Sovereignty in Hebrew and the Decline of Democracy

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ABSTRACT: Since assuming office in December 2022, Israel’s government has worked to weaken the state’s democratic infrastructure. While this appears to break from a long-standing Israeli consensus on democracy, this article demonstrates that retiring democracy has long been the agenda of the faction of the Israeli right most empowered in Israel’s current government, namely the settler movement. Following the discourse in Sovereignty: A Political Journal, it finds that by recasting ‘sovereignty’ as involving annexation and disenfranchising Palestinians, the settler right has consistently portrayed democracy—and particularly the Supreme Court that serves as a check on governmental power and protects minorities—as an obstacle to ‘sovereignty.’ Considering the settler right’s political vision, the article claims that defending democracy today will necessarily involve engaging contentious questions of occupation and annexation.

KEYWORDS: annexation, democratic decline, domination, Israel, occupation, protest, settler, sovereignty

The Israeli government that formed in December 2022 under Prime Minister Benjamin Netanyahu moved swiftly in its first month to promote significant changes to the country’s democratic infrastructure. The population at large did not fail to grasp the threat to democracy embedded in the so-called judicial reform and other structural changes that were initiated. Hundreds of thousands took to the streets in defense of democracy, while opinion polls showed that the new government had rapidly lost majority support. Many were disillusioned by the willingness of those who had taken pride in Israel as the only democracy in the Middle East to retire the checks and balances that had maintained Israel’s democracy since its founding.
While a growing number of people have recognized the threat to democracy, who or what protesters are up against is less commonly understood. Many Israelis experienced the attack on democracy as sudden. Some have considered the culprit to be an authoritarian leader trying to avoid prison at all costs, while others have seen increasingly powerful interest groups seizing the moment to promote authoritarian governance. Those who have looked to interest groups have drawn attention to the Kohelet Policy Forum, a conservative think tank founded in 2012 that actively drafted policy papers for government promoted reforms (Kaufman 2023). We argue here that a broader political movement empowered by the present government, the settler movement, is the greater force promoting the dismantling of Israel’s democratic infrastructure. This article argues that is the settler movement’s long-standing agenda that must be reckoned with if democracy is to be defended.²

To establish the connection between the agenda of the settler movement and the present attack on democracy, the article follows a significant shift in the movement’s strategy after the disengagement from Gaza fifteen years ago. The shift was that in concert with settling the land regardless of the law, and physically resisting land concessions regardless of government decisions, the movement would work to reframe the concepts with which the general population thinks about the state. Led by an extra-parliamentarian group that founded the Sovereignty Movement, the settler right sought to make the idea of conceding land irreconcilable with the idea of Jewish statehood. To this end, they brought the term ‘sovereignty’ or ribonut to prominence in Israeli political discourse while recasting it: rather than sovereignty meaning self-governance within recognized boundaries as it had since the founding of the state, and hence a right of all peoples, ribonut became a right of Jews alone over the entire biblical land. On this conception, Jewish sovereignty was not a fact established on the ground in 1948, but an end goal, not yet attained, to assert Jewish power over all territory from the river to the sea. This goal was, of course, not new. It defined the settler movement since its inception, and since the mid-1990s the possibility of ‘democracy’ only for Jews has been on the table (Haklai 2003). What was new was the identification of the ‘greater Israel’ agenda with sovereignty, or ribonut, per se. We demonstrate that throughout the Sovereignty Movement’s discourse that redefined sovereignty in Hebrew in a way that became mainstream in the first five years of its activity, achieving this aim involved de-emphasizing, undermining, or redefining democracy.

This article, which demonstrates that the targeting of democratic institutions was not sudden but rather continuous from the settler movement’s agenda, has three parts. The first introduces the establishment of
the Sovereignty Movement as marking a change of strategy among the settler right. The second follows the shift in Israel’s political discourse that the Sovereignty Movement affected through its publications, lobbying, youth movements, and the media. The third elaborates on how the ideology of the settler right expressed in the Sovereignty Movement’s publications entails dismantling the state’s democratic infrastructure, including but not limited to judicial overhaul. The article concludes with a reflection on the present moment and suggests that the entanglement of the attack on democracy with the settler movement’s agenda means that defending democracy cannot be detached from engaging with ‘the occupation’ and the future of Palestinian territories.

