

To Be an Arab in Israel

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During the Hezbollah-Israeli war in 2006, two rockets launched by Hezbollah landed in the city of Nazareth, a city home to 65,800 Arab citizens of Israel. Two young Arab children, aged 9 and 3, were killed in the attack, but the reaction of their mother to the attack stood in stark contrast to the predominant reactions of Jewish Israelis. Instead of condemning Hezbollah for killing her two sons, the funeral was filled with slogans denouncing Israel's war actions and naming the children victims of Israel's aggression.¹ On the one hand, right-wingers in Israel claimed it was an illustration of the disloyalty of the Arabs to Israel, and verification that their presence constituted an internal threat. On the other hand, the Arab citizens of Nazareth claimed they had never wanted to be dragged into such a war, and that Israel disregarded the wishes of its Arab citizens in its decision to invade Lebanon. Nazareth was not warned by sirens, unlike Jewish Israeli towns, and there were no bomb shelters constructed there – evidence of the state's neglect of its “second-class” citizens.² The debate on how the Israeli government should view its Arab citizens has been gaining momentum ever since.

A more striking aspect for some was a picture accompanying *The New York Times's* news article, which showed the bed the two boys shared with their older sibling in a dingy room. The socio-economic status of the Arabs in Israel shows great disparity in relation to the Jewish-Israeli population. Fifty percent of the population living below the poverty line is Arab, and Arabs consistently rank in the lowest educational levels and living standards. Such a disproportional affliction of poverty has led many academics to accuse the Israeli government of pursuing policies which benefit the Jewish community at the expense of its Arab citizens. The initiation of the war against Hezbollah, the expansion of Israeli settlements in the West Bank and Gaza, and Israeli treatment of Palestinians in the occupied Palestinian Territories (OPT) clearly reflect a political slant towards the interests of its Jewish population. Yet, the Israeli Declaration of Independence states that it is a “Jewish and democratic state,” implying equality for all its citizens as the foundation of the state. The debate will continue, but soon, by sheer demographics, the state will be forced to answer the existential question of whether it will remain a “Jewish state” serving Jewish interests despite the fact that by 2020, 36% of

its citizens will be Arab.³ Through various statistical compilations, reports on discrimination, essays, and interviews with academics in the subject of Arab-Jewish relations in Israel, I shall seek to paint a more detailed picture of what it means to be an Arab in Israel, economically and socially, and what the Arabs' existence means to the foundations of Israel.

These are the questions which, a year and a half after Hezbollah's rockets fell, brought me to a house in Nazareth that was within sight of the spot where the rockets landed. After conducting field research on the socio-economic status of the Arab minority in Israel, I have chosen to include in this report a general overview of some of the factors which I found revealing on the topic of inequality.

EMPLOYMENT AND DEVELOPMENT

“The government was an ally of the traditional forces of underdevelopment [toward the Arab sector].”

-Professor Vered Kraus, Haifa University⁴

The Arab economy can be described as being completely dependent on the Jewish-Israeli economy, and this fact has not occurred naturally but rather through the purposeful underdevelopment of the Arab sector throughout the history of the state. These have been achieved through mechanisms such as the distortion of Development Maps and Priority Zoning Maps to benefit cities with Jewish majorities, and the lack of funding toward improving the infrastructure of the Arab sector. Funding from external sources, as well as land owned by Jewish organizations, completely circumvent Arab localities, and military service is also used in discriminating against the Arab labor force.

Nothing illustrates the sharp contrast of the living standards of Arabs and Jews than a walk through Nazareth and Nazareth Illit, or Upper Nazareth. According to a report published by Adalah: The Legal Center for Arab Minority Rights on legal violations of the Arab minority's rights in Israel, Nazareth was home to 60,000 people when the survey was conducted in 1998, and its land area was 16,000 dunams.⁵ Nazareth Illit had a population of 40,000 and its land area was 40,000 dunams.⁶ The state limited Nazareth's ability to expand by setting a small jurisdiction since the creation of the state, but allowed neighboring Jewish towns such as Nazareth Illit to expand. Clearly this has an important socio-economic effect, as the inhabitants of Nazareth are crowded into poorly planned infrastructure. Road accidents are a continuous occurrence due to the narrow and winding streets, and

children are often seen playing in the streets due to the lack of public parks and empty space. The children's advocacy group Beterem estimates that Arab children are 2.7 times more likely to die in an accident of some kind than Jewish children.^{6a} One example of how poorly planned the roads are is one incident in which three youths were hit in succession by a car, and all three passed away. The plans for building housing to serve Jewish communities and Arab communities show a marked discrepancy as well: In 1995, the government allocated funding to build 32,529 apartments to specific Jewish localities, but only planned to build 2,377 apartments in Arab towns. In 1998, 23,000 apartments were designated to be built, not a single one servicing an Arab neighborhood.⁷ According to The Sikkuy Report 2006, an annual report issued by an NGO which monitors the equality of Jews and Arabs in Israel, "the total land allocated for employment in Jewish communities is 5.5 times higher ... for industry, 6.1 times higher ... The severe shortage of land for employment has dire ramifications in various areas: the level of participation in the work force, the unemployment rate and the amount of commuting."⁸

