

## **Measuring Israeli Democracy (2011):**

### **Epistemological, Methodological, and Ethical Dilemmas**

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This paper aims at presenting, from a reflective perspective, the various dilemmas facing the team conducting the Israeli Democracy Index annual research project in general and its 2011 edition<sup>1</sup> in particular. After dealing generally with the issue of measuring democracy and contextualizing this project in the “universe” of similar measurements/indices/barometers, the article will focus on the epistemological, methodological, and ethical dilemmas to be dealt with when assessing—by surveying public opinion—the democratic qualities of the Israeli regime, which are closely linked, it will be maintained here, to its unique political system and complex political situation. This will be done with a number of illustrations and through references to findings of the latest, as well as previous, Israeli Democracy annual reports.

### **Introduction: In a nutshell—why and how to measure democracy?**

Since the mid twentieth century, global political discourse has been idolizing democracy. This regime type is widely perceived as the only one which—at least in principle—respects the universally most highly cherished set of human rights and civil rights. Democracy in general and liberal democracy in particular are therefore almost unanimously considered as morally superior to all others regimes, past, present, and perhaps even future. Thus, today, especially in the West but also in other parts of the world, very few dare publicly to foster and legitimize any other form of government even if in fact they ideologically or practically do endorse it. This “democratic consensus” is admittedly, in certain ways, ideologically quite overbearing, almost undemocratic in terms of freedom of expression and association. Because of this overall “climate of opinion,” which is openly encouraged, supported, and protected by the world’s strongest powers, in the context of the 2011 Arab Awakening, for example, the Islamic movements’ leaders – although in fact supportive of various theocratic political models – paid much lip service to noble democratic principles, such as women’s rights and minority rights, although these do not go hand in hand with either their scripts or their future political visions. Political regimes and movements that do not profess to accept the Western democratic ideals, ethos, and practices are then often internationally sanctioned and the sovereignty of states that do not ascribe to the democratic principles is relatively easily impaired by international powers and alliances (e.g., Saddam Hussein’s Iraq, or Kaddafi’s Libya). Because of this international ideological

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<sup>1</sup> Hermann et al., *Israeli Democracy Index 2011* (Jerusalem, The Israel Democracy Institute, 2011).  
<http://www.idi.org.il/sites/english/events/ThePresidentsConference/Documents/Democracy%20Index%202011.pdf>

climate, autocratic and, ironically, sometimes even despotic regimes pretend to be democratic. For example, tyrannical North Korea is self-defined as The Democratic People's Republic of Korea.<sup>2</sup>

Even if such charades as North Korea are excluded, it appears that the terms “democracy” and “democratic” have become significantly overstretched and are used offhandedly. Establishing the “democratic quality/level” of a country has therefore become critical.<sup>3</sup> This is why mainly (but not only) political scientists are raising a red flag and developing notions such as “defective democracies”<sup>4</sup> to separate the wheat from the chaff. Standards and benchmarks of various kinds are therefore constantly created and refined.

Measuring democratic qualities of a given state are important for various reasons and for various audiences; it is vital for scholars interested in the topic per se and for those who are engrossed in meaningfully linking the state's democratic or undemocratic qualities to various domestic and external actual behaviors. This is exactly the “space” where analytical frameworks, such as “democratic peace” (focusing on the correlation between a state's regime and its level of war ardor or alternatively of war avoidance)<sup>5</sup> develop. A diagnosis of the proximity to the democratic ideal of given state structures and procedures is also very important for the state's leaders, because—if authentically interested in cultivating democracy—such measurements can serve them as benchmarks against which they can periodically compare their performance. Trustworthy “grades” are also indispensable for states to attain an idea of how good (or bad) are their own democratic structures and functioning in comparison to other nations' and — on top of this—which countries are acceptable or non-acceptable ideological and practical allies for them. Other “clients” of such valid assessments are local civil society organizations that aspire to promote this

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<sup>2</sup> The famous Israeli historian Jacob Talmon brilliantly explored the connection between the democratic ethos and modern despotic regimes, from the French Jacobin to the Fascist, Nazi, and communist ones. See Jacob Talmon, *The Origins of Totalitarian Democracy* (Boulder, CO: Westview Press, 1985).

<sup>3</sup> See, e.g., Guillermo O'Donnell, Jorge Vargas Cullell, and Osvaldo M. Lazzetta, eds., *The Quality of Democracy: Theory and Applications* (Notre Dame, IN: Notre Dame Press, 2004); Larry Diamond and Leonardo Morlino, “The Quality of Democracy, an Overview,” *Journal of Democracy* 15/4: 20–31.

<sup>4</sup> For an explication of this term, see, e.g., Wolfgang Merkel, “Embedded and Defective Democracies,” in Marc Bühlmann, Wolfgang Merkel, and Bernhard Wessels, *The Quality of Democracy: Democracy Barometer for Established Democracies* (Working Paper No. 10; NCCR Democracy, University of Zurich Social Science Research Centre Berlin (WZB), 2007). In this article Merkel differentiates between several types of defective democracies: exclusive democracy, illiberal democracy, delegative democracy, and tutelary democracy.

<sup>5</sup> See, e.g., Nils Petter Gleditsch and Havard Hegre, “Peace and Democracy: Three Levels of Analysis,” *Journal of Conflict Resolution* 41/2 (1997): 283–310.

kind of socio-political arrangement as well as international bodies and foundations that aspire to promote democracy globally.

Having said that, it is important to note that “grading” a democracy in a valid and persuasive manner is a most challenging and complicated mission on both the conceptual and the empirical levels. To name but a few major impediments in the way to applying the “golden ruler” of democracy: First, although there is a consensus on the five abstract pillars of democracy: freedom, the rule of law, vertical accountability, responsiveness, and equality,<sup>6</sup> and also on the four minimal practical requirements for a functioning democracy: universal, adult suffrage; recurring, free, competitive, and fair elections; more than one serious political party; and alternative sources of information,<sup>7</sup> many operative definitions of democracy are present in the literature and in the real world. Hence, there is not one, agreed-upon set of criteria by which the quality of democratic (self-declared or widely recognized) government is to be evaluated. A highly conspicuous rock of contention is, for example, the equality issue. Equality before the law is an agreed-upon essential element and a necessary (although not sufficient) condition for a regime to be widely acknowledged as “democratic.” However, what about economic equality? Some schools of thought, for instance the neo-conservative or the libertarian ones, argue that as long as equality of opportunity is maintained, wide economic gaps do not necessarily do away with the democratic essence of the state. Other approaches, for example the socio-democratic one, maintain that extensive economic gaps inevitably curtail the opportunities open to people of lesser means, and therefore cannot bring into being a real democratic environment. By the latter understanding then, a completely free market, or as its opponents often label it “vulgar capitalism,” is essentially non-democratic and even anti-democratic in essence. Therefore, they will position at the bottom of the “democracy scale” states whose economy relies on the “hidden hand” principle alone, while the former would see this as an irrelevant gauge.

