

Social Covenants: The Solution to the Crisis of Religion and State in Israel?

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INTRODUCTION

For the last twenty years the relationship between religion and state in Israel has been in a state of worsening crisis. There has always been a deep ideological and social divide between religious and secular Jews, with the potential to threaten the stability of Israeli democracy. Yet, from the creation of the state in 1948 until the early 1980s, compromises struck between pragmatic political elites were able to contain this conflict successfully. According to Eliezer Don-Yehiya, this situation reflected the "politics of accommodation" characteristic of Lijphart's model of consociational democracy.¹ However by the mid-1990s, 47 percent of Jewish Israelis believed that the Kulturkampf between religious and secular Jews would end in a violent struggle or a civil war.² Subsequently in 2000, 82 percent thought that religious-

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1. Eliezer Don-Yehiya, *Religion and Political Accommodation in Israel* (Jerusalem: Floersheimer Institute, 1999); Eliezer Don-Yehiya, "Conflict Management of Religious Issues: The Israeli Case in Comparative Perspective," in *Parties, Elections and Cleavages*, ed. Reuven Hazan and Moshe Maor (London: Frank Cass, 2000), 85-108.

2. Bernard Susser and Charles Liebman, *Choosing Survival: Strategies for the Jewish*

secular relations were poor, that they were deteriorating and that they represented the most severe rift between Israeli Jews.³ In response to the failure of the political system to resolve matters, religious and secular Jews have banded together to formulate social covenants that delineate a new consensual basis for religion-state relations. Ultimately, the aim is to generate widespread public support and sufficient political momentum to enshrine the covenant in Israeli law. The president of Israel, Moshe Katsav, has actively supported these efforts.⁴

This essay examines the social covenant phenomenon in Israel. First, the theoretical framework is presented. It compares and contrasts consociationalism with the covenantal political tradition that undergirds the social covenant initiatives. The founding consociational structure of religion-state relations in Israel is then examined and the reasons for its descent into crisis are addressed. Second, the contents of the social covenants and their relative advantages and disadvantages are assessed. Finally, the prospects for the future implementation of a covenant are analyzed. In this context, it is argued that while covenantalism has some potential to stabilize religion-state relations, the obstacles to its implementation are considerable. Consequently, endemic crisis or descent into chaos remain real possibilities as regards the future of religion-state relations in Israel.

CONSOCIATIONALISM AND CONVENANTALISM

Lijphart's research into consociationalism demonstrated that stable democracy can be achieved by means of cooperative arrangements between political elites despite the existence of deep political and social divisions.⁵ Consociationalism usually involves a grand coalition, proportionality as the standard for political representation and the allocation of public funds, segmental autonomy—wherein each group focuses on their internal affairs, and mutual veto—and the avoidance of a forced resolution in matters where there is profound disagreement. The formation and maintenance of consociationalism depends on the mutual willingness of pragmatic politicians to pursue compromise on the basis of their perceived long-term interest. It also depends on their mutual ability to control their respective communities.

According to Daniel Elazar, "A covenant is a morally informed compact based upon voluntary consent, established by mutual promises between parties having an independent but not necessarily equal

Future (New York: Oxford University Press, 1999), 113.

3. Shlomit Levy, Hanna Levinsohn, and Elihu Katz, *A Portrait of Israeli Jewry: Beliefs, Observances and Values among Israeli Jews* (Jerusalem: Avi Chai Foundation, 2002), 15.

4. Greer Fay Cashman, "Katsav urges dialogue to resolve disputes with Haredim," *Jerusalem Post*, 7 November 2004.

5. Arend Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (1969); *The Politics of Accommodation* (Berkeley, Calif.: University of California Press, 1975).

status, that provides for joint action or obligation to achieve defined aims under conditions of mutual respect in such a way as to preserve the individual integrity of all parties.⁶ The moral basis of the covenant means that it is directed, not only towards the management of material life, but also the collective attainment of the "good life." Thus, it is grounded in common identity and values that obligate participants beyond the letter of the law. Like consociationalism, covenantalism puts limits on majoritarianism. However, while consociationalism relies on pragmatic politicians acting on the basis of enlightened self-interest and a passive society in order to succeed, covenantalism focuses on the ability of an active civil society to forge a consensus on the basis of a common moral identity.⁷

In a monumental four-volume work,⁸ Elazar traced the way in which covenantalism influenced political structures, processes and thought, from the Bible until the present day. He demonstrated, for example, the place of the covenant in Reformist Protestantism where it led to federalism (from the Latin *Foedus* meaning covenant) being viewed as the most appropriate form of organization for church and polity alike. In the seventeenth and eighteenth centuries, a secularized version of covenantalism developed based on the idea of constituting politics through a compact involving civil society. According to Elazar, the covenant idea was the seed of modern constitutionalism in that it provided mutually accepted limitations on the power of all those party to it.⁹ He also argued that the combination of religious and secular covenantalism was influential in the creation of the federal republican constitution of the United States.¹⁰

Subsequently, covenantalism declined in the face of statism and nationalism. However, with the weakening of statism in the post-modern era, Elazar perceived a possible opening for the renewed influence of covenantalism. The collapse of shared moral understandings has led to a crisis surrounding the rules of the game in many postmodern polities. He argued that the rules of the game can only be restored by consent, through covenanting.¹¹ This theme is

6. Daniel J. Elazar, *Covenant and Civil Society: The Constitutional Matrix of Modern Democracy* (New Brunswick, N.J.: Transaction, 1998), 8.

7. Daniel J. Elazar, "Federalism and Consociational Regimes," *Publius* 15, no. 2 (1985); Arend Lijphart, "Consociation and Federation: Conceptual and Empirical Links," *Publius* 15, no. 2 (1985).

8. Daniel J. Elazar, *Covenant and Polity in Biblical Israel* (New Brunswick, N.J.: Transaction 1995); *ibid.*, *Covenant and Commonwealth: From Christian Separation to the Protestant Reformation* (New Brunswick, N.J.: Transaction, 1996); *ibid.*, *Covenant and Constitutionalism: The Great Frontier and the Matrix of Federal Democracy* (New Brunswick, N.J.: Transaction, 1998); *ibid.*, *Covenant and Civil Society*.