The mandatory military service in Israel is also manipulated as a way to discriminate against the Arab population, since, with the exception of the Arab Druze minority and some Bedouins, Arabs do not serve in the army. There are several benefits to serving in the military, such as greater housing loans, partial exemptions from state-run occupational training courses, and preferences in public employment, educational loans, and even on-campus housing, as we shall later examine. Although benefits are usually used in democratic states to compensate those who serve in the military, the problem here is that there are several benefits which go above and beyond what is legislated, from which the Arabs are completely excluded. For example, certain courses at universities are given a minimum age to enter, benefiting soldiers who finish at around 21 years old, but negatively affecting 18-year-old Arab students enrolled in university. Discrimination based on race and national origin is explicitly forbidden in the Equal Opportunity Law, but this law does not effectively protect against the discrimination of Arab Israelis precisely because of "neutral" criteria for jobs such as the completion of military service. In the daily Israeli newspaper *Ha'aretz*, a position for a lawyer in the Registrar of Associations Office was advertised, and military service completion was one of the criteria. Clearly, there is no connection between the completion of military service and the ability to perform the job. As Professor Noah Lewin-Epstein⁹ of Tel Aviv University said in our interview, "... law firms, for example, don't employ Arabs," and therefore, highly educated Arabs earn lower returns on their incomes since they have

to operate in “economies of scale,” meaning restricting their business to the already-poorer Arab sector.

The division of Israel into ‘national priority zones’ designates certain zones which are eligible to receive tax incentives for industrialization, grants, educational programs and other socio-economic benefits. Although the zoning maps are continuously shifted, very few Arab towns have ever fallen into the priority zone, and the changes in plans very often do not reflect socio-economic needs. To bring us back to the Nazareth/Nazareth Illit example, a decision issued by the government on February 15, 1998 removed ‘priority status’ from all Arab localities labeled as such. Under the new plan, Nazareth Illit was afforded national priority status, although Arab Nazareth is one of the poorest Arab localities per capita in the country. Arab municipalities already receive a very small share of the total state budget, especially when compared to the government funding allocations to the Jewish settlements in the Occupied Territories. Whereas settlements were granted 2,910 NIS per settler, Arab towns got an average of 1,540 NIS in the 1998 budget.¹⁰

A unique situation occurs in Israel, where Jewish institutions and organizations play a crucial role in the financing and policies of the state, and they acquire a quasi-governmental status. The problem is that the power these institutions are given allows them to have nationwide outcomes without the democratic responsibilities of the state towards its citizens, through what is known as the World Zionist Organization Law. Institutions such as the Jewish National Fund, the Jewish Agency and the World Zionist Organization have been steadily accumulating land in Israel since before the state’s foundation in 1948. While these organizations’ responsibilities include the promotion of cultural and religious activities, the main aspect in which they affect the Arab communities is their role in the promotion and development of new Jewish rural and urban settlements. The funding of strictly Jewish development projects have allowed a great disparity to occur between the rural and urban Jewish and Arab communities. Whereas newly formed Jewish communities enjoy a number of basic services such as modern buildings, recreational spaces and several basic services courtesy of the Jewish Agency, to this day approximately 16% of Arab communities are not connected to a public sewage network. Raw sewage from the Jewish town of Dimona in the Negev runs through neighboring Arab villages, posing an extreme health threat in the cases of unrecognized Bedouin villages, as they are not even connected to a water system, and drinking-water tanks travel through open waste to get to the villages. A more dramatic and startling picture of inequality amongst citizens possessing the same passport is

difficult to find in the “democratic” developed world. In the historic case of *Kaadan v. the Israeli Land Agency*, an Arab Israeli family tried to purchase a house in the Jewish town of Katzir and was denied entry on the basis that the Jewish Agency funded the settlement and would not rent to non-Jewish families. The Kaadan family filed a petition to the state on the basis that, seeing as the State of Israel owns 93% of the land, the government should not allow the Jewish Agency to discriminate against a group of citizens based on national origin. The state rejected this petition on the grounds that the Jewish Agency’s actions were legal on the basis of the WZO Law. The case was then brought to the Supreme Court, which ruled in April 2000 that it was illegal to not allow the Kaadan family to move to Katzir, because government land was publicly owned and leased to the Jewish Agency, and there was no effective parallel Arab organization developing Arab lands in the same fashion.¹¹

The presence of a “security threat” clause in Article 42 of the Israeli legal framework offers a loophole in which employers are given the discretion to discriminate legally based on the nationality of the employee: “... It shall not be considered discrimination if the character or nature of the task, or consideration of State security to

prevent a person from being sent to, or engage in, some particular work.” This is a good illustration of how the events that occur outside of Israel affect the population within Israel, and the implementation of collective punishment in the name of state security. However, in Israel we can see that there is an excessive

