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Jerusalem, Israel, April 20-21 2016

Challenges to Democracy and Social Cohesion

SUMMARY OF AN ISRAELI-AMERICAN-GERMAN TRIALOGUE

INTRODUCTION

Israel faces a wave of anti-democratic sentiment and legislation that some have termed a 'democratic recession.' The country is grappling with the fundamental components of political power and identity that shape both national character and foreign policy. It is in this context that experts from Israel, the US, and Germany convened in Jerusalem on April 20-21 2016 for the second round of the three-part trialogue hosted by Mitvim – The Israeli Institute for Regional Foreign Policies, Friedrich-Ebert-Stiftung, and the Middle East Institute.[1] Participants included diplomats, politicians, think tank leaders, and scholars. The conference featured presentations from the Israel Democracy Institute (IDI), Shatil – The New Israel Fund's Initiative for Social Change, and the Abraham Fund Initiatives. A robust list of speakers included MK Ofer Shelah, MK Yossi Yonah, MK Nachman Shai, former MK Ronen Hoffman, and Dani Dayan, Israel's recently appointed Consul-General in New York.

The conference addressed challenges to democracy and social cohesion in Israel, Germany, and the US, and included a roundtable discussion on recommendations to counter anti-democratic trends and clarify a path for multilateral progressive partnerships. Discussion focused on challenges in the political, legislative, and public spheres. Participants addressed these challenges in the context of global instability, mass immigration, and shifting borders. This paper summarizes the highlights of the presentations, discussions and recommendations of the trialogue. It does not necessarily reflect a consensus of the participants or hosting organizations.

[1] The first round of the trialogue, titled "Israel's Strategic Outlook in a Disintegrating Region," took place in Washington, D.C., on November 20, 2015. http://mitvim.org.il/images/FES-MEI-Mitvim_round_1_summary_-_November_2015.pdf

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1. *Israel's Democratic Foundations and Challenges*

ISRAELI DEMOCRACY TODAY

Israel's Declaration of Independence includes "complete equality of social and political rights for all of its citizens." The declaration is supplemented by a collection of Supreme Court rulings and Basic Laws; together, these documents form an informal constitution based on democratic principles.

Israel now faces a strong current of anti-democratic sentiment and political action divorced from these founding principles. According to the IDI, proposed anti-democratic legislation targets three basic principles: equality, the freedoms of speech and protest, and the power of the Supreme Court. Legislative efforts, including the 'Nakba law' and the 'NGO bill,' seek to limit voices of dissent in the public sphere. Efforts to limit the independence of the Supreme Court have included a proposal to subject judicial appointments to politically motivated reviews, and an "override clause" that would effectively allow a majority of Knesset members to override Supreme Court decisions related to Israel's Basic Law on Human Dignity and Freedom. While these legislative efforts have been largely unsuccessful, they have contributed to reshaping the discourse on national identity.

These challenges are symptomatic of the tension between Israel's Jewish and democratic values. This conflict is evident in the disagreement over the basic source of legitimacy in Israeli political life. While some believe that it is the state's democratic foundations, others turn to *halacha* (Jewish religious law) and the concept of Jewish peoplehood as the ultimate source of political legitimacy. In addition, many Israelis view democracy as a *mechanism* for majority decision-making, and not as a *value system* that protects minority rights.

PUBLIC OPINION AND THE DELEGITIMIZATION OF DISSENT

The IDI's Israeli Democracy Index[2] shows that peripheral groups feel a declining sense of solidarity within Israeli society. Social solidarity is lowest amongst Arab respondents, respondents who identify with the left on security and foreign policy, and respondents who feel poor. Despite this finding, most citizens are committed to staying in Israel and would not prefer to become a citizen of the US or another Western country. The poll shows that the longstanding divide between Jews and Arabs remains Israel's deepest chasm, but that citizens also perceive a dramatic divide between the political left and the right that has deepened over the past two years. Notably, while the left and right are seen as increasingly divided, actual attitudes towards specific policies have not shifted to the same extent.

The perceived conflict between left and right is the result of a shrinking public sphere created by the de-legitimization of dissent. Over the past six years, voices from the margins of the right wing have moved to the center of power, reshaping public discourse. This has created an atmosphere that delegitimizes criticism of government policy. Troublingly, IDI's 2014 survey showed that 46% of Israelis thought that harsh, public criticism should be forbidden. A well-orchestrated campaign recently framed several prominent left wing and Arab NGOs as 'moles' or 'traitors', targeting them for receiving funding from abroad. Consequently, many progressive NGOs are on the defensive. At the same time, security is the dominant lens through which citizens engage in the political system, to the detriment of democratic values.