9. Elazar, *Covenant and Polity in Biblical Israel*, Introduction.

10. Elazar, *Covenant and Constitutionalism*, Introduction.

11. Elazar, *Covenant and Civil Society*, Conclusion.

taken up by Jonathan Sacks who proposes that a renewed emphasis on covenantalism and civil society is vital to the stability of contemporary democracies. In this vein, Sacks has emphasized the close connection between the covenantal tradition and the modern political theories of republicanism and communitarianism that stress the importance of a civic political culture to sustaining a vital democracy.¹² Thus, it was Alexis De Tocqueville's republican theory which originally viewed Protestant covenantal religious communities in the United States as the basis for America's vigorous civil society, which in turn protected democracy from despotism.¹³ More recently, Robert Putnam has demonstrated that although civil society is in decline in the U.S., it remains most vigorous in those parts of the country identified by Elazar as historically having a covenantal political culture.¹⁴ Putnam's seminal works *Making Democracy Work* and *Bowling Alone*¹⁵ argue that civic republicanism is crucial to the efficiency and stability of democracy. In parallel, communitarianism argues that liberal democracy cannot survive without being undergirded by a sense of community that is not based on the aggregation of individuals' self-interest. Not unlike covenantalism, it views an individual's relationship with others as constitutive of his or her identity and interests. It argues that the stability of modern Western democracies cannot be maintained without the restoration of an underlying sense of social solidarity, mutual obligation and trust, which in a postmodern pluralistic context has to be based on a federated "community of communities." This is supposed to provide the basis for the active participation of members of society in the government of their affairs.¹⁶

THE CONSOCIATIONAL FOUNDATION OF RELIGION-STATE RELATIONS IN ISRAEL

Religious-state relations in Israel were founded on the basis of the consociational "politics of accommodation." The political leadership reached a series of compromises that formed a middle path between two extremes—the demand for Israel to be constituted as a religious state and the demand for the separation of religion and state. The ruling *Mapai* party adopted consociationalism primarily for pragmatic reasons, to maintain internal unity needed to defend the state against

12. Jonathan Sacks, *The Politics of Hope* (London: Jonathan Cape, 1997), ch. 5 and 14.

13. Elazar, *Covenant and Civil Society*, 82-87.

14. Robert Putnam, *Bowling Alone* (New York: Simon & Schuster, 2000), 292, 294, 346-49.

15. *Ibid*; Robert Putnam, *Making Democracy Work* (Princeton, N.J.: Princeton University Press, 1993).

16. Jonathan Sacks, *The Persistence of Faith* (London: Widenfeld & Nicolson, 1991); Charles Taylor, "The Politics of Recognition," in *Multiculturalism*, ed. Amy Gutmann (Princeton, N.J.: University Press, 1994).

external threat and to allow it to concentrate on state-building and economic development.¹⁷ Ben-Gurion was also willing to make concessions because he believed that religion would eventually "wither away" as Jews modernized. All these reasons underlay the establishment of the "status quo," which has been a central element of the founding compromise regarding religion-state relations.

The core of the "status quo," which was formally established in the early years of statehood, pertains to three topics: the public status of the Sabbath; personal status, specifically the topic of marriage and divorce; and the official status of the non-orthodox religious movements, including the issue of conversion. While the "status quo" was not literally maintained, it served as the guiding principle for adjudicating new circumstances and issues as they arose.¹⁸ In the realm of the Sabbath, agreement was reached that the weekly day of rest for Jews will be Saturday and that certain aspects of *Halacha* (Jewish Law) would have effect in the public realm.¹⁹ Thus, no public transportation would operate on the Sabbath while businesses, shops, and recreational centers would be closed. The Working Hours and Recreation Act 1951 forms the basis for the status quo regarding the Sabbath. In the realm of personal status, the Rabbinical Courts Act determined that marriage and divorce are performed only in accordance with Orthodox *Halacha*. This is the only case in which civil law is entirely based on religious law. This means that Israeli Jews can only get married in an Orthodox religious ceremony. It also means that an Israeli Jew cannot marry a non-Jew (though the state does recognize such marriages when they are conducted abroad). Consociationalism in Israel does not include non-Orthodox streams of Judaism. Consequently, non-Orthodox converts are not eligible²⁰ to immigrate to Israel under the Law of

17. Don-Yehiya, *Religion and Political Accommodation in Israel*; Don-Yehiya and Liebman, *Religion and Politics in Israel*.

18. On the establishment of the "status quo," see Menachem Friedman, "The Chronicle of the Status Quo: Religion and State in Israel," in *Transition from Yishuv to State 1947-1949: Continuity and Change*, ed. V. Pilowsky (Haifa: University of Haifa, Herzl Institute for Research in Zionism, 1990): 47-80 [Hebrew]; Eliezer Don-Yehiya, "The Resolution of Religious Conflicts in Israel," in *Conflict and Consensus in Jewish Political Life*, ed. Stuart Cohen and Eliezer Don-Yehiya (Ramat-Gan: Bar-Ilan University Press, 1986), 203-19.

19. On the relationship between Halacha, the State of Israel, and Israeli law, see Yedidia Stern, *On the Role of Jewish Law in Matters of Religion and State* (Jerusalem: Israel Democracy Institute, Position Paper 48, 2004); Yedidia Stern, *State, Law, and Halacha: Part One—Civil Leadership as Halachic Authority* (Jerusalem: Israel Democracy Institute, Position Paper 2E, 2001); Yedidia Stern, *State, Law, and Halacha: Part Two—Facing Painful Choices* (Jerusalem: Israel Democracy Institute, Position Paper 4E, 2003); Yedidia Stern, *State, Law, and Halacha: Part Three—The Role of Halacha* (Jerusalem: Israel Democracy Institute, Position Paper 6E, 2005).

20. Whereas in the U.S., membership of non-Orthodox movements greatly outnumbers membership in Orthodox institutions, in Israel the membership in non-Orthodox movements is very limited. See *The Jewishness of Israelis: Responses to the Guttman Report*, ed. Charles Liebman and Elihu Katz (Albany, N.Y.: State University of New York

Return.²¹

THE CRISIS OF CONSOCIATIONALISM

Since the 1980s, religious-secular relations in Israel have drifted away from mutual accommodation into endemic crisis.²² This has found expression within party politics. Thus during the 1990s, the Sephardi Ultra-Orthodox party, *Shas*, increased its representation in the Knesset from 6 to 17 seats, mainly at the expense of the Likud party. In contrast to the Likud, *Shas* adopted a militant approach to religious-secular relations. Feeling threatened, the secular public was increasingly drawn to parties willing to counter this. Subsequently, the secularist *Shinui* party gained fifteen seats in the 2003 elections. As a result, *Shinui* successfully dictated to the Likud that it must form "a government without the Ultra-Orthodox" for the first time since 1977. Subsequently, in the summer of 2004, the Ultra-Orthodox party United Torah Judaism declared that it would not sit in the same coalition as *Shinui*.

