

The International Advisory Council of The Israel Democracy Institute

“Israel: The Next Sixty Years”

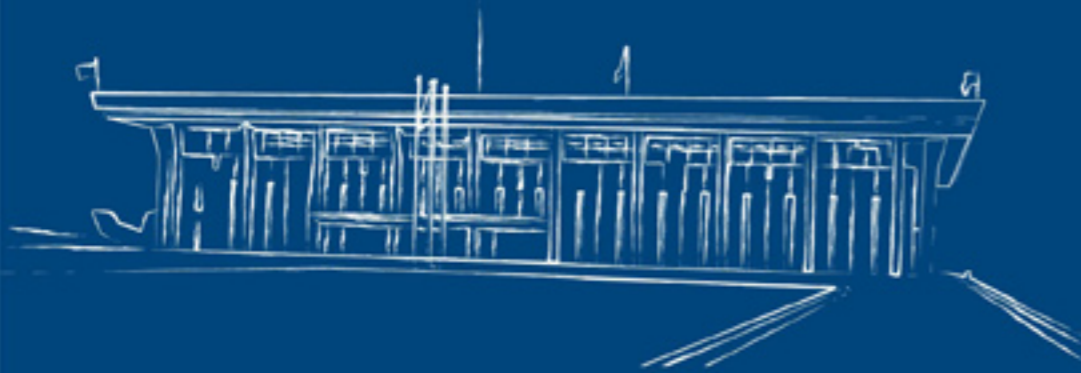
Proceedings

Inaugural Retreat

Wye River, Maryland 1–2 February 2009



“



Israel's ability to survive and flourish...
depends on the soundness of the Israeli political
system and the fortitude of Israeli society.

”

From IDI's mission statement

The International Advisory Council of The Israel Democracy Institute

Inaugural Retreat
Wye River, Maryland, 1-2 February 2009

“Israel: The Next Sixty Years”



Proceedings

Editor's Note

The conference was conducted according to the “Chatham House Rule.” Accordingly, the speakers are not quoted by name. The proceedings are presented as edited summaries of the opening remarks and the ensuing discussions, and should not be cited as actual transcripts.

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Democracy is the government of the people, by the people, for the people.

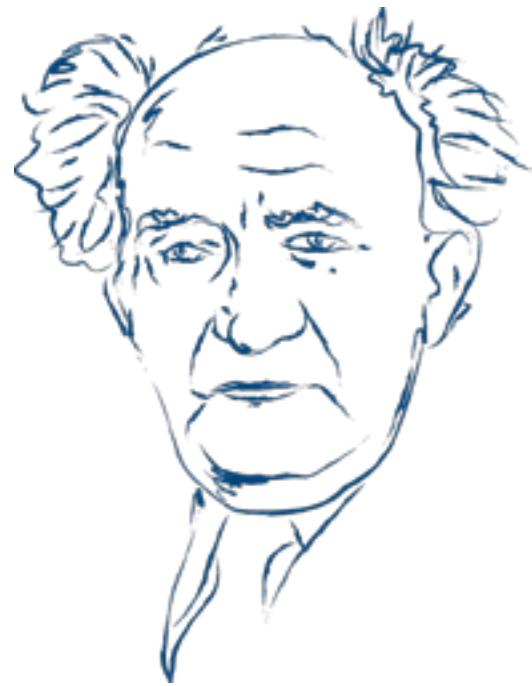
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Abraham Lincoln
(1809-1865)

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The State of Israel will be judged not by its wealth, its military or its technology, but rather by its moral stature and human values.



David Ben Gurion
(1886-1973)

Foreword

Dear friends,

The founding of IDI's International Advisory Council prior to the 18th anniversary of the Institute's establishment constituted a landmark in the Institute's development. Long considered one of Israel's "best kept secrets," IDI has traditionally focused on the realization of its mission with little regard for the international arena. Our primary concern has been to strengthen democracy in Israel, and although much of the research underlying our policy prescriptions has included a comparative aspect, we have, by and large, not involved foreign scholars, statesmen, or institutions in our work. This is now changing. As the Institute grows, its work relates more to issues of global concern. Whether the issue at hand is how democracies can maintain a proper balance between security and civil rights in the struggle against terrorism, how policymakers should address the troubling surge in anti-political sentiment among the citizens of the world's democracies, or what the proper balance between particularistic and universal values in a democratic nation-state should be—IDI's work is increasingly of international relevance.

This was one of the recurring themes in the inaugural retreat of IDI's International Advisory Council, conducted under the chairmanship of George Shultz at Wye River, Maryland, on 1-2 February 2009. Held on the eve of Israel's national elections, the conference addressed several of the most critical domestic policy challenges facing Israel's embattled leadership on the 60th anniversary of the establishment of the State. The pages that follow offer a glimpse of these fascinating discussions. I would like to thank all the participants for making the retreat such a memorable experience. I am particularly grateful to Bernie Marcus for sponsoring the retreat.

Arye Carmon

President

Program

Chairman of the Retreat: The Honorable George P. Shultz

➤ SUNDAY, February 1st

7:30-8:30	Breakfast
8:30-9:00	Assembly
9:00-10:15	Opening Remarks by Mr. Shultz
10:15-10:30	Break
10:30-12:00	The Mission of IDI
12:00-1:00	Lunch Remarks by Mr. Bernard Marcus and Justice Meir Shamgar
1:00-3:30	Israel without a Constitution
3:30-4:00	Break
4:00-7:00	Israel in the Global Arena: How Do International Circumstances Affect the Future of the State?
7:00-8:00	Cocktails
8:00-9:00	Dinner What Is Israel's Place in the World? Israeli Ambassador to the UN, Prof. Gabriela Shalev

Program

➤ MONDAY, February 2nd

7:30-8:30	Breakfast
8:30-10:00	Domestic Barriers to Change
10:00-10:15	Break
10:15-12:00	Video Conference with Prof. Stanley Fischer, Governor of the Bank of Israel
12:00-1:00	Lunch Buffet
1:00-2:15	A Blueprint for Change: The Role of IDI
2:15-3:30	Conclusion: Planning for the Future



Participants

Members of the International Advisory Council

- > **Chairman: George P. Shultz**, Former U. S. Secretary of State
- > **Rosalie Silberman Abella**, Justice, Canadian Supreme Court
- > **Stephen G. Breyer**, Associate Justice, U. S. Supreme Court
- > **Gerhard Casper**, President Emeritus, Stanford University
- > **Dalia Dorner**, Justice Emerita, Israeli Supreme Court
- > **Henry Rosovsky**, Professor Emeritus, Harvard University
- > **Meir Shamgar**, President Emeritus, Israeli Supreme Court
- > **Abraham D. Sofaer**, Senior Fellow, Hoover Institution
- > **Michael Walzer**, Professor Emeritus, The Institute for Advanced Study
- > **James D. Wolfensohn**, KBE, Chairman, Wolfensohn & Company

Members of the Board

- > **International Chairman: Bernard Marcus**, Cofounder, The Home Depot
- > **Chairman: Shlomo Dovrat**, Cofounder, Carmel Ventures
- > **Alan Feld**, Founder and Managing Partner, Vintage Ventures
- > **Sami Friedrich**, Chairman, Shaldor
- > **Avinoam Naor**, Chairman, Or Yarok

Distinguished Guests

- > **Avinoam Armoni**, Former Vice President, The Hebrew University of Jerusalem
- > **Stanley Fischer**, Governor of the Bank of Israel
- > **Joel L. Fleishman**, Professor of Law and Public Policy Science, Duke University
- > **Elizabeth Goldhirsh-Yellin**, Director, The Goldhirsh Foundation
- > **Jay Kaiman**, Managing Director, The Marcus Foundation
- > **Frederick Marcus**, Trustee, The Marcus Foundation
- > **Julie Sandorf, President**, The Charles H. Revson Foundation
- > **Gabriela Shalev**, Israeli Ambassador to the United Nations

IDI Fellows

- > **Arye Carmon**, President
- > **Jesse Ferris**, Vice President, Strategy
- > **Mordechai Kremnitzer**, Vice President, Research on Democracy
- > **Yedidia Z. Stern**, Vice President, Research on the Jewish State



Those who make peaceful revolution impossible
will make violent revolution inevitable.

John F. Kennedy
(1917 - 1963)

Biographies

Members of the International Advisory Council

Chairman: **George P. Shultz**
Former U. S. Secretary of State

A native of New York, Mr. Shultz graduated from Princeton University in 1942. After serving in the Marine Corps (1942-1945), he earned a Ph.D. in industrial economics at MIT. Mr. Shultz taught at MIT and at the University of Chicago Graduate School of Business, where he became Dean in 1962. He was appointed Secretary of Labor in 1969, Director of the Office of Management and Budget in 1970, and Secretary of the Treasury in 1972. Mr. Shultz served as President of Bechtel Group, Inc. (1974-1982), as Chairman of the President's Economic Policy Advisory Board (1981-1982), and as Secretary of State (1982-89). He is Chairman of the J.P. Morgan Chase International Council; Advisory Council Chairman of the Precourt Institute for Energy Efficiency at Stanford University; Chairman of the MIT Energy Initiative External Advisory Board; and Chairman of the Energy Task Force at the Hoover Institution, Stanford University, where he has been a Distinguished Fellow since 1989.

Rosalie Silberman Abella
Justice, Canadian Supreme Court

Justice Silberman Abella practiced civil and criminal litigation until she was appointed to the Ontario Family Court in 1976. She subsequently chaired the Ontario Law Reform Commission and the Ontario Labor Relations Board, and was the sole Commissioner and author of the 1984 Royal Commission on Equality in Employment, Visiting Professor at McGill Law School for 5 years, and Judge on the Ontario Court of Appeal for 12 years. She is a specially elected Fellow of the Royal Society of Canada and of the American Academy of Arts and Sciences, as well as a graduate of the Royal Conservatory of Music in classical piano. She has served as a Giller Literary Prize judge, has written extensively on a wide variety of legal topics, and has received 26 honorary degrees. She was appointed to the Supreme Court of Canada in 2004. Justice Abella is married to Canadian History Professor, Irving Abella, and they have two sons.