Second, in an imagined, totally transparent world in which all data are available to everyone and all information resources are trustworthy, the “objective” approach, i.e., evaluation based on hard data alone, could have been useful and feasible. Indeed, most Democracy indices/barometers rest upon allegedly value-free figures and indicators, such as the numerical correspondence between the ethnic/religious/class/gender composition of the state's legislative bodies and the composition of the population, the

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<sup>6</sup> Diamond and Moralino, “*Quality of Democracy*” (above n. 3), 21.

<sup>7</sup> E.g., Robert A. Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971).

number of the political parties and electoral competition options open to them, frequency and secrecy of elections, number of political prisoners, legislation and regulations regarding the state's interference in the ongoing operation of the media (i.e., censorship), and the like. However, in the real world, a much more obscure universe, not all data is open and accessible for gathering and analysis. Furthermore, formal data are often released in a mode aimed at improving the democratic image of the state while concealing facts that can attest to its bleaker realities. In fact, only rarely is all relevant information concerning the examined countries or the full aspects of their respective political, social, and economic performance both accessible and of high enough quality to make valid and unbiased judgments of their democratic quality.

Third, even if all relevant formal data and figures are collected and their quality is verified, the formula by which they should be operationalized and weighted is the subject of fierce debates. For example, because of its new electoral system, established with much external intervention in the post-genocide era, Rwanda is known to have the highest number of female legislators worldwide (over 50%).<sup>8</sup> Because of this exceptional score, if too heavily weighted, Rwanda's positioning on the democracy scale might turn out very high, while closer scrutiny of other parameters will most probably reveal that besides this specific aspect it does not do so wonderfully even in terms of female rights, not to mention freedom of the press, freedom of religion, ethnic equality, and so on. It is, therefore, extremely important to agree not only upon the relevant indicators but also on upon the proper weights for the various parameters. Unfortunately, the magic formula has not been yet found. Thus, many students of the subject have given up on the aspiration to develop objective means of measurement and opt for more "subjective" grading procedures, which are almost always based on varying combinations of hard data and judgment/auditing by international or local democracy experts and/or stakeholders, i.e., the public in the examined country.<sup>9</sup>

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<sup>8</sup> See, e.g., <http://afp.google.com/article/ALeqM5hyYDRUBoyMv4qsIVei1H43kUVtEA>

<sup>9</sup> For example, The Freedom of the Press project by Freedom House [http://www.freedomhouse.org/template.cfm?page=350&ana\\_page=376&year=2011](http://www.freedomhouse.org/template.cfm?page=350&ana_page=376&year=2011); The Democracy Index, compiled annually by the Economist Intelligence Unit (for their 2011 report see [http://www.eiu.com/public/topical\\_report.aspx?campaignid=DemocracyIndex2011](http://www.eiu.com/public/topical_report.aspx?campaignid=DemocracyIndex2011)). Another example for such a combination is the Bertelsmann Foundation's Sustainable Governance Indicators (SGI) project, [http://www.bertelsmann-stiftung.de/cps/rde/xchg/SID-C97834FB-94BD4DFC/bst\\_engl/hs.xsl/52957.htm](http://www.bertelsmann-stiftung.de/cps/rde/xchg/SID-C97834FB-94BD4DFC/bst_engl/hs.xsl/52957.htm)  
A more "public friendly" mode of assessment was developed by the International Institute for Democracy and Electoral Assistance (International IDEA). Its principles can be found at David Beetham et al., *Assessing the Quality of Democracy: A Practical Guide* (International IDEA, 2009). <http://www.idea.int/publications/aqd>  
Few projects, however, are theoretically oriented as is the Democracy Barometer; for its unique methodological *raison d'être*, see: [http://www.democracybarometer.org/Images/Methodical\\_Exploratory\\_Note\\_JAN\\_2011.pdf](http://www.democracybarometer.org/Images/Methodical_Exploratory_Note_JAN_2011.pdf)

In the context of the abovementioned strain between the more objective and the more subjective approaches and tools to measuring the democratic properties of a given regime, the Israeli Democracy Index puts forward a rather sweeping “subjective” orientation.<sup>10</sup> From its first edition in 2003,<sup>11</sup> its leader, the late Prof. Asher Arian, followed the footsteps of similar previous Israeli endeavors and earlier incarnations of this Index.<sup>12</sup> The Index has been based on public opinion measurement, although in all its editions it also included a concise report on the positioning of the Israeli political system on various democracy scales compiled by various international measurement projects. The dilemmas involved in this methodological decision will be presented and analyzed in the ensuing. Before that, a short reminder of the main features of the Israeli political system seems to be called for here.

### The Israeli political system in a nutshell

Israel is a relatively young state and a young democracy. It received its independence in 1948 from the British Crown, and hence belongs to the same “age cohort” as India, Cyprus, and other post-colonial states that were created during what Samuel Huntington defines as the second wave of democratization.<sup>13</sup> Like many other states that became independent in this period, and unlike the established/embedded democracies, such as Britain or France, where national identity preceded the democratization processes, in the new post-colonial states like Israel the democratic regimes were created alongside the nation building processes—an exhausting dual task which prevented them from devoting the intellectual, financial, and political energies and resources needed for each of the two.

Moreover, in most cases, the Israeli case included, the new regimes lacked (and perhaps still lack) authentic democratic political-cultural depth as the native political traditions were usually authoritarian. Hence, the democratic structures and procedures were not derived from the native traditions, but

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<sup>10</sup> Each year the report is ceremonially presented to the President of the State of Israel. In the past, the ceremony at the President’s House included a discussion of the findings by the heads of the three branches of government—the Speaker of the House (Knesset, the Israeli Parliament), the Prime Minister (or one of the ministers on his behalf), and the President of the Supreme Court.

<sup>11</sup> Arian et al., *The 2003 Israeli Democracy Index*. Jerusalem: The Israel Democracy Institute. <http://www.idi.org.il/sites/english/ResearchAndPrograms/The%20Israeli%20Democracy%20Index/Documents/Index2003-Eng.pdf>

<sup>12</sup> See the two Democracy Index articles by Ephraim Yaar-Yuchtman and Yohanan Peres, *Israeli Democracy* 3 (1987).

<sup>13</sup> Samuel P. Huntington, “Democracy’s Third Wave,” *Journal of Democracy* 2/2 (1991): 12–34.

borrowed/copied from other political contexts, usually the ex-colonial power. Therefore, they have had no or very weak home-based roots, a situation which, in more than a few cases, produced low-quality democracies. Indeed, the unicameral, multi-party, parliamentary democracy adopted by Israel at birth was a combination of certain British legacies (e.g., no constitution) with those of the pre-state Zionist institutions (e.g., full proportional representation). The very low electoral threshold which was adopted and maintained (gradually raised in over 60 years from 1% to 2%) encouraged the creation of multi-party parliaments (Knesset) and multi-party ruling coalitions, which limited the maneuvering room of the prime minister, the pivotal political actor in the Israeli political system, thereby creating a prevalent impression of governmental incompetence.<sup>14</sup> Efforts to amend the Israeli political system via its election law, with the intention of transforming the parliamentary democracy into a semi-presidential, more effective one, resulted in the first decade of the twenty-first century in a structural and procedural fiasco that led to a quick return to the old electoral law with minor changes and to a growing public sense of political frustration. As a result of this failed effort and its repercussions the support for all parties declined and Israel was left with several medium size ones and many smaller ones, each of which hardly capable of functioning as a political pivotal player. These dismal realities, particularly in the absence of a written constitution and a Bill of Rights, opened the door for repeated, far-reaching compromises over some basic civil and human rights so as to create or preserve the ruling coalitions at the demand of the religious and right-wing parties known to be in the best case skeptical regarding several key democratic notions,, thereby further eroding the already far from perfect Israeli democracy.