The Sovereignty Movement

Israel’s disengagement from Gaza in 2005 was a traumatic experience for Israel’s settler movement, which is dominated by Religious Zionism (Feige 2009; Hirsch-Hoefler and Mudde 2020: 89). Inconceivable as it seemed at the time, the strategies they had successfully employed for decades to gain territory and de facto recognition (Aronoff 1985; Haklai 2007; Lustick 1988) proved insufficient to win them a critical battle. The dedicated, passionate teens, large families, religious Jews with strong ties to the land, and allied politicians who mobilized completely and refused to retreat in the face of the government decision to withdraw from the territory, ultimately failed, and the Gaza Strip was forcefully evacuated of its Jewish population.

From disengagement onward, in retrospect, there was a significant shift in the strategies employed by the settler movement that was forced to confront the precarious nature of settlements whose legal status remained ambiguous in Israeli law. The movement recognized the need to change the law, and the need to win over the general population to achieve this, something it had failed to do prior to the disengagement from Gaza (Feige 2009: ch. 13). Hence, after 2005, the movement transitioned away from exclusively cultivating its own community of adherents and toward engaging the general Israeli public. By 2010, the journal Nekuda, which had published pieces for the community every month for thirty years, was shut down, and its authors turned to more accessible writing and more widely distributed publications, including Makor Rishon (Lustick 2022: 2).

One of the most significant markers of the strategic shift was the establishment of the Sovereignty Movement in 2010. The movement was established by Women in Green (officially Women for Israel’s Tomorrow), an extra-parliamentary women’s movement founded in 1993 in response to the Oslo Accords to prevent the relinquishing of territories to the
Palestinian Authority and to strengthen Jewish settlements in the occupied territories. In the first issue of the Sovereignty Movement’s journal, launched in 2013 in Hebrew and English as Ribonut and Sovereignty with the Hebrew version distributed for free with Makor Rishon (Hirsch-Hoefler and Mudde 2020; Persico 2013), the editors explain the rationale for establishing the Sovereignty Movement:

The long years of grassroots activism on behalf of the restoration of Jewish life to our nation’s heartland, were accompanied throughout by protests against the capitulations to the Arabs and activities against domination of our land by Arabs and their anti-Israeli allies. Our accomplishments and frustrations in this daily struggle led us, inevitably, to the arena of public policy; thus, we initiated a series of activities in recent years designed to promote the vision of Israeli sovereignty over Judea and Samaria.

The importance of promoting an alternative political vision to the regnant Oslo framework imposed years ago by the Israeli Left cannot be overstated. While the Right does not sit still, its achievements are limited in scope—one more acre developed here, one more caravan there; in contrast, the Palestinian Authority, using vast resources placed at their disposal by the international community, determines facts on the ground, thereby molding Israeli and international consciousness. Little by little, a Palestinian state de facto is being established in the territory of the Land of Israel, and the government of Israel has not responded to this challenge with any clear ideological, political or practical policy. (Editorial Staff 2013)

The Sovereignty Movement was hence founded to offer an accessible and practical political understanding that could stand up to the vision, grounded in international law and political theory, of a two-state solution for Israel-Palestine.

The main idea of the movement, which has been incredibly successful in changing Israeli political discourse, was to take the term ‘sovereignty,’ which was generally taken for granted as already existing in Israel and as being a legitimate demand of the Jews for their survival and of the Palestinians for theirs, and to fill it with content to serve the settlement agenda. The movement promoted sovereignty as legitimate only for Jews in the land. ‘Applying sovereignty,’ in their parlance, meant annexing Palestinian territory by applying Israeli law that was to be reconfigured to prioritize the Jewish character of the state. The price of this was the retiring of democratic standards, specifically the checks and balances on parliamentary government. This was both explicit and implied throughout the Sovereignty Movement’s publications but less known to the population that naturalized the movement’s understanding of ‘sovereignty’ in public discourse.
While the second section of this article discusses the shift affected by the Sovereignty Movement and the third section discusses the implications for democracy, here we introduce the key players in the movement, and the voices and positions expressed in its journal.