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misuse and gross misapplication of “security” in a racist and discriminatory manner. One documented case study gave some revealing insight on this subject; 48 manufacturing facilities were surveyed,¹² and it was found that only 26 of them employed Arabs, even though the majority of the facilities were in close proximity to Arab towns. No Arabs were in managerial positions and only six held jobs in professional and technical services. Even though they were important to the functioning of the factory (in one-fifth of the factories, over half the labor force was Arab), the majority worked as skilled craftsmen or unskilled operatives and laborers. The explanation for this from the officials was that the Arabs did not have sufficient levels of education, but that doesn’t explain why they were absent from office-clerical

positions, nor does it explain the difficulty of finding employment among educated Arabs. Twelve out of the twenty-six firms expressed reluctance in employing Arabs in professional and managerial jobs. The firms that did not employ any Arabs cited security reasons as their main excuse, and although some did in fact produce for the military, a tolerable excuse, others claimed their proximity to “sensitive industry facilities” was a security liability and therefore they could not employ Arabs. However, in one case, the cited “sensitive industry facility” itself employed Arabs. A more modern example is the refusal to hire Arabs in technological computer industries by several factories, both international and Israeli.

The government is supposed to set the precedent for anti-discriminatory employment measures for its Arab minority and provide an example to private employers. However, the low percentage of Arabs in governmental offices in proportion to their percentage in the population reflects a dismal initiative by the government to integrate the Arab labor force positively in the economy. Less than 5% of the 50,000 government office employees are Arab, and only 0.5% of the managers of governmental offices are Arab (three out of 641).¹³ These excessive figures demonstrate a state-sponsored discrimination against Arabs, especially at the managerial level, and present an institutionalized discrimination against its own citizens.

A subject we need to touch on is the absolute dependence of the Arab economy on the Jewish economy. Since the Arab population is overly represented in lower-income jobs, and since it is underrepresented at the managerial and executive levels, as well as in the professional job industries (such as lawyers and professors), it is not difficult to see how the Arab labor force has become a source of cheap labor to fuel Jewish industrial growth. The absence of investment in cultivating and industrializing the Arab sector means that professionals must commute to work in the Jewish sector to earn reasonable wages for their services. It also means that the Arab sector has been transformed almost exclusively into a consumer for entirely Jewish-Israeli products. The economy is split into ethnic lines, with Jewish Israelis occupying the higher-income jobs and dominating the production center of the economy, whereas the Arab Israelis constitute the lower-income job-holders and are consumers of Jewish goods.

All of these factors have resulted in a lower socio-economic status amongst Arabs, and this is reflected in several statistics. Arabs are more likely to work as commuter workers in Jewish sectors, often taking jobs that pay a lower salary. For example, statistics compiled in the Sikkuy Report show that in 2006, the percentage of Arabs working in the construction industry was 4.5 times higher than the percentage of Jews working in the construction

industry. On the other end of the scale, the percentage of Jews employed in the banking industry was 3.7 times higher than that of the Arabs employed in the banking industry. The poverty rate amongst Arab families was 1.86 times higher than that of Jewish families, and incidence of poverty in Arab children was 2.2 times higher than that in Jewish children. This is due to the higher birth rate amongst Arabs, but reflects a disturbing trend in the future: There will be more Arabs below the poverty line unless drastic measures are taken to better finance the Arab sector. Although the Israeli government adopts several measures to lessen the effect of poverty in families, the Sikkuy Report shows us that measures such as the transfer of payments and using direct taxation meant to alleviate poverty help the Jewish community twice as much as the Arab community. Transfer payments and direct taxation lift 44% of Jewish individuals out of poverty, but only help 18% of Arab individuals in this way. We can clearly see a better government effort at alleviating poverty amongst its Jewish citizens than amongst its Arab citizens.

LEGAL DISCRIMINATION: A FEW SAMPLE CASES FROM THE UNIVERSITY OF HAIFA

During my interview with Advocate Orna Cohen in the legal clinic Adalah, I was asked which university was hosting our stay. After I replied that the University of Haifa was hosting our group, she stifled a small laugh and said, “Oh, that’s the worst one of them all!”

Universities all claim to be the safe haven of intellectual life, where liberal thought and pluralism dominate. However, I was very surprised to learn about cases that were raised by Adalah on behalf of Arab students against the university that was hosting us, on the grounds of ethnic discrimination; I believe that these cases provide a deep insight into how the system of discrimination works in Israel in ways that would not have been understood without ground research. There are several factors in facilitating the process of discrimination against a minority, the first of which is the presence of a large disconnect between the liberal faculty and the more conservative administration, and the second of which is the desire of the institution to be seen favorably through the eyes of the majority – in this case, keeping in mind the wishes of certain factions of Jewish-Israeli society, especially in the context of escalating regional conflict.