Stephen G. Breyer
Associate Justice, U. S. Supreme Court

Justice Breyer, born in San Francisco in 1938, is a graduate of Stanford University, Oxford, and Harvard Law School. He taught law for many years as a Professor at Harvard Law School and at the Kennedy School of Government. He has also worked as a Supreme Court Law Clerk (for Justice Arthur Goldberg), a Justice Department lawyer (Antitrust Division), Assistant Watergate Special Prosecutor, and Chief Counsel of the Senate Judiciary Committee. In 1980, he was appointed to the U. S. Court of Appeals for the First

Circuit by President Carter, becoming Chief Judge in 1990. In 1994 he was appointed Supreme Court Justice by President Clinton. He has written books and articles about administrative law, economic regulation, and most recently, *Active Liberty*, a book about the Constitution. His wife, Joanna, is a clinical psychologist. They have three children (Chloe, Nell, and Michael), and three grandchildren.

Gerhard Casper

President Emeritus, Stanford University

Prof. Casper is President Emeritus of Stanford University, Senior Fellow at the Freeman Spogli Institute for International Studies, the Peter and Helen Bing Professor in Undergraduate Education, Professor of Law, and Professor of Political Science (by courtesy) at Stanford. Prof. Casper studied law at the universities of Freiburg, Hamburg, and Yale, and returned to Freiburg, where he earned his Ph.D. in 1964. After an initial teaching position at the University of California at Berkeley, Prof. Casper was recruited two years later by the University of Chicago, where he served for 26 years as Dean of the Law School and as Provost, a post he held from 1989 until he accepted the presidency of Stanford University in 1992. He has written and taught primarily in the fields of constitutional law, constitutional history, comparative law, and jurisprudence. Prof. Casper is a member of the Council of the American Law Institute, a Fellow of the American Academy of Arts and Sciences, a Fellow of the American Philosophical Society, and a member of the Order Pour le Mérit for the Sciences and Arts.

Dalia Dorner

Justice Emerita, Israeli Supreme Court

Justice Dalia Dorner was born in 1934 in Turkey and immigrated to Israel in 1944. She studied law at The Hebrew University of Jerusalem and graduated with a Masters Degree in Jurisprudence in 1958. She then enlisted in the IDF, where she served in a number of judicial capacities, including as Judge on the IDF Court of Appeals, and attained the rank of Colonel. Between 1979 and 1994, Justice Dorner served as District Court Judge, first in Beer Sheva and then in Jerusalem. In 1994, she was appointed to the Israeli Supreme Court, where she served until her retirement in 2004. Justice Dorner has been an M.A. and Ph.D. Advisor at Haifa University, and a Visiting Lecturer at The Hebrew University of Jerusalem. She is currently President of the Israeli Press Council. Justice Dorner has published extensively on the subject of pretrial detention, affirmative action and women's equality, proportionality, the constitutional protection of human dignity, medical ethics, and child and parental rights. She is an honorary member of the American Law Institute and a member of the International Advisory Council of The Israel Democracy Institute. She holds a Doctorate (Honoris Causa) from the Weizmann Institute of Science and from Ben-Gurion University of the Negev.

Henry Rosovsky

Professor Emeritus, Harvard University

Prof. Rosovsky is the Geyser University Professor Emeritus of Harvard University. His fields are economic history, Japanese economic growth, and higher education. He served as Chairman of the Economics Department at Harvard (1969–1972) and as Dean of the Faculty of Arts and Sciences (1973–1984 and 1990–1991). He was also a member of the Harvard Corporation (“Fellow of Harvard College”) from 1985 to 1997, and Acting President during 1987. In 2000, Prof. Rosovsky co-chaired the Task Force on Higher Education and Society sponsored by the World Bank and UNESCO, which published its report, *Higher Education in Developing Countries: Peril and Promise*. He is the author and editor of numerous books and articles on Japanese and Asian economic development. His publications on higher education include *The University: An Owner's Manual* (1990).

Meir Shamgar

President Emeritus, Israeli Supreme Court

Justice Shamgar was born in 1925 in the free city of Danzig. He immigrated to Israel in 1939 and studied history and philosophy at The Hebrew University of Jerusalem, and Law at the Mandatory School of Law. He was among the Etzel and Lehi members exiled and held in detention by the British in Africa. When the State was established in 1948, Justice Shamgar returned to Israel and enlisted in the Israel Defense Forces. He served as the IDF Military Advocate General (1961–1968), and upon his release from the IDF, was appointed Attorney General of the State of Israel, a post he held until his appointment to the Supreme Court in 1975. From 1983 until his retirement in 1995 at the age of 70, he served as President of the Israeli Supreme Court. Since then, Justice Shamgar has stood at the helm of a number of investigative commissions. In 1996, he received the Israel Prize for Life Achievement. Today, he serves as an arbitrator and devotes time to public service at The Israel Democracy Institute, The Yitzhak Rabin Center, The Open University, and other institutions.

Abraham D. Sofaer

Senior Fellow, Hoover Institution

Judge Sofaer has been the George P. Shultz Distinguished Scholar and Senior Fellow at the Hoover Institution, Stanford University, since 1994, and Professor of Law (by courtesy) at Stanford Law School since 1996. His areas of specialization include diplomacy, international law, national security, terrorism, and water resources. He graduated from Yeshiva College in 1962 with a B.A. in history. He received his LL.B degree from New York University School of Law in 1965, where he was Editor-in-Chief of the NYU Law Review and a Root-Tilden Scholar. He clerked for Judge J. Skelly Wright on the U. S. Court of Appeals for the D.C. Circuit and then for Associate Justice William J. Brennan, Jr. of the U. S. Supreme Court. He served two years as Federal Prosecutor in Manhattan (1967–1969), ten years as Professor of Law at Columbia University, and six years as U. S. District Judge for the Southern District of New York. In 1985, Judge Sofaer

became the Legal Advisor of the U. S. Department of State, and served under Secretary of State Shultz and Secretary James Baker until 1990. From 1990 to 1994, he practiced law in Washington, D.C. as a partner at Hughes, Hubbard, and Reed.

Michael Walzer

Professor Emeritus, The Institute for Advanced Study

As professor, author, editor, and lecturer, Prof. Walzer has addressed a wide variety of topics in political theory and moral philosophy: political obligation, war, nationalism and ethnicity, and economic justice and the welfare state. His books, which include *Just and Unjust Wars*, *Spheres of Justice*, *The Company of Critics*, *Thick and Thin: Moral Argument at Home and Abroad*, and *On Toleration*, and his essays have played a part in the revival of practical, issue-focused ethics, as well as in the development of a pluralist approach to political and moral life. Prof. Walzer received his B.A. at Brandeis and his Ph.D. at Harvard University. He taught at the universities of Princeton and Harvard before becoming a permanent faculty member at The Institute for Advanced Study's School of Social Science in 1980. Prof. Walzer is a Contributing Editor for *The New Republic*, and Coeditor of *Dissent*, now in its 55th year. His articles and interviews frequently appear in the world's foremost newspapers and journals. He is currently working on the toleration and accommodation of "difference" in all its forms, and also on the third volume of *The Jewish Political Tradition*, a comprehensive collaborative project that focuses on the history of Jewish political thought.

James D. Wolfensohn

KBE, Chairman, Wolfensohn & Company

Mr. Wolfensohn is Chairman of Wolfensohn & Company, LLC, a private investment firm; Chairman of the Advisory Group of the Wolfensohn Center, a new research initiative focused on global poverty, at the Brookings Institution; and an advisor to corporations and governments. He became Chairman of the Citi International Advisory Board in 2006 and is an advisor to Citi's senior management on global strategy and international matters. Mr. Wolfensohn served as the ninth president of the World Bank Group from 1995-2005, after having worked as an international investment banker. His last position was as President and Chief Executive Officer of James D. Wolfensohn, Inc., his own investment and corporate advisory firm established in 1981. He was Executive Partner of Salomon Brothers in New York and Head of the Investment Banking Department; Executive Deputy Chairman and Managing Director of Schroders Ltd. in London; President of J. Henry Schroders Banking Corporation in New York; and Managing Director of Darling & Co. of Australia. He is now Chairman Emeritus of both Carnegie Hall and The John F. Kennedy Center for the Performing Arts.

“



My notion of democracy is that under it the weakest shall have the same opportunities as the strongest.

”

Mahatma Gandhi
(1869 - 1948)

Members of the Board

International Chairman: **Bernard Marcus**
Cofounder and former CEO of The Home Depot

Mr. Marcus is Cofounder of The Home Depot, Inc., the world's largest home improvement retailer. He served as Chairman of the Board until his retirement in 2002. Mr. Marcus is Chairman of the Board of The Marcus Foundation, which focuses on Jewish causes, children, medical research, free enterprise and the community. His major philanthropic ventures include the \$290 million Georgia Aquarium, the largest aquarium in the world; The Marcus Institute, which provides programs for children and adolescents with brain disorders and their families; The Israel Democracy Institute; and Project Share, which supplies specialized care for military personnel with brain or spinal injuries. Mr. Marcus serves in numerous leadership roles for The Shepherd Center, The City of Hope, The Marcus Jewish Community Center, and Business Executives for National Security. He has received numerous awards, including the Woodrow Wilson Award for Public Service (with his wife Billi), the Bernard A. Goldhirsh Award, the USO Patriot Award, induction into the Junior Achievement U. S. Business Hall of Fame, the Jewish Federation of Greater Atlanta's Lifetime of Achievement Award, the Golden Plate Award from the Academy of Achievement, and the Anti-Defamation League's America's Democratic Legacy Award. A native of Newark, New Jersey, Mr. Marcus received his B.S. in pharmacy from Rutgers University.

Chairman: **Shlomo Dovrat**
Cofounder, Carmel Ventures

Mr. Dovrat has been a leading business figure in the Israeli high-tech industry for over 20 years. He began his career as a serial high-tech entrepreneur, leading several leading high-tech companies as CEO and Chairman. In 2000, he cofounded Viola Group, Israel's largest private equity group, managing over \$1.8 billion. Mr. Dovrat is also the Cofounder and General Partner of Carmel Ventures, a leading venture capital fund that is affiliated with Viola Group. In 2003, he was appointed Chairman of the National Task Force for the Advancement of the Educational System by the Government of Israel. Mr. Dovrat was also one of the founders of the Israel Venture Network, an initiative promoting educational projects throughout Israel. Shlomo has received several awards for his business achievements and philanthropic contributions.