In addition, the status quo has been severely eroded. Whereas past disagreements were resolved by party leaders within the political system, in the 1990s politicians blocked several compromises, on occasion inflaming matters further. With regard to the Sabbath, the status quo eroded as many shopping malls, a relatively new phenomenon in Israel, began to open on Saturdays. In response, the Ultra-Orthodox parties, who controlled the Ministry of Labour and Welfare in the 1990s, sent Ministry inspectors to fine shops for violating the law. Representatives of the secularist parties, *Meretz* and *Shinui*, responded by protesting outside shopping malls. Shopping malls throughout the country turned into political battlefields.

In the sphere of marriage, the spirit of accommodation is also crumbling. The lack of civil marriage has become increasingly

Press, 1997)

21. The Law of Return (1950) gives every Jew worldwide the right to immigrate to Israel and obtain citizenship. As such, it is central to Jewish-Zionist identity of Israel. The problem has been how should a Jew be defined in this context. This question has caused a great deal of controversy within religion-state relations; see Eliezer Don-Yehiya, "The Crisis Over 'Who is a Jew Issue,' 1958," in *Idan: The Second Decade* (Jerusalem: Yad Ben-Zvi, 2000), 80-100 [Hebrew]; Debra Cohen, "The Law of Return: Contents and Surrounding Debate," in *Independence: The First Fifty Years*, ed. Anita Shapira (Jerusalem: The Zalman Shazar Center, 1998), 57-87 [Hebrew]; Asher Cohen, *Israeli Assimilation* (Ramat Gan: Rappaport Center for Research into Assimilation, 2002); Michael Korinaldi, *The Riddle of Jewish Identity - The Law of Return in Practice* (Shagririm-Lion: Nevo), 13-23 [Hebrew].

22. For a detailed discussion, see Asher Cohen and Bernard Susser, *Israel and the Politics of Jewish Identity: Secular-Religious Impasse* (Baltimore, Md.: Johns Hopkins University Press, 2000); Asher Cohen and Bernard Susser, "From Accommodation to Decision: Transformation in Israel's Religio-Political Life," *Journal of Church and State* 38 (Winter 1996): 187-202.

problematic due to the large immigration from Russia in the 1990s. Approximately 300,000 of these immigrants are not considered Jewish by Orthodox *Halacha* and cannot therefore marry in Israel. In 2003, the Sharon government set up a committee that aimed to provide a form of civil marriage for those currently unable to marry in Israel. In summer 2004, the committee was about to present its recommendations, which included the creation of an option of a civil marriage (termed "couplehood" to ease religious sensitivities) for those who are unable to marry in a religious ceremony. However, the leader of *Shinui*, Tommy Lapid, leaked the recommendations before the deadline and by doing so created a public uproar that effectively buried any prospect of compromise.²³

The issue of non-Orthodox streams of Judaism and conversion has become increasingly important. In 1988, the religious parties demanded a change to the Law of Return so that it would explicitly exclude non-Orthodox converts. Although this effort failed the issue remained controversial. In the mid-1990s, the Ne'eman Commission tried to forge a compromise on the issue. A joint conversion institute was set up. However, the commission's recommendations were never enshrined in law, nor were they formally adopted as government policy due to the opposition of many leading Orthodox rabbis. Subsequently, the non-Orthodox took the issue back to the Israeli Supreme Court, which ruled that all converts, even the ones that had converted in a non-Orthodox conversion, were to be registered as Jews in the Population Registration.²⁴

It is not just over the specific issue of conversion that the judicial activism of the Supreme Court has aggravated religious-secular relations. In the eyes of the protagonists, the Court's involvement has turned a conflict over specific issues into an all-out battle for the character of the state.²⁵ This in turn has raised the threat to the stability of Israeli democracy. The religious sector views the Court's liberal activism as a mechanism for denuding the state of its Jewish character. This in turn has eroded their respect for the rule of law. Thus, at a *Shas*

23. Shahar Ilan, "Analysis: A victim of disengagement," *Ha'aretz*, 29 July 2004.

24. Shlomo Gur, ed., *Israel and the Diaspora at the Crossroads: Conversion and the Ne'eman Committee* (Jerusalem: Van Leer Institute, 1998) [Hebrew].

25. Examples of Supreme Court decisions that have alienated the Ultra-Orthodox include: the EL AL vs. Denilovitz ruling (721/94) regarding the right of a homosexual partner to receive the same benefits from a private company as a heterosexual partner; the Bavli vs. Supreme Rabbinical Court (1000/92) ruling which determined that the Rabbinical courts are subordinate to the civil courts regarding the division of property in divorce proceedings; the Yeshiva students ruling (1998) which determined that the administrative norm whereby Yeshiva students were exempted from military service was illegal; the "Bypass" Conversion ruling (2005) which determined that the state recognize conversions where the study requirements were carried out in Israel but the conversion ceremony was carried out abroad. See Supreme Court decisions at <http://elyon1.court.gov.il/eng/verdict/framesetSrch.html>.

rally in 1997 a leading rabbi, David Yosef, asked the crowd, "What do you think of the rule of law?" and was answered with thousands of jeering whistles. Yosef explained his position thus, "The religious and traditional public . . . is not expressed in what is termed the rule of law. So its faith in the rule of law is limited or even non-existent."²⁶ Secular Israelis perceive such comments as posing a serious theocratic threat to their way of life and to Israeli democracy.

WHY IS CONSOCIATIONALISM IN CRISIS?²⁷

There are four main reasons for the crisis of consociationalism. First, consociationalism depends upon politicians' ability to control the groups they represent. Since the Yom Kippur War in 1973, this has become increasingly difficult as the Israeli public has become less deferential towards its political leaders. More generally, as Israel has developed, its society has strengthened itself vis à vis the state. As a result, political initiatives taken from below have become more important, the most obvious example being the *Gush Emunim* settlement movement.²⁸ Second, consociationalism depends on each group focusing on its own internal affairs. However, in the 1970s and 1980s, the religious-Zionist camp sought to expand its influence to the realm of foreign policy, where it supported a very hawkish line. Subsequently, religious-Zionist politics became dominated by the settlement enterprise. Meanwhile, the secular began to intervene in the religious sphere through the activism of the Supreme Court. Third, in the 1980s and 1990s the political system changed when two blocs of roughly equal size came to dominate the party system. This greatly increased the power of radicals in both camps. In particular, Ultra-Orthodox parties took advantage of this situation.