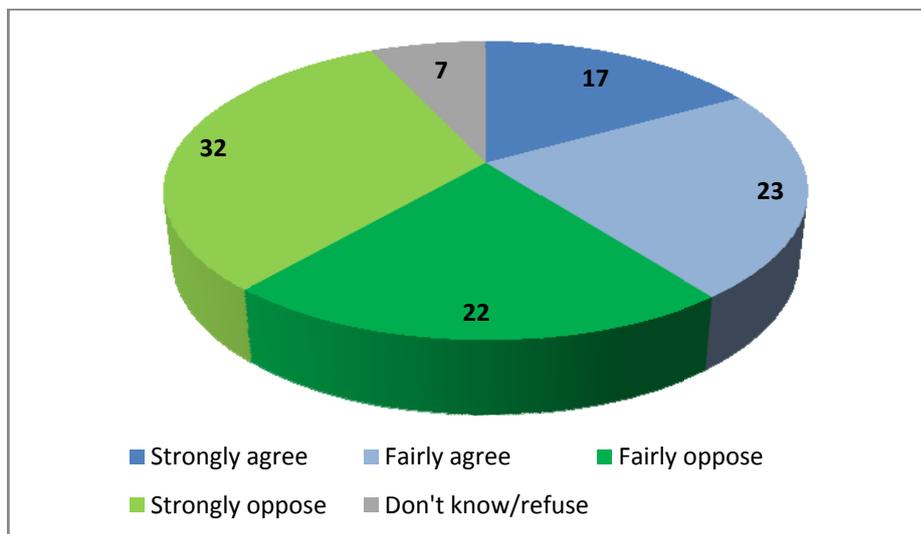
Furthermore, since its independence and parallel to its nation-building and democracy-building efforts, also like India, Cyprus, and other new post-colonial states, Israel had to deal with the violent, inter-communal tensions left behind by the British mandate, i.e., the Jewish-Palestinian strife. Practically, whether it is Israel's fault (as seen by the Palestinians and their sympathizers) or the fault of the other side (as perceived by most Israeli Jews and their sympathizers), Israel has been engaged in an ongoing and active conflict with its Arab neighbors as well as with the Palestinian people residing within its borders or just adjacent to them on the outside. This conflict, which the Israeli Jewish majority (and admittedly also

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<sup>14</sup> For a schematic description of the Israeli political system, see <http://www.knesset.gov.il/main/eng/home.asp>. For an analytical view of it, see, Allan Dowty, *The Jewish State – A Century After* (Berkeley and Los Angeles: University of California Press, 2001). Also see Arye Carmon, *Reinventing Israeli Democracy* (Jerusalem: Israel Democracy Institute, 2009). [http://www.idi.org.il/sites/english/PublicationsCatalog/Pages/Publications\\_Catalog\\_7107/Publications\\_Catalog\\_7107.aspx](http://www.idi.org.il/sites/english/PublicationsCatalog/Pages/Publications_Catalog_7107/Publications_Catalog_7107.aspx)

many Jews outside Israel) commonly set within the framework of a continuation of the prolonged historical chain of persecutions of the Jews by the gentile world, is in fact, the main prism through which Israeli Jews look at the world and at their politics. Israeli democracy is, therefore, deeply influenced by this “conflict mentality,” which, in the name of national security, brings in its wake internal legitimization for the erosion of certain democratic procedures and rights, which as noted are not deeply rooted in the collective worldview. As Figure 1 suggests, 40% (!) of the Israelis agreed in 2010 that because of its security, economic, and social problems, a democratic regime is not presently suitable for Israel.

**Figure 1: Democracy is not suited to Israel right now due to its grave economic, security, and social problems. In the meantime, it would be better to have a strong effective government that could disregard the courts, the media, and public opinion<sup>15</sup>**



On top of all this, Israeli democracy also developed against the background of the very complex nature of contemporary Jewish identity, which is commonly understood by its members as an inseparable combination of religious and national identity (a perception challenged, by the way, by Israel's Arab neighbors and Arab citizens who consider Judaism as a religion only). This dual religio-national definition leaves only limited “space” for the democratic aspect in the state's self-definition. Indeed, the state of Israel defines itself as Jewish and Democratic (in this order). This prioritizing has far-reaching repercussions in terms of its political performance. Mainly, it puts the Israeli Arab minority in an inferior collective status as they cannot possibly relate to the first part of their state's definition. On the other hand,

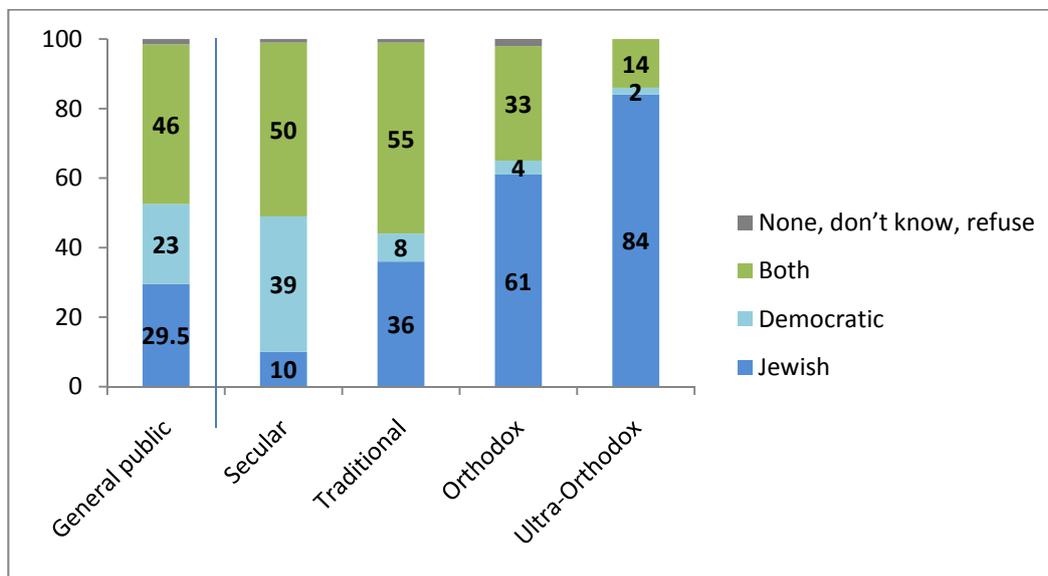
<sup>15</sup> Asher Arian et al., *2010 Democracy Index*, question 45.