Alan Feld
Founder and Managing Partner, Vintage Ventures

Mr. Feld is the Founder and Managing Partner of Vintage Venture Partners, the leading private equity, secondary fund and fund of funds in Israel. Prior to founding Vintage in 2002, he was a General Partner at Israel Seed Partners and at Vertex Management III Ltd., after having served as Managing Director of Evergreen Capital Markets Ltd. Before

moving to Israel in 1994, Mr. Feld was an associate at Goodman Phillips and Vineberg, Toronto, Canada (now Goodman's), one of Canada's leading corporate law firms. He was the Founding Chairman of StartUp Jerusalem, a nonprofit of Israeli and Palestinian businesspeople dedicated to fostering job growth in Jerusalem. Mr. Feld currently serves as Chairman of the CRA Committee of United Israel Appeal of Canada; a member of the Executive Committee and Board of Directors of the Jewish Funders Network (U. S.); a member of the Board of Directors of The Israel Democracy Institute; and of the Bible Lands Museum in Jerusalem. He received an M.B.A. from York University in Toronto, an LL.B. from Osgoode Hall Law School in Toronto, and a B.A. in Commerce and Finance from the University of Toronto.

Sami Friedrich
Chairman, Shaldor

Mr. Friedrich is the Acting Chairman of Shaldor Ltd., a strategy consulting practice that advises leading Israeli companies in a broad spectrum of industries. He had previously served as General Manager of the Ministry of Economy and Planning of the State of Israel, and as Consultant with McKinsey & Co. Mr. Friedrich serves on the Board of Directors of The Israel Democracy Institute and on the Board of Governors of the Jewish Agency. He is a member of the steering team of "Israel 2028," a visionary strategic plan for Israel's economy. Mr. Friedrich made aliyah from France upon graduating from high school and then served as an officer in the Israeli Air Force. He holds an M.B.A. from the Harvard Business School, and a B.Sc. in mathematics and physics from The Hebrew University of Jerusalem.

Avinoam Naor
Chairman, Or Yarok

Mr. Naor served as President and CEO of Amdocs from 1995 to 2002. Since his resignation, he has devoted his time to social and community activities. In 1997, following the tragic death of his son, Ran, in a road accident, Avi Naor established the Or Yarok Association for safer driving in Israel. Today, Or Yarok is a leading advocate of road safety in Israel. Through the Ran Naor Foundation, Or Yarok also supports research in this field, as well as educational projects in academic institutions. In 2002, Mr. Naor and his wife, Eti, established the Oran Foundation to support children and youth at risk. The family has adopted the Ramat Hadassah Youth Village and is deeply involved in a number of similar projects. Since 2004, Mr. Naor has served on the Jewish Agency's Board of Directors and as Cochairman of the Subcommittee for Young Communities. In 2008, he became a member of the Board of Directors of The Israel Democracy Institute and also of Hakol Hinuch (Everything is Education), an association committed to the advancement of better education in Israel.

Distinguished Guests

Avinoam Armoni

Former Vice President, The Hebrew University of Jerusalem

Prior to serving as Vice President of External Relations at The Hebrew University (2003–2007), Mr. Armoni was the Director of the Gilo Family Foundation, as well as a strategic consultant and advisor to a number of organizations in the academic and voluntary sectors. As Executive Director of the New Israel Fund from 1991–1997, he managed and developed programs in Israel, oversaw grant-making activities, raised funds, and represented the organization internationally. Mr. Armoni also served as Special Advisor on neighborhood affairs to Teddy Kollek, former Mayor of Jerusalem. He is a graduate of The Hebrew University Faculty of Law and also holds an M.A. in Public Administration from Harvard University, where he specialized in macroeconomics and urban management. Mr. Armoni is a consultant to the Edmond J. Safra Philanthropic Foundation in Geneva, Chairman of A4e (Israel), Chairman of Israel's Community Center Association, and Founder and former Chairman of Yedid, Israel's largest democracy and empowerment NGO program.

Stanley Fischer

Governor of the Bank of Israel

Prof. Fischer was born in Zambia in 1943. He earned a B.Sc. and M.Sc. in economics at the London School of Economics (1962–1966), and obtained his Ph.D. in economics at MIT in 1969. He has been Governor of the Bank of Israel since May 2005. Prior to joining the Bank of Israel, Prof. Fischer was Vice Chairman of Citigroup (2002–2005), where he also headed the Public Sector Group, and served as Chairman of the Country Risk Committee and President of Citigroup International. He was the First Deputy Managing Director of the International Monetary Fund (1994–2001). Before joining the IMF, Prof. Fischer was the Killian Professor and Head of the Department of Economics at MIT, where he had previously been appointed Associate Professor in 1973 and Professor of Economics in 1977. From 1988 to 1990, he served as Vice President, Development Economics, and Chief Economist at the World Bank. Prof. Fischer has authored and coauthored a number of books on macroeconomics, and has published extensively in professional journals. He has also edited numerous books, and served as Editor of the NBER Macroeconomics Annual from 1986–1994, as well as Associate Editor of other economics journals.

Joel L. Fleishman

Professor of Law and Public Policy Science, Duke University

Prof. Fleishman is a Professor of Law and Public Policy Studies and Director of the Samuel and Ronnie Heyman Center for Ethics, Public Policy, and the Professions at the Terry Sanford Institute of Public Policy at Duke University. He served as Head of the U.S.

Program Staff of The Atlantic Philanthropies from 1993 to 2001. He joined the Duke faculty in 1971, was the founding Director of what is now the Terry Sanford Institute of Public Policy, and has served as Vice President, Senior Vice President, and First Senior Vice President, as well as Chairman of the Capital Campaign for the Arts and Sciences and Engineering. He has authored and edited numerous books and articles reflecting his long-standing interest in ethics, public policy, and nonprofit organizations, the most recent of which is *The Foundation: A Great American Secret – How Private Wealth is Changing the World*. Prof. Fleishman currently serves as Faculty Chair of the Duke Foundation Research Program, Chair of the Board of Trustees of the Urban Institute, and trustee of several other nonprofit and for-profit organizations, including the Partnership for Public Service. He also is Chair of the Visiting Committee of the Harvard Kennedy School.

Elizabeth Goldhirsh-Yellin

Director, The Goldhirsh Foundation

Ms. Goldhirsh-Yellin is a Director of The Goldhirsh Foundation. She and her husband, Eric Yellin, a manager at Hulu.com, are dedicated to developing and expanding their philanthropic activities. Currently their grants focus on cancer research in the U. S., Canada, and Israel; archaeological excavation and development projects in Jerusalem, the Negev, and the Galilee; and domestic and international Israel-centered advocacy. Ms. Goldhirsh-Yellin, an alumna of Phillips Exeter Academy, graduated from the University of Pennsylvania and received an M.A. in Journalism from Columbia University, and in Hebrew Bible from Harvard University. While studying theology, Ms. Goldhirsh-Yellin founded the Reaching Common Ground Writing Contest for high school students, which is dedicated to fostering mutual respect and understanding between Christians and Jews.

Jay Kaiman

Managing Director, The Marcus Foundation

Mr. Kaiman serves as a Director of The Marcus Foundation, helping to facilitate its philanthropic agenda on behalf of Bernie Marcus, Cofounder of The Home Depot. The Marcus Foundation focuses on five specific areas: free enterprise, children, community, the Jewish community and medical research. Mr. Kaiman, a graduate of the University of Florida, began his career with the United Way, serving as Campaign Director and Associate Director for the United Way of Escambia County. He left the not-for-profit sector in 1984 and joined The SFK Group, a steel and scrap company founded by his grandfather in the 1940s. He served in numerous capacities for 12 years until his departure as Vice President in 1996. The company was sold in 1997. In 1996, Jay moved to Atlanta, Georgia, to assume the position of Southeast Director for the Anti-Defamation League. In 1999, he was awarded the Milton A. Senn Award, the highest award given annually to an ADL professional for performance and excellence. He was appointed to the national management staff during this same year as Director of the Investigative Research Center. He left ADL in 2001 to assume his position with The Marcus Foundation.

Frederick Marcus

Trustee, The Marcus Foundation

Dr. Marcus teaches philosophy at Emory University, where he earned a Ph.D. in philosophy after a career in Human Resources at The Home Depot. While at The Home Depot, Dr. Marcus helped to establish the company's training and development programs; played a major role in refining its personnel, benefits, and payroll systems; ran a five-state region as Human Resources Manager; and formalized and directed the company's management recruitment process. He is a founding Director of The Marcus Foundation, where he has been active in many areas, especially education, integrative medicine, The Israel Democracy Institute, and The Marcus Institute for developmentally disabled children.

Julie Sandorf

President, The Charles H. Revson Foundation

Ms. Sandorf has served as President of the Charles H. Revson Foundation since January 2008. Before joining the Foundation, Ms. Sandorf was the Co-founder and Executive Director of Nextbook, an organization dedicated to the creation and promotion of Jewish literature, culture, and the arts. She founded the Corporation for Supportive Housing (CSH), an organization that works in partnership with foundations, nonprofit organizations, and governments to deliver permanent solutions to chronic homelessness, serving as President from 1991–1999. Prior to CSH, Ms. Sandorf was a Program Director at the Local Initiatives Support Corporation, where she forged a public-private partnership to revitalize distressed neighborhoods throughout NYC. Ms. Sandorf currently serves on the Advisory Board of the Oak Foundation, and is a member of the Board of Directors of the Center for Urban Community Services and of the West Side Federation for Senior and Supportive Housing.

Gabriela Shalev

Israeli Ambassador to the United Nations

Prof. Gabriela Shalev is Israel's 14th Permanent Representative to the United Nations, and the first woman ever appointed to this post. She previously served as President of the Academic Council and Rector of Ono Academic College in Israel. Until her early retirement in 2002, she was a full Professor of Contract Law at The Hebrew University of Jerusalem, and has taught in universities across the United States, Europe, and Canada. Prof. Shalev was the Chief Legal Editor of the Judgments of the Supreme Court of Israel, and Legal Editor of the Hebrew Encyclopedia. She has been awarded numerous academic awards, including the Sussman Prize for Law (1989), the Zeltner Prize for Law (1991), and the Israel Bar Association Prize (2003). Prof. Shalev has written nine books and over one hundred articles. Prof. Shalev's contract law textbook is the standard textbook used in law schools and law offices throughout Israel. She has served as Chairperson of the Audit Committees of Bank Hapoalim and of the Israel Electric Company, as well as on the boards of Maariv; the Hadassah Medical Organization; FIBI Holdings Co.; Koor Industries; Osem Investments; Teva Pharmaceutical Industries Ltd.; and Delek Ltd. Group.