Finally, the polarization of Israeli society added to the crisis of consociationalism. As Israel has developed, secular Israelis have followed the cultural trajectory of other Western societies by becoming

26. Shahar Ilan, "Judicial System is Idol Worship of the Secular," *Ha'aretz*, 27 October 2004.

27. For a detailed discussion, see Cohen and Susser, *Israel and the Politics of Jewish Identity*.

28. Gush Emunim [Bloc of the Faithful] was formed after the Yom Kippur War with the aim of settling the Territories captured in 1967. They were inspired by the messianic theology of Rabbi Zvi Yehuda Kook. Their outlook has come to dominate within religious-Zionist society. Since the 1980s their leadership and its ideology have also played a central role within the previously moderate National Religious Party as well as within other political parties on the extreme Right. See Ehud Sprinsak, *The Ascendance of Israel's Radical Right* (New York: Oxford University Press, 1991); *The Impact of Gush Emunim*, ed. David Newman (London: Croom Helm, 1985); Ian Lustick, *For the Land and the Lord* (Washington D.C.: Brookings Institute, 1988); Eliezer Don-Yehiya, "Jewish Messianism, Religious Zionism and Israeli Politics: The Impact and Origins of Gush Emunim," *Middle Eastern Studies* 23 (April 1987): 215-34.

more individualistic, consumerist, and more attached to liberalism.²⁹ From this perspective, the religious establishment is increasingly viewed as a major impediment to their preferred way of life. This orientation was strengthened by the mass immigration from the former Soviet Union in the 1990s, as nearly all of the roughly one million immigrants are secular. Meanwhile, within the religious-Zionist community, the more extreme approach of the Ultra-Orthodox has gained influence in the form of the *Hardal* Nationalist-Ultra Orthodox phenomenon. In addition, the demographic expansion of the Ultra-Orthodox, coupled with the success of *Shas* in taking votes away from the National Religious Party (NRP) pushed the religious camp as a whole in a more extreme direction.

Overall then, consociationalism is in crisis. The political elite is no longer able or willing to resolve or even mitigate religious-secular tensions; in fact, it is contributing to the trend towards destabilization. With the political system moribund, a number of social initiatives have been taken in an effort to establish a new consensual basis for religious-secular relations. These initiatives have taken the form of social covenants.

RELIGIOUS-SECULAR COVENANTS IN ISRAEL

Elazar argued that the covenantal tradition of Diaspora Jewish communities found expression in the structure of the World Zionist Organization and in pre-state institutions of the *Yishuv*.³⁰ However, once the State of Israel was created, this covenantal structure was superseded by statism, which focused on the creation of strong centralized state institutions. The weakening of statism in the face of an increasingly independent and active civil society from the mid-1970s onwards³¹ formed the context for the social initiatives that are attempting to resolve the crisis of religion-state relations on the covenantal model. The drive towards initiating social covenants was born of two inter-related factors; the failure of the political system to manage religious-secular relations and the rise of ideological radicalism on both the religious right and the secular left, which began to challenge the core consensus of Israel's definition as a Jewish and democratic state.³²

29. Yoav Peled and Gershon Shafir, *Being Israeli* (Cambridge: Cambridge University Press, 2002).

30. Daniel Elazar, *Israel: Building a New Society* (Bloomington, Ind.: Indiana University Press, 1986). See also Alan Dowty, "The Jewish Political Tradition and Contemporary Israeli Politics," *Jewish Political Studies Review* 2, nos.3/4 (1990).

31. Benjamin Gidron, "The Evolution of Israel's Third Sector," *Voluntas* 8, no. 1 (1997).

32. The secular "post-Zionist left" seeks to denude Israel of its Jewish character, while the religious right became increasingly disdainful of democracy; see Charles Liebman, *Religion, Democracy and Israeli Society* (Amsterdam: Harwood Academic, 1997); Laurence

Social covenants aim to provide a new enduring foundation for religion-state relations grounded both on the consent of religious and secular Jews in Israel and on mutual respect for each party's independence and integrity. The basis for the compromises agreed to by both parties is their shared common identity and moral commitment to the Jewish and democratic character of the State of Israel. Participants emphasized that the covenant was not based on pragmatic consideration of the short-term material interests of each community, as reflected in the current balance of power; rather, it was meant to be an enduring commitment beyond such contingencies.³³ The aim of these covenants is to forge a basis from which it is possible to galvanize public support. Public support can then be used to create the necessary momentum to push the covenant into the formal political arena such that centrist political forces will feel compelled to actively support it.

At the moment, it is politically advantageous for politicians to tend towards an uncompromising position regarding religion and state. However, were politicians to sense that the public backed compromise and that they would be penalized if they opposed the covenant, the situation would change significantly. The onus would then be on politicians to explain why they are not backing a reasonable compromise. The covenant would then be able to break the power of more extreme forces on each side that have previously vetoed compromises in the Knesset.

The Various Covenants

The first initiative³⁴ was taken in 1986, when leading secular law professor Ruth Gavison, and a relatively moderate Rabbi within the settler movement, Yoel Bin-Nun, formulated a covenant that focused on the issue of the Sabbath. In 1988, the Religious Kibbutz Movement produced a model covenant which discussed three main topics: the Sabbath, personal status issues, and non-Orthodox streams of Judaism. In the second half of the 1990s, *Meimad*, a moderate religious movement, together with the liberal dovish Labour MK Yossi Beilin

Silberstein, *The Postzionism Debates* (London: Routledge, 1999).

33. See, for example, http://www.gavison-medan.org.il/pdf/Amana_English.pdf; 11, 16.

34. Of the covenants mentioned below the *Shalom in Israel* covenant, the Religious Kibbutz movement's covenant and the *Meimad* covenant are published in full in *Shalom B'Israel-Likrat Amana* [Peace in Israel: Towards a covenant], ed. Shmuel Post (Jerusalem: Beit Morasha, 1998) [Hebrew]; The Kinneret covenant and responses to it were published in *Azure* 15 (Autumn 2003): 1-21; On the *Siah Achim* covenant, see Nadav Shragai, "The meaning of mutual Responsibility" *Ha'aretz*, 8 August 2004; The *Gavison-Meidan* covenant was published as *A Foundation for a New Covenant between Observant and "Free" Jews in Israel* (Jerusalem: Israel Democracy Institute/Avi-Chai, 2003) [Hebrew]. An abridged English version is available at http://www.gavison-medan.org.il/pdf/Amana_English.pdf (2004); information regarding the *Constitution by Consensus* can be found at <http://212-179.113.36/english/constitution.asp>.

and the centrist religious MK Alex Lubotsky, proposed a new covenant that related to all of the important issues disputed in the field of religion-state relations. During this period, under the auspices of several non-governmental organizations, Ruth Gavison and another religious-Zionist rabbi from the settlement movement, Ya'akov Meidan, developed the first covenant that proposed detailed legislation in all fields of religion-state relations. Subsequently, one of the organizations that sponsored the *Gavison-Meidan* covenant, the *Israel Democracy Institute*, is promoting a written constitution for Israel based on broad social consent (as opposed to a constitution gradually imposed on Israel by its liberal Supreme Court). Part of the draft constitution relates to issues of religion and state.

