

# Introduction

We will call for civil disobedience. Start building more prisons since all our youth will prefer prison rather than to serve in civic service.

—MK Chanin Zouabi, February 18, 2013

If Jews serve, Bedouin serve, and Druze serve, there is no reason that Moslems who are Israeli citizens do not serve. In the end, we all live in this country.

—Hussein Abu Bakr, 19, a national service volunteer in the police department, Zichron Yaakov, *Ynet*, February 25, 2013

Former MK Chanin Zouabi and Hussein Abu Bakr represent two sides in the contentious debate taking place within the Arab sector in Israel regarding civic national service. Zouabi represents the position of the Arab leadership, which opposes civic service for Arab youth and has branded those who volunteer “traitors” or “lepers.” Civic service, it contends, is a government ruse to conscript Arabs into the Israeli military. On the other side is Hussein Abu Bakr, one of a small but growing number of youth who have chosen to volunteer for civic service in order to contribute to their communities and to advance their own personal development.

A similar debate has been taking place within the ultra-orthodox (Haredi) sector in Israel regarding military and civic national service. There, too, are those among the rabbinical leadership that have threatened to fill the prisons if the government implements legislation to draft yeshiva students to service, military or civic. They insist that the deferment policy that began under David Ben-Gurion in the first years of the state must continue unchanged, the fact that the number of deferments has reached

a staggering 60,000 notwithstanding. Ultra-orthodox yeshiva students are usually married with families. They study until age 40 and beyond and, as yeshiva students, avoid conscription. Most live in poverty on meager stipends and government subsidies. In effect, neither the Arabs nor the Haredim have served in the military over the years and until recently were not eligible to serve in civic national service. Both groups live in mostly segregated communities, maintain separate educational systems, and participate at much lower levels than average in the workforce. Both reject the nationalist Zionist ethos upon which the state was founded, albeit for different reasons, and do not see special virtue in service to the state.

Presumably the option of civic service as an alternative to military service would have sidestepped the ideological difficulties that service in the military presents for Israeli Arabs and would have been welcomed. In civic service, they would not be expected to raise arms against fellow Arabs in the West Bank and Gaza or on Israel's borders. Service could be done in their own communities in the areas of health, welfare, education, and social services, which would benefit greatly from volunteers. For the ultra-orthodox, too, civic service would be a benefit to the community. Military service was discouraged, if not forbidden, in part because of its secular, mixed-gender environment. Civic service however could be performed within the community and in placements that are appropriate to a restrictive religious lifestyle. Upon completion of service, volunteers would receive the same rights and benefits as those who serve in non-combat assignments in the military. However, we shall see that both the Arab political leadership and many Haredi rabbis oppose civic service and actively discourage volunteering.

National service in Israel has been traditionally defined as service in the military. The National Defense Law, enacted in 1949, established a "citizen army" to which all able-bodied men and women were drafted to serve. In addition, males were required to serve in the reserves until age 54.<sup>1</sup> (Today the age ceiling has been dropped to age 40.) The IDF (Israel Defense Force) was assigned civic tasks as well. Soldiers were assigned to jobs in education, welfare, and immigrant absorption. Military service was a rite of passage into Israeli society for young men and women and for new immigrants. It was integrative and inclusive for those who shared the Zionist ethos. Conversely, for the non-Zionist Haredim who deferred service and for Israeli Arabs who were exempted from military service, failing to serve was clearly a barrier to integration into Israeli society and the economy.<sup>2</sup>

In Israel today, many youth do not to serve in the military for a number of reasons. Statistics published by the IDF in 2018 indicate that approximately 50 percent of youth at conscription age were deferred, excused, or exempted from military service.<sup>3</sup> This new reality where half of the youth serve and half do not has generated protests by those who serve against the government's conscription policy, which they view as highly inequitable and unfair.

In the past, this gross disparity between those who serve and those who do not had been compensated by ideology, a commitment to Zionist ideals, and pride in service. In the first decades after the establishment of the state, secular Israelis and religious Zionists shared a strong republican ethos that lauded and extolled military service and contribution to the state. These values were promoted in the curriculum of secular and state religious schools, in the media, and by Zionist youth movements. Israelis being "a nation at arms" regarded service in the IDF, its "citizen army," as an essential component of good citizenship.

Studies of those early years describe how military service contributed to social integration, creating "social capital" among those who served.<sup>4</sup> Service created social bonds between soldiers, veterans and immigrants, Ashkenazi and Sephardic, and provided those who served with a network of contacts that was then helpful in finding a job. An applicant's service record was often a trump card in employment. By the same token, those who were excluded from service, particularly the Haredim and the Arabs, remained outside.

Religious girls were also excluded from service, although they shared the Zionist republican ethos. The 1949 defense law exempted religious girls from service in the military if they so requested. This provision was passed at the insistence of the religious and Haredi parties. However, rather than exempt them entirely, the Knesset later passed a national civic service law in August 1953 requiring religious girls to give two years of alternative civic national service. This was the first attempt to legislate a civic alternative to military service and as we shall see it did not succeed. It ignited the first impassioned battle over civic national service, between the secular Israeli government and the Haredi and religious parties who used their pivotal position as partners in government coalitions to ensure that the law would not be implemented. And when a voluntary national service program was established in 1971, it remained limited to religious Zionist girls and closed to youth from other sectors excused or exempted from service.

