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Constitutional tensions often arise in ethnic democracies as a result of conflicts between competing fundamental principles. Such occurrences, more frequent in deeply divided societies, commonly instigate inter-branch friction for the judiciary and, downstream, can puncture the status-quo institutional equilibrium, altering power distributions in government and politics. A close examination of Israel’s history yields illustrative examples of key inflection points in regime evolution. In dramatically different contexts spanning 12 decades, leading political Zionists capitalized on windows of opportunity by mobilizing elite support for reforms to central governance institutions.

As a theoretical framework, the “Critical Transition” concept, which models the mechanisms behind institutional reform, is instructive for efforts to understand the condition sets that catalyze the type of top-down institutional reform Israel has experienced. The 2018 enactment of Basic Law: Nation-State, which exemplifies both a critical juncture and a contingent political development, marked Israel’s latest international and internal controversy. More interesting than its controversial content, however, were the procedural steps taken toward its enactment—ones that signaled continued assent to the constitutional consequences of the critical transition achieved through the 1951 Harari Resolution. The compromise’s vague specifications delegated broad and indefinite authority to the First Knesset to complete the drafting process incrementally, an institutional design feature that produced impactful downstream effects on the nature of Israel’s “imagined” community.

Samantha von Ende, a 2018–2019 Ostrom Fellow, advises local reformers abroad on constitutional/political reform initiatives through her JD/PhD program at Maurer’s Center for Constitutional Democracy. Having presented and published research in various legal forums—UC Berkeley, IU, Laos PDR’s Supreme Court, Myanmar’s Union Peace and Dialogue Joint Committee, and Dartmouth College—her dissertation examines how critical transitions and constitutionalist conceptions of current and future majorities in Israel inform the delicate balancing of complex commitments in ethnic democracies.

Presentations are open to the public (see our website for papers). You are welcome to bring your lunch. For questions, contact Allison Sturgeon (sturgeon@iu.edu; 812/855–3151).