The first example is a petition on behalf of a female Arab student who was denied housing because she had not accumulated a certain number of “points” which would guarantee her university housing. This student was not able to rent an apartment of her own because, like many other female

Arab students, cultural and economic restrictions imposed on her ability to rent housing alone. However the main issue was not the fact that she was not eligible for housing, but that the university was awarding a significant percentage of the points needed to those who had served in the military, namely the Jewish-Israeli student population. The amount of points accumulated through military service allowed Jewish-Israeli students to enter the housing lottery with 35-41% of the points necessary for obtaining university housing, giving them a hugely unfair advantage over Arab students. The Supreme Court ruled that the University of Haifa had acted in a discriminatory way to its Arab student population, and seeing as this was the first court ruling that military service acted in a way that discriminated toward the Arab student population, this was seen as a significant step toward adopting a more pro-equality stance.¹⁴

The views of Advocate Orna Cohen may come as a surprise at first, seeing as several members of the University of Haifa pointed out that the university enrolls the highest number of Arab students in the country. The percentage of Arab students in the university is approximately 25% (the largest population ever enrolled to date), but considering that the population surrounding the university is 50% Arab, this number is insignificant and may reflect a discriminatory policy. “Haifa University is afraid of [being] seen as an Arab university, which would make it less appealing to many Jewish people nation-wide,” explained Advocate Cohen. Considering that the segregation is so solid that most Arabs and Jews do not interact until the university level, the misconceptions of attending an “Arab university”¹⁵ could be a major deterrent to Jewish applicants.

Another testament to the University of Haifa’s stifling of Arab student political freedom is the fact that the university has several times disciplined its Arab students for protests as mild as two individuals sitting with a sign noting the activities of the Israeli Army in the OPT. According to a publication co-authored by Advocate Cohen, “In many ways, the streets of Haifa offer greater legal support for freedom of speech than the campus of Haifa University. Outside of campus, a permit is needed to demonstrate only when more than 50 people participate in an open space ... On campus however almost any political activity requires a permit.”¹⁶ In my interview with Advocate Cohen, she gave me an example of an incident which almost went to court. The issue was the banning of a brochure, made by the Arab Students Committee of Haifa University (a group which the university has yet to endorse), by the dean of students and the subsequent suspension of two Arab students. The brochure had statements like “George Bush is a cowboy” protesting the war in Iraq, and called the student government

elections at the university racist and stupid. Adalah sent a petition on the students' behalf; the university had been planning to go to court until its legal counsel advised it otherwise. Advocate Cohen read out loud a fax she had just received on behalf of the university. The part which caught my attention was that, after allowing the publication to go through and lifting the suspension, the university still insisted that it "had the right to decide which publications will go through and the right to punish students who abuse their right to distribute material."

CULTURE

It is an understatement to say that the Arab citizens of Israel suffer from cultural discrimination. In a state that places the word "Jewish" before "democratic" when describing its identity, Arab Muslim and Christian cultures are treated in the best of times as secondary cultures, and in the worst of times as representations of the nation's enemies. Entirely absent from the country is a historical narrative of one-fifth of the population. Their religious and cultural inclinations are neglected and need to be preserved through external charities, rather than state or government institutions. In the context of such a volatile political atmosphere, the consequences of dismissive actions by the Israeli government are dire.

The naming of Israel's Arab citizens as Arab Israelis carries weight with many of the actual citizens of the state, because several of the Arab academics we interviewed emphasized the importance of naming the citizens Palestinian Israelis, Arab citizens of Israel, Palestinian citizens of Israel or Palestinian Arabs. This underlines a sentiment held by some that the Israeli government employed the term "Arab Israelis" to drive a wedge between the Arabs inside Israel's 1948 borders and the Palestinians outside them. In one of my interviews, the interviewee laughed when I said Arab Israelis, and replied, "There is no such thing as an Arab Israeli; there are no true Arab citizens of Israel yet. It is a Jewish state. We are Palestinian Arabs."¹⁷ The sense of the alienation of the Arab community of Israel was palpable, and this was due in large part to the negligence and suppression of Palestinian culture and history. From 1948 onward, from the Palestinian perspective, there was and still is a complete discarding of the Palestinian narrative of the founding of Israel. Despite the "new historians" emerging from the Jewish-Israeli academia acknowledging the fact that atrocities were committed against the Palestinian people, the Israeli government continues to pursue policies that strongly deny the existence of such a narrative.

There is no mention in any history book in the Israeli educational system

of the Palestinian side of the history of the state. Children in both Jewish and Arab schools learn about the history of the Zionist movements and of the history of the Jewish peoples of Europe, and learn Hebrew as a requirement. The historical narrative of Palestine is treated as a negligible part of the Ottoman Empire, and children learn nothing of the achievements of the Palestinian-Arab culture. In Jewish schools, Arabic is mandatory between 4th and 10th grades, but it is taught as a foreign language, meaning that by the time of graduation, most have not mastered even an elementary understanding of one of the two official languages of the state, and of one-fifth of the state's population. Arab children learn from a young age to treat Israeli authority with suspicion and mistrust, because what they learn in school runs counter to what their personal family history tells them and what their parents ingrain in their identity as a Palestinian Israeli. The Israeli state's insistence on employing such a one-sided cultural dialogue results in the affirmation of Arab Israelis' historical conceptualization of the Jewish state as an entity that aims to remove them from history books and deny them any effective role in Israeli society.