IDI Fellows

Arye Carmon

President

Dr. Carmon is the Founder and President of IDI. He was Chairman of the Israeli National Committee for Fostering Democratic Education; Founder of the Moriah Process; Founder of the Israeli Forum; member of the International Council of Yad Vashem; academic advisor and moderator of "Open Circuit," an educational series of the Israeli Educational Television Network; Head of the Curriculum Division of the Ministry of Education's Youth Wing; Deputy Principal of ORT Alliance Vocational High School; and Educational Counselor at the Boyer School in Jerusalem. Dr. Carmon received his B.A. and M.A. (with distinction) from The Hebrew University of Jerusalem, and his Ph.D. in European history and educational policy studies from the University of Wisconsin, Madison. He has been a Senior Lecturer at Ben-Gurion University, Research Fellow at the Van Leer Institute, Chief Counselor of the Department of Education at Ben-Gurion University, Research Fellow at the Max Planck Institute in Berlin, Visiting Scholar and Professor at UCLA, and Senior Lecturer in the School of Education at Tel Aviv University. Dr. Carmon has published extensively on the subject of education, Israel-Diaspora relations, and the Holocaust.

Jesse Ferris

Vice President, Strategy

As Vice President at IDI, Dr. Ferris directs new policy initiatives and international outreach efforts. He is concurrently a Lady Davis Postdoctoral Fellow at The Hebrew University of Jerusalem, where he is writing a manuscript on Egyptian foreign policy. Dr. Ferris earned his B.A. with distinction in history from Yale University, and his Ph.D. in Near Eastern Studies from Princeton University. His doctoral thesis, entitled *Egypt, the Cold War, and the Civil War in Yemen, 1962-1966*, earned him a Mellon/ ACLS Fellowship in 2007, an SSRC Fellowship in 2007, and a second Mellon/ACLS Fellowship in 2008. Prior to launching his academic career, Dr. Ferris co-founded Marketbee Technologies, an enterprise software company, where he served as Director of Marketing and Product Development until 2002. He served five years in the Israel Defense Forces as a medic, combatant, and commander, and holds the rank of Captain in the reserves.

Mordechai Kremnitzer

Vice President, Research

Prof. Kremnitzer is Vice President for Research on Democracy at IDI and has been a Senior Fellow of the Institute since 1994. He is concurrently the Bruce W. Wayne of International Law at The Hebrew University of Jerusalem, and was formerly Dean of the Faculty. He teaches criminal law and constitutional law, and has published extensively in the fields of criminal, military, public and international law. Prof. Kremnitzer has chaired a number of public committees, including the Committee to Examine the Use of Force by the Police (1994); the Committee on Civic Education (1996); and the Committee on Discipline in the Public Service (1998). He served as President of the Israeli Press Council (2000–2003); Academic Head of the Minerva Center for Human Rights (2001–2003); and Chairperson of the Israeli Association of Public Law (2004–2006). In 1989, Prof. Kremnitzer received the Pinchas Rosen Award for legal research; in 2003, he was awarded the Zeltner Prize for excellence in research; and he was recently awarded the 2009 Alexander von Humboldt Research Award in Humanities. He is coauthor of the proposal for a new general part of the penal code for Israel, which has been adopted by the Knesset.

Yedidia Z. Stern

Vice President, Research

Prof. Yedidia Z. Stern is Vice President at IDI. Stern is a full Professor at Bar-Ilan University Law School, where he has served as its Dean. His areas of interest are corporate law, religion and state, Jewish law, and public law. Prof. Stern is a graduate of Bar-Ilan Law School (LL.B.) and Harvard Law School (LL.M. and S.J.D.). He worked at a leading Manhattan law firm before returning to Israel to join the Bar-Ilan Law School, where he founded the Center for Commercial Law, launched a Center for the Study of Israel, Judaism, and Democracy, and was the founding Director of the Law School's publishing house. He has also been a Visiting Scholar at Harvard Law School. Prof. Stern has served on numerous committees, inter alia as Chair-Elect of the Coalition Committee to Enact an Israeli Constitution; Chair of the Israel Science Foundation's Committee for Assessment of Legal Research; Academic Director of the World Jewish Forum; and President of the Institute for the Advanced Study of Israeli Judaism. Prof. Stern has written numerous books and is Co-editor of the scholarly journal, *Democratic Culture*, and of the series, *Israeli Judaism*. He is also a regular contributor to the Israeli and international press.

Introductions



Aspen, Wye River, Maryland

“

These two days have been a phenomenal illustration of what an advisory council can be, and I guess the question is: How did we manage up till now?

I learned a lot. I found it was very stimulating, very intense, very interesting.

I've never quite had an experience like I've had in these past few days.

”

← Introductions

At the beginning of the conference, the 27 participants introduced themselves and discussed their hopes for the two days. The following sentiments were expressed by a number of the participants:

“I believe that the IDI is the single most important think tank and policy shop in Israel focusing on the issues that are going to determine whether Israel can in fact be a democratic and Jewish state.”

“I was involved at the start of IDI and I have great admiration for what has been accomplished ... it is on the cutting edge of issues that affect Israel and indirectly affect us all.”

“What appealed to me [about the IDI] was that it was not another Jewish defense organization raising all sorts of apocalyptic visions, but an organization that represented a major reform effort, and I think that is the best possible guarantee for an eventual settlement. I have been devoted to IDI ever since.”

“Because I am both a strategist and a Zionist, the issue of just and effective governance is a passion really, and I am privileged to have the opportunity to give expression to my interest through IDI already for many, many years.”



^ IDI's International Advisory Council (IAC) convenes in the conference room of Wye Plantation



^ A welcome pause for cocktails and conversation in the library



^ IAC Members and IDI scholars listen intently



^ Gabriella Shalev addresses conference participants



Let sovereignty be granted us over a portion of the earth's surface large enough to satisfy our rightful requirements as a nation. The rest we shall manage for ourselves.



Theodor Herzl
(1860-1904)

Day One

1 February, 2009



Morning Session:

The Mission of IDI

The session began with a presentation of the history and mission of IDI. The Institute's mission is to strengthen the moral and structural foundations of Israel as a Jewish and a democratic state. IDI's success or failure will play a crucial role in determining the future of Israel as a democratic homeland for the Jewish people. IDI is a "think-through tank" that prides itself on combining the highest quality research with ongoing dialogue with government figures. Strictly nonpartisan, the Institute identifies missing links in Israel's political infrastructure, establishes high-quality programs to fill the void, and favors spinning off successful initiatives to the government or a third party. A good example of this mode of operation is the IDI Internship Program, established in 1992. At the time, Knesset members only had half-time assistants and no research support for their legislative initiatives. IDI's Internship Program trained a cadre of top students to serve as research assistants to the chairpersons of Knesset committees; since its successful spin-off to the Knesset, the institutionalized program continues to flourish as the Research and Information Center of the Knesset.

Charged with carrying out policy-oriented research on behalf of the institute, IDI fellows are selected according to three criteria: excellence in academic pursuits, a high level of involvement in the public sphere, and a strong capacity for interdisciplinary teamwork. The IDI process is comprised of three building blocks—research, dialogue, and reform. Research of the highest quality forms the indispensable foundation of IDI's work. Upon completion of the "research" phase, policy recommendations are shared with relevant government officials and representatives of civil society. This is the phase of "dialogue." Then comes the "reform" phase, in which IDI's role is to facilitate the adoption of reform proposals by the relevant stakeholders. IDI works in a number of areas, including national security, economics, government, religion, constitutional law, and education, with an emphasis on comparative work aimed at learning from the experience of other countries.

In order to preserve its impartiality, IDI facilitates the implementation of policy recommendations without seeking to take credit. Although the Institute does not conduct political lobbying, it maintains open channels of communication with officials in all three branches of government, and often collaborates with other organizations in the promotion of reform agendas. IDI bases its work on several assumptions: First, Israeli democracy is still in a preliminary phase; sixty years after the founding of the State, Israel continues to struggle with basic questions pertaining to identity and political structure. Although it is a formal democracy, it is not yet a fully substantive one; facilitating this transition is an integral part of the Institute's mission. Second, Israel's leaders are overwhelmed with pressing issues and the government usually has to focus on short-term damage control. Part of IDI's mission is to concentrate efforts to develop informed, mid- and long-term policy proposals to support Israel's beleaguered leadership. Third, Israel's political system is fragile, and the country's ability to survive ultimately depends on the strength of its political system and the fortitude of its society. For this, Israel requires visionary leadership.

One of IDI's major undertakings has been to draft a constitution for the State of Israel. The historical context of these efforts comprises the various attempts to change the system of government during the 1990s, particularly the shift to direct election, a move that was strenuously opposed by IDI (the Knesset repealed the system of direct election in 2003). In the ongoing attempt to formulate a constitution by consensus, IDI has been mediating for years among Israeli leaders from every sector—ultra-Orthodox, secular, Arab, and others—as they work to reach a consensus on the most contentious issues at the core of Israel's existence.

While Israel still lacks a written constitution, IDI has achieved a number of major successes in this regard. For instance, Justice Shamgar chaired a council dealing with the relationship between secular and religious communities, composed of high-profile religious and non-religious leaders. This led to the establishment of the Neeman Commission, which proposed innovative solutions to the challenge of conversion. IDI has also played an important role in calming tensions between different sectors of the Israeli population. For example, following the assassination of Prime Minister Yitzhak Rabin in November 1995, IDI convened a series of important conciliatory meetings between the National Religious Movement and Labor Party leaders.

For the past several years, all the indicators in IDI's Annual Democracy Index have pointed to a marked deterioration in the public's faith in Israel's democratic system. At the end of the 1960s, 50% of Israelis agreed with the statement that a strong leader is better than all the rules and laws, while in 2007, over 80% agreed. Currently 87% of the Israeli population thinks that the relationship between Jews and Arabs is bad and is destined to get worse, while 66% feel the same way about the relationship between religious and secular Jews. In 2003, 53% expressed trust in the Knesset; by 2008, this figure had declined to 28%. In the 1990s, 70% expressed trust in the Supreme Court; by 2008, this had plummeted to 49%.

In the discussion that ensued, one participant questioned the significance of the alarming statistics produced by the Democracy Index, particularly regarding political participation, arguing that political apathy is on the rise worldwide. Another participant then raised a key question that set the tone for several subsequent sessions: Should IDI work to realize the ideal or to strive to find workable compromises? In the words of another participant, should IDI set its sights on conquering the mountain, or should it take a politics-is-the-art-of-the-possible approach and focus on securing the foothills that surround the mountaintop?