[http://www.idi.org.il/sites/english/SectionArchive/Documents/Auditing\\_Israeli\\_Democracy\\_2010.pdf](http://www.idi.org.il/sites/english/SectionArchive/Documents/Auditing_Israeli_Democracy_2010.pdf)

in the eyes of many of the Jewish majority this order signals that democracy is second in line to the state's Jewish identity.

As Figure 2 indicates, this interpretation is particularly prevalent in the non-secular sectors of the Israeli Jewish society comprising today around 55% of this population and growing, which suggests that in the foreseeable future, if and when these sectors will give the tone in the Israeli political arena, the democratic aspect may well be further undermined.

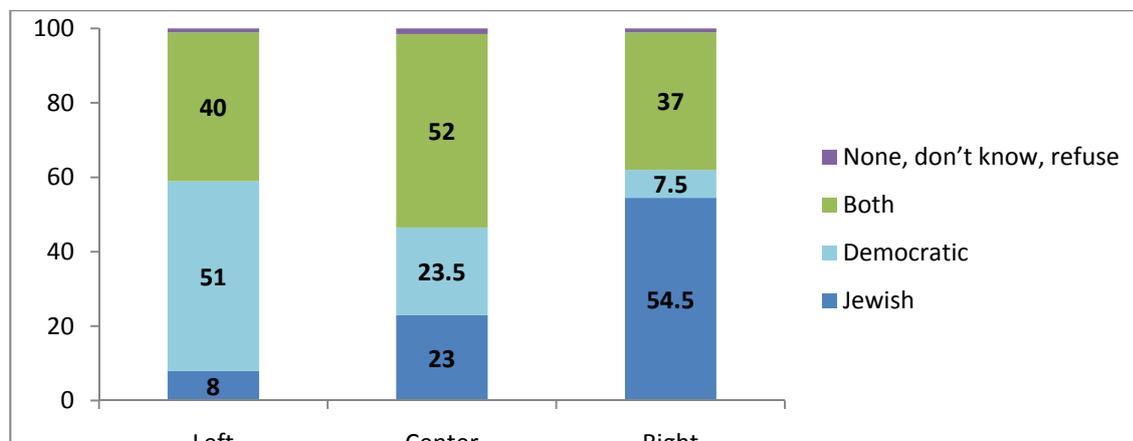
**Figure 2: Israel is defined as Jewish and Democratic. Which of the two parts of this definition is more important to you personally? (By self-declared level of religiosity)<sup>16</sup>**



As suggested by Figure 3, the differences in the balance between the Jewish part of the state's definition and the democratic one are even more salient when the Israeli Jewish public is divided by the respondents' political self-affiliation with the left, center or right. Admittedly<sup>16</sup>, in neither political camp is there a clear-cut preference for the democratic part. While about one half of the respondents who put themselves on the left prefer the democratic aspect, only about a quarter (23.5%) of the center see it this way and only 7.5% (!) of the right-wingers. Taking into consideration that in Israel today the relative size of left (by self-definition, as electorally it is even smaller) is less than 20% of the Jewish population, these figures again suggest that in the Jewish public's mind the state's official hyphenated definition does not imply that the two components are genuinely equal in importance, let alone that the democratic part is on top.

<sup>16</sup> Appendix 1, *The Israeli Democracy Index 2011* (above n. 1), question 5.

**Figure 3: Israel is defined as Jewish and Democratic. Which of the two parts of this definition is more important to you personally? (By self-declared political affiliation)<sup>17</sup>**



These problems notwithstanding, the classification of the Israeli regime as (at least) formal democracy is usually not contested by experts.<sup>18</sup> Thus, political scientists as well as political figures and civil society activists from within and from outside, even when exposing these and other blemishes, would in most cases include it in the “democratic family.”<sup>19</sup> With few exceptions then, by most international democracy measurements Israel is usually located somewhere between the embedded democracies and the younger ones, mainly, the new democracies in central and east Europe.<sup>20</sup> Israel stands out positively for its third-place position on the Political Participation Index, following New Zealand and preceding Canada. On the negative side, Israel is in a low position on the Electoral Procedures and Pluralism Index, sharing positions

<sup>17</sup> Ibid.

<sup>18</sup> An exception would be As'ad Ghanem, Nadim Rouhana, and Oren Yiftachel, “Questioning ‘Ethnic Democracy’: A Response to Sammy Smooha,” *Israel Studies* 3/2 (1998): 253–67. The authors argue that Smooha's definition of Israel as an “ethnic democracy,” much like Estonia or Lithuania, does not go the much-called-for extra mile of excluding Israel from the democratic family. Instead they suggest that the Israeli regime is better defined as an ethnocracy, i.e., a state which officially gives precedence to one ethnos, thereby indicating its non-democratic essence. Another radical criticism maintains that Israel cannot possibly be a democracy within its 1967 borders while administrating occupation, Apartheid regime in the Palestinian territories see Ariella Azoulay and Adi Ophir, *This Regime Which is Not One: Occupation and Democracy between the River and the Sea (1967–)* (Tel Aviv: Resling, 2008).

<sup>19</sup> For an external critical yet also affirming reading of Israeli democracy, see, e.g., Wolfgang Merkel, “Embedded and Defective Democracies: Where Does Israel Stand,” in *By the People, For the People, Without the People? The Emergence of (Anti) Political Sentiment in Western Democracies and in Israel*, ed. Tamar Hermann (Jerusalem: The Israel Democracy Institute, 2012). According to Merkel, Israel is lacking mainly on the parameters of civil rights, separation of powers, and vertical accountability.

<sup>20</sup> For a list of such indices/barometers and the position of Israel there, see: *The Israeli Democracy Index 2011* (above n. 1), [http://www.idi.org.il/events1/Events\\_The\\_President%27s\\_Conference/2011/Documents/democracy%20eng%20ish.pdf](http://www.idi.org.il/events1/Events_The_President%27s_Conference/2011/Documents/democracy%20eng%20ish.pdf), 203–34. An interesting anecdote in this regard is that in the mid 1990s (admittedly much better days), when asked in a public opinion survey which democracy they saw as their role model, Palestinian West Bankers pointed to the US and Israel. See Khalil Shikaki, “The Peace Process, National Reconstruction, and the Transition to Democracy in Palestine,” *Journal of Palestine Studies* 25/2 (1996): 12.

18–19 (out of 27) with Argentina; on the Freedom of Religion Index, it ranks in positions 21–28, together with China, Egypt, Jordan, Russia, Saudi Arabia, Syria, and Turkey; on the Religious Tensions Index, Israel is at the bottom of the list in positions 26–28 along with India and Lebanon; and on the Ethnic/Nationality/Language Tensions Index, it occupies the lowest position together with Turkey. Generally speaking, there was no substantive change in any of the scores Israel received in 2011 relative to previous years, except for a slight improvement in the Index of Economic Freedom and the Freedom of the Press Index.