The surface image of Israel to the outside world denies the existence of an Arab identity or delegates it to an idea of "villages". The Arab co-director of Sikkuy, Dr. Ali Haydar, mentioned in his interview that he was from an Arab "village" whose population was later revealed to be at least 11,000 people. The adoption of diminutive terms to describe the Arab settlements seems to be one wishful way of reassigning the Arabs of Israel to the minor roles they occupied demographically in 1948. The vast majority of the Jewish-Israeli professors we interviewed mentioned the "demographics" of the situation as one of the major concerns, if not the major concern, of the Israeli government and public. A prevalent theory among Israeli intellectuals, it seems, is that the Arab culture in and of itself promotes large families. In interviewing Professor Ruth Katz of Haifa University about her research into the Israeli family structure, she quoted one of her studies that documented the birth rates of Arab families and how the Arab culture was the main factor in the high birth rates of the Arab population. Upon being asked what the control group was for her thesis that proved it was culture and not socio-economic status, Professor Katz stated that the control group consisted of "Arab immigrant groups in America,"¹⁸ as opposed to a suggestion made in the interview that a measure of an urban Arab group, such as Arabs living in Amman whose birth rate is declining, may have been a better control group. This is symptomatic of an attitude in Israeli academia of treating the Arab population in Israel as an immigrant group, rather than an indigenous minority – something which contributes to the polarization of the Palestinian

movement both inside and outside of Israel.

More examples of cultural discrimination include the allocation of street names and official symbols; they pertain to the Jewish culture in particular, in complete negligence of the Christian, Muslim, Druze or Arab symbols which are also, by democratic law, meant to be integrated into Israeli society. There is funding for cultural institutions that further the study of Jewish heritage, such as the High Institute for Hebrew Language, but no such laws promoting the funding of an institute for Arabic language, history or heritage. In one famous case, there was a petition to the Ministry of Education for funding a cultural festival, since the ministry's responsibilities include funding cultural and artistic events and institutions, but the petition was rejected on the grounds that the students were planning to use Christian music in the festival. The rejection was based on the claim that the state was not obliged to support institutions which played Christian music.¹⁹

The proposals from several Jewish-Israeli Knesset members and public speakers to incorporate Arabs into national military service are culturally insensitive. Arab Israelis have expressed strong opposition to it because it would be done under the military branch of the Israeli government responsible for what they consider atrocities in the Occupied Territories, and many would not like to see their youth conscripted and working under such an organization.²⁰ Some share the view that it is an ongoing effort of the "Israelization" of the Arab youth, meaning that as opposed to the inclusion of the Palestinian Arab culture and expressing sensitivity to the fact that Arabs sympathize toward their brethren in surrounding nations, the military would try and make them lose their Arab identity and heritage. Several Arab citizens have proposed an alternative kind of "national" service that would cater exclusively to the Arab community, and one University of Haifa student in particular told me of her proposal for a "Palestinian national service" where Arab students could serve their communities. I asked whether she ever expressed her proposal, and she explained that "there is no way the Israeli government will allow a service that would not serve the good of Israel, meaning the Jewish people". However, as of January 2008, a council was established to create an alternative national service to serve the Arab and ultra-Orthodox Jewish communities, but it has received limited media attention and has yet to create a policy. Hopefully, this will prove to be a committed step in the right direction.

Although Arabic is an official language, most street signs, with the exception of streets in Arab communities or highways near Arab communities, are written in Hebrew and English, although English does not enjoy the special and equal status of being an official language. The use of Arabic in courts

and laws, as permitted by law, is often neglected, and in the cases where it was brought to the attention of the Supreme Court, the Justices framed their decision on the validity of using Arabic as a “free speech” right, and not in terms of its special status as the second official language. It is continually marginalized and treated in terms of being a secondary language although there is no legislature dictating such terms. Surveys show that Jewish Israelis perceive Arabic as useless and unimportant, and in one survey of 386 citizens aged 20-70, only two expressed their desire to learn Arabic, and even then only as a third language after Hebrew and English.²¹

University entrance exams and placement tests are given exclusively in Hebrew, disadvantaging students whose mother tongue is Arabic. The fact that all higher-education institutions teach only in Hebrew leads many Arab students to institutions abroad, and upon their return, many find difficulty in passing qualifications exams, also given exclusively in Hebrew, even if the students plan to pursue a career servicing the Arabic-speaking population exclusively. The absence of an initiative from the Israeli government welcoming an Arab university is deeply troubling, as it discourages the kind of Arab cultural and intellectual climate that could very well cater to the needs of integrating Arab students properly into the Israeli system, economically, socially and politically. It would be difficult to think of a way that a higher-education institute catering to the needs of a professional Arab labor force, fostering higher-level philosophical and political thinking as well as providing an environment in which students can explore their Arab heritage in an academic manner, would seem detrimental to the Israeli state. Instead, Arab philosophical learning is significantly difficult to reach, while negative, crude and uneducated banter is easily accessible.

There exists a deep-seated suspicion by Israel’s Arab community of the Israeli government; the issue of the “divide and conquer” strategy of the Israeli government kept resurfacing with a wide range of interviewees throughout my days in Israel. One went so far as to ask us to confirm whether or not we were from a “Zionist organization from America that is visiting on a propaganda mission.” Other academics pointed to more credible reasons for their animosity and suspicion of the Israeli government, such as the history of land expropriation, confiscation and violence. This suspicious nature would not and should not surprise most people who do research on this subject; however, what is normally neglected in some studies of the Arab-Israeli attitude toward the government is that this suspicion is not alleviated through the adoption of an ultra-nationalistic, Zionist education in public schools. It is alleviated through a cooperative dialogue of mutual understanding, the recognition of the wrongs of the past and an acceptance

of the positive aspects of both cultures in the present.