The founders and heads of the movement are the founders of Women in Green, Nadia Matar and Yehudit Katzover. The advisory board listed on the movement’s website are lesser-known settlers, activists, and funders who appear to be external supporters of, rather than contributors to, the discourse. The steering committee includes opinion leaders who contribute to the journal, including Geula Cohen, who died in 2019, alongside journalists, experts, political leaders, and activists including Caroline Glick, Yoram Ettinger, Motti Keidar, Yossi Dagan, Avi Roeh, and Moshe Peled.

In addition to those listed on boards and committees, a range of recognizable faces on the political right, from various walks of Israeli public life, appear on the bottom of the Movement’s home page as contributors to the discourse. Of the 168 persons whose voices are amplified by being cited or interviewed in the first five years of the journal’s publication (November 2013–May 2018), 51 persons held formal or informal positions affiliated with the settler movement, 39 were or are currently Members of Knesset (mostly from the Likud or Jewish Home parties and some from ultra-Orthodox or ‘centrist’ parties), 19 were experts affiliated with universities or think tanks, and 14 were well known journalists or media personalities. While the journal gives voice to various approaches to achieving ‘sovereignty,’ contributors—who rarely author articles and are mostly interviewed by a representative of the movement, usually unnamed—all refer to ‘sovereignty’ as an end goal rather than an existing state of affairs, and as an exclusively Jewish right on the land.

In terms of the themes most raised in the journal, qualitative content analysis of the first seven issues of the sovereignty journal (2013–2016; beyond that the issues are not fully searchable) reveals that the most commonly employed terms were ‘sovereignty’ (ribonut) that appeared 545 times, ‘Jewish’ (Jewish, Jews, Judaism) appearing 467 times, and ‘Palestinians,’ ‘Arabs,’ or ‘Muslims’ that appeared interchangeably 879 times, rendering this the main preoccupation of the discourse. ‘Democracy’ together with variations on this term was mentioned a mere 40 times and appears as an obstacle to sovereignty (the court prioritizes democracy leading to setbacks), as flawed in Israel (settlers are second-class citizens), and as not applicable to all (Arabs are considered inherently undemocratic and not potential citizens). We will return to this in the third section of the article where we see, beyond the de-emphasizing of democracy and the diffuse ways it appears, a shift in the meaning of democracy the movement appears to support today.
A Shift in the Discourse

While any Israeli confronted today with a streetside banner *Higiya Zman Ribonut* (The time for sovereignty has come) would recognize this as a call for annexation of the Occupied Territories without extending political rights to Palestinian residents; this was not always the case. Indeed, until recently, *ribonut* was neither associated with a right-wing agenda, nor was it negatively associated with democracy. Quite the contrary. After the Holocaust, the international community’s acknowledgment that the Jews required national self-determination, expressed in UN resolution 181 of November 1947, involved setting up two sovereign states within limited territory on a European or Westphalian model. Like with the dissolution of other colonial entities into self-ruling entities responsible for their internal affairs and for defending their own borders, the partition plan for Israel/Palestine was devised by the international community, as were the frameworks for statehood: All people were to have equal political rights, religious sites were to be safeguarded, minorities were to be protected, people would be able to move freely between states, and so forth, reflecting democratic norms.

When Israel accepted partition as a foundation under the leadership of David Ben-Gurion, it accepted the fundamentals of sovereignty on the international law model and the standards set by the international community: a Jewish state within limited territory, with a monopoly over means of violence, respecting borders and protecting minorities. This is attested to both by the extent to which Israel’s Declaration of Independence reflected the expectations of the international community, and by the ways *ribonut* (sovereignty) was used by Ben-Gurion, Moshe Sharett, and their interlocutors. Ben-Gurion used the term *ribonut* when affirming that religion was under and not above the state (Ben-Gurion 1951), when affirming self-rule and independence (Ben-Gurion 1959), when discussing Israel’s borders and the importance of mutual recognition of surrounding states and the international community (Ben-Gurion 1962), and when he spoke of the *ribonut* of the legislative body as one of three branches of government (Ben-Gurion 1966). Indeed, *ribonut* was related to the pillars on which Ben-Gurion insisted that Israel’s politics rest: rule of law and democracy. Its enemies were those who would take the law into their own hands (Aronson 1998). *Ribonut*, thus conceived, appears 84 times in archival documents in the Ben-Gurion archives preserved online. As a point of comparison, the term *mamlachtiut* for which Ben-Gurion has become famous (Kedar 2002, 2007), appears 107 times.