Photo: Michael Czogalla/FES

PROMOTING EQUALITY – THE RIGHTS OF ISRAEL'S ARAB CITIZENS

In order to build greater equality between Jewish and Arab/Palestinian-Israeli citizens, Israelis must close the socio-economic gap between the groups, and counter the racism and anti-democratic legislation that targets Arab communities. The pervasiveness of anti-Arab discrimination can be seen in the recent statement of opposition leader Yitzhak Herzog, who came under fire after he urged Labor politicians to not be seen as "loving Arabs too much." Such statements from a center-left politician indicate how far public discourse has shifted to the right.

[2] IDI's 2014 Israeli Democracy Index can be found here: http://en.idi.org.il/media/3832946/democracy_index_2014_eng_highlights.pdf

Two trends are currently reshaping Israel's Arab communities. On one hand, the past months have shown a penetration of grassroots violence from the West Bank into Israel, leading some experts to fear a possible balkanization of the conflict. On the other hand, civic discourse in the Arab sphere is expanding, as Arab politics becomes less reactionary and moves towards greater involvement and initiation. This expansion of civic discourse is occurring at the expense of religious discourse. While an unequal distribution of resources continues to disadvantage Arab communities, there are three positive efforts underway: a government-initiated economic development plan to strengthen Arab communities; a land plan designed to enlarge over 20 towns by providing building permits and integrating Arab municipalities into the planning process; and a plan to increase Arab participation in the police force and the police presence in Arab neighborhoods. In the political sphere, the likelihood of a joint Jewish-Arab party is very low, but there is room for increased cooperation between the (Arab) Joint List and the parties of the center-left.

2. *Current Challenges in Germany and the US*

GERMANY: THE REFUGEE CRISIS, SECURITY, AND INTERNAL CHALLENGES TO DEMOCRACY

The challenge of balancing democracy and security is also highly relevant in Germany. One section of the trialogue focused exclusively on Germany's internal challenges and policies, including cooperation within the European Union (EU). Subsequently, participants examined German attitudes and policies towards Israel and the peace process.

Germany faces tensions over immigration and security that require increased cooperation within the EU. There is a need for coordinated integration and migration laws to govern the processing and resettling of refugees. In regard to security, the March 2016 terror attacks in Brussels show that the EU also requires a cohesive information sharing system and new policies to govern cooperation against shared security threats. Germany is positioned to play a leading role in this process, as Europe navigates the challenge of monitoring terrorist activity while also protecting civil liberties and open borders.

Germany faces a rise in anti-democratic nationalist movements that are focused on identity politics and directed against Islam or the EU. The refugee crisis triggered a rise in nationalist groups, but they are ultimately fueled by discontent over social welfare and redistribution. The widening social gap within Germany has led to an uptick in the popularity of right-wing groups, as seen in the *Alternative für Deutschland* (AfD) party's success in the 2016 elections in three federal states and the decline in Chancellor Angela Merkel's approval ratings. In addition, Germany has seen a rising number of attacks on refugees, refugee shelters, and local politicians. Germany faces a growing gap between the people and the government on a variety of issues, and German leaders must more effectively communicate their decisions in order to prevent a greater split.

THE US: ELECTIONS AND INSTITUTIONS

The US faces its own internal challenges to democracy. Trialogue participants framed their discussion of American challenges in the context of the 2016 election cycle. A particular focus was given to the popularity of Donald Trump and the resurgence of the politics of fear that drove election campaigns in the early 2000s. These politics currently center on the threat posed by the Islamic State, other transnational terror groups, and immigration. Participants analyzed the ways in which popular fear and anger over perceived diminishment of US influence are manipulated during elections, and the effects this may have on proposed domestic and foreign policies.

Despite the return to the politics of fear of terrorist attack and "American exceptionalism", foreign policy has undergone a drastic shift in recent years, as progressives have reclaimed a strong position on national security thinking and decision making. This is the result of a coordinated effort to develop strong, progressive foreign policy positions led by think tank leaders and former government officials. The development of this new platform, coupled with the recent virtual collapse of Republican internationalism, has put Democrats in a very strong position on national security issues.