SEGREGATION AND SOCIETY

It has already been mentioned that segregation in Israeli society is so deep that youth do not normally interact with those of other nationalities until entrance into universities, and even then it is usually limited to what occurs in the classroom. Even in mixed cities, there are rigidly maintained “Arab” and “Jewish” neighborhoods, and the support for such segregation comes mutually from both sides. However, there have been some significant attempts by Arabs to try to move in to the better-serviced, more modern Jewish part of the city; the majority of such attempts are efficiently blocked through mechanisms similar to the ones used in the aforementioned Kaadan case of 1995.

The use of the Jewish nature of the state to effectively block the mixture of Jewish and Arab neighborhoods adds a new dimension to the idea of segregation. In the famous *Bourkan v. Minister of Finance* case, the Supreme Court decided to block an Arab-Israeli citizen from buying a house in Old Jerusalem. In defense of the decision being blatantly carried out due to the buyer’s nationality, the court used the logic that the apartments built in Old Jerusalem were made to benefit Jews due to the historical discrimination against them during the time Jerusalem was controlled by Arabs. The tying in of past discrimination against Jews and the collective punishment applied to the Arab buyer on the basis of his nationality seemed to fit in to the court’s logic at the time. Segregation, in the eyes of the state, benefits the state’s Jewish character, and therefore it is worth undermining the democratic nature of the state. An interesting argument presented for segregation on the Palestinian side, however, lies in the fact that assimilation into a Jewish neighborhood would ultimately mean losing the Arab identity, since it would be the assimilation of the minority into the majority. The discrimination in housing loans to Arab citizens of Israel is another mechanism for furthering segregation, as the state grants larger loans to those who have completed the military service. A married couple who earns less than the average wage and has served in the military is eligible for a housing loan of 118,000 NIS, whereas a married couple who earns less than the average wage but has not served in the military receives 78,700 NIS.²²

Two other incidents which stress the blurring of the Jewish nature of the state and segregation are the plans of Judaizing the Galilee region and the settlement policies of Judaizing the Negev. Professor Sandy Kedar, a member of the University of Haifa’s Faculty of Law who specializes in the

human rights of the Bedouins of the unrecognized villages of the Negev, claims that although Jewish outpostings into the lands is against international and Israeli law “ ... the policy is ethnic or racial demographic, [in other words,] spread as many Jews as possible to Judaize the land. Now they have to be more secretive about such aims, citing security reasons such as fears of the Bedouins forming a belt from the West Bank to Gaza, because people are more organized: There’s the Regional Council for Unrecognized Villages and documentation of human rights.”²³

A living example of how segregation works is in the old city of Acre. The old port used to be one of the most formidable and challenging castles in the world, protecting the entire city night and day. Now, it is one of the dirtiest and poorest neighborhoods, its residents living in makeshift homes amidst the castle’s ruins. It bears a shocking resemblance to certain parts of Cairo, Egypt. Originally, it was intended for Jewish immigrants after its conquest in 1948, but government tax benefits skipped over the area into neighboring ones, and therefore, most of the Jewish inhabitants who could leave left. The Arab inhabitants moved in, and in 2001, it had been the most mixed city in Israel. Now, there’s talk of changing the municipal boundaries once again to better “shift the demographic balance” – in other words, to maintain the Judaization of Acre, since its Jewish inhabitants are not going to remain in a city where they do not feel dominant.²⁴

ETHNOCRACY

“The existence of the State of Israel as the state of the Jewish people does not deny its democratic nature, just as the Frenchness of France does not deny its democratic nature.”

-Justice Shamgar, Israeli Supreme Court

In the declarative clause of Israel being a “Jewish state and a democracy” there comes an inherent riddle under which an alphabet soup of theories has come to power to try and understand what kind of state that phrase entails. One theory that was advocated by many Israeli intellectuals persists; one of these intellectuals is Dr. Asa’d Ghanem, the former co-director of SIKKUY and one of the drafting members of the document “The Future Visions of the Palestinian Arab Citizens of Israel”. The theory seems to most accurately portray the general viewpoint the Arab Israeli minority has of its ruling system. In an ethnocracy, the minority is ruled over by the majority, and its rights are not equal. There are some mechanisms of democracy entitled to the minority, but the full effects are not equal. Furthermore, the mechanisms

of the state are manipulated so as to benefit the majority as well as perpetrate an unequal division of power.