Three more general covenants should also be mentioned, even though they do not focus on religion-state relations exclusively. First, there was the *Shalom be-Yisrael* (Peace in Israel) covenant signed by Benjamin Netanyahu and Ehud Barak in 1997. Second, there was the *Kinneret* (Sea of Galilee) covenant signed in 2001 by the sixty members of the *Forum for National Responsibility* whose membership represented a cross-section of Israeli society. An additional 150 public figures subsequently signed the covenant. Lastly, the *Siach Achim* (Brotherly Discourse) covenant was formulated in the summer of 2004 as an expression of the desire to delineate behavioral norms regarding the fight against the disengagement plan (most virulent opponents of disengagement were religious).

The Content of the Covenants

All the covenants propose to shift religion-state relations in a liberal direction while seeking to simultaneously strengthen the remaining Jewish elements of the state's character. Some take the form of general declarations; for example, the *Shalom B'Yisrael* covenant declared its intention to "reflect the wishes and the collective desire of the Jewish people in Israel and the Diaspora for reconciliation." Its six guiding principles referred to "the unity of the Jewish people; the complexity of Israeli society; Israel's democratic nature; condemnation of the violence and incitement and a call to reach a broad-based national agreement." Although the *Kinneret* covenant was not primarily concerned with religion and state, it provided a slightly more detailed declaration of ten principles. The covenant declared, "The State of Israel is the home of the Jewish people"; "Israel is a democratic state"; "Israel is a Jewish state"; and also, under the heading "Religion and State in Israel," it declared that "the isolation and estrangement process is destructive and dangerous, however, the state must not enforce religious norms on the private lives of its citizens. The debate over religion-and-state should be conducted without provocation or incitement, using only democratic and legal means, in an atmosphere of mutual respect."

The *Gavison-Bin-Nun* covenant was the first attempt at providing more detailed practical solutions. It focused on the Sabbath. In this realm it proposed a new solution according to which the Sabbath retains its status as the public day of rest; however, *Halacha* plays less of a role in defining the day's character. Thus, the covenant suggested that manufacturing and commercial activities remain closed on the Sabbath, but that sport, culture, and entertainment activities, prohibited by *Halacha*, be permitted to open—in contrast to the previous “status quo.” This idea forms the basis for the solution of the Sabbath issue in all the covenants that deal with the issue.

The *Religious Kibbutz* covenant offers general principles and possible pathways towards practical solutions. The covenant proposes “to initiate and encourage spiritual and cultural activities in which both ‘religious’ and ‘secular,’ no matter how different, could participate together.” Regarding the issue of personal status, the covenant calls for “a solution for those disqualified from marrying [according to *Halacha*] . . . in a way that does not harm the traditional family structure in Israel.” Referring to the non-Orthodox movements in Israel, the covenant states, “an appropriate way should be found to associate all the representatives of the different communities within the Jewish people.” In this vein, it calls for the establishment of a “national Jewish council to cultivate the Jewish nature of the State of Israel and its Jewish society therein.”

Building on this effort, the *Meimad* covenant provided concrete alternatives to the status quo. Regarding the Sabbath, it follows the *Gavison-Bin-Nun* model while taking into account the wishes of local residents. Regarding personal status, the aim was to provide a solution for couples unable to marry within the current religious framework. The covenant called for the setting up of a system parallel to the religious courts and the creation of a new legally recognized category—“couplehood.” A permit from a family would be required by a court to break up such a union. The words “marriage” and “divorce” were deliberately not used, in order not to stir up Ultra-Orthodox opposition. Regarding the conversion issue, the covenant called for an implementation of the recommendations of the *Ne’eman* Commission. The covenant also called for the creation of an option for civic burial, as well as advocating administrative reforms to improve the efficiency and user-friendliness of religious services in general. In the educational sphere, the covenant called for making the study of the Jewish religious tradition, as well as democracy and human rights, compulsory in both the religious and non-religious education systems. Finally, the *Yachad* (Together) forum was established, consisting of religious and secular representatives. Its purpose was to maintain dialogue on all these issues.

The *Gavison-Meidan* covenant is by far the most detailed and comprehensive of all the covenants. It is nearly 300 pages long. It builds on the general solutions provided by previous covenants, but

unlike its predecessors, it contains detailed legislative proposals relating to all spheres of religion-state relations. It also contains a detailed explanation by both authors justifying their compromises in terms of the core values of their respective publics. In addition, the covenant deals with issues not dealt with in any other covenant including the definition of a "Jew" regarding "The Law of Return" and prayer arrangements for the non-Orthodox at the Western Wall. In both cases, it improves the standing of non-Orthodox streams of Judaism, while protecting the privileged position of Orthodoxy inside Israel. Thus, it grants automatic citizenship to people converted abroad by non-Orthodox streams of Judaism who are members of a Jewish community and to people who are persecuted for being Jewish even if they are not considered "Jewish" by Orthodox *Halacha*. Finally, the authors of the covenant stipulate that it should not be subject to judicial review by Israel's Supreme Court, but rather subject to interpretation by a representative public body of religious and non-religious Jews.

The final initiative in this area is the *Chuka BeHaskama* (*Constitution by Consensus*). Its recommendations were formulated following an extensive consultation process with people from all sections of Israeli society. It deals with many general issues including religion-state relations. In two key areas, regarding the Sabbath and personal status, it proposes detailed solutions similar in nature to those proposed by previous covenants. It also proposes that four core issues not be subject to judicial review by the Supreme Court: "Who is a Jew," marriage and divorce, the public character of the Sabbath and the provision of Kosher food in state institutions. In all other spheres, the Court will have the right of judicial review on the basis of a liberal-democratic bill of (individual) rights. Thus, the Court will be able to strike down religious legislation that, for example, prohibits civil burial or the sale of pork.³⁵

COMPARATIVE ANALYSIS OF THE COVENANTS

The key question is whether any of these covenants can serve as a basis for the restructuring of religion-state relations. The answer depends on the way the covenants are constructed and on the broader political environment. This section concentrates on the first variable by analyzing each of the covenants against four indicators: the level of detail; the scope of the covenant; the political association of participants; and the extent of ideological diversity among the participants. Through this comparison, it will be possible to understand the advantages and disadvantages of each covenant.