### The Israeli Democracy Index—research dilemmas

As mentioned, these international indices/measurements are all based on a combination of hard data and expert judgment, with each of the two methods compensating for the other's limitations. The Israeli Democracy Index report, on the other hand, is based solely on a public opinion (phone) survey of a randomly selected sample of the adult Israeli population (1,200 respondents) and therefore lacks this correction mechanism.<sup>21</sup> Because it relies so heavily on auditing public opinion, and as it lacks an “objective” module against which the public attitudes and perceptions could be juxtaposed (apart from the background given by the reporting on the grades given to Israeli democracy by international projects, which is more of an appendix than an integral part of the analysis), every step, from the writing of the questionnaire to the running of the survey and, above all, through to analyzing its results and drawing conclusions about the state of Israeli democracy, raises a plethora of dilemmas of various natures. The seven most critical of these dilemmas (three epistemological, two methodological, and two ethical ones) will be addressed below.

#### *Epistemological dilemmas*

On the epistemological level, i.e., regarding the uncertainty of what are we actually measuring, the first dilemma is *to what extent the quality of a democracy can be validly estimated based on indirect measurement—its reflection in the eyes of the public*, which, as already stated, is in itself a module of this

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<sup>21</sup> In order to incorporate all segments of society in the survey, including minorities and newcomers, the 100-question Hebrew questionnaire is translated yearly into Russian and Arabic, and the interviewees can choose which language they prefer.

democratic (or not) political quality. This dilemma is multifaceted.<sup>22</sup> To begin with, as so eloquently and elegantly put by the French sociologist Pierre Bourdieu in his famous lecture/article "Public Opinion Does Not Exist,"<sup>23</sup> individuals do not necessarily have an opinion about everything, and in particular about political matters. This, it should be noted, is a relatively easier problem to deal with in Israel, as Israelis are known to be a highly opinionated and a very political society.<sup>24</sup> Traditionally, the Israeli climate of opinion put "non-political" and "uninvolved" people in a rather negative light, and although this social pressure for political interest, if not actual participation, has been somewhat eroded in recent years, it is still quite prevalent and was apparently even revived following the 2011 protest wave.<sup>25</sup> Actually, as can be seen in the figures in this paper and elsewhere, the number of respondents who opt for the inconclusive options or for the "don't know" one in the Democracy Index survey as well as in many other polling projects<sup>26</sup> is usually around 5% or less and only rarely goes above 10%.

In addition, Bourdieu argues in an admittedly non-politically correct yet quite persuasive manner, the "quality" of the individual opinions is not identical. Based on that, the amalgamation of the various opinions into one "public opinion" creates an unreliable artifact. This argument can be nicely examined in the Israeli case by the following example: Based on the assumption that the quality of opinions is not identical, indeed a set of informative questions was created and the respondents of the 2011 Democracy Index were divided into three groups of political knowledge. When the survey was completed and the responses analyzed and compiled, 21% were defined as of low political knowledge; 60%—of medium knowledge; and 19%—of high. As expected, this division corresponded very well with their reported interest in politics: of the low knowledge, 60% reported that they are interested in politics; of the medium—81%; and of the high—95%. Apparently, these are three discernible groups with a different "quality" of political opinions. In order to examine the way in which the quality gaps influence the respondents' views on democracy-related

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<sup>22</sup> The following dilemmas are classical non-sampling measurement errors. For a theoretical discussion of such errors, see Alex C. Michalos, "Ethical Considerations Regarding Public Opinion Polling during Election Campaigns," *Journal of Business Ethics* 10/6 (1991): 403–22.

<sup>23</sup> Pierre Bourdieu. "Public Opinion Does not Exist," in *Questions in Sociology* (Tel Aviv: Resling, [1972] 2005), 207–16 [Hebrew].

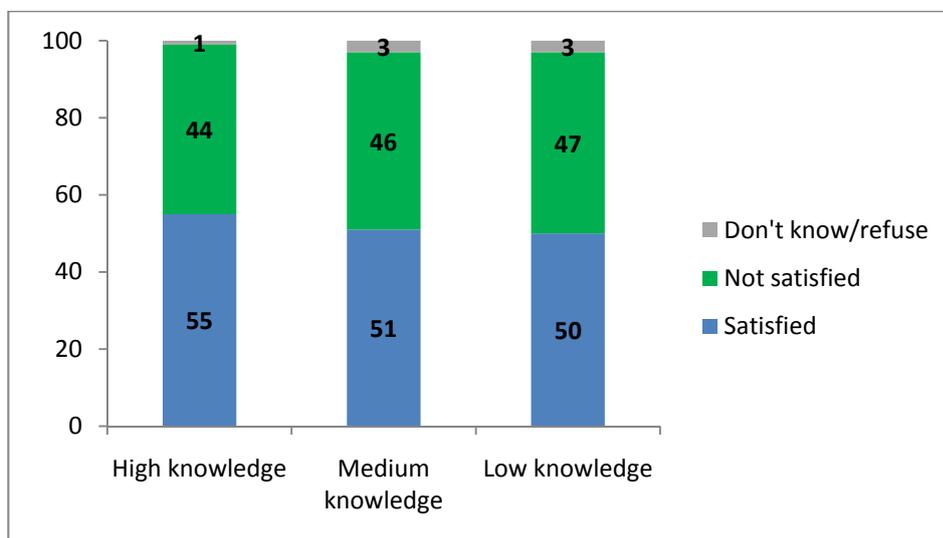
<sup>24</sup> Ephraim Yaar and Tamar Hermann, "Divided yet United: Israeli Jewish Public Opinion on the Oslo Process," *Journal of Peace Research* 39/5 (September 2002): 597–613.

<sup>25</sup> As in many other countries east and west, 2011 in Israel was also replete with various manifestations of grassroots dissatisfaction, which reached its peak from July to September. At the beginning, hundreds of thousands of Israelis rallied all over the country against the rising prices of homes and basic goods, but later this protest developed into a wider call against the inattentiveness and incompetence of the political elites, under the slogan "The people demand social justice."

<sup>26</sup> See, e.g., the various distributions of responses to the monthly Peace Index surveys at [www.peaceindex.org](http://www.peaceindex.org)

issues we cross-tabulated this feature with the respondents' answers on various questions, for example, their level of satisfaction from the functioning of Israeli democracy. The results of this analysis, which are presented in Figure 4, indicate that by and large the Israeli public is split almost in the middle between those who are satisfied and those who are not, with the politically highly knowledgeable Israelis almost as dissatisfied as Israelis with medium and low knowledge (although one might have assumed that there would be significant differences between the three groups as the level of political knowledge is most probably connected to the individual's socio-economic status, education, and proximity to the socio-political center, which supposedly produce different perspectives on the functioning of the democracy).

**Figure 4: Satisfaction of the functioning of the Israeli democracy (By political knowledge)<sup>27</sup>**



We continued to examine the influence of political knowledge on the granting of legitimacy to political violence. Here the differences between the three groups were most noticeable. On the average, 73% of the entire Jewish sample denounced the use of violence for achieving political goals. However, when divided by their political knowledge, the differences between the three groups were significant and alarming: of the low political knowledge group, 62% delegitimized violence, compared to 71% of the medium knowledge, and 75% of the high knowledge. In other words, the more politically knowledgeable one is, the less he or she is expected to legitimize the use of force for fulfilling their political aspirations, a

<sup>27</sup> *The Israeli Democracy Index 2011* (above n. 1), question 6.

finding that goes hand in hand with the classical democratization theories, which link higher education to higher democratic qualities of a given polity.

