in 1922 of what was then (since the British conquest) Western and Eastern Palestine.

⁴⁹ In the case of Israeli citizens, Jews and non-Jews, this has been studied in most detail by Sammy Smoocha, see note 37 above.

Israel as an expanding frontier state, on the one hand, and the resistance by the Palestinians, on the other.

CONCLUSION

Israel and Palestine are currently two states-in-the-making; two state-building projects in the same territory, both unfulfilled according to the nationalist movements they represent, but otherwise very different in character and development. The conflict dynamic between them has many sources and drivers, with contested citizenship at the core. This is, on the face of it, not a unique situation; conflicts over territory and distribution of rights and resources in ethnically diverse societies are frequent in the world today.⁵⁰ In the case of Israel-Palestine, however, we are not dealing with clearly definable societies within an agreed-upon state territory. What is known as the 'final status issues' in this conflict relate to who are to be considered legitimate citizens with what kind of entitlements to which territories, including where the capitals of the two states are to be located.⁵¹ In most debates within the framework of the so-called peace process introduced with the signing of the Oslo Agreement in 1993, the challenges are defined as primarily involving how a Palestinian state can be fitted into the existing political order, without endangering the security and integrity of existing states, including the State of Israel. But a conclusive solution to the final status issues will involve decisions on basic elements of Israel as a state formation that are still undecided. It will determine the borders of the country, the location of its capital, the composition of its future citizenry and the nature of Israeli citizenship, including the opportunities and limitations for the fulfilment of the diverse Zionist or non-Zionist blueprints for the country.

⁵⁰ Nils A. Butenschøn, Øyvind Stiansen and Kåre Vollan, *Power-Sharing in Conflict-Ridden Societies: Challenges for Building Peace and Democratic Stability* (Surrey and Burlington: Routledge, 2015). The book compares the cases of Burundi, Rwanda, Ethiopia, Lebanon, Bosnia and Herzegovina, Myanmar, The Philippines, and Fiji.

⁵¹ 'Final status issues' concerns the issues referred for later negotiations in the Declaration of Principles (the Oslo Agreement) in 1993 between Israel and the Palestine Liberation Organization (PLO). The principles regulated relations and mechanisms for peaceful coexistence between the parties in the interim period of five years until the 'final status issues' had been solved. These included borders, security, the status of Jerusalem, Palestinian refugees, and water, all of which are determining factors for organising state authority, and all of which are still unresolved at the time of writing.

Israel has never declared an end to the 'Zionist revolution', of 'ingathering the exiles' and territorialising the Jewish people in Palestine/Eretz Israel – or, to put it in another conceptual language, the Zionist frontier has never been conclusively 'closed'.⁵² There are strong voices among the Israelis (including among the 'third generation' discussed earlier) who demand an end to settlement expansion and ethnic exclusionism, arguing for a 'normalisation' of Israel as *a state for its citizens*, not for a privileged ethno-national group. But the right-wing nationalist forces, who have gradually strengthened their grip over Israeli politics since the 1967 occupation, are still pursuing a policy in line with the settler-colonial tradition seeking to alter the identity and demographic nature of Palestine, step by step. Israel is not a *status quo* state accepting to settle for the international consensus of a two-state solution, including recognising a sovereign, democratic and contiguous Palestinian state with the 1967 boundaries as defining lines between the two states. There are no prospects for a major change in this situation as long as the international society, with the United States at the centre, is not willing to exert substantial pressure on Israel. All diplomatic efforts at solving the Israel-Palestine conflict since the early 1990s have aimed at preparing the ground for the establishment of a Palestinian state in one form or the other. Huge resources have been invested with the hope of bringing the 'peace process' to a successful end. But all initiatives so far (mid-2017) have failed, bringing senior mediators to the verge of desperation.⁵³

A basic element in a final solution to the Israel-Palestine conflict and the untangling of the Israel-Palestine Citizenship Complex will have to be

⁵² This was clearly expressed in the Jerusalem Program, official platform of the World Zionist Organization, adopted at its World Congress in 1968, the first after the 1967 war. The two first articles read: '1. The unity of the Jewish people, its bond to its historic homeland *Eretz Israel*, and the centrality of the State of Israel and Jerusalem, its capital, in the life of the nation; 2. *Aliyah* (immigration) to Israel from all countries and the effective integration of all immigrants into Israeli society.' <http://www.wzo.org.il/The-Jerusalem-Program> (accessed 15 May 2017).

⁵³ US Secretary of State John Kerry's famous 70-minute speech on 26 December 2016, only days before the termination of the Obama administration, is considered one of the strongest criticisms a senior US official has ever expressed against the politics of an Israeli government, blaming Prime Minister Benjamin Netanyahu for the stalled peace process, and for undermining the two-state solution ('the only possible solution'). Kerry and his staff had used countless hours in efforts to forge a negotiated settlement, but had finally to conclude that the resources spent had been to no avail. See 'Kerry Rebukes Israel Calling Settlements a Threat to Peace', *New York Times* 28 December 2016, https://www.nytimes.com/2016/12/28/us/politics/john-kerry-israel-palestine-peace.html?_r=0 (accessed 23 March 2017).

built on agreements on the status of demographic and territorial entities and the rights and entitlements that follow: Who should be included in or excluded from rights to citizenship in which territory? These final status issues are as unresolved in 2017 as they were in 1917.