Returning to the Declaration of Independence, this was consistently understood by the mainstream left and right in Israeli politics as a founding
commitment to the state being both Jewish and democratic. This led to a shared obsession, across political camps, with maintaining a Jewish demographic majority. The acceptance of partition, the expulsion of much of the Arab population in 1948, the prevention of refugee return, the military rule over Arabs within Israel until 1967, and even the lip-service paid to the two-state solution by the Likud for years, all reflected the perceived demographic needs of a Jewish and democratic state. Had sovereignty been understood as a right reserved for Jews, it would not have been the case that all governments, left and right, pursued solutions that would allow Israel to remain self-ruling, Jewish, and democratic. While after 1967, sovereignty as a right to self-rule not reserved for Jews may have been an increasingly embarrassing idea for Israel to hold, the term ribonut continues to appear in political visions of the left, and it appears in Hebrew accounts of the Oslo negotiations in reference to Palestinian sovereignty (e.g., Rothschild 1993).

But after the disengagement from Gaza and with the founding of the Sovereignty Movement there was a marked change in how the term ribonut was used in Israeli political discourse. A phrase that rose to prominence in the 2010s, and appears as common currency from 2017, is ‘asserting sovereignty’ (hachalat ribonut). Here sovereignty appears as not yet achieved, and as a vision for how the state should treat the Occupied Palestinian Territories: it should ‘assert sovereignty’ over them. In fact, gradually until 2017, and consistently from that point, ribonut refers almost exclusively to the agenda of the settler right. Those who advocate for a two-state solution, rarely speak of ‘sovereignty.’ Even in academic circles, ‘applying sovereignty’ meaning annexation now appears as the most prominent use of ‘sovereignty’ in Hebrew. With this meaning, sovereignty makes the historical concern about demographics redundant, as ‘asserting sovereignty’ occurs at the expense of political rights for Palestinians, and without voting rights, their numbers are inconsequential. This is further discussed in the next section.

Some might argue that the Hebrew term ribonut, which derives from the liturgical term ribon, a name of God in Jewish liturgy, lends itself to an agenda of domination rather than of limited self-governance. Yet transposing a term associated with divine rule to political rule is by no means detached from the modern idea of sovereignty as self-rule within limited borders. Thomas Hobbes and other seventeenth-century thinkers understood sovereignty as a role held by God, with human sovereignty modeled on divine rule (Hobbes 1651). Granted, Hobbes’s sovereign God was king over a peculiar people, Israel, while the ribon in Jewish liturgy is ribon over the world. Still, in the early years of the state of Israel and until the founding of the Sovereignty Movement, ribonut was used as
the modern Hebrew term for ‘sovereignty’ with its associated standards. What we are seeing today may be in line with Gershom Scholem’s warning, that the essentially theological nature of Hebrew terms would ultimately fail the normalization goals of the Zionist enterprise (Scholem [1926] 1990).

It is ironic that with the repurposing of ribonut to mean annexation that deprives Palestinians of self-rule, an agenda that once competed with Ben-Gurion’s ribonut has taken on its name. Already at the time of Israel’s establishment, there were Jewish groups that resisted Ben-Gurion’s call for a state monopoly over the means of violence and for limited borders, and insisted on fighting the British during World War II and resisting the agreed-upon partition of Jerusalem. The Lehi (Lohamei Heirut Israel or Israel Freedom Fighters) was singled out with the Etzel by Ben-Gurion as resisting democracy and the rule of law (Aronson 1998). The Lehi did not seek ribonut except as a step toward its end goal. This end goal, articulated in the 18 Principles of Rebirth (Ikarei Hat’hiyah) by Lehi founder Abraham Stern in 1940, was adnut.10 Adnut, like ribonut, draws on a name of God from Jewish liturgy, with God called adon (lord) of the entire world repeatedly in the Bible and in a common Hebrew prayer. Unlike ribonut, which indicates a somewhat abstract form of top-down governance and was used to translate modern sovereignty to Hebrew, adnut denotes a specific governing relationship of master to slave. The Lehi’s agenda was the domination and subjection of the entire biblical land and its people.