35. Available online at: <http://www.idi.org.il/english/article.php?id=1425>; Author interview with Prof. Yedidya Stern, 25 October 2004 (an author of the draft constitution); Ina Friedman, "A Constitution creates Rules of the Game," *Jerusalem Report*, 1 November 2004, 48.

The Level of Detail

The content and character of different covenants range from those that focus on a declaration of principles to those that provide detailed legislative solutions. The declaration of principles is important in the first stage of raising awareness and generating a positive atmosphere among the public. Its general formulation allows it to attract widespread support. The mere fact of achieving a declaration of principles is important as it serves as proof that there is a potential to reach a detailed agreement. In Israel's deeply polarized society, this is an achievement in its own right. Such general declarations are a vital prerequisite to more detailed agreements because they help to generate generalized social trust across the religious divide.³⁶ Without this, any attempt to develop a more detailed plan of action based on the inevitable compromises would immediately be shot down as extremists in each camp would have the upper hand by drawing on the fear that such agreements constitute the beginning of a slippery slope.

Nonetheless, a declaration, in of itself, is insufficient. Its generalized nature allows for vastly different interpretations that cannot necessarily be translated into a practical program. For example, the *Kinneret* covenant declares, "Israel is willing to recognize the legitimate rights of the neighboring Palestinian people." This is vague enough to include the far-right's idea of confining a Palestinian state to the east bank of Jordan.³⁷ Second, without continuous activism focused on a more detailed agreement, nothing practical is likely to be achieved. One of the leading forces behind *Kinneret*, Uzi Dayan, stated, "it is important to emphasize that the *Kinneret* covenant is not the culmination of the process but only its starting-point."³⁸ Indeed, the general history of covenantalism indicates that informal compacts usually precede formal detailed constitutional agreements.³⁹

The Scope of the Covenant

The religion-secular divide encompasses a large diversity of issues. Some covenants sought to focus on a single issue, such as *Gavison-Bin-Nun*, while others took a more comprehensive approach. The fact that *Gavison-Meidan* proved able to produce a detailed comprehensive document would seem to suggest that there is no need for a piecemeal approach. However, given the controversial nature of these proposals, it might be argued that the best way to make progress would be to

36. On the importance of social trust to democracy, see Putnam, *Making Democracy Work*, and Sacks, *The Politics of Hope*.

37. Yoram Hazoni, "The Kinneret Controversy," *Azure* 15 (Autumn 2003): 11-21.

38. Uzi Dayan, "The Kinneret Controversy," *Azure* 15 (Autumn 2003): 5.

39. Elazar, *Covenant and Constitutionalism*, Introduction; Elazar, *Covenant and Civil Society*, 195-212.

advance issues separately rather than as a bundle. This approach guided the initiators of the two new Basic Laws in the 1990s that serve as a partial constitution for Israel: *Freedom of Employment* and *Human Freedom and Dignity*. Faced with the impossibility of achieving agreement regarding all issues, they limited their proposals to specific issues where agreement was possible.⁴⁰ On the other hand, the piecemeal approach tends to generate mistrust as each side views any change in the status quo as merely another step on a slippery slope that threatens to end in the complete "victory" or "defeat" of the other side. This is the reasoning behind the comprehensive approach adopted by the *Constitution by Consensus*. Their plan provides for strong defense against changing the new religious status quo after the adoption of the constitution by removing core issues from the purview of judicial review.

The Political Association of Participants

Covenantal politics are supposed to be based on high-minded principles and a deep sense of communal responsibility. However, in reality, the attempt to implement a religious-secular covenant in Israel has been constrained by personal and party politics. In turn, such politics generated a more substantial problem, as the political association of leading participants has served to derail covenantal initiatives. Proposals made by members of opposing political camps (Left-Right defined in terms of the peace process) tend to be rejected *a priori*, even if the content of the proposal is viewed as positive in and of itself. This contributed to the failure of the *Meimad* (Lubotsky-Beilin) covenant to generate widespread active support.

In that case, Ofer Glantz, a participant in the effort, suggested including the dovish religious Labour MK Avrum Burg on the team. However, other religious participants vetoed this idea. According to Glantz, the main reason was their fear that Burg's presence would overshadow their own.⁴¹ The problem of political association also led the two principle participants in the *Meimad* covenant, Yossi Beilin and Alex Lubotsky, to fall out. As Lubotsky said: "Part of the difficulties were due to the fact that Dr. Yossi Beilin is disliked (by religious-Zionists) because of his dovish views. . . . Regardless of those difficulties, we worked together . . . until Beilin vetoed the participation of Rabbi Benny Elon [an MK from extreme right-wing party *Moledet*], an outstanding scholar and an educator."⁴²

40. Yehudit Krep, "Basic Law: Human Dignity and Liberty—A Power struggle," *Law and Government* 1, no. 2 (1993): 323-84 [Hebrew].

41. Ofer Glantz, *The Construction and Failure of a Covenant* (unpublished manuscript): 2 [Hebrew].

42. *Ibid.*

In addition, social covenants became a political issue between the two religious-Zionist parties, *Meimad* and the NRP. In response to the *Meimad* covenant, in the summer of 1998 the leader of the NRP, Rabbi Yitzhak Levy, created a "Forum for National Consensus." Levy's sudden (and short-lived) enthusiasm was primarily aimed at torpedoing *Meimad's* initiative, which threatened to help popularize the smaller *Meimad* party. Subsequently, a member of *Meimad* wrote a private letter to a leading member of the Religious Kibbutz movement, "I would not want to support such a conference, especially as it seems that it will *a priori* rule out the acceptance of suggestions from the *Meimad* document." In response, the well-known figure wrote: "Among us too there are some who might consider publicity more important than the matter itself . . . It is *Meimad's* right not to participate in the conference and that is a matter for political consideration" (underlined in the original).⁴³

The dovish stance of *Meimad* regarding the peace process generated suspicion towards the party among much of the religious community.⁴⁴ This was even more true regarding the involvement of Yossi Beilin, the father of the Oslo process. The fact that these controversial elements formulated the covenant lessened its chances of generating widespread support. By way of contrast, the *Gavison-Meidan* covenant has not suffered from negative politicization and delegitimization. This is because its leading figures were respected, well-known public figures within their communities who were not associated with any political party or controversial stance on other issues.