The last claim made by Bourdieu in this regard is that different people attribute different importance to different political issues, and therefore, it does not make much sense to ask everyone the same questions. Being aware to this point, in the 2011 Index we tried to avoid this trap, at least where and when possible, by leaving out of the questionnaire in the Arabic language certain irrelevant or hypersensitive questions as far as the Israeli Arab respondents were concerned. For example, in the question about preferred place of residence, Arab interviewees were not presented with the practically unfeasible option for them "A Jewish settlement in the West Bank," neither were they asked normative questions about the desired relevance of the Jewish halakhic (religious) law to the conduct of Israeli politics.

The second major epistemological dilemma to be dealt with here is *to what extent is the Israeli public capable of impartially and reliably judging the democratic quality of the political system it lives in*. In other words, can public opinion measurement help us, as experts, to draw valid conclusions on the specific regime's democratic property? It seems that the answer to this question is not encouraging. Not surprisingly yet regretfully, in the respondents' answers, the level of (dis)satisfaction from the functioning and/or policies of a specific administration is often confused with or takes over their assessment of the regime's pillars of democracy—we aim at the latter but get information about the former. This common misunderstanding is reflected, for example, in our revelation that when the respondents were asked about their basic trust in certain political bodies and positions (e.g., the Knesset/Parliament, the cabinet, or the Prime Minister's Office), their answers changed by their political proximity to or remoteness from the incumbent government and office holders.<sup>28</sup> More specifically, the voters of the right-wing/religious parties in power expressed trust in the parliament, the political parties, and the cabinet but discredited the Supreme Court, the media, or the attorney general, as the latter are known in Israel to be a thorn in the side of the present government, while the answers of voters of the center and left parties, which are now in the opposition, discredited the former yet expressed trust in the latter. In other words, what they were telling us is not how much they trust or mistrust the legislative body, or the cabinet, or the prime minister per se, but how much they trust or mistrust the legislative body, the cabinet or the Prime Minister's Office in its present partisan "color." This is obviously a serious problem, and it is doubtful if a question whose

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<sup>28</sup> Ibid., question 11.

phrasing was crystal clear could have helped us because the two assessments—of the institutions as such and the present administration—are practically cognitively amalgamated.

Third and no less problematic, is the fact, touched upon above, that in itself public opinion is a critical component of the democratic quality of a given polity. Hence, it appears that our measuring tool is also the measuring subject—a troubling tautology in many respects. Thus, for example, when asked "In your opinion, is the State of Israel today democratic to a suitable degree, too democratic, or not democratic enough?"<sup>29</sup> the respondents were effectively asked to not only assess the structure and functioning of the political institutions but also the climate of opinion, of which they are an integral part. The problem is exposed when juxtaposing our respondents' assessment of Israeli democracy and their own views on specific democracy-related matters: for instance, the prevalent opinion among the Jews was that Israeli democracy as it is today is all right.<sup>30</sup> At the same time, 75% of them practically advocated that Arab Israelis be excluded from critical national decisions, a definitely not "all right" answer by usual democratic standards.<sup>31</sup>

### *Methodological dilemmas*

Besides the epistemological questions raised above, measuring the quality of Israeli democracy brings the researcher face to face with two main methodological dilemmas that are also a major source of concern. The first cluster of methodological dilemmas is connected to the sample *representativeness*. In recent years Israelis have been expressing growing "survey fatigue" (today the response rate in phone surveys is around only 25%–30% and still declining). This fatigue is particularly visible in surveys dealing with political issues, such as ours. This is because in Israel, as in many other countries, politics has turned into a "dirty word."<sup>32</sup> This low response rate means that although the sample may accurately reflect the central socio-demographic characteristics, it may well not be in fact representative because apparently people of higher than the normal political interest will be more ready to take part in the survey. This phenomenon is particularly troubling in relation to the younger age cohorts as now compared to older people; young

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<sup>29</sup> Ibid., question 8.

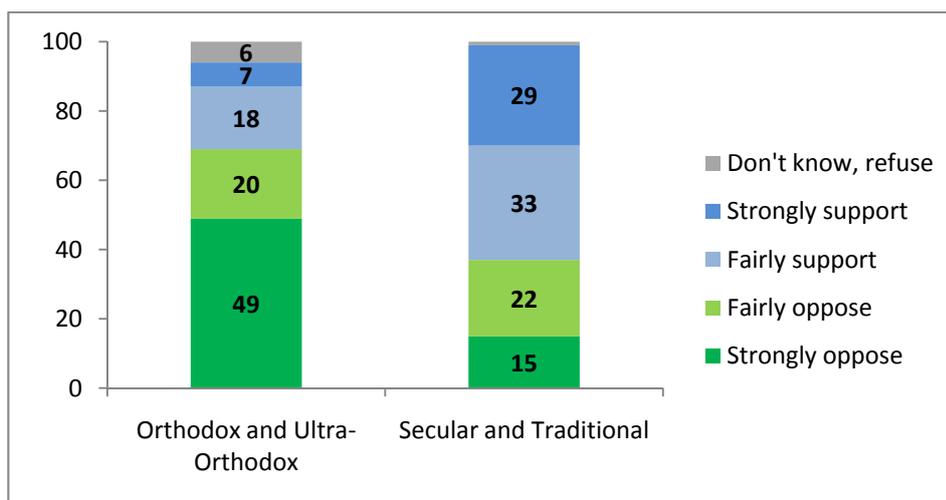
<sup>30</sup> Ibid., question 8.

<sup>31</sup> Ibid. questions 35.1 and 35.2.

<sup>32</sup> For a discussion of this phenomenon, see, e.g., Hermann, "Introduction," *For the People, By the People, Without the People* (above n. 19), 12-19.

Israelis are significantly less willing to take part in surveys in general and in political ones in particular.<sup>33</sup> Those who are willing to make the time and give their responses seem to be exceptionally politicized, a fact which increases the risk of a distorted picture of this group's actual opinion. A similar obstacle is found in relation to the proportions of secular and Orthodox/ultra-Orthodox in the sample, particularly in the youngest age cohort. As the latter are more willing to participate and as they more habitually use ground lines rather than mobile phones compared to the secular youth, these sectors are overrepresented in our samples in recent years. This would not have been so problematic had there not been such large divisions of opinion between the secular and the Orthodox/ultra-Orthodox sectors as presented in Figure 5. As a result, we do get a proper sample age-wise but not a proper representation of the intra-group democracy-related opinions.