According to the Lehi’s charter, all means were acceptable toward adnut. The state should follow the example of the biblical Israelites who forcefully conquered their land, maintained power through indoctrination and violence, and ultimately asserted adnut and constructed the Temple in Jerusalem. The success of the adnut agenda was dependent on military achievement and on ‘conquering the hearts’ of the dominant group, namely the Jews, while ignoring the subordinate group, the Arabs.

Adnut is not openly advocated today by any political group in Israel, yet when the Sovereignty Movement was founded, it ascribed ribonut the meanings and agenda that adnut encapsulated. Geula Cohen, mentioned above as appearing on the steering committee of the movement even after her death, is listed as a “Lehi combatant” among her credentials. Cohen authored the first article in the first volume of Sovereignty, discussing the need for parliamentary work to pass a sovereignty bill even if the international community rejects the legitimacy of annexation. In her words, “The world didn’t want a Jewish state either, so what? If the MKs [including Orit Struk, mentioned above] get a majority it will be a done deal” (Cohen 2013). Of course, ‘the world’ voted for a Jewish state on the partition model, but not on the adnut model Cohen (then) and Struk (now) promote.
The strategies employed by the Sovereignty Movement to broaden the reach of the settler right’s agenda have been in line with the Lehi ethos of “winning the hearts and minds” of the dominant group. This corresponds to the settler movement’s later-articulated end of “settling in the hearts” (Bin-Nun 1992; Feige 2009, 4; Friedman and Gavriely-Nuri 2018). The strategies include: conferences to consolidate ideas that would be promoted in the journal; a broadly distributed publication printed in hundreds of thousands of copies and distributed for free; a website that appears immediately whenever ribonut is searched online; and maintaining a strong web presence such that even the Wikipedia entry for ‘sovereignty’ in Hebrew agrees with the definition of the Sovereignty Movement (and not with Wikipedia in English) and links to the journal. The movement established a YouTube channel in 2010 that has almost 1,000 videos posted, including four to six videos each month over the past year. It also runs events for university students serving free drinks in Jerusalem and Tel Aviv called ribonut al ha’bar (sovereignty on the bar). In addition, the Sovereignty Movement runs a youth movement and has enlisted existing religious youth movements such as Bnei Akiva. It has promoted adherents to its agenda in the Knesset and promoted the agenda among existing politicians. The Sovereignty Movement bolsters its hyper-visibility and the prominence of its key concept with large street banners periodically placed at key strategic intersections such as at the entrance to Jerusalem or over the Ayalon freeway with simple catchphrases such as Ribonut Achshav (sovereignty now) displacing Shalom Achshav (peace now). Since the movement’s inception, such signs have consistently appeared outside West Bank settlements. Through these strategies, ribonut has become a prominent term in Israeli political discourse and it is almost exclusively used as defined by the Sovereignty Movement.

Even the left and those on the right who value democracy seem to have accepted the use of the term ribonut for the agenda of annexation. But failing to reclaim the term for a democratic political vision of self-rule, and instead acknowledging its association with the settler right (Landsman 2018), few are aware of the agenda behind the shift in meaning they effectively support, and its relationship to democratic decline.

In our content analysis of the Sovereignty Movement’s publications, we found four characteristics of sovereignty/ribonut as framed in the movement’s publications, all of which are consistent with adnut and which tie the movement to the present crisis. First, the term ribonut (sovereignty) is explicitly intended to replace the less-legitimate term sipuah (annexation) that is recognized as having negative connotations in the international arena. Second, ribonut is an end goal rather than an existing state of affairs, and progress may be gradual (Smotrich 2013; Danon 2014). Third,
Ribonut necessarily denies self-rule to Palestinians and subjects them to Jewish or foreign rule (Danon 2014). Finally, ribonut is justified in both secular and religious terms (Druckman 2014; Editorial Staff 2014; Hotovely 2014; Melamed 2015), capitalizing on the centrality of religion to so many that have been sidelined by the political left while expressing the ideology of Religious Zionism that dominates the Sovereignty Movement and the settler right.

