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Battling with Tunisia, better than Poland: How Israel's democracy measures up

Is Israel's democracy in danger? It depends who you ask: one of the three major world indexes gives Israel its worst rating ever, another its second-best rating ever. But all agree that civil liberties are under threat

Anders Persson | May 23, 2019 | 12:31 PM | 2

Has Israel's democracy declined to its lowest level ever? Or are the doom-merchants wrong, and Israel is in better democratic shape than ever? Is Israel's democratic rating slipping closer to the illiberal democracy of Hungary and away from the United States and even Tunisia?

With the release of V-Dem's annual report this week, all the big three freedom and democracy rating indexes have now released their yearly reports.

When it comes to Israel, this year's seemingly contradictory takeaway is that Israel received its worst rating ever from Freedom House since its flagship project Freedom in the World was established almost 50 years ago. At the same time Israel received its second-best rating ever in The Economist Democracy Index, which has been published since 2006.

The indexes agree: Israel is among the liberal democracies when it comes to elections and among the illiberal democracies when it comes to civil liberties.

But what explains the differences between the assessments of Israel's democratic health - or lack of it?

Firstly, the indexes measure slightly different factors. While Freedom House is primarily focused on freedom rather than democracy and elections, it is the other way around for V-Dem and The Economist Democracy Index. Despite this, the three rating indexes generally reach similar conclusions: The same countries appear at the top and bottom in all three indexes.

It is important to keep in mind that the indexes only measure Israel within its internationally-recognized 1967 borders: the Palestinian territories are assessed separately.

Freedom House's rating system measures countries' freedom by combining scores in two broad categories: political rights and civil rights. Since 2016, Israel's score has been sliding, from 80 out of 100 (2016) to 79/100 (2018) and 78/100 in 2019. Israel places 46 out of 195 countries evaluated in the 2019 report.

Israel has always been ranked "free" in Freedom House's project, which began in 1973. Major conflicts such as the Lebanon War of 1982 and the first intifada had no negative effect on Israel's rating. In fact, Israel received its best ever rating just before the second intifada broke out in 2000, and it kept that rating for over a decade after the second intifada ended.

But that began to change in 2011, when Freedom House warned that Israeli lawmakers attempts to "advance several controversial bills that appeared to discriminate against the country's Arab minority." The following year, Israel received a "downward trend arrow" because of the imposition of the anti-BDS Boycott Law. In its 2013 report, Freedom House noted that "[s]everal pieces of legislation…appeared to threaten aspects of democracy and due process" in Israel.

And so it continued. Last year, Israel's civil liberties rating declined from 2 to 3 "due to legislation, enacted or planned, aimed at "tightening restrictions on critical nongovernmental organizations and denying them access to international support." This year's report downgrades Israel's political rights rating from 1 to 2 because the Knesset "adopted a law [the Nation-State Law] with constitutional status that explicitly discriminates against the non-Jewish citizen population."

This is Israel's worst rating ever in Freedom House's ranking, a regression back to the rating it had between 1973-1977. Freedom House's reports make it very clear that the threats to Israel's freedom, political and civil rights do not come primarily from wars and terrorism, but from illiberal domestic forces.

A somewhat different picture emerges from The Economist Democracy Index. Its 2019 report (covering 2018) gave Israel its second-best rating ever: Israel 7.79/10 (10=best, 0=worst), just behind its top rating from 2016 (7.85/10). Israel is ranked 30 out of the 167 of the countries covered. But Israel still remains in the category of "flawed democracy," the category Israel inhabited since the index was established in 2006.

As can been seen in the table below, The Economist Democracy Index rates

countries for five different categories. Israel has always done very well in the categories of electoral process and pluralism, and political participation, somewhat good in the categories of functioning of government and political culture, and not so good in the category of civil liberties.

Why did Israel achieve its best Economist ratings in recent years? Because of improvements since 2014-2015 in its electoral process and pluralism, and in political participation.

In fact Israel's current rating for political participation (8.89/10) is actually the second-best in the world for 2018, tied with Iceland and New Zealand. However, as the rating was made before Israel's election last month, it is hard to see it maintaining this score given the low turnout among Israel's Arab population in that election.

Perhaps the most intriguing aspect of The Economist Democracy Index's rating for Israel is that its civil liberties rating has actually, with some fluctuations, improved since 2006, and even since 2011, when the Knesset began preparing bills that could constrain those liberties. Even so, that civil liberties rating is significantly lower than comparable European countries, including Poland and Hungary.

The last of the big three freedom and democracy rating indexes is V-Dem, the world's largest academic democracy rating project. Its report last year was sensational because it upgraded Tunisia to a "liberal democracy" and downgraded Israel from "liberal democracy" to "electoral democracy," meaning Tunisia replaced Israel as the only liberal democracy in the Middle East. When I mentioned this fact during lectures to pro-Israel groups last year, the audiences were shocked: Israel's liberal democratic image is a primary concern for them.

In this year's report, Tunisia is downgraded to an "electoral democracy plus," due to the fact that the new government in Tunis "is not fully independent from the military and thus potentially vulnerable to interference." Israel, meanwhile, is without explicit explanation, classified as a liberal democracy minus (LD-).

When I asked Professor Staffan I. Lindberg, Director of the V-Dem Institute at University of Gothenburg, about Israel's rating, he responded that it has not actually improved, but that slight changes in underlying data and the methodology for the last version of the dataset puts Israel just above the

threshold for being a liberal democracy minus; last year's older methodology, classified Israel as a lower ranking electoral democracy.

The minus sign for Israel's rating means that it is right on the edge between liberal and electoral democracy.

All the big three freedom and democracy rating indexes give Israel high ratings for contested elections, political participation and functioning government - and much lower ratings for its civil rights.

None of the indexes of course take into account developments during the recent Israeli election campaign and since, not least the potential for highly controversial potential legislation on the annexation of the settlements and granting immunity from criminal prosecution for Prime Minister Benjamin Netanyahu.

Any movement on these issues are likely to affect Israel's future rating. And it can't be emphasized enough how important it is *for Israel* to be classified as a liberal democracy.

Both the Israeli government and its supporters abroad will have major identity and hasbara problems if they can no longer credibly describe Israel, at least within its 1967 borders, as a liberal democracy, or use slogans such as Israel being "the only democracy in the Middle East."

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