THE EXTENT OF IDEOLOGICAL DIVERSITY AMONG THE PARTICIPANTS

The president of the State of Israel, Moshe Katsav, has called for the deeper involvement of the Ultra-Orthodox in covenantal initiatives.⁴⁵ In contrast, Ruth Gavison has argued that the inclusion of radicals would constitute "an effective veto on the adoption of any covenant."⁴⁶ After all, radicals have proven extremely adept at

43. Ibid.

44. There is a very strong correlation between religiosity and hawkish attitudes towards the peace process in Israel. In addition, for most Israelis, including religious-Zionists, the peace process is a more important political issue than religious-state relations. This situation complicates the resolution of religion and state issues, as many religious-Zionists who are moderate on religion-state issues are unwilling to be associated with Dovish secular Israelis who favor compromise on the religion-state issue. See Jonathan Rynhold, "Religion, Postmodernisation & Israeli Approaches to the Palestinians," *Terrorism and Political Violence* 17/3 2005; Jonathan Rynhold and Gerald Steinberg, "The Peace Process and the 2003 Israeli Elections," *Israel Affairs* 10/4 2004.

45. Cashman, "Katsav urges dialogue to resolve disputes with Haredim."

46. Comments made at a meeting held at the president of Israel's residence on 6 November 2004, in honor of participants in religious-secular covenants.

preventing any compromise up to now. She believes that the Ultra-Orthodox are most likely to accept a covenant only after it has already gained widespread support among mainstream Israelis.

In any case, it is difficult for moderate Ultra-Orthodox to get involved. The *Kinneret* covenant is the only covenant signed by an Ultra-Orthodox representative and he was vehemently criticized as a result.⁴⁷ Nonetheless, the *Yachad* council formed by *Meimad* does contain a few Ultra-Orthodox representatives. Similarly, the campaign for a *Constitution by Consensus* has found a way to broaden the covenantal process without compromising on substance. Aside from the centrist experts who have actually drafted the proposed constitution, there is also a large consultative council made up of over 100 public figures, including several Ultra-Orthodox. Overall, while the Ultra-Orthodox are not helpful partners in formulating a covenant, at a later stage the involvement of relatively moderate members of the Ultra-Orthodox community would serve to lessen suspicions in that sector and thus reduce the breadth and depth of religious opposition.

CAN COVENANTALISM SUCCEED?

Thus far, covenantal initiatives have provided a comprehensive theoretical model for bridging the religious-secular divide. However, none of the covenants has actually effected substantive political change. Uniting the various covenants behind a single focus, such as *Meidan-Gavison*, would help matters. The question is whether it is possible to obtain active public support on this basis. There are no surveys of public opinion regarding specific covenants but several surveys provide a basis for forming an assessment.⁴⁸ The picture that emerges from these surveys is ambivalent.

On the one hand, there appears to be some potential for the covenants to gain wide support. The Guttman survey of 2000 concluded that the overwhelming majority of Israeli Jews retain a strong commitment to Jewish culture and continuity, while rejecting anything perceived as religious coercion. The majority attempt to integrate two distinct values: individual freedom and tradition.⁴⁹ Thus, 78 percent agreed that the state should have a Jewish character and 60 percent favored more Jewish studies in school curriculum.⁵⁰ There is also widespread support for some core compromises envisaged in the covenants, thus over 70 percent support the opening of theatres and

47. Anshell Pfeffer, "Lithuanian Rabbis against the Kinneret Covenant," *Ha'aretz*, 13 January 2002; Dov Landau, "Amana V'Kotz bah" [fly in the ointment] *Hatzofe*, Weekend Section 1 January 2002 [Hebrew].

48. Levy, Levinsohn and Katz, *A Portrait of Israeli Jewry: The Jewishness of Israelis*, ed. Liebman and Katz.

49. Levy, Levinsohn and Katz, *A Portrait of Israeli Jewry*, 4.

50. *Ibid.*, 13-14.

cafes on the Sabbath.⁵¹ Another survey demonstrated that between a quarter and a third of religious Jews would support the provision of public transport and the opening of restaurants and places of entertainment on the Sabbath.⁵²

On the other hand, the public is more evenly divided on the question of civil marriage. The religious and secular publics are also highly polarized regarding the question of opening shopping malls on the Sabbath. More generally, the public is evenly divided over the question of whether or not public life in Israel should be in accordance with Jewish tradition (as distinct from Jewish law *per se*).⁵³ Moreover, non-religious Israelis' sense of "Jewishness" is increasingly defined by the Zionist experience of living in Israel and not by an affinity with the Jewish religious tradition. Alienation from tradition is especially prevalent among immigrants from the former Soviet Union who are strongly opposed to the mixing of religion and state.⁵⁴

While these surveys give an indication of the levels of support for aspects of the various covenants, it is extremely difficult to gauge how the public would react if a package deal were heavily promoted. Among the self-defined non-religious, only 5 percent are actually anti-religious, while 80 percent of all Israeli Jews observe some elements of tradition. Thus, only a small minority would be certain to reject compromise. The greatest potential for the covenants to gain strong active support would appear to be among traditional Jews that constitute about a third of all Israeli Jews. This is because traditional Jews are both strongly opposed to coercion and strongly supportive of the state retaining a strong link with Jewish tradition.⁵⁵

Widening the base to include a majority of the religious poses a more significant challenge. Large elements of the religious-Zionist public might be open to supporting a package deal if they thought it would help preserve and promote the Jewish character of the state. However, any religious-secular covenant would also have to be able to neutralize expected opposition from among the Ultra-Orthodox and the more militant religious-Zionist rabbis. At first glance, any attempt to moderate these groups' stances would appear highly unlikely to succeed. After all, the lack of Ultra-Orthodox involvement in the covenantal initiatives is not surprising, as they have traditionally placed punctilious observance of *Halacha* above any sense of shared

51. *Ibid.*, 6.

52. Shlomo Hasson and Amiram Gonen, *The Cultural Tension Within Jerusalem's Population* (Jerusalem: Floersheimer Institute, 1997), 41-46.

53. Levy, Levinsohn, and Katz, *A Portrait of Israeli Jewry*, 8-9, 13.

54. *Ibid.*, 11, 20, 22.