The above-mentioned quote is one which is frequently called upon to demonstrate that it is possible to have an ethnocentric democracy. Having an ethnocentric democracy, however, is not the issue facing Israel today. The “Frenchness” of France does not contain within it an inherent means of excluding an indigenous minority within a state; Christians, Muslims, Druze, Jews, Africans, Vietnamese and others have been incorporated into the French definition and, as such, enjoy equal rights and an uncompromising participation in a full democracy. Granted, France is not without its problems regarding minorities; however, it does not define itself on ethnic or religious lines. The emphasis of the Jewishness of Israel, rather than the Israeliness of Israel, gives a rigid, cultural and national basis to the state that inherently excludes one-fifth of its population and discriminates against it in order to better cater to the “Jewish” character of the state. Since the indigenous groups of Israel involved some non-Jewish populations, the adding of the Jewish character clause builds in an inherent fifth column upon itself in the form of a demographic threat. No matter what the Arabs do, what promises they make, what future plans they have, the Jewish character of the state will be threatened in 60 years’ time, when the majority of its population is not Jewish. Professor Lewin-Epstein remarked in our interview that “the Israeli government took on a policy of purposefully under-developing the Arab sector,” and the reasoning which I have found best to explain this is that the Jewish nature of the state plays a major role in pitting the Arabs as natural enemies. Even though the Arab Druze population serves in the army, and participated in the war in Lebanon in 2006 against its Arab brethren, their socio-economic status has not improved very much, and is dismal in comparison with the Jewish population of the state. No demonstration of loyalty from the Arabs will lead to equality as long as the state emphasizes its Jewish character over its democratic values.

Israel is an ethnocratic state because it discriminates by law against its Arab minority, meaning not all its citizens are equal before the law – the basic foundation of any true democracy. There are two prime examples. The first is in the Law of Return, which stipulates that any Jew from any corner of the world has the immediate right to Israeli citizenship. Palestinian refugees do not have this right and are forced to go through selective criteria and other complicated procedures to obtain their citizenship. Only “present absentee” Palestinians were granted citizenship, as contradictory as that statement appears, which refers to Palestinians who were in Israel when it was declared a state, and more. This is a law which discriminates by ethnicity purely for

the benefit of the Jewish community of the state and worldwide.

The second example is that immigration law discriminates in the fact that spouses of Jewish-Israeli citizens are granted citizenship immediately, and the process is through a different mechanism than that for spouses of Arab-Israeli citizens. This means that, once again, the two groups are treated differently just for their ethnicity. On this issue, I would like to bring to light the case that Adalah brought to the Supreme Court concerning the applications for citizenship of Palestinian citizens of the West Bank with Arab-Israeli spouses, due to its ability to shed light on several key points. After the acquisition of Palestinian lands in the 1967 war and the consequent freedom of movement between the territories, there began to be many inter-marriages between West Bankers and Arab Israelis due to common culture and affinity. Applications for citizenship began to flood the immigration

The government discriminated against an entire ethnicity of families by not allowing family unification, or by selective processing.

offices, but the process was complicated and required a long processing time, during which citizens could apply for a temporary residency permit to be with their families until naturalization took place.

A suicide bombing then occurred in 2002 within Israel, and the attacker turned out to be from the West Bank city of Jenin. All applications for citizenship,

temporary residence and visiting status were frozen and the borders were closed as the immigration office began reviewing all applications for security reasons. All new applications for citizenship were stopped in May 2002. Adalah went to the Supreme Court on the grounds that this violated the human right of family unification, as well as on the administrative level that the office had no right to freeze laws. The Supreme Court responded that with the “rolling terror” there was no way to differentiate between people, so they all had to be collectively discriminated against. This proved to be an economic disaster as well as a human rights one, because many of the West Bankers were in Israel on temporary residence permits or visitor permits to be with their families and therefore could not work. “I had people calling me on the phone, newly-wed mothers asking me, ‘Orna, I want to have a baby right now, is it the right time, should we have a baby now?’” said Advocate Cohen, remembering the emotional aspects of the case. “Families were separated with no knowledge of when they would be able to see each other again.” Many moved to the West Bank and lost their health and social benefits as Israeli citizens. The facts were few that the immigration office had made a

good decision, because 26 out of 1,000 were allegedly implicated in the case, meaning that they had “helped in some way”. An example of such help is in the finding of an application of one man who may have rented a hotel room that may have housed the terrorist. Only a fraction of a percentage were found with anything to do with the whole matter at all, and in the meantime the government discriminated against an entire ethnicity of families by not allowing family unification by faster processing of some applications, or being more flexible in its amnesty regulations. “Security is a flexible term in Israel,” and all too often it is twisted toward collectively punishing the Arab Israelis.²⁵ The temporary law was put into place indefinitely, and the petition to the Supreme Court was overturned in May 2006.

THE VISION FOR THE FUTURE

All of these factors have given an overview of the general situation and the mechanisms that cause it. One thing that they all illustrate is that not only is the current situation unsustainable, but that a new situation has to be decided upon soon, preferably before the demographic bomb detonates. The Arab-Israeli population had been living in the shadow of its Jewish brethren for a long time, being pulled out from behind it occasionally during various Arab-Israeli conflicts to be scolded. Now, after sixty years of Israeli rule, it seems as though the Arab populations of Israel have learned to use the numbered tools of democracy given to them to their advantage, and have learned somewhat to manipulate the system from within. The glass ceiling is still there, as the statistics show, and no matter how high it rises, it will inevitably be shattered; whether it is peaceful or violent depends on many factors, but mainly on the achievement of equality and democracy under the Israeli government.