In the next section, these characteristics—annexation and domination, subjection, an end goal, and the place of religion—all appear to support the attack on democracy woven throughout sovereignty discourse and being carried out by the current government.

**Ribonut and the Retiring of Democracy**

In an op-ed published in Arutz 7 after the Nation-State Law was passed in 2018, Nadia Matar and Yehudit Katsover clearly and straightforwardly stated that in their understanding, democracy was inconsistent with Jewish statehood, and the new law should not serve as a balance in favor of the ‘Jewish’ in the ‘Jewish and democratic state’ but should mark a move away from democracy in favor of Jewish statehood. In their words:

> We have all heard the nice explanation that the [Nation-State] Law was meant to balance the “Jewish” and “Democratic” [aspects of the state]. Really? Let’s be honest: how democratic [is Israel]? Are we willing for Jewish localities to be mixed? . . . Are we willing to lose the Negev to the Bedouin and the Galilee to the Arabs? Are we willing to accept an Arab prime minister? . . . The Nation-State Law leads us again to profound examination . . . The second profound examination will come when we apply Israeli sovereignty to the rest of the Land of Israel . . . Fortunately . . . the right has started to govern, and we will soon see additional National Zionist steps that lead us to the purpose of the state—a state for the Jewish People in its homeland, the Land of Israel. (Matar and Katzover 2018)

This op-ed once appeared on the Sovereignty Movement’s website, but as of May 2023, only the headline appears, without the content. This is likely because, in step with the current government’s populist line, the Sovereignty Movement is now claiming that its path represents true democracy. At a vigil in March 2023, Katzover explained:

> only with the reform of the judicial system will there be true democracy here . . . the reform is meant to repair the ideological aspects of the State of Israel for settlement, for security. We encourage Minister Levin and MK
Rotman to advance the changes fearlessly. The People of Israel will win, nationalist values will win, this is the will of the majority of the People of Israel. (Dozens of Activists 2023)

Even if today the Sovereignty Movement claims that any decisions of an elected government are democratic, the fact that less than five years earlier the movement’s founders were open about their willingness to forgo democracy should not be understated. In fact, contributors to Sovereignty have consistently called for two major changes that would adversely affect Israel’s democracy. This even as some contributors insist on democracy as a key principle (Clemmons 2016; Nirenstein 2014; Zion 2014).

The first of these is the call for Israel to annex (or ‘assert sovereignty’ over) the Occupied Territories without granting citizenship or voting rights to Arab or Palestinian residents. That only Jews would have political expression is justified in the discourse by the understanding that sovereignty involves an exclusive right of Jews to the land that is justified religiously and legally. Religiously, Jews are depicted as having been granted the land by divine promise (Editorial Staff 2014; Hotovely 2014; Druckman 2014; Melamed 2015). Legally, experts engaged in the journal argue that according to international law, since there was no other sovereign state in the West Bank, there is no other entity with a right to claim sovereignty or deny Israel’s claim (Baker 2013; Nirenstein 2014; Kara 2014).

Ensuring the political disenfranchisement of Palestinians when territory is annexed or Israeli law is asserted is one of the defining limits of the discourse. One-state solution advocates who also speak of equal status are not included in the sovereignty journal. The range of positions on the status of Palestinians (mostly referred to as Arabs) found in the journal runs from those who advocate for autonomous communities to those who encourage citizenship in Jordan (Eldad 2014; Kish 2016; S. Melamed 2013; Peters 2014). The most common solution offered in the discourse, sometimes alongside others, is the idea that Arabs would (even by choice but mostly because of limitations set in law) be ‘residents’ but not citizens (Ariel 2013; Katz 2014). The concept of ‘residents’ appears 115 times in the first seven issues of the journal and is a cornerstone of annexation as it squarely solves the problem of Palestinian demography. As residents, Arabs could work, study, travel—like green card holders in the United States—but not vote for the Knesset or have civil or political rights. Absent these rights, their population size becomes inconsequential for those emphasizing Jewish domination. While there are minor exceptions in the discourse, with some infrequent references to a distant democratic future (Hotovely 2014), even authors who allude to such a future insist that Arabs will be appeased, controlled, and contained until they accept that they
are better off under Jewish rule (Hotovely 2014; Karpel 2015). The fact that
Arabs in the discourse are discussed in very negative terms, associated
with violence (terrorism, Jihad, intolerant character) and with bad inten-
tions toward Jews and Israel (Bechor 2014; Dayan 2014; Editorial Staff 2015;
Soffer 2016), identified as incompetent and dishonest (corruption, theft,
falsehood, propaganda) (Mesika 2014; Nirenstein 2014), and are described
as inherently undemocratic (Akunis 2015; Bechor 2014), reinforces the case
for Jewish domination, as does the claim that any Palestinian state would
be an economic disaster (Bennet 2015; Editorial Staff 2014). The claim for
‘Jewish democracy’ made in the mid-1990s by Benny Elon (Haklai 2003:
797–798), is largely absent from sovereignty discourse. This would not be
beyond the pale and supports the Sovereignty Movement’s current ap-
proach that judicial overhaul supports true democracy.