**Figure 5: To what extent do you support or oppose full equality of rights between Jewish and Arab citizens of the state? (Youth, by religiosity)**



The second cluster of methodological issues is related to the *questionnaire structure*. First, length has turned into a major liability. Today's Israeli respondents are unwilling to go through long political questionnaires and therefore—much more than in the past—we are left with many unfinished, and therefore unusable, questionnaires. This is especially true because of the above-mentioned anti-political sentiment. At the same time, making do with a short questionnaire is also problematic, because this prevents us from covering the wide scope of issues necessary to obtain a complete picture of the

<sup>33</sup> It should be noted however that their interest in politics in general is not dramatically lower than that of the older age cohorts; in the 2011 survey 71% of the youngest age cohort (18-34) reported of high interest in politics compared to 75% of the middle agers (35-45) and 81% of the 55+ age group members. See *Israeli Democracy Index 2011* (above n. 1), question 20.

democratic state of affairs. The need to shorten the questionnaire brings in its wake another difficulty: it forces us to make a tough decision as to whether to include more old questions that were asked in the past, which help us to detect trends, or to introduce new questions that are likely to give us better insights into the present, burning questions. Introducing old questions raises another dilemma since, for the sake of comparison, the original phrasing of the questions needs to remain intact. Yet, old questions are often misunderstood by today's respondents, increase their tendency to quit, and also give us unreliable results which curtail the validity of our measurements.

### *Ethical dilemmas*

All kinds of empirical research, polling in particular, involve dealing with weighty ethical dilemmas (e.g., objectification of the research participants).<sup>34</sup> Yet, because of the exceptionally complex Israeli political situation, there are several ethical dilemmas that are exceptionally salient here and even more so when the research topic is the quality of Israeli democracy. Two of them will be touched upon now.

The first and most critical dilemma concerns polling Israeli Arabs, the main ethno-national minority which constitutes around 12% of the eligible Israeli voters and 20% of the entire population.<sup>35</sup> Any aspiration to accurately reflect the political attitudes and sentiments, and in particular those connected to the democratic performance of the state and society, of the Israeli population in its entirety calls for the inclusion of Israeli Arabs in the sample. This, however, is not as easy as one might expect. To start with, the response rate among Israeli Arabs is very low and that of Arab women is even lower. This is true although the questionnaire, as noted, is translated into Arabic and the interviewers for this sector are all Arabs. Why are the Israeli Arabs so reluctant to express their political views? Israeli Arabs, as a minority belonging to the Palestinian people with which Israel—with changing levels of violence— has been practically at war since 1948, are widely and permanently suspected by the Jewish majority group of identifying with the “other side.” Therefore, they are treated officially and unofficially as a security threat. Also, as already mentioned, they have a lower civil standing because of the definition of the state as

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<sup>34</sup> Michalos, “Ethical Considerations” (above n. 22).

<sup>35</sup> This numerical gap is created because of the age composition/birth rate of the Arab and the Jewish sectors—the Arab sector is significantly younger and with a higher birth rate than the Jewish one. Thus, whereas the median age of the Israeli Arabs is 21.1, the respective figure among Jews is 31.6.

Jewish. The combination of these two realities severely curtails Israeli Arabs' cooperation and interest in sharing their political views or discussing politically-related matters with unfamiliar persons, survey interviewers included. Their concerns are both individual and collective: As individuals they are concerned that negative/highly critical answers will "mark" them as disloyal. This may be used against them in certain situations, for example, if and when they apply for civil service positions.<sup>36</sup> As they can never be sure who is behind the survey, it is rather understandable why many of them prefer to not give us their opinion.<sup>37</sup> On the collective level, Israeli Arabs are (rightly) apprehensive that if some critical collective opinion that is unpleasant to the Jewish ear is detected in the survey and published, their already rather negative collective image in the eyes of the Jewish majority group and the establishment will further deteriorate and nourish the rather common efforts of late to curtail their civil rights. For instance, in the 2008 annual report of the Jewish-Arab relations in Israel project, it was empirically stated that around 40% of the Israeli Arabs think that the Holocaust "never happened." This fact immediately caught the attention of all Jewish Israeli media and hence the public, which rushed into labeling the Israeli Arab "Holocaust deniers" with all the extremely negative societal and political upshots of such labeling.<sup>38</sup> Another, quite similar example can be found in the various antagonistic reactions to the *2010 Israeli Democracy Index's* finding that 50% of the Arabs would be disturbed by the presence of a Jewish family next door.<sup>39</sup> The researcher is therefore caught between a rock and a hard place—excluding the Arabs from his or her sample would be ethically improper if they are to be considered an integral part of the Israeli citizenry and entitled to their "voice." However, including them and publishing their views may jeopardize their individual position and hamper their collective political and civilian one, too.

Another dilemma, which is somewhat related to the former one, involves the presentation of the collected data: should the Jewish and the Arab samples be combined or be presented separately. Such a decision will have significant ethical implications. The argument for combining the two samples reflects the

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<sup>36</sup> In the past all Israeli Arab teachers and principals had to receive "clearance" from the General Security Service (GSS – *Shabak* in Hebrew) before applying for a job. This formal requisite was abolished a few years ago, but common wisdom is that there still is an unofficial connection between "good behavior," i.e., being politically uncritical and compliant, and obtaining a teaching or other public job.

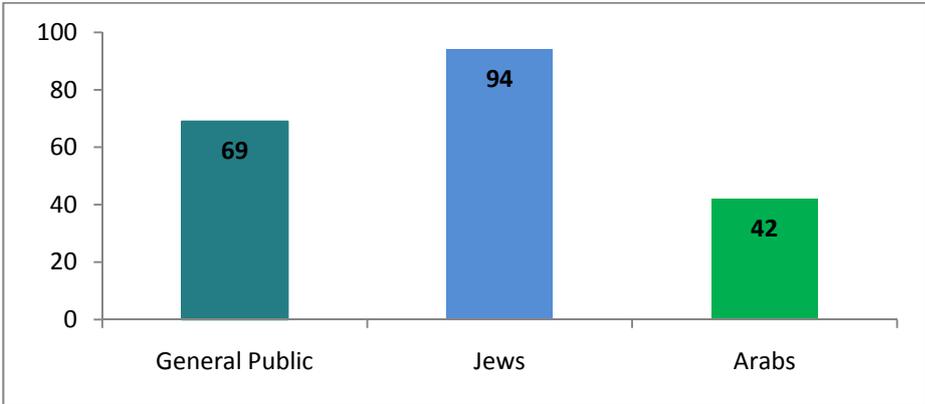
<sup>37</sup> This concern notwithstanding, it was also found that some Israeli Arabs see surveys as a means of attaining a voice, which is not sufficiently given to them through the regular political mechanisms. See Galit Gordoni and Peter Schmidt, "The Decision to Participate in Social Surveys: The Case of the Arab Minority in Israel – An Application of the Theory of Reasoned Action," *International Journal of Public Opinion* (2010), doi: 10.1093/ijpor/edq054.

<sup>38</sup> <http://www.breitbart.com/article.php?id=D988OVAO1>

<sup>39</sup> Forty-six percent of the Jewish respondents gave the same answer about an Arab family next door.

democratic principle of looking at all the state's citizens regardless of their national, religious, ethnic, gender, and class features, as one public. Presenting the results of the Jewish and the Arab samples separately then, it would be argued here, indirectly supports the common tendency to exclude the Arabs from Israeli citizenry. The opposite argument on the other hand, which reflects higher political-cultural sensitivity, would be that because of the dramatic differences of opinion between the two populations, the Jewish and the Arab, and in particular on democracy-related matters, and because of the relative sizes of the two groups (as noted the Arabs are only 12% of the adult population), combining them would practically “dilute” the Arabs' specific positions and would give the readers very wrong impressions of where they stand as opposed to where the Israeli Jews do. This is clearly exemplified in Figure 6: Merging the two samples would imply that a majority of Israelis (69%) trusts the IDF. If the two samples are presented separately, however, there is indeed a huge Jewish majority that does trust the IDF (94%) but the majority of the Israeli Arabs do not (only 42% trust the military).