Other American challenges include the roles of institutions and corporations in the political sphere. The systemic failure of previously trusted institutions during the economic crisis and the Iraq war has lowered public confidence in elite institutions. At the same time, Supreme Court decisions that address campaign financing (including Citizens United vs. the Federal Election Commission), have given corporations vast political power.

3. *The US-Germany-Israel triangle*

ATTITUDES TOWARDS ISRAEL

The US and Germany remain Israel's most stable alliances. A 2016 Gallup poll shows that 71% of Americans have positive image of Israel, while only 19% view the Palestinian Authority favorably.[3] However, America's perception of Israeli democracy does not end at the Green Line, and the continuation of the occupation is widely seen as incompatible with a democratic society. There are growing tensions between the Israeli and American governments, due largely to frustration within the White House and public, particularly young people, over the Netanyahu government's lack of progress towards a two-state solution. American policymakers also view the occupation as harmful to Israeli and American credibility abroad. In the public sphere, the long-standing security argument in support of the occupation is now being challenged by younger generations that increasingly oppose the occupation on ethical grounds.

German attitudes towards Israel are increasingly complex. Policymakers remain strongly supportive of Israel, and the two countries enjoy a strong bilateral relationship. There is a split, however, between the official policy of the government and public opinion, and segments of the population are growing increasingly critical towards Israeli policies that they view as counterproductive to peace. Despite growing popular criticism, German leaders are primarily focused on European issues and do not view the peace process as an urgent priority. However, Germany is also shifting focus: its post-Arab spring emphasis on regional transformation has been replaced by a focus on stability. If the conflict is not contained, it is likely that the occupation will lead Germans to view Israel as contributing to regional instability.

There is an increasing, dangerous gap between Israel's self-perception and global perception, specifically in the Western world. The perception among Israeli politicians that the rise of Islamic terror would cause the Western world to show increasing sympathy with Israeli policies has largely disproven. Israel's current foreign policy and position vis-a-vis the Palestinian conflict is unlikely to continue to resonate with Western partners if a large-scale shift does not take place over the coming years. As it stands, there is an increasing divergence between Israel and the West over democratic norms.

THE FUTURE OF THE TWO-STATE SOLUTION

German and American policy towards the Israeli-Palestinian conflict is oriented on a two-state solution model. This is unlikely to change: despite the current status of the peace process, the core motivations behind the two-state option are still seen as relevant and valid. While some Israelis discuss the possibility of confederation, or other options separate from the two-state solution, these alternative visions have yet to gain enough traction or credibility at the national or international levels.

The US government has urged Israel to take steps to preserve the viability of the two-state solution, and to create conditions that will enable bringing the two sides back to direct negotiations. In the absence of those negotiations, however, many international partners see a need to determine final-status parameters in order to prevent an undemocratic reality from taking hold. Americans increasingly view the lack of progress towards peace as a liability that allows actors like Iran more room to operate within the Middle East.

Trialogue participants discussed methods of promoting Israeli-Palestinian conflict resolution and the need to develop a vision of peace that fits into a larger, regional framework. On the American side, options to safeguard the two-state solution include increased cooperation with both Israelis and Palestinians. This could include investing more in Palestinian society by strengthening its economic and democratic foundations, as well as defining parameters for a two-state solution. Participants also discussed incremental steps in the absence of Israeli-Palestinian progress, and how progressive organizations can refocus their outreach and media strategies to best influence the public discourse on the conflict.

THE ROLE OF PROGRESSIVE PARTNERSHIPS

There is an urgent need to strengthen multilateral partnerships and amplify progressive voices, both in Israel and abroad. American and German organizations look to their Israeli partners for clear guidance on how best to support progressive initiatives on Israeli policy and the peace process. The bonds of friendship between the three countries are strong, and there is significant potential for increased civil society cooperation. To maximize this potential, the ongoing conversation should include the following issues: First, German and Israeli progressives must address the legacy of the Holocaust, and the role it plays in contemporary German political thinking towards Israel and reluctance to criticize government policy. Second, there is a need for Israelis to confront the internal perception that international civil society partnerships on domestic Israeli affairs are illegitimate. Finally, US and German partners can further contribute by providing space for Israeli progressives in their publications and conferences, in order to show that there are cohesive and politically viable alternatives to the right-wing Israeli policies frequently voiced abroad.

[3] Additional details about Gallup polling on this topic can be found here:
http://www.gallup.com/poll/189626/americans-views-toward-israel-remain-firmly-positive.aspx