The second change called for consistently in sovereignty discourse that
undermines democracy speaks directly to the issue of judicial overhaul.
Throughout the discourse, we find that the Supreme Court’s privileging
of democracy gets in the way of the sovereignty agenda. The movement
calls for the ‘Jewish’ to be privileged over the ‘democratic’ in Israeli law.
This is important because if ‘sovereignty’ is to be achieved by asserting
Israeli law over the Occupied Territories, asserting an Israeli law that offers
democratic protections and guarantees rights for minorities could be coun-
terproductive, even weakening the privilege of settlers over Palestinians.
Before Israeli law can be applied to satisfy the demands of the Sovereignty
Movement, the law itself must change to deprioritize democracy. Further,
because the goal of the movement is a single state, the legal change must
occur in Israeli law per se, not only as it pertains to the settlements.

The first concrete step toward this, celebrated in Sovereignty as part
of ‘gradual sovereignty’ was the legislation of Basic Law: Israel as the
Nation-State of the Jewish People, informally known as the Nation-State
Law and mentioned above. This law states that “[t]he exercise of the right
to national self-determination in the State of Israel is unique to the Jewish
People” (article 1c). It demotes Arabic to a language of “special status”
and privileges Hebrew (article 3). It further states that “[t]he State views
the development of Jewish settlement as a national value and shall act
to encourage and promote its establishment and strengthening” (article
7). In the new legal reality the bill effects, there is an explicit bias toward
Jews not only de facto, but in the constitutional underpinning of the state.
This was critiqued both as taking Israel on a path akin to European and
Alt-Right nationalism, and for employing language of Jewish domination
(Yacobson 2022). But here the law appears in a new context, with Sover-
eignty anticipating the passing of laws to prioritize the Jewish over the
democratic aspects of the state from its earliest volumes (Cohen 2013;
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Hotovely 2014; Kara 2014). The law further reflects the Sovereignty Movement’s success in shifting the state’s self-understanding of ribonut from self-determination to adnut or domination.

The current judicial overhaul is similarly intended to prepare the legal ground for the application of Israeli sovereignty over the West Bank. It also ensures that existing liberal institutions—such as the High Court of Justice—will (a) not delay this effort; (b) not lead to the eventual extension of civil rights to Palestinians in the new areas under Israeli sovereignty; and (c) not stand in the way of downgrading the civil rights of Palestinians who are already citizens of the State of Israel. The concerns of the Sovereignty Movement in this respect, and particularly with (b) and (c) above, are not unfounded. After all, when Israel took over additional territories in 1948, it placed the Arab population in these territories under military rule until 1966. However, because Israel considered itself a democracy, it eventually had to end military rule over its Arab citizens and make them at least formally ‘equal citizens.’ Should Israel apply its sovereignty to the West Bank through legislation without dismantling existing structures, the state’s liberal institutions and democratic frameworks would eventually lead to the enfranchisement of Palestinians. The fact that Binyamin Netanyahu’s government voted against annexation in March of 2023 can be explained not only by the fact that the proposed legislation came from outside the coalition, but also that it was not preceded by the legislative overhaul that applying sovereignty on the adnut model would require.15

