



20 April 2008

To:

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Re: The “60 Years Since the Founding of the State” Program in the Arab School System

We are writing to request the cancellation of the program in the Arab education system that celebrates the State of Israel’s 60th anniversary, as explained below:

1. The Ministry of Education developed a special program during the past year to mark the celebration of “60 Years Since the Founding of the State.” This program is due to be implemented in schools, from kindergarten through high school, as well as in institutions of higher education that train students in the field of education and teaching. In preparing these programs, a number of central goals were defined:
 - To mark and celebrate 60 years of the State of Israel in the Jewish and Arab education systems.
 - To foster a feeling of belonging, pride, love and connection to the 60-year old state among everyone involved in the education system.
 - To help all youth – Jews, Muslims, Christians, Druze and others – to forge a vision of the State of Israel as a Jewish, democratic state.
 - To promote social involvement and responsibility, and to encourage children and teenagers to be active citizens in society.*

* From the “60 Years since the Founding of the State” program and the website of the Ministry of Education.
2. In order to implement this educational program, educators in the system – principals and teachers – are required to put up posters in schools as follows:
 - Poster 1 – From November 29, 1947 to May 14, 1948 – focuses on the major events that preceded the establishment of the state; for example, the decision by the UN General Assembly, the War of Independence, the battle for Jerusalem, the declaration of the founding of the state, etc.
 - Poster 2 – 60 Years of *Aliyah* [Jewish immigration to Israel] and Absorption – focuses on *Aliyah* as the foundation for the establishment of the state, and on the mass immigration of the ingathering of the exiles.

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- Poster 3 – 60 Years of Defense and Security – focuses on aspects related to the state’s major wars, dealing with acts of terror, the importance of various groups such as the police, Mossad [Israel’s intelligence agency], the Shabak [the General Security Services] and the Israeli military in protecting the state's security.
 - Poster 4 – 60 Years of Education – focuses on the goals of education and their implementation in the education system, developments in education laws, achievements in education and problems within the education system.
 - Poster 5 – 60 Years of Culture in Israel – focuses on Israeli creative artists and leading trends in the fields of visual arts, plastic arts, theater arts, literature and cinema in Israel.*
* From the “60 Years since the Founding of the State” program and the website of the Ministry of Education.
3. In addition to these posters, special programs were developed for pre-elementary, elementary and secondary school units that emphasize “recognition of the symbols of the state, their meanings and origins; recognition of the unique activity of prominent people and leaders in the history of the state; learning about the successes and achievements of the state during the past 60 years; and the state’s relationship to Jewry of the Diaspora.” In addition, other special programs were developed, including programs dealing with “learning about the country and love of country, and the history of the people and the state, as well as encounters between communities and groups in Israeli society, and organizing professional training for history teachers on topics that have shaped the State of Israel.”*
* From the “60 Years since the Founding of the State” program and the website of the Ministry of Education.
 4. The program imposes the Zionist narrative on the Arab-Palestinian minority in the State of Israel via the education system. Independence Day, marking the establishment of the State of Israel, has a completely different meaning for the Palestinian people from that which it holds for the Jewish majority. For the Arab-Palestinian minority, it is the day of the *Nakba*. This imposition violates the right of the Palestinian minority in Israel to dignity because not only is the Zionist narrative imposed on the Palestinian minority while completely disregarding its own narrative, culture and history, but also the education system prevents the Palestinian minority from teaching the narrative of its own people. This constitutes a violation of the constitutional right of the minority to dignity, and also violates the democratic values that should enable a national minority to teach the history of its own people. The violation of the right to dignity is even more severe in light of the discrimination perpetrated against the Palestinian minority within the education system, which intensifies the oppression of the Palestinian minority in Israel and their sense of alienation and deprivation within the education system, and perpetuates the discrimination that exists against the Arab education system vis-à-vis the Jewish education system.
 5. It should be emphasized that the oppression of the Palestinian minority within the education system contradicts the central role played by education in shaping the personality of individuals. This role demands special care on the part of those responsible in this area, first and foremost the Ministry of Education, in deciding upon and approving the implementation of programs of study that pertain to a

national minority group in the state. This is particularly relevant when the “difference” between the minority group and the majority group is a difference that pertains to the content and messages of the study program.

6. It may be noted that the report of the Or Commission, which investigated the clashes between the security forces and Israeli citizens in October 2000, described the clash between the Zionist narrative and the Palestinian narrative with regard to the *Nakba* well, as follows:

Firstly, the Arab minority population in Israel is an indigenous population that regards itself as subject to the hegemony of a majority that is mainly not [indigenous]. In the conventional distinction in the professional literature between ‘indigenous minorities’ and ‘immigrant minorities,’ the Arab minority in Israel clearly belongs to the first category. Usually, the indigenous character of a minority intensifies its self-awareness and the strength of its demands to a greater extent than those of minorities which, for example, coalesce from those immigrating to social-welfare societies in order to improve their condition. And this is true in the case of the Arab minority in Israel...