We shall see that the debate over who should serve and in which framework, civic or military, mandatory for all or voluntary for some, has engaged Israeli policymakers since the state's inception. It has been framed differently during various periods in Israel's history, reflecting the ethos prevailing at the time. In the early years of the state, a nationalist republican ethos that extolled service prevailed. However, in the 1990s there was a gradual shift in ethos toward liberalism, particularly among second- and third-generation middle-class secular Israelis, who placed greater emphasis on personal advancement and individual development, rights, and equality rather than obligation to the collective. The socialist founding fathers were replaced by leaders who encouraged neoliberal economics and free enterprise and a more activist High Court of Justice became the protector and promoter of individual rights and equality.

This change in discourse from "we" to "me" impacted the younger generation's view of service as well. We shall see that this change in ethos encouraged challenges to the long established deferment/exemption policies of the IDF. It raised questions of fairness in service, asking, "If we serve, why don't they?" This question was directed primarily at the thousands of Haredi men who failed to serve but was also applied to Israel's Arab citizens. For many second- and third-generation Israelis, military service was a "burden" rather than a privilege and as such needed to be borne equally by all. Civic national service became a possible alternative. If some Haredim and Arabs were not suited to military service, should they not serve in civic national service instead? Should civic national service remain the exclusive domain of religious girls?

This transition from broadly accepted republican values toward greater individualism and citizen equality would find expression in the High Court of Justice's intervention to expand civic national service to populations other than religious girls, for example, the physically impaired, and in petitions to the Court by reservists and others challenging the legality of the government's deferment policy. The deferment policy that was ironclad in political agreements between secular parties and the Haredi parties for almost 50 years now came under the scrutiny of the Court, which held equal application of the law as its standard. The amended Defense Service Law, in its various versions, which included provisions for civic national service as well, failed to meet its standard of equality and was struck down by the Court. This set the stage for renewed and repeated battles with the Haredim over a new service law.

While the overwhelming majority of Jewish citizens support the idea that all citizens should be obliged to give some form of service to the state, both the Arab leadership and the Haredim have rejected initiatives to require their communities to serve. Arab leaders point to the governments' inveterate policy of discrimination against Arab citizens and submit that equal rights must precede citizen obligation.<sup>5</sup> The Haredim, who numbered 1,000,000 in 2017, also reject service.<sup>6</sup> They give unreserved support to the policy of long-term deferments for yeshiva students and consider their dedication to Torah study as their unique contribution to the spiritual well-being of the nation.

The evolving process of citizenship, identity, and national integration in Israel is the subtheme of this book. We will explore this subject through the circumscribed study of national civic service policy in Israel as it has evolved from the early years of the state until today. Our analysis will consider the prevailing ethos within which policymaking took place and how it influenced policy choice. We will show that neither a republican nor a liberal ethos of citizenship succeeded in integrating Israel's minorities into Israeli society, nor did they allow for a practicable service policy. We will suggest that a shift toward a more communitarian ethos of citizenship, which recognizes difference and appreciates the ties of citizens to their communities, will achieve greater participation in service and better integration of minorities. Rather than ignore the minorities and relegate them to the status of outsiders, as was the case during the republican era, or compel them to "share the burden" in service, as was the intent during the neoliberal period, a communitarian approach will encourage policymakers to construct a service program that includes minorities while at the same time respecting difference. Neither community should be required to abandon its identity nor to adopt the Zionist narrative in the interest of republican orthodoxy, nor should it be forced to serve against its will in the name of equality; at the same time neither community should be excluded from the opportunity to serve and to gain the commensurate benefits that service provides. A civic national service policy that gives cognizance to community difference will contribute to the integration of these minorities into Israeli society.

There are signs that indicate that the seeds of change toward communitarianism are taking root, albeit slowly. Among the first to recognize this process was Israel's president, Reuven Rivlin, who in a groundbreaking speech at the Herzliya Conference in 2015 said that the time has come for

Israelis to recognize that there is a new order. There is no longer a ruling majority of secular Zionist Jews but rather an Israel with “four principal tribes,” secular Zionists, religious Zionists, Arabs, and the Haredim, “with at least four different competing narratives about who we are and what we want to be.” Rivlin called on Israelis “to abandon the accepted view of a majority and minorities, and move to a new concept of partnership between the various population sectors.”<sup>7</sup> Although he did not utilize the term communitarian, the President was in effect calling for the adoption of a communitarian ethos of citizenship which would recognize Israel’s different communities and at the same time unite them in partnership.

As we explore the politics of civic national service, we will follow the shift in ethea that has taken place in Israel. We will seek to understand why civic national service has been such a controversial issue and why it is still a contentious subject in some sectors today. We will study legislative proposals to establish a national civic service program and seek to explain why they were rejected by Israel’s government, despite its need for volunteers. We will ask why the civic service program established in 1971 remained restricted to religious girls for almost 30 years and not extended to other populations, not even to those excused by the IDF because of a physical ailment. We will take note of the difficulties and challenges facing policymakers when instituting civic national service in the Arab and Haredi communities, particularly in light of the opposition of their respective leaders. And we shall see that despite this opposition a growing number of Arab youth are participating in civic national service and, in the Haredi sector, there is a small number that serve in the military and in civic service in programs specifically designed to meet their needs.