Afternoon Session:

Israel without a Constitution

The session opened with a historical survey of the constitutional process from the establishment of the State to the present, drawing particular attention to the UN General Assembly resolution to establish a Jewish state in Palestine, the Israeli Declaration of Independence, the history of the Basic Laws, and the Law and Administration Ordinance of 1948. The Israeli legal system initially comprised elements of Ottoman law, British Mandatory law, certain rules of common law, and certain laws of various religious communities. The Declaration of Independence called for the adoption of a constitution, but this never happened, partly because of the War of Independence, and partly because of internal opposition.

A solution to the problem was found in 1950: "The First Knesset charges the Constitution, Law, and Justice Committee with the duty of preparing a draft Constitution for the State. The Constitution shall be composed of individual chapters, in such a manner that each of them shall constitute a basic law in itself. The individual chapters shall be brought before the Knesset as the Committee completes its work and all the chapters together will form the Constitution of the State." This was viewed as a postponement of the planned constitutional legislation. The Basic Laws dealing with basic human freedoms followed in the 1990s.

At present, the Israeli constitution is best described as partly written and partly unwritten, and there are a small number of norms of special preferential status from a legislative point of view. Israel still lacks a complete, codified constitution, which would cover every subject that is normally included in such a constitutional code. The Institute's position is that the passage of a comprehensive constitution with a full bill of rights is an urgent necessity for Israel. Accordingly, it has taken upon itself to draft a comprehensive constitution dealing with all constitutional aspects, which is now being considered by the Knesset's Constitution, Law, and Justice Committee.

In the ensuing discussion, a number of participants asked whether a constitution was in fact a necessity for Israel. Others questioned the validity of the consensual approach adopted by IDI. Israel's political system is currently built around its 11 Basic Laws, which deal with the role of the state's institutions and the relations between the state's authorities. Given the existence of these Basic Laws, which some participants argued amount to a de facto unwritten constitution, why is a constitution necessary? In fact, they asked, shouldn't the debate be reframed as a choice between the pre-existing unwritten constitution and a written constitution? In response to this, it was suggested that there is no guarantee that the legislature will continue to respect the basic documents that already exist. Having been amended more than 200 times, the Basic Laws are not entrenched; thus, a constitution is necessary to guarantee them.

One participant noted that most nations promulgate constitutions when they are born. By contrast, Israel is debating whether or not to formalize a constitution more than 60 years after the state was established, amid what some see as an unprecedented crisis in the country's legal and political system. The group was particularly interested in those segments of Israeli society that reject the self-definition of a "Jewish and democratic state." Some Religious Zionists reject the democratic aspect, as they believe that Israel is only one step in a messianic scheme. Thus, for example, they opposed the 1998 Wye Accords on religious grounds, rather than framing their arguments in terms of the national interest.

Israeli Arabs, who constitute 20% of the population, are more troubled by the Jewish content of Israel's self-definition. Most conference participants supported the Arabs' struggle for equality, but expressed reservations about how this should be achieved in practice. One member drew attention to the recent vision statement issued by a number of leading Israeli Arab advocacy groups that labels Zionism a colonialist movement and denies its legitimacy. Given this difficult context, how will this equality be realized? Should Israeli Arabs be granted only individual rights, or should they have group rights as well? What about national rights, and how does the ongoing Israeli-Palestinian conflict impinge on these questions?

Clearly, the debate regarding the constitution cannot take place in a vacuum. Aside from the issue of alienation from the system, some suggested that the real issue is one of political reform, as ultimately the Knesset will be responsible for approving or rejecting the constitution. While there have been numerous calls for a change in the electoral system, none of the parties has put the issue of a constitution at the heart of its platform.

A lively debate developed surrounding the justification for an Israeli constitution. IDI has been working hard to generate an open discussion about the constitution among Israelis from all walks of life. With this aim in mind, and taking into account some of the problems mentioned above, one speaker argued that the process should focus on the ideal, rather than on the politically possible. In other words, by putting the formalization of a constitution high on the national agenda, the Institute is starting a crucial national conversation about identity: Who are we? What are our core values? What is the minimum threshold we are prepared to live with in deciding who we are as a country? If this public discourse is a serious one, then the process will have been worth it, even if the constitution is not promulgated.

One person argued that attacking the Supreme Court has become an easy and popular pastime for politicians, particularly given the widely held belief that the Supreme Court frequently exceeds its mandate, especially when it comes to judicial review. As noted above, the annual IDI Democracy Index revealed that public trust in the Court sank to 49% in 2008. Most of the conference participants, however, felt that judicial review was crucial to any constitutional order. A participant mentioned the recent motion to ban two Arab parties from competing in the recent Knesset elections, and noted that it was the Supreme Court - yet again - that saved Israeli democracy from taking a potentially suicidal step.

Finally, the participants discussed the content of the constitution, concluding that it should establish structures that promote transparency, accountability, competence, and efficiency. It should formalize Israel's self-definition as a Jewish and democratic state and should include a basic list of full human rights, equality, freedom of speech, freedom of religion, authority for judicial review, and stability. In short, the constitution should forge a middle road between extreme visions of Israel - the vision of a messianic era and the vision of a value-neutral state. All the participants acknowledged the difficulties ahead, particularly given the ongoing political crisis and the persisting Arab-Israeli conflict, but they concluded that the mission of formalizing a constitution for the State of Israel was a vital one, necessary for guaranteeing the country's future.

Implications of the Lack of a Constitution for Human Rights

This session dealt with the need for a constitution to establish a consensual underpinning for Israeli society. The presenter explained that it will be extremely difficult to formalize a constitution given the almost total lack of consensus among the various groups comprising Israeli society, but the effort is worthwhile, nonetheless.

The participants explored the issue of judicial review in the Israeli legal system. In 1994, the Israeli Supreme Court ruled that it had power of judicial review over laws passed by the Knesset. The Court is now trying to introduce elements of equality, freedom of speech and freedom of religion, and this has aroused extreme hostility from some parts of the political sphere. One participant argued that the Supreme Court requires the power of judicial review, and that a full bill of rights must be introduced as part of the constitution. This can only be achieved through effective compromise among the different population sectors, such as the establishment of a "State Registrar of Couples," which would offer a form of civil marriage without calling it "civil marriage."

Another participant noted that Israeli society has not sufficiently recognized the importance of human rights, but doing so is necessary to protect the rights of minorities. A constitution is the first step in a long educational process of ingraining the spirit of human rights in society. If a good constitution is to be passed, the idea needs strong support from a broad cross-section of society.



In the discussion that followed, one participant noted the trade-off between simplicity and detail, and argued that the Israeli constitution would benefit from being as simple as possible, citing the U. S. constitution as an example. He also noted that organic law, a third alternative that falls somewhere between a constitution and a statute, is extremely useful because of its ambiguity. Organic law can be modified without altering the constitution. Another participant then remarked that the requirement for a two-thirds majority made it relatively easy to change the constitution.

Implications of the Lack of a Constitution for Government and Governance

The speaker presented his ideas for a comprehensive reform of the Israeli political system. He noted that these ideas were driven by a sense of urgency exacerbated by the repeated calls to change the system whenever a political crisis arises. People are desperately seeking magic solutions to the problem of political instability, but there is no such magical solution. IDI has conducted an extensive comparative study and examined what works in other OECD countries. One of the main goals is to move away from a highly centralized system of government and “redistribute” the power. A constant dilemma confronting IDI’s efforts in this domain has been whether to aim for the possible or the desirable. IDI has decided to strive for the desirable. In a forthcoming volume entitled *Reinventing Democracy*, IDI examines the possible reform of the Israeli political system over the next 20 years, focusing on three sections: electoral reform, the executive branch, and the relationships between the three branches of government.

Electoral Reform: The primary goal here is to ensure stability, thus enabling the party that wins the election to form a sustainable coalition that will be able to implement its policies. Israel has achieved this in the past. Between 1949 and 1977, there was basically one-party rule, while during the period from 1977 to 1996, two parties in a system of 13 parties repeatedly held a combined two-thirds of the Knesset’s 120 seats, which allowed solid coalitions to be formed. From the establishment of the State until 1996, the average lifespan of a government was about 3.3 years. Since the introduction of direct elections in 1996, it has dropped to 2.3 years.

Three measures could be implemented to strengthen the big parties and, thus, the entire electoral system: First, raise the minimum threshold required to gain a seat in parliament. While it would be impossible to set it at the very desirable 5% level, as in Germany, an achievable goal is to raise the current threshold of 2% to 3%. Small parties will be forced to join bigger blocs, in much the same way as they have done in the past; consolidation of this nature, led to the formation of Likud, Labor and Meretz. Second, the right to form the coalition should be automatically granted to the party that wins the most seats in the election, rather than granted by the president, as is currently the case. Third, a district system should be introduced whereby half the Knesset members would be elected on a national list and the other half on a district list (corresponding to the 12 administrative districts that exist today). The districts would have an effective threshold of between 12% and 16%, another factor that would push the small parties toward consolidation, as well as open the system to broader participation. The number of Knesset members should also be increased and in addition, the so-called primaries system should be revamped to allow voters to cast ballots for a certain number of candidates on their party’s list.



Executive branch: After closely studying the developments over the last 30 years in OECD countries, IDI identified the basic principles: distribution of power, decentralization of government, introduction of executive agencies with greater power and business practices, and greater importance of local government. In this regard, a key question is how to rehabilitate the relationship between the different branches of government, with a particular focus on eliminating the ongoing antagonism of the legislative and executive branches toward the Supreme Court.

Implications of the Lack of a Constitution for Culture and Identity

This presentation explored the concept of Israel as a Jewish and democratic state. This definition is not universally accepted in Israel. About 30–35% of Israelis do not agree with the idea of Israel as a democratic state. Some in the national religious camp, for example view Israel as only one step in a messianic scheme, in which halakha (Jewish law) takes precedence over all else. The ultra-Orthodox play the democratic game, but they are fundamentally opposed to democracy. The extreme nationalists advocate anti-democratic measures, such as the transfer of Israeli Arabs to other countries. These three components comprise an ad hoc coalition against democracy in Israel.

Opposition to the idea of Israel as a Jewish state stems from two main sources. One is the small, but influential group of Jewish post-Zionists, many of whom are academics, or media and communications professionals. The larger and more worrisome source of opposition, however, comes from the Israeli Arab community, which makes up almost 20% of Israel’s population. Some of its leaders recently drafted a vision for Israel that openly rejects the right of the Jews to self-determination.

