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Can Israel Be Jewish and Democratic?

Many nations have laws and practices that recognize their majority group's history, language or religion while also protecting the rights of minorities.

By DOUGLAS J. FEITH

Israeli Prime Minister Benjamin Netanyahu recently asked Palestinian peace negotiators to acknowledge Israel as a Jewish state. Some critics have called this move cynical, because Palestinian leaders are unlikely to offer such an acknowledgment. But others oppose it for a more basic reason: They claim it is antidemocratic.

Israel, so the argument goes, affronts its non-Jewish citizens by identifying itself as a Jewish state and by using traditional religious emblems as official national symbols—for example, the Star of David on its flag.

Along the same lines, various Israeli intellectuals have proposed dropping "Hatikvah" (The Hope) as their country's national anthem, because it refers to the Jewish soul's millennial yearnings for a return to Zion. A few have urged repeal of Israel's longstanding law of return, which gives Jews from any country a right to immigrate and become citizens.

Some Israeli Arabs have advocated that Israel should become a state identified with no particular ethnic or religious group but rather a state of all of its individual citizens. Israelis commonly view this liberal ideal with suspicion, for it has no relation whatever to the political practices of any countries in the Middle East. Also, Azmi Bishara, the principal Israeli Arab proponent of "a state of all of its citizens" and a former member of parliament, outraged many Israelis by supporting Hezbollah against Israel in the 2006 Lebanon war.

Israeli law respects the voting, property, religious and other rights of its Arab citizens (most of them Muslims) who constitute some 20% of the population. Nevertheless, the ongoing conflict over Palestine has created bitterness between many of them and their fellow Jewish citizens. Many Israeli Jews resent what they see as disloyalty on the part of Israeli Arabs. Many of the latter resent what they see as their second-class status.

But the larger question of Israel's identity as a Jewish state does not hinge on the particulars of its Arab citizens' current status. Rather, it is whether democratic principles are necessarily violated when Israel asserts a Jewish identity based on the ethnic and religious heritage of its majority group. That is a matter of interest to everyone who thinks seriously about self-government.

Israel is by no means unique among democracies in considering itself the embodiment of the national existence of a specific people. In fact, most democracies see themselves that way. Most have laws and practices that specially recognize a particular people's history, language, culture, religion and group symbols, even though they also have minorities from other groups.

The United States is unusual in this regard. It is among the most liberal of democracies, in the sense that it is committed to the principle that laws should, in general, ignore group identities (ethnic, religious or regional) and

treat citizens equally as individuals. Canada, Australia and New Zealand—likewise lands of new settlement—are among the other countries on this liberal end of the democratic spectrum.

The democracies of Europe and East Asia and those in the former republics of the Soviet Union, meanwhile, tend to cluster on the ethnic side of the spectrum. Numerous laws and institutions in those nations favor a country's principal ethnic group but are nevertheless accepted as compatible with democratic principles. Christian crosses adorn the flags of Switzerland, Sweden, Greece and Finland, among other model democracies, and the United Kingdom's flag boasts two kinds of crosses.

Several of these democracies have monarchs—and in the U.K., Norway and Denmark, the monarchs head national churches. France famously protects the integrity of the French language and the interests of French speakers, as do pro-French forces in Canada.

Ireland has a law that allows applicants of "Irish descent or Irish associations" to be exempted from ordinary naturalization rules. Poland, Croatia and Japan have similar laws of return favoring members of their own respective ethnic majorities. Many other examples exist.

Israel was founded as a national home for the Jews, recognized as a nationality and not just a religious group. After Allied forces conquered Palestine from the Ottomans in World War I, Britain, France, Italy and other leading powers of the day supported the idea that the Jewish people, long shamefully abused as exiles throughout the diaspora, should be offered the opportunity to reconstitute a Jewish-majority state in their ancient homeland of Palestine.

Those powers planned that the Arabs, whose nationalist leaders from across the Middle East insisted that they were a single, indivisible people, would exercise national self-determination over time in Syria, Lebanon, Mesopotamia (now Iraq), Arabia and elsewhere. Britain soon decided to put the 78% of Palestine east of the Jordan River under exclusive Arab administration, barring Jewish settlement there.

The British government's wartime Balfour Declaration in favor of a Jewish national home in Palestine—incorporated verbatim in the Palestine Mandate, which received League of Nations confirmation in 1922—made a crucial distinction between the collective rights of the Jewish people in Palestine and the individual civil and religious rights of the country's non-Jewish residents. The point was that all such rights, collective and individual, should be honored.

After World War I, numerous ethnic groups achieved statehood. It was not considered antidemocratic that the Hungarians or Poles, for example, should establish nations to embody and sustain their particular cultures.

All democratic countries have minority populations. Such countries do not believe that they have to shed their national ethnic identities in order to respect the civil, property and other basic human rights of their minority citizens. The distinction between majority collective rights to a national home and the individual rights of all citizens remains important in Israel and in all ethnically-based democracies.

So democracies vary in the degree to which their laws take account of ethnicity. Their common practices provide an answer to our question: It is not antidemocratic for Israel to protect its status as a Jewish state in ways similar to those used by the French, Swiss, British, Germans, Italians, Lithuanians, Japanese and others to protect the status of their countries as national homelands.

Mr. Feith, a senior fellow at the Hudson Institute, served as under secretary of defense from 2001 to 2005. He is the author of "War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism" (Harper 2008).

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