In chapter 1 we will present three ethea of citizenship, republican, liberal, and communitarian, as they have evolved in Western political thought, and we will show how each has found expression in Israeli politics during different periods in the country’s history. We will see how the republican ethos was an important component of Israeli citizenship, which motivated and united Israeli Zionists, religious and secular, during the critical years of nation-building but excluded the Haredim and the Arabs who did not share this ethos. We will trace developments in Israel in the mid-1980s and 1990s that encouraged a more liberal ethos of citizenship supported by a High Court that promoted liberal values and principles. We will suggest that a communitarian ethos may be more appropriate to Israel because it would recognize and respect difference and at the same time be integrative and inclusive. Voluntary programs of civic service

designed specifically to accommodate the needs and cultures of different communities could be an expression of this innovative model of citizenship.

In chapter 2 we will explore the concept of *mamlachtiyut* (statism) as presented by Ben-Gurion, Israel's first prime minister, and how this concept found expression in service in the IDF during the critical years of nation-building. We will describe the first initiative by Israel's government under the leadership of Ben-Gurion to institute national civic service for religious girls who were exempted by law from service in the IDF. This initiative, while ostensibly representing lofty republican ideals, became embroiled in the religion-state politics of those early years. We will seek to understand the motives of Israeli leaders in proposing a national civic service law and why it was so vehemently opposed by the Haredi and religious parties. Even more curious, after the law was passed in 1953, we will ask why it was not implemented.

In chapter 3 we will describe developments that led to the establishment of a civic national service program for religious girls and the political circumstances surrounding it. We will seek to understand why the civic service program that was adopted was restricted to religious girls alone and why it was left voluntary. We will show how this program became the flagstaff of religious Zionist girls and their commitment to the republican ethos, and we will take note of the competition this program now faces from new and attractive programs introduced by the IDF in order to attract religious girls to military service.

In chapter 4 we will show how civic national service was expanded to include youth excused from service by the IDF, youth with special needs, those at risk, and youth from disadvantaged backgrounds. We will see that the quest of these youth to serve was essentially an expression of their commitment to republican ideals, but the decision to open up civic national service to include them was based on the liberal ethos of the 1990s that put special emphasis on equality and individual rights as interpreted by the High Court of Justice. Offering these youth with special needs the option of serving in civic national service was a significant step toward their greater inclusion in Israeli society.

In chapter 5 we will focus on the ultra-orthodox, the Haredim, who maintain a relatively segregated existence outside the Israeli mainstream. During the republican period, the government permitted a limited number of Haredi yeshiva students to defer military service in order to study Torah. The number of deferments rose significantly after the Likud party came to power, and eliminated the ceiling placed on

the number of deferments. The political influence of the Haredi parties increased significantly during this period. We will see that as the number of deferments increased, they caused greater resentment among those who serve, particularly in light of the shift in ethos taking place in Israel from republican to liberal. We will see how the High Court responded to the petitions of the reservists against the existent deferment policy and to the resultant conscription legislation passed by the Knesset. This legislation also extended the option of civic national service to the Haredim. We will assess the legislative efforts to find a solution to the need for an equitable policy of service that would be acceptable to the Haredim and would meet the equity standard of the High Court. Finally, we will question whether the civic service program as implemented today is a missed opportunity to improve conditions in the Haredi community and to integrate Haredim into Israeli society.

In chapter 6 we will turn our attention to the Arab community in Israel and examine its attitude toward civic national service. While there were many proposals raised in the Knesset regarding civic service in the Arab sector over the years, the issue remained mainly academic until 2007, since until that time civic national service was essentially restricted to Jewish youth. We will review the many proposals both by government committees and by members of Knesset to introduce civic national service in the Arab sector and we will explain why they were not adopted. The establishment of a separate track for Arab volunteers in the Administration for National-Civic Service (ANCS) in 2007 unleashed a vigorous and ongoing debate within the Arab community over civic national service, with the Arab leadership taking a clear stand against service. We shall see that although the number of Arab youth volunteering for civic service increases each year, it is still only a minority. We will suggest that a communitarian approach to service will develop more participative citizens, improve education and social services in the Arab communities, and encourage greater integration of Arabs into Israeli society.

In our concluding chapter we will assess the changes that have taken place in civic service policy in Israel over the decades, and we will explore whether adopting a more communitarian approach to service is likely to bring together Israel's separate and diverse communities. Clearly military service will have first priority in Israel so long as its security needs remain great. Mandatory conscription of Israel's Arabs to military service would be met with stiff opposition and even civil disobedience, as would mass conscription by force of yeshiva students. However, this does not



mean that these communities should not be offered other opportunities to contribute to their communities and to Israeli society at large. Civic national service is one such opportunity. It will benefit the volunteers who serve, their communities, and ultimately, strengthen the nation as well.