55. On traditional Jews in Israel, see Yaa'cov Yadgar and Charles Liebman, "Beyond the Religious-Secular Dichotomy: *Masorati'im* in Israel" [Hebrew] (Unpublished Paper), 2003; Moshe Shokeid, "The Religiosity of Middle Eastern Jews," in *Israeli Judaism*, ed. Shlomo Deshen, Charles Liebman, and Moshe Shokeid (New Brunswick, N.J.: Transaction, 1995).

peoplehood with non-religious Jews. Their non-Zionist approach and fear of modernity led them to separate themselves from mainstream Jewish society. Their main ideological approach to non-religious Jews has been to seek their return to religion. This approach stands in stark contrast to the theoretical foundations of covenantalism that stress a common moral identity and respect for the integrity of the other. Against this background, the former Sephardi Chief Rabbi, Bakshi-Doron, has suggested that separating religion and state altogether in Israel is a better solution than covenantal compromises because, while it might deepen religious-secular alienation and weaken the Jewish character of the state, it would not involve compromising the integrity of *Halacha* itself.⁵⁶ Such a solution is also favored by radical secularists, who view it as an important step towards a "Post-Zionist" Israel in which the state is not only separated from religion but also denuded of its Jewish identity.⁵⁷

Such ideas stand little chance of being actualized as they contradict the core consensual political value in Israel, namely that Israel should remain, in some sense, a Jewish state. Moreover, such ideas are not popular even among the traditionally non-Zionist Ultra-Orthodox. In part, this is a function of the fact that the Ultra-Orthodox now feel more a part of Israeli society than ever before.⁵⁸ As such, they are now more interested in influencing Israel's public character. Interestingly, some leading Ultra-Orthodox figures understand that this cannot be imposed and that it requires working together with others with different views. For example, a leading Ultra-Orthodox MK, Avraham Ravitz (United Torah Judaism), has stated publicly that he would be willing to back a constitution similar to that proposed by the *Constitution by Consensus*. His reasoning is that the ground is shifting in a secular direction and that such moves will help shore up the Jewish character of Israel. He expressly stated that the aim was to protect the Jewishness of Israel and not to impose a theocracy.⁵⁹

Part of the problem is that many rabbis who express willingness to compromise in private still do not feel there is enough public support for them to go public.⁶⁰ Some religious leaders also express concern that the religious camp is giving up solid assets in return for the hope of a better future. In this vein, the main fear of the religious camp is that the compromises could open the floodgates to further erosion of the status of religion. This is the reason that United Torah Judaism MK

56. Avirama Golan, "Caught between Jewish character and Jewish law," *Ha'aretz*, 4 June 2004.

57. Baruch Kimmerling, *The Invention and Decline of Israeliness* (Berkeley, Calif.: University of California Press, 2001): 173-207.

58. Yair Sheleg, *HaDat'im HaChadashim* [The New Religious] (Jerusalem: Keter, 2000) [Hebrew].

59. Yuval Yoaz, "Final touches put on proposed constitution," *Ha'aretz*, 6 October 2004.

60. Cashman, "Katsav urges dialogue to resolve disputes with Haredim."

Moshe Gafni is cautious regarding compromise on the Shabbat issue.⁶¹ It is also the reason that the former Sephardi Chief Rabbi, Mordechai Eliyahu (associated with the NRP), is opposed to the *Gavison-Meidan* covenant. Others such as Zionist-Ultra-Orthodox Rabbi, Dov Lior, head of the *Kiryat Arba Yeshiva* in the West Bank, oppose the content of such covenants in principle.⁶² To succeed, the covenant supporters will have to detach those whose opposition stems primarily from the fear of backsliding from those who oppose a covenant in principle. The legal framework offered by *Gavison-Meidan* and by the *Constitution by Consensus* greatly assists in this matter by preventing the Supreme Court from being able to intervene on core issues of religion and state.

CONCLUSION

The consociational arrangements that are supposed to manage religion-state relations in Israel are in a state of deep crisis. Further escalation of the confrontation and a descent into chaos are a very real possibility. This could have serious implications for the stability of Israeli democracy in general. It is just such a scenario that the social covenants aim to prevent. Instead of seeking to restore a consociational accommodation, covenantalism seeks to overcome religious-secular divisions by emphasizing both sides' mutual commitment to Israel's identity as a Jewish and democratic state. This strategy implies that radical elements within the political system, on both sides, are the primary obstacle to the implementation of a covenant. It is certainly true that such groups form a considerable obstacle to the implementation of a religious-secular covenant. However, the most formidable challenge for such a covenant is the need to galvanize public support. So far no covenant has succeeded in capturing the public's imagination. In order to have a chance of success, the different groups need to vigorously promote a single covenant. The best candidate in this regard is the *Gavison-Meidan* covenant, both because of its comprehensive nature and because of the standing of its two principle signatories in their respective communities. Yet, even if public awareness of religious-secular covenants grew dramatically, this would not necessarily translate into broad public support. In this regard, analysis of survey data presents an equivocal picture. Still, there is reason to believe that a religious-secular covenant has at least some potential because the overwhelming majority of Israeli Jews support both maintaining the Jewish character of the state and integrating the values of Jewish tradition and individual freedom.

61. Mati Wagner, "New Bid at Shabbat Preservation," *Jerusalem Post*, 19 December 2004.

62. Available online at: http://www.gavison-medan.org.il/pdf/Amana_English.pdf: 97-98.

PREFERENCES REGARDING THE RELATIONSHIP BETWEEN RELIGION, NATION, AND STATE IN ISRAEL

<i>Character of the State</i>	State of its Citizens	State of the Jews	State of the Jewish People	Jewish National Cultural State	Covenantal Compromise	Jewish National-Religious State	Jewish Halachic Torah State Theocracy
<i>Orientation towards religion, national culture and statehood</i>	A non-Zionist State without a Jewish-national or religious character	A State with a Jewish majority; complete separation of religion and state	A Zionist State, a focus of Jewish national identification and culture	Zionist State Informed by Jewish national culture and religious tradition	Ideal = Zionist State. synthesis Of Traditional Judaism and democracy; public sphere informed Jewish culture and partly by Halacha	Ideal = Zionist Theocracy Practical Objective = Central role for Halacha in defining the public sphere	Only theocracy is religiously significant
<i>The Public</i>	Arab minority and very small Number of Post-Zionist Jews	Liberal-non religious	Overwhelming majority of the non-religious and traditional Jewish public		Equivocal	National Religious	Non-Zionist Ultra-Orthodox Nationalist Ultra-Orthodox

* In 2003 Meretz changed its name to Yachad following its merger with a group of former Labour MKs headed by Yossi Beilin. The new Yachad party has nothing to do with the *Yachad* council founded by Meimad.

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