**Figure 6: Trust in the Israeli Defense Forces (By nationality, % somewhat and strongly trust)**



Another ethical dilemma concerns the norm of including in national samples the Jewish West Bank residents while excluding the Palestinians who live nearby. The ethical argument against this decision is that Jewish settlements in the territories are illegal by international law, and therefore Israelis who live there they should be left out of national samples as their inclusion means legitimizing in a way the settlement project. On the other hand, the argument for including the Jewish residents of the settlements in the sample is that they are not only Israeli citizens (while the Palestinians in these areas are not), they also conform to a very distinct and politically influential public opinion. Leaving them out of the sample

then would undermine the research results as it would give a completely distorted picture of Israeli public opinion on issues that are highly relevant for the assessment of the country's democratic quality.

### Summary and concluding remarks

The Israeli Democracy Index annual report, published yearly since 2003 by the Israel Democracy Institute, is one of today's many research endeavors aspiring to evaluate and denote the democratic characteristics and performance of various states. The founders of this project, which deals solely with the Israeli case, made a strategic decision to limit themselves to surveying public opinion without juxtaposing it with "objective" structural and/or procedural criteria of the kind that stand at the basis of most other projects with similar aims, such as the American Freedom House Freedom Index, the German (WZB) Democracy Barometer or the British (Economist Intelligence Unit) Democracy Index. Each Israeli Democracy report contains a concise description of the location of Israeli democracy on various international-comparative structural and procedural scales, but it involves no such "hard data" collecting component of its own.

This essay is reflective in its nature. Although it mostly relates to the 2011 report's findings, it does not aspire to drill down to this report's specific figures and conclusions, which can be found on the Israel Democracy Institute homepage. Instead, it aims at presenting seven major epistemological, methodological, and ethical dilemmas involved in the effort to delineate and assess the main features of Israeli democracy by means of surveying only Israeli public opinion. Apparently, most of these dilemmas are connected to (1) the present state of affairs of the Israeli-Palestinian conflict, including the internal strain within Israel between the Jewish majority and the Arab minority; (2) The dual definition of Israel as a Jewish and democratic state, which politically marginalizes the Arab minority as a national collective; (3) The political fatigue or the antipolitical sentiment currently prevalent in Israel because of which, on top of the first two problems, it is difficult to construct a highly reliable national sample.

Does all the above pull the rug from under the feet of the Israeli Democracy Index? Not necessarily. First, despite its structured shortcomings, which were discussed in this paper, it does give a rather reliable and updated impression of where the Israeli public stands on a plethora of democracy-related issues. Second, every year its findings and conclusions make media headlines and encourage lively public discussion of various undemocratic phenomena to which a blind eye would be turned if the report was not presented.

Third, the report, in its various formats, is sent annually to the top decision makers in Israel: members of the Knesset (parliament), office holders in the executive and legal branch, and other public figures who very often relate to them officially and unofficially, thereby drawing attention to the topic of democracy quality. These individuals, in turn, hopefully contribute to improving the Israeli democracy, which, after all, is the ultimate purpose of all democracy scaling and measurements.

## Appendix: Executive Summary of the 2011 Israeli Democracy Index

The 2011 Israeli Democracy Index, the product of research by the staff of the Israel Democracy Institute's Guttman Center for Surveys, sketches a detailed, up-to-date, theoretical and practical portrait of opinions expressed by the population of Israel regarding form of government, functioning of the political system, elected officials, and key democratic values. The data were gathered in March 2011 by the Dahaf Institute headed by Dr. Mina Zemah, from a nationwide representative sample of 1,200 adult Israeli citizens (aged 18 and up).

### *Principal Findings*

- **National Solidarity:** 82.3% of Israel's citizens are proud to be Israeli (including more than half the Arab citizens interviewed); 69.5% feel that they are part of the State of Israel and its problems.
- **Quality of Democratic Performance:** 52.3% believe that Israeli democracy works well. However, 71.5% are dissatisfied with the government's handling of state problems. We discovered pockets of dissatisfaction among young adults, the ultra-Orthodox and Arabs. 71.5% are dissatisfied with the government's handling of state problems.
- **Preferred Form of Government:** 82.9% consider representative democracy to be best; 32.4% declared that the best form of government was a strong leader who does not have to take elections and the media into account; 82.9% consider representative democracy to be best.
- **Elected Officials and their Constituents:** Only a third agrees that most Knesset Members are doing a good job.
- **Trust in the Government:** The present survey shows a certain rise in public trust in all political institutions. This year, as in previous years, the Israel Defense Forces (IDF) are accorded the greatest level of trust and political parties the least. At the top of the trust scale among government officials is the president of the State of Israel and at the bottom—the prime minister.
- **National Goals:** The Jewish population maintain that considers narrowing of socioeconomic gaps should be the State of Israel's primary goal, immediately followed by strengthening Israel's military capability. The Arab population accords achieving peace with the Palestinians top priority, followed by improving relations between Arab and Jewish citizens.

- **“Jewish and Democratic”**: Among the Jewish population, 46.1% prefer this combined definition of the State of Israel; 29.5% emphasize the Jewish element and only 22% the democratic one.
- **Halakha (Jewish religious law) vs. Democracy**: In the event of a conflict between these two, 49.7% of the Jewish population believes that preference should be given to upholding democratic principles, while 21% prefer observing the tenets of Jewish law and 26.5% say that each issue should be judged on a case by case basis.
- **Relations between Jews and Arabs**: Only about two thirds of the Jewish population considers Arab citizens to be “Israelis”; 77.9% of Jews support excluding the Arab population from critical decision-making processes—not only concerning peace and security but also on socioeconomic issues and issues related to system of government (69.5%.)
- **Freedom of Expression and Academic Freedom**: 50.8% of Israel's population agrees with the statement that speakers should be prohibited from harshly criticizing the State of Israel in public; a majority of the Jewish population (57.8%) believes that university lecturers should not be permitted to publically express political opinions in their courses and 62.9% even maintains that the state should oversee the content of university courses.
- **Foreign Workers**: A majority (56.9%) believes that foreign workers should not be considered Israelis, but 53.5% do consider their children who grew up here to be Israeli; one third blames foreign workers for problems of unemployment and a lack of reasonably priced housing.
- **Israel Compared with Other Countries**: Israel ranks at or near the middle of the scale for most international democracy indexes this year, standing out positively for its place on the Political Participation Index and negatively for its place on the Electoral Process and Pluralism Index, Civil Rights Index, Freedom of Religion Index, and especially the Religious Fractionalization and Ethnic/Linguistic Fractionalization Indexes.