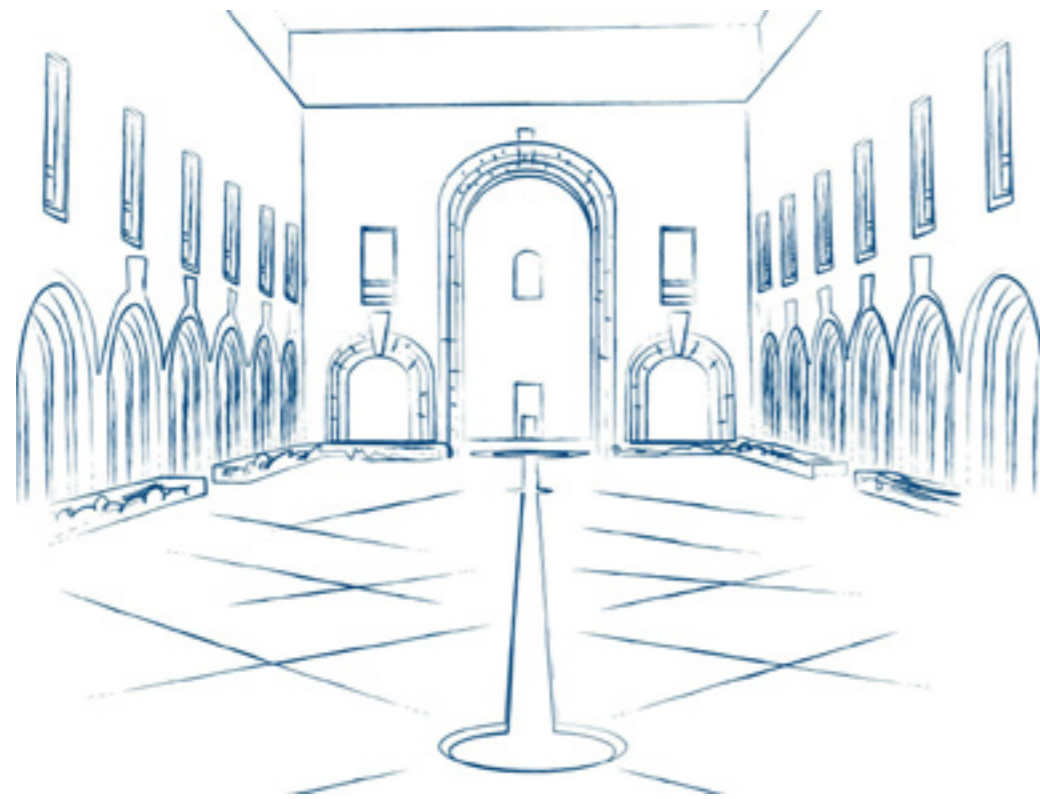
An Israeli constitution should embody agreement among the broadest possible majority of the population on the most significant issues. It should embrace the ideal of compromise and reject extremist visions of Israel. IDI’s draft constitution is proof that such compromise is possible. While a constitution is not a panacea for the myriad problems confronting the country, it is an important tool for shaping the character of the State, and its adoption will create a framework for coexistence.

One participant felt that IDI’s draft had conceded too much to the religious perspective at the expense of the liberal point of view. What sort of compromise was that? Another responded that the document, for example, prohibited legislation on religious grounds, which could be considered as an enormous concession from the religious point of view. A debate then developed over the constitution’s proposal to restrict justiciability on matters of religion and identity in exchange for a full bill of rights, a strong emphasis on equality, an independent court, and explicit recognition of minority rights. The debate also addressed the status of women under the constitutional arrangement proposed by IDI. Did the formula of civil union proposed by the Institute really solve the problem of the religious establishment’s control over marriage and divorce? One participant noted that the whole debate seemed to revolve around how to mediate between Jewish and democratic values, rather than staking out a strong liberal position on the limits of compromise. Others responded that the depth of the divisions within Israeli society made it impossible to impose one set of beliefs on another and, therefore, compromise was essential. A constitution would formalize the compromise reached in a multicultural

society. One participant thought that the document should be simplified and organized so that whoever is reading it can immediately see the basic ideas embodied in it; this type of organization is evident in the United States Constitution, which clearly sets out a vision of democracy that safeguards basic human rights, assures a degree of equality, separates powers, and insists upon the rule of law. Fundamentally, the key element in the IDI document is not human rights, but rather the type of democracy that assures people an equal voice in the selection of their government, and permits the election of a stable government.

Another participant reminded the group that the IDI document is only one among several competing drafts, some of which are very extreme, and that the battle is still raging. Since IDI's Constitution by Consensus is the only middle-of-the-road draft, it is attacked from both the left and the right. Another speaker emphasized that the collective status of the Arab minority in a Jewish state was a critical issue for the long-term success of the constitutional process. Many Arabs demand group rights in addition to full equality as individuals. A discussion then ensued over whether or not group rights should be recognized in any modern democracy.

The key recommendations of some of the participants were to simplify and shorten IDI's constitutional draft; to allow for more organic law; to focus on a clear presentation of the form of government; to aim for the ideal before settling for the possible; and to concurrently work on the urgent task of political reform and on the long-term endeavor to adopt a constitution.



Israeli Supreme Court courtyard

“



If liberty and equality...are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.

”

Aristotle
(384 BC - 322 BC)



Afternoon Session:

Israel in the Global Arena: How Do International Circumstances Affect the Future of the State?

Geostrategic Challenges

In his opening remarks, the speaker highlighted two disturbing developments on Israel's borders: the consolidation of power by Hezbollah in Lebanon and by Hamas in Gaza. Israel has fought recent wars with both Hezbollah and Hamas (the Second Lebanon War and Operation Cast Lead, respectively), but has been unable to prevent the two groups from rearming. This problem is exacerbated by the support they receive from Iran and Syria. Iran provides training, equipment, and financial support, while Syria provides a sanctuary for the Hamas leadership. Of greater concern, however, is the fact that a predominantly Sunni state is assisting Shiite extremists in Lebanon, while a Shiite government is helping Sunni extremists in Gaza. This suggests that the longtime Persian-Arab divide has been set aside in order to implement the radical Islamist policy of destroying the Jewish state.

The tactics of Israel's enemies have eroded its conventional superiority. First, the military tactics of Hezbollah and Hamas—the use of civilians as human shields, the use of mosques and schools, the total disregard for laws of war, and the use of ambulances to transport fighters—all result in greater noncombatant casualties. A high civilian casualty rate does tremendous damage to Israel's image. Second, both Hezbollah and Hamas are seeking new weaponry. It seems probable that they will soon acquire longer range missiles, modern artillery, and weapons of mass destruction. These weapons will come from Iran, which has a well-established missile program and is determined to obtain nuclear weapons. Iran is a significant threat to Israel because it will either use these weapons or pass them on to Hezbollah and Hamas.

Unless these underlying realities change, Israel's enemies will begin another round of attacks, which will be more lethal and wreak more destruction than in the past. How can Israel deal with this threat? Current policy is inadequate because it is limited to the targeted use of force for purely defensive purposes. The policy toward Syria seeks to drive a wedge between Syria and Iran. The policy toward Iran is to prevent it from obtaining nuclear weapons by isolating it diplomatically. Israel is also working to improve its missile defense capabilities against ballistic and some non-ballistic missiles. These strategies are combined occasionally with the threat of force, but such threats are counterproductive unless backed by action.

Israel should adopt a more robust diplomatic and military policy. While this might lead to an escalation and an adverse international reaction, it is better than waiting for a crisis

that would require a major military response or full-blown war. Limited operations that are aimed at specific people and institutions that actually support attacks on Israel are the most effective way of dealing with the impending crisis that threatens Israeli security.

This policy would be far easier to justify than the massive devastation in Lebanon, some of which was completely unrelated to Hezbollah, and the destruction of the civilian infrastructure in Gaza. It is unrealistic to expect Israel's current policy to suffice in coping with the threat it faces. One participant asked what the reaction of the Obama administration would be to this change of policy. Another participant emphasized that such a policy shift had to be explained well in advance. He said that there are similarities between the ideas outlined above and Obama's stated policy on Iran: Both favor dialogue combined with strong messages suggesting the use of force. Another participant pointed out that it was startling for Obama to state publicly that he is aware of the conflict with radical Islam. It is also clear that Obama is trying to create an atmosphere of engagement in the Middle East, as demonstrated by his appointment of George Mitchell as his special envoy.

A broader discussion of the issues raised by the presentation then ensued. One participant called it a discouraging, but utterly realistic analysis. At the same time, some doubted that the international community would listen. Another participant interjected that the moderate Arab world would listen and argued that the potential of an Iranian bomb and the rise of Shiite power had created a backlash in the Sunni world. Another participant disagreed with this: the Sunnis and Shiites may hate each other, but they hate Israel more. Qatar, for example, recently hosted a summit between Syria and Iran.

The participants then discussed the roles of Iran and Syria. One person suggested that their strategies were very different—Iran's support of Hezbollah and Hamas is ideological, whereas Syria is grounded in realism. Another person noted how the attack on Gaza had destabilized Jordan and Egypt. Attacking Iran would be even more damaging, particularly as it would make Iran the champion of Islam. Regarding Syria, one person argued that it would be much easier to come to an agreement with the Syrians than with the Palestinians, calling it urgent, practical, and reasonable.



Another participant suggested that the problem of terrorism is not just Israel's and that the international threat could be countered in a number of ways: reducing the price of oil by finding alternative sources of energy; winning the war on drug trafficking (many terror groups finance themselves through the drug trade); and strengthening the credibility of the UN Security Council. Although UNSC Resolution 1701 called for Hezbollah to be disarmed, it is now more heavily armed than ever. The UN must back up its resolutions, or not issue them in the first place.

Israel's peace breakthroughs came about due to its strength, one participant asserted. Sadat made peace because he knew he would not get the Sinai back through war; King Hussein of Jordan made a similar calculation. Israel's strength has been eroded as a result of its withdrawal from Lebanon and Gaza. While these were good policy decisions, they were implemented poorly. The danger now is that Israel will become like the proverbial frog that is slowly being boiled in increasingly hot water, only to realize too late that the damage is already fatal.

Economic Challenges

This session focused on Israel and the global economy. World GDP is currently \$15 trillion. Israel makes up only 0.3% of it, and although Israel's contribution to it will always be small—0.3% until 2025, and 0.23% by 2050—economic changes will continue to significantly affect the country's economic position. For example, the G8 and OECD countries currently generate 75% of global GDP, but by 2050 they will produce only 35%. Despite the long-term outlook of the eastward movement of economic power, currently 70% of Israel's exports go to the United States and Europe.