Secondly, the Arab minority in Israel was transformed from a majority population... the upheaval that transformed them into a minority of less than 20% of the state’s population was not easy for them to internalize...

Thirdly, this upheaval was a result of a difficult defeat suffered by the Arabs in the war against the Jewish *Yishuv* [the pre-state community]. The state in which they found themselves with the status of a minority constitutes, by virtue of its very existence, a constant reminder of their painful defeat; or, in the words of one of their leaders, ‘The state arose from the ruins of the Palestinian community.’ **The establishment of the State of Israel, which the Jewish people celebrated as the realization of the dream of generations, is bound in their historic memory to the most difficult collective trauma in their history, the *Nakba*.** Even if they do not bring this subject up continuously, the conception and birth of the state are inseparably connected to the polar conflict between two national movements, which engendered a long and bloody conflict. **The state’s character and symbols, which are also anchored in law and celebrate the victories in this conflict, signify defeat in the eyes of the Arab minority, and it is doubtful whether they can find a way to really identify with them. Time can perhaps heal the wounds, but as national consciousness grows, so does awareness of this problem, which accompanies the very establishment of the state.**
[Emphasis added]

See, The Report of the Government Commission of Inquiry to Investigate the Clashes between the Security Forces and Israeli Citizens in October 2000 (The Or Commission Report), Volume A, pp. 26-27.

7. Implementation of this program in the Arab education system would violate the purpose of separating the two educational systems, Jewish and Arab. In the political reality that exists in the state, and since the enactment of the Compulsory Education Law – 1949 and the State Education Law – 1953, this division is

intended to educate each group within its own education system and in its own native language, while adapting the content of studies in each system to the needs of the population and its unique national, religious and cultural character. Article 2(11) of the State Education Law attests to this division and the importance of recognizing the unique language, culture, history, heritage and tradition of the Arab population in the education system:

The goals of state education are:

...

(11) To become familiar with the unique language, culture, history, heritage and tradition of the Arab population and of other population groups in the State of Israel and to recognize the equal rights of all citizens of Israel;

8. Despite this division, the curriculum within the Arab education system is inferior in quality, level and content than the one developed for the Jewish education system. Moreover, the content taught in the Arab education system has always aimed to instill Zionist political values while maintaining and perpetuating the inferior political status of the Palestinian minority. Institutional control over content in the Arab education system is part of a draconian, unfair and rigid regime of overseeing the Arab education system, the goal of which is to control the educational values that are conveyed to Palestinian pupils.

In this regard see, Al-Haj, M., Education, Empowerment and Control: The Case of the Arabs in Israel, Albany: State University of New York (1995).

Ismael Abu-Saad, *State-Controlled Education and Identity Formation Among the Palestinian Arab Minority in Israel*, American Behavioral Scientist, Vol. 49 No. 8, April 2006, p. 1085.

9. International human rights law stipulates that states must not only recognize the right and freedom of minority groups to practice their culture, religion and language, but also prohibits states from interfering with the right and freedom of minority groups to exercise these rights. Article 27 of the International Covenant on Civil and Political Rights, which Israel ratified in 1991, states the following:

In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

10. Recently, the Declaration on the Rights of Indigenous Peoples was passed, which anchors the right of indigenous minority groups to preserve their culture and history. Article 15 of this declaration states that indigenous groups have the right to preserve the dignity of their culture, tradition and history, and that they should be given suitable expression in the state's institutions, including the education system. Article 15 stipulates as follows:

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations, which shall be appropriately reflected in education and public information.
 2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.
11. The Supreme Court has already recognized that the state is obligated to respect the culture, religion and language of the Palestinian minority living within it. The non-imposition of the Zionist narrative on the Palestinian minority in the education system derives from this obligation, which aims to enable the minority to express itself, in its own way, in the areas of culture, religion and tradition. The former Deputy President of the Supreme Court, Justice Cheshin, ruled in the *Mari'i* case as follows:

The main point is that the Arabic language is the language of about a fifth of the state's population – the language of speech, the language of culture, the language of religion – and this proportion of the population is a significant minority that we should respect: it itself and its language. The State of Israel is a 'Jewish and democratic' state and as such **it is obliged to respect the minority within it: the person, the person's culture and the person's language.**
[Emphasis added]

See, Civil Appeal 12/99, Mari'i v. Sabek, P.D. 53(2) 128.

12. It should be noted that the Ministry of Education recently reversed its decision to implement the "100 Concepts in Heritage, Zionism and Democracy" program in the Arab education system. This decision was due to strong opposition expressed to the Ministry of Education regarding the implementation of the program in the Arab education system. We are asking that the "60 Years" program also be canceled for the same reasons.
13. In light of all of the above, we ask you to immediately cancel the implementation of the program celebrating 60 years since the establishment of the state in the Arab education system.

Due to the urgency of the matter, we would appreciate your prompt response.

Respectfully,

Sawsan Zaher, Advocate