As opposed to having an inclusive vision of the state, the Jewish character of the state provides an exclusive vision, labeling one ethnic and culturally dominant group as one basis of the state, and the other as the “demographic threat” that challenges the other group. In a highly militarized society such as Israel, this leads to human rights disasters, especially in the militarily volatile nature of the Middle East. The Palestinian Arabs will give up their vision of an Arab Palestine, but only after the Jewish Israelis lay down their arms and give up the idea of a Zionist-Jewish state. It is a complete delusion to believe that democracy and equality can exist when the very definition of a state depends on excluding one-fifth of the population from the system. When simply being born an Arab means you are more likely to die four years younger, twice as likely to be living in poverty, twice as likely to drop out of high school,²⁶ twice as likely to get convicted for a crime and twice as likely

to get harsher punishments for the same crimes,²⁷ you do not *feel* alienated by the Israeli government – you are.

1 Ezra HaLevi, "Nasrallah Apologizes for 'Martyring' Arab Children in Nazareth," *Israel National News*, <http://www.israelnationalnews.com/News/News.aspx/108072>

2 An Arab municipal worker, Muhammad Awsy, stated "This is just another example of how the Arab sector is neglected". The Israeli daily newspaper The Ha'aretz responded that it was because Nazareth was never believed to be a Hezbollah target. Source: Greg Myre, "In an Unlikely Target for Rockets, Mourning and Pleas for Peace," *New York Times* July 21, 2006, <http://www.nytimes.com/2006/07/21/world/middleeast/21nazareth.html>

3 Dr. Thabet Abu Rass, "Land, Planning, and Housing Policy of the Palestinian Arabs in Israel" *The Future Vision of the Palestinian Arabs in Israel*, The National Committee for the Heads of the Arab Local Authorities in Israel, page 16, <http://www.arab-lac.org/tasawor-mostaqbali-eng.pdf>

4 Professor Vered Kraus (Professor of Sociology at University of Haifa and co-author of *Promises in the Promised Land*) in discussion with the author, January 8, 2007.

5 The populations of Nazareth and Nazareth Illit were estimated to be 65,800 and 43,600 respectively by the Central Bureau of Statistics-Israel in 2006. I was unable to find details regarding the land area of the cities recently. Adalah: The Legal Center for Arab Minority Rights in Israel. *Legal Violations of Arab Minority Rights in Israel: A Report on Israel's Implementation of the International Convention on the Elimination of all Forms of Racial Discrimination*. Published by Adalah, Israel, March 1998: 59

6 1 duman = 1,000 sq. meters

6a <http://www.haaretz.com/hasen/spages/987243.html>

7 Adalah, 60

8 The Sikkuy Report 2006: *The Equality Index of Jewish and Arab Citizens in Israel*, edited by Advocate Ali Haidar, Jerusalem-Haifa 2007, can be accessed online at <http://www.sikkuy.org.il>

9 Professor of Sociology and co-author of *The Arab Minority in Israel's Economy*.

10 Adalah, 90

11 While details of the court case can be found online at <http://www.adalah.org>, an editorial on the piece appears under "Press Releases" which points out the shortcomings of the ruling: mainly the fact that the Supreme Court made it very specific to the Kaadan family, and was not an opening to an era of integration nor an indication of changed government policy, as many in the Israeli and international media made it out to be.

12 This study is referred to in *The Arab minority in Israel's Economy: Patterns of Ethnic Inequality* by Lewin-Epstein and Semyonov, cited as (Wolkinson: 1989).

13 Adalah, 92. 3.402 NIS = 1 US dollar, according to the Bank of Israel's website on Sept. 23, 2008. <http://www.bankisrael.gov.il/eng.shearim/index.php>

14 Haneen Na'amneh, et. al. v. Haifa University Official Adalah press release available at <http://www.adalah.org/newsletter/eng/jul-aug06/1.php>

15 This fact was cited to me by multiple Arab and Jewish students, professors and other inhabitants of Israel

16 Orna Cohen and Rangwala Tawfiq, "Rights on Campus: Palestinian Students, Political Space, and Haifa University" *Adalah's Review* Vol 2, Fall 2000- Land. Adalah the Legal Center for Arab Minority Rights in Israel.

17 Himmat Zoubi (Mada al-Carmiel Research Organization) in discussion with the author, January 2008

18 Professor Ruth Katz (University of Haifa) in discussion with the author, January 9, 2008.

19 Adalah, 66

20 <http://www.haaretz.com/hasen/spages/972609.html>

21 Adalah, 69

22 Based on information from ACCHRI 1995, gathered in the Adalah report pg 61

23 Professor Sandy Kedar (University of Haifa) in discussion with the author, January 9, 2008

24 Lily Galili and Ori Nir, "For the Jews, Acre's Arab Flavor Is Already Too Much" *Journal of Palestine Studies*, volume 30, 3, University of California Press: 2001: 91-100

25 See the Adalah case file available online at <http://www.adalah.org/eng/famunif.php>

26 Statistics compiled from Sikkuy Equality Index 2006

27 Studies in the Adalah report have shown that an Arab with no criminal record is twice as likely to be convicted as compared with a Jew in that same status; and an Arab with no criminal record is twice as likely to be sentenced to jail time as compared to a Jew with the same status. Pg 28 of the report.