In a discussion of demographic trends, it was noted that by 2030, the global population will increase by more than 50% (from 6 billion to over 9 billion). Approximately 90% of this increase (2.9 billion) will live in developing countries, and only 10% (100 million) will live in developed countries. Approximately 350 million Arabs currently live in the Middle East; 100 million are between the ages of 15 and 25. About 5 million of these young people seek jobs every year, but only 2.5 million jobs are created annually, and too many of them are in government. One participant argued that unemployment in the Middle East would soon displace the Israeli-Palestinian conflict as the major issue in the region. It is vital to reach a deal soon because the issue of Israel-Palestine is no longer on Broadway or even off-Broadway, he said, citing significant concern about the consequences of these economic problems if the conflict remains unsolved.

One participant then suggested that the IDI take a lead in responding to these issues. Given the extraordinary economic difficulties the Israeli government faces, IDI should consider shifting its priorities to the social and economic sphere. In response, another participant noted the importance of IDI's Caesarea Forum, Israel's largest annual economic conference and its pre-eminent macroeconomic event, which has been held for the last 16 years. Chaired by the Israeli Finance Minister and attended by the Prime Minister, the forum is the traditional venue for in-depth discussion of the policy for the upcoming year's budgeting process.

The discussion then turned to the potential for Israeli-Palestinian business cooperation. One participant noted that there are still many close personal relationships between

Israeli and Palestinian business people, but that the political situation was defeating Israeli-Palestinian economic cooperation. Another participant said that the issue of economic development remains critical, noting that the split between the Gaza Strip and the West Bank makes it all the more difficult to bring about peace grounded in economic prosperity. Another person spoke about having a regional negotiation in which the U. S. would take part, with Egypt and Jordan playing leading roles in bringing stability to Gaza and the West Bank, while another participant drew attention to the urgency of improving the economic opportunities of Israeli Arabs.

Ideological Challenges

This session focused on the rise of anti-Israel ideology in Europe and the United States. According to the speaker, four negative stereotypes of Israel are prevalent in the world today. The first portrays the country as the bully of the Middle East. According to this characterization, Israel is a regional power that uses excessive force against oppressed Palestinians, whose nationalism and religious zealotry are explained and often justified by their oppression. A second stereotype casts Israel as the sole surviving colonial state in a post-colonial world. In this narrative, the PLO and Hamas appear as the post-colonial successors that have not yet reached statehood. Their brutality, corruption, and religious zeal can be explained as the residual damage of Israeli colonialism. The colonial settlers (like the *piets noirs* in Algeria) should either pick up and go elsewhere, or remain and accept their subordinate status in the new post-colonial state. A third characterization portrays Israel as a theocracy where orthodoxy is dominant. Sabbath laws, public kashruth (Jewish dietary laws), religious control of family law, the Law of Return, and even the choice of the hymn, *Hatikva*, as the national anthem substantiate this view. Non-Jews suffer extensive social and economic discrimination and by definition, they cannot be full citizens. Insofar as it is Jewish in a religious sense, Israel is not and cannot be a democratic state. In reality, many other states (including democratic ones) have as much or more religious symbolism, identification, and clerical power, but the European left has abandoned the secular critique of politicized religion for fear that this could lead to Islamophobia.



Finally, there are those who portray Israel as an anachronism—a nation-state in a world that is, or should become, post-national. In today's world, where state sovereignty is a relic of the past, interdependence becomes the rule and international law trumps local law. In reality, however, since the collapse of the Soviet Union and the breakup of states, such as Czechoslovakia and Yugoslavia, there are more nation-states in the world than ever before. Other nations are also aspiring to statehood, such as the Palestinians and the Kurds. Yet none of this seems to affect the critique of Israel; it is as if Israel were the last nationalist holdout, after everyone else had moved into some world beyond. In a related context, the notion of the binational state has been revived for the first time since Brit Shalom introduced it in the 1920s, despite the difficulties faced by countries like Cyprus and Lebanon, and despite the drift toward an apparent three-state solution (also called the Egyptian-Jordanian solution).

Although there may be some truth to each of these four ideological critiques, they are all disproportionately negative. Israel has sometimes used wrongful force in Lebanon and Gaza, one obvious example is the use of cluster bombs during the final days of the Second Lebanon War. The Zionist movement did colonize Ottoman and Mandate Palestine, and Palestinian Arabs did suffer as a result, even if their worst suffering resulted from their own leaders' decisions. The rabbis and the religious parties do have more power than they should in an ostensibly secular state, and the effort to give Israeli Arabs equal standing as citizens of the Jewish nation-state has not yet succeeded, to say the least. Still, the four critiques "are disproportionate to the actual wrong" (to use the phrase so often used against Israel), and this disproportion is designed to call into question the legitimacy of Israel as a Jewish state and as a state in the international system of states, as is increasingly apparent and openly avowed. Hence, the ideological situation is very bad.

During the discussion, a participant asked why these arguments are not heard more often in the mainstream media and why is Israel consistently cast as the exclusive human rights violator in the area. Another participant drew attention to websites like the British-based Democratiya, which promotes a social-democratic worldview and rejects the anti-Israel and anti-American sentiment common among leftists. It was noted that the desire of many people, including many Jews, to hold Israel to a different standard represents both a blessing and a curse. It was also suggested that greater attention must be drawn to the Jews' ancient connection to the land of Israel.

The discussion then moved on to perceptions in the Middle East. A participant said that people in the region were not used to seeing Jews in control of their own destiny, and that the Jews were traditionally seen as a subordinate people. Another person observed an ideological unwillingness to accept Israel's existence or right to defend itself, and argued that this tendency had reached the International Court of Justice itself. The discussion concluded with a return to the debate about how Israel could best fight its enemies in light of global public opinion.

Israel between Domestic Instability and External Threat

One participant summarized the afternoon's proceedings by returning to the basic challenge IDI was established to confront, namely: How can Israel maintain an open

society under conditions of permanent external threat? In fact, he asserted the question should be turned on its head: Israel's ability to withstand a near-constant existential threat ultimately depends on its ability to maintain an open society. Democracy, in other words, is an existential imperative for Israel.

The fact that Israel was established as a democracy is something of an implausible historical scenario. The state was born in war and its population was made up of immigrants from countries, many with no democratic traditions, plus a large ethnic minority; moreover, it was founded by socialists who, in the context of the Cold War, subverted democratic values. In addition, the states surrounding Israel were autocratic and hostile. Just as Israel's establishment as a democracy was not a foregone conclusion, so Israel's democratic future should not be taken for granted.

IDI believes that the future of Israel as a democracy and the future of Israel as a Jewish state are mutually dependent. In other words, perhaps the secret to the Jewish State's survival for more than 60 years lies precisely in the fact that it has been a democratic society. Hezbollah leader, Hassan Nasrallah, once likened Israeli society to a cobweb that would easily give way to the pressure of resistance. Obviously, we disagree. The people of IDI go about their work under the assumption that Israeli society is not a cobweb and that it has the potential to grow much stronger. However, the current situation, especially the looming nuclear threat from Iran, is deeply troubling. Assuming Iran acquired the bomb, would Israeli society prove strong enough to live under the permanent threat of imminent nuclear annihilation? This is what makes IDI's mission so urgent.



Democracy is an imperative for Israel, not merely a hallowed ideal. Israeli society depends on it, along with volunteerism, social solidarity, free enterprise, free inquiry, and a commitment to human rights. Strong institutions are crucial to long-term planning and fateful decision making concerning matters of war and peace. Israel's representative system of government, in short, is the ultimate guarantor of Israeli security.

The conference then adjourned. After cocktails, participants heard a keynote address by Israeli Ambassador to the UN, Prof. Gabriela Shalev.

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They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.

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Benjamin Franklin
(1706 - 1790)

Day Two

2 February, 2009



Morning Session:

Democracy and Terrorism

There is a vigorous debate underway in the legal world between those who favor a law-enforcement approach to terrorism and those who favor a laws-of-war approach. Yet it is not clear that the response to terrorism should be either one or the other. The two approaches should not be viewed as mutually exclusive; indeed, depending on the context, both should be used to counteract terrorism. Nor should the problem be addressed with ideological blinders. For instance, there are those who cling to the belief that terrorism is no different than any other criminal activity and, therefore, can be countered without adapting the law. Others argue that the war on terror should be free from all legal limitations. Neither of these extremes is correct.

One example of a dilemma confronted by Israel and other democracies in the fight against terrorism is whether or not to limit free speech. The classic position that freedom of speech should only be curtailed if it will result in an imminent unlawful act is untenable in the current era, because this negative definition of free speech does not address the process of brainwashing, which is the product of ongoing incitement by religious fanatics.

The most important aspect of the fight against terrorism is to target the real terrorists, and to refrain from actions that encourage others to join their ranks. The fight against terrorism must be waged within the rule of law, but sometimes the law may have to be altered. For instance, it should be justified to detain people caught in a battlefield with terrorists without proving in a court of law that they are criminals. Such actions should not be carried out in extra-legal environments, as it was in the case of the prisons at Guantanamo Bay. Rather, a suitable legal framework must be created. This is what Israel did when it formulated a specific law for dealing with unlawful combatants. People wrongfully accused must be given a fair opportunity to redress their grievances in a real court of law, not a kangaroo court. Similarly, while no democracy should legalize torture, the use of other techniques—such as fraud, trickery, and forgery—might be permissible in the context of counterterrorist investigations.

The discussion then turned to IDI's work in this field. IDI is examining the different methods that Israel uses in its war against terrorism, and is working on a series of position papers on this issue concerning administrative detention, privacy, collateral damage, and other related topics. IDI is trying to globalize this effort and share its knowledge with other countries, as well as to learn from the experience of others, for example, from Britain's counter-terrorism activities in Ireland. IDI recently began studying the issue of international law as it relates to non-international conflict—an area that has yet to be examined in depth. IDI's long-term plan is to establish two international study groups to examine the problem. The groups will include both policy makers and non-establishment figures, which has proven to be extremely fruitful in the past.

During the second Intifada, the IDI and the military discussed the effectiveness of demolishing the houses of terrorists. As a result of these meetings, the army set up a committee, which concluded that house demolitions probably do more harm than good and recommended that the practice be used only in extreme situations. IDI plans to expand these discussions to include the police and the security services.

One participant asked to what extent it is permissible to deviate from the basic framework of traditional civil liberties in the fight against terrorism. Another participant replied that it is crucial to break the discussion down into individual problems, so that the issue does not become too abstract. In the case of detention, for instance, it is not clear how long someone may be detained without trial. Knowledge of practices in other countries may help to arrive at a solution.