In sum, what we see today with the proposed judicial overhaul and the attack on democracy, is the next step in the Sovereignty Movement’s—or in fact the settler movement’s—program. This is to bring the institutions that may mitigate the discrimination against and disenfranchisement of Palestinians under the full control of the executive branch carrying out annexation. Once the judiciary is fully subservient to the executive, applying sovereignty to the West Bank can be done without threat to Jewish domination. The goal of these reforms is not simply the dismantling of the liberal aspects of Israel’s democracy, but eventually dismantling even the procedural aspects of Israel’s democracy that entail equality in basic political rights, such as the right to vote and be elected.

In a letter to the Sovereignty Youth movement, Katzover and Matar explicitly relate judicial overhaul to the sovereignty agenda. They write:

Reality teaches us, and the elected representatives of the nationalist and religious camp affirm, that any attempt at legislation that will express the sovereignty of the Jewish People over its land, and in particular over Judea and Samaria, will encounter a “targeted assassination” from the High Court of Justice which will make sure to overrule legislation again and again if it
is not compatible with its spirit and positions. The path to sovereignty must pass first and foremost through fixing the judiciary, returning the reins of leadership and responsibility to elected officials, and through this we will be able to make practical advances toward implementing sovereignty. (Sovereignty Movement Joins 2023)

Alongside practical obstacles to annexation they see emanating from the Court, another problem is the Court’s very commitment to the idea of democracy. They further explain:

In the thirty years of creeping occupation by the High Court of the authorities that used to be in the hands of the Knesset and the government . . . the Court proved that it doesn’t view Israel as a state which is at its core Jewish, and in which democracy is just a governance frame for reaching decisions via wide consent. Instead, the vision of most High Court justices has been to see Israel as a democratic state, a nation like all nations, with a certain Jewish aspect that is not expressed in rulings, but only in folklore . . . The attempt by the Court to use the unauthorized powers it has given itself in order to disconnect the People of Israel from its Jewish identity and connect it with a universal identity, is a move achieved aggressively and is against the will of the People and the historical trends that are occurring within it, one of them being the demand for sovereignty over the land of Israel. (Sovereignty Movement Joins 2023)

Reflecting on the present moment, when regime change is looming large and protesters continue to take to the streets to defend Israeli democracy, this article has offered insight into the agenda that needs to be reckoned with if democracy is ultimately to be defended. Since the disengagement from Gaza, the settler movement has been promoting the dismantling of democratic aspects of the state through the ‘sovereignty’ agenda. While many have argued over months of protests that defending democracy in Israel must come before dealing with Israel’s approach to Palestinians, these issues are, in fact, inextricably linked. The attack on Israel’s democracy is being carried out by those who seek to subject Palestinians in a single state under Israeli law that privileges Jews, and retiring democracy is interwoven with annexation. Defending democracy requires that Israelis confront this agenda.
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NOTES

1. A poll published in Yisrael Hayom on 9 April 2024 had the government earning only 46 mandates of the 64 it held in the Knesset (61 is the threshold) if elections were held again on that day. https://www.israelhayom.co.il/news/politics/article/13919073.

2. For an in-depth study of the settler movement, including its heterogeneous history and goals, its domination by Religious Zionism, and the ideology of Religious Zionism, see Hersch-Hoeffler and Mudde (2020); Zertal and Eldar (2007).


4. The term used for domination in Hebrew is not adnut, which appears in this article, but hishtaltut (takeover). The threat of Arab ‘domination’ is consistently raised by the movement, for example, “The Palestinian Authority Is Streaming Millions of Dollars and Facts on the Ground into Area C.” Ribonut.co.il, 24 November 2018. https://www.ribonut.co.il/BlogPostID.aspx?BlogPostId=244&search=domination.

8. Google search of ribonut in general and in ‘news’ conducted by year.
12. English and Hebrew versions of vol. 4 both contain letters to the editors calling to replace the term ‘annexation’ with ‘sovereignty’ for the reasons listed here (Shimon 2014; Shalem 2014).
14. For these contributors, Jews ‘invented democracy,’ Israel is a beacon of democracy, and nothing Israel does could be undemocratic.

REFERENCES