Another participant said that the Geneva Conventions do not sufficiently address these issues. The history of Israeli attempts to counteract terrorism provides important examples of how a democratic government may contend with these problems. IDI should play a major role in this debate; another participant cited IDI's closed-door meetings with government agencies as a good model for these discussions.

Another speaker emphasized the need for a thorough comparative analysis of the problem. This would benefit academia, the intelligence services, and the legal systems. Another participant asked: how do you protect democracy from self-destruction in its fight against terrorism? In response, the speaker emphasized the need to preserve democracy in the fight against terrorism, since terrorism, unlike war or other finite emergency situations, is a chronic threat that is not likely to go away. Thus, the people conducting the fight must be provided with the means to go about this difficult task in a manner that balances efficiency with morality, and without harming democracy.

The conference then adjourned. After a short break, participants participated in a video conference with the Governor of the Bank of Israel, Prof. Stanley Fischer.

Afternoon Session:

Domestic Barriers to Change: Social Division in Israel

The speaker portrayed Israeli society as a long train of many cars. Each car contains a different sector—the ultra-Orthodox, the settlers, the Arabs, the Russian immigrants, and so on. The cars are part of a single train, but the doors between them are stuck. Moreover, each one of the cars has its own vision of where the train should go. In the past, it was clear to most of the passengers that they were all part

of one train, which had a leadership that was Ashkenazi, liberal, and secular. Now it is not so clear. Most leaders are more concerned with the individual cars than with the train as a whole.

The discussion then focused on the Russian-speaking immigrants and their unique problems. About one-third (320,000 people) of the approximately one million immigrants from the former Soviet Union currently residing in Israel are Israeli citizens who are not recognized as Jewish according to both halakha (Jewish law) and Israeli law. This is because the Law of Return sets a much broader standard for determining eligibility for immigration than the halakhic standard for determining Jewish identity. For example, the grandchildren of a Jewish man in the Ukraine who married a non-Jew may become Israeli citizens, but they do not thereby become Jews. Every year, there are approximately an additional 8,000 non-Jewish immigrants and 4,000 non-Jewish newborns.

This reality gives rise to several problems. First, since family law in Israel is governed by religion, a non-Jew cannot legally marry a Jew in Israel. This means that a third of the Russians in Israel cannot marry 75% of the population; nor can they be buried in a Jewish cemetery, or celebrate a bar mitzvah. Second, the admittance of large numbers of non-Jews into Israel under the Law of Return undermines the law's legitimacy, which is under attack from other quarters as well. Continuation of the status quo means that there will soon be two groups of citizens within Israeli society, which are sociologically Jewish, yet unable to intermarry.

Conversion is a possible, but not practical, solution to the problem. One could narrow the entryway into Israel by modifying the Law of Return and converting everyone who enters its gates. In practice, however, the rabbis who control the process in Israel convert only about 10% to 15% of the non-Jews coming to Israel every year. Moreover, some conversions are now being annulled retroactively. Conversion is currently defined as the act of joining a religion; accordingly, the process is stringent and unfriendly, with an emphasis on strict religious observance as the primary criterion for acceptance.

In order to change this reality, IDI is building the halakhic case for an easier, friendlier conversion process. Research conducted at IDI on the basis of hundreds of rabbinic responsa has shown that up until the 19th century, conversion meant joining a nation, rather than joining a religion. Concurrently, IDI is trying to



build a coalition of Orthodox rabbis that will alter the criteria for conversion on the basis of this research. IDI is also advocating conversion through the military, thereby bypassing the religious establishment.

A debate arose over whether or not it was appropriate for Israel to close the gates of immigration to individuals who would have been considered Jewish under the Nuremberg Laws. One participant asserted that Israel should always be open to anyone whom the racist would kill because he or she is a Jew or related to a Jew, which drew the rejoinder that we should not define our identity by the ambition of our enemies.

One speaker reminded the participants of the importance of separating religion and state, and suggested that efforts by IDI to undermine Orthodox conversion were not healthy. There should be a separation between religion and state. Another participant countered that this was a wonderful ideal in theory, but strict separation of religion and state was not feasible in the Israeli context. Another person felt that the discussion highlighted the critical importance of defining the Jewish state in such a way that individuals who felt Jewish, but were not Orthodox, could feel they are a part of the Jewish state, inside or outside of Israel, without impairing their rights. It is vital to reach a definition of Jewish democracy that does not come at the expense of fundamental liberties.

One participant commented that perhaps the train metaphor wasn't the right one. In fact, the cars have a right to be separate as long as they think they belong to a single train. A better metaphor might be that of a beautiful mosaic, although it can be exceedingly difficult to get the various colors to collaborate and form a coherent whole. Concepts such as multiculturalism and pluralism are also important; indeed, they present the challenge of our age. In many respects, Israel is a grand social experiment from which other nations stand to learn. The melting pot does not work. IDI needs to find a model that does not yield to a single group.

The session concluded with a lively discussion of the challenges presented by diversity, pluralism, and multiculturalism. The questions debated included whether the melting pot remained a valid model; to what degree should individual differences be accommodated by modern democracies; and whether the separation of state and religion entailed the separation of state and nation.

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No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time.

Winston Churchill
(1874 - 1965)

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Impressions of the Participants

Impressions of the Participants

At the end of the conference, each of the participants offered feedback on what they had learned and how the format could be improved for the future. Following are some excerpts:



You get invited to many meetings and you turn down most of those invitations, and those you don't turn down, you wonder after why you made that mistake. This meeting does not fall into that category. This was not a mistake and I enjoyed every single minute.

This is the culmination of thinking not only about the 60 years of Israel, but also about IDI. It's a transformational event. IDI is now – rightly – larger than the people who made it. IDI should be seen not only as a collection of our particular projects, crucial as they are, but as the primary think tank offering Israel a clear path.



^ Bernie Marcus, Gerhard Casper and Henry Rosovsky



^ George Shultz and Arye Carmon



^ Abraham Sofaer and Jesse Ferris



This should be the ultimate small group of people thinking about the future of Israel. I was struck by the amount of good advice, practical and thoughtful, that we got. We should continue to meet in a structured way and on an individual basis.

Having been there at the beginning of IDI, this conference makes me extremely proud.

Political reform is the key issue. I would hope next time to focus on that. Next time we should have some Israeli Arab participation. The issue of higher education is also very important. I feel privileged to have been here.

It's important to maintain independence of thought and action. Having a serious and valuable International Advisory Council helps us, because it provides us with an additional degree of freedom...



^ Gerhard Casper



^ Kathryn Lachman, Jesse Ferris, Shlomo Dovrat and Avi Naor



^ Judy and Joe Flom with Arye Carmon

“ This meeting is...both the culmination and the starting point of a lot of hard work to refocus the mission of the Institute, to broaden participation in its work, and to internationalize its activities. We've seen the potential of learning from the experience of others, and also of sharing what Israel has to offer and the work IDI has performed.

My vision of IDI 20 years ago is not where we are today – it's way past where I thought it would be... We have to always be nonpartisan. IDI has a relationship with so many communities. You couldn't put this group together for any amount of money. We have conservatives, liberals, and that's very healthy. I look forward to the next 20 years being a helluva lot better than the last 20 years.

One of the challenges in IDI is to think about what not to do. Sometimes you have to be more focused and more selective. Politicians in Israel spend 80% of their time thinking about survival, rather than long-term leadership and vision for the country. IDI is a very, very important institution for the country.

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^ Dalia Dorner and Abraham Sofaer



^ Avinoam Armoni, Rosalie Abella and Stephen Breyer



^ Michael Walzer

“ I think that political reform, as well as the quality of the government officials, governance, the ability to have long-term planning, and the ability to measure thereafter what we're doing, or what the government is doing, things like that should be the first priority.

I think the most critical problem for Israeli democracy is the relationship between Jews and Arabs, and between the Jewish state and the Arab minority in Israel.

I learned here that we really need the perspective. I understand now that a lot of our internal complexities are not well understood outside of Israel, and I also understand that some of these complexities are not understood by us when we don't have outside perspective. I saw some people being astonished and surprised by things that don't surprise me any more, and it helped me put things in perspective.

You have completely convinced me that you should have a written constitution, but you actually have a constitution now, and don't belittle that too much.

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^ Henry Rosovsky with Charlotte and George Shultz



^ George Shultz and Bernie Marcus

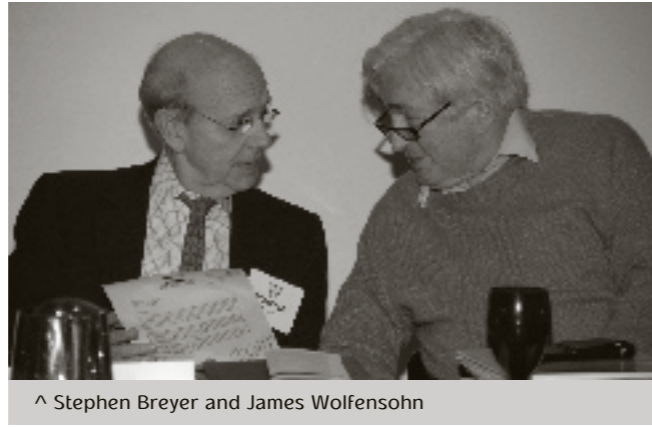


^ Meir Shamgar, Tzipa Carmon, Michal Rubinstein and Arye Carmon

In addition, the participants also gave feedback on how their views had evolved over the course of the conference:

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There doesn't seem to be as much of a tension between Jewish and democratic as appeared from the outset, and frankly after a day and a half, I think it's a false dichotomy; it needn't be a tension.



^ Stephen Breyer and James Wolfensohn

Higher education is incredibly close to my heart, and that should become a top priority.



^ Elizabeth Goldhirsh

I always thought we had three channels to communicate and make change. One was serious research, another was policy papers, and the third one was round tables. I learned here that we have a fourth channel, which is closed meetings, and I also learned that there is an interrelationship between all of these channels.



^ Sami Friedrich and Alan Feld

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Impressions of the Participants

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A free government is a complicated piece of machinery, the nice and exact adjustment of whose springs, wheels, and weights, is not yet well comprehended by the artists of the age, and still less by the people.



*John Adams
(1735 - 1826)*



*Thomas Jefferson
(1743 - 1826)*

To

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המכון
הישראלי
לדמוקרטיה



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