

The Jewish Institute for Ethnic Democracy

By Nadim Rouhana¹

In his response to my article "Constitution by Consensus': By Whose Consensus?"² which appeared in Volume 8 of Adalah's Online Newsletter (December 2004), Mr. Amir Avramovitz, of the Israel Democracy Institute, raises three points. My reply follows.

A. Mr. Avramovitz contends that opposition to constitutionalizing Israel as a "Jewish and democratic" state represents a rigid and extreme ideological position. My article presented empirical findings indicating that most Palestinian citizens of the State of Israel believe that a Jewish state cannot be democratic because it cannot guarantee full equality. This position is based on universal principles that recognize human dignity and equality as paramount values. Not only Palestinian citizens hold this belief; it is also held by all democrats worldwide including many Jewish citizens. Therefore, those who reject these universal values, which are enshrined in the Universal Declaration of Human Rights (1948), are actually the ones holding a rigid and extreme ideological position. This extremist approach can be marketed to the world only if it is distorted and misrepresented, in order to make it appear as if it represents values that in reality it fails to endorse. Therefore, this anti-universalist position can be imposed on its opponents – those who favor complete equality – only by force. Consequently, such a position is inherently based on force, with a potential for using violence to impose it.

B. It is not accidental, therefore, that the use of force inherent in this extreme approach is conveyed in the second criticism which Mr. Avramovitz raises. He argues that opposition to Israel's status as "Jewish and democratic" justifies the Jewish majority's treatment of Arab citizens as a threat. The infusion of force in Mr. Avramovitz's wish to impose a "Jewish and democratic" state on the group that can expose the contradiction and falsity inherent in this concept finds clear expression in his veiled threat to the entire Arab community. He contends that the universalist position, which I raised in my article, will lead the Jewish majority to support ethnic cleansing and the denial of Arab citizens' rights. However, he fails to realize that the potential of violence in his force-based attitude, in which he resorts to the implicit threat of transfer as a main argument, emanates from the very concept of a "Jewish state." I would therefore encourage Mr. Avramovitz to instead seek ways that can transform Israel into a democracy and liberate himself from the need of force, imposition, and threat. His approach reflects an unambiguous expression of a colonialist attitude which demands that the indigenous people accept by force values which embody and perpetuate their oppression. Mr. Avramovitz, who insists on calling Palestinian citizens by a name they detest – "Israel's Arabs" – demonstrates, without restraint, a commonly occurring blend of paternalism and ignorance that colonialists suffer in their understanding of indigenous peoples. For instance, he contends that the position of Arab citizens "is contrary and opposite to the interests and desires of the majority of the Arab community in Israel." The source of this paternalism might become clearer in my response to the third point.

C. Mr. Avramovitz claims that I am misleading the readers when I claim that the process led by the Israel Democracy Institute seeks to achieve a Jewish-Israeli consensus and excludes the Arab citizens. He also maintains that dozens of "Israeli Arab" representatives have been engaged in the dialogue taking place at the discussions conducted by the "Public Council of the Constitution by Consensus." In reply, I could simply refer the reader to the website of the Israel

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Democracy Institute, which reveals the ethnic composition of the Institute, as seen from its structure – its staff, administration, and membership. The Institute has more than a dozen departments, employing more than 100 persons (researchers, associates, administrators, data coordinators, and others). Not one Arab citizen is among them. Whether this is in line with directives of some of the Institute's funders, or simply a sign of mere blindness, I cannot say at this point. However, I can state with certainty that this ethnic composition, by itself, clearly indicates that the organization is “a Jewish institute for Jewish democracy.”

What, then, is this “Public Council of the Constitution by Consensus,” which drafted the proposed constitution? Indeed, the names of a number of Arabs do appear, their small number changing depending on whether we look at the Hebrew or the English website. But the members of the board of the Constitution by Consensus are all Jewish. The people who drafted the proposed constitution by consensus did not include even one Arab. Many of the conferences organized by the Institute involved scores of Jewish experts, but not one Arab researcher. There were nineteen participants at the first and second meetings held by the Council to discuss “improving the parliamentary regime in Israel,” among them professors, Knesset members, judges and lawyers. None of the participants was Arab. After the “Jewish Council” drafted the proposed constitution, it organized four regional conferences and a number of meetings for a group of lawyers. At two of the regional conferences, not one of the 128 persons invited to participate was Arab. At the two other regional conferences in the Negev and in the north – twenty-nine Arabs were invited among the 151 invitees, and only thirteen Arabs attended. The lawyers' group met three times. Only four Arabs came to the first meeting, and none attended the other two meetings. At the regional conferences, the participants responded to the draft of the proposed constitution. Some of the Arab invitees refused to give their opinions because they felt that they were being used as a fig leaf for a proposal which they took no part in drafting.

If the Institute would genuinely open its doors to Arab citizens, Mr. Avramovitz and his colleagues at the Institute would learn about the will and real interests of the Palestinian minority, or, at a minimum, they would learn how this minority defines itself and what name it has chosen for itself instead of the name imposed by the state and the Jewish majority. If Mr. Avramovitz was interested in the genuine participation of Arab citizens, he would have sought the proportional participation of Arabs on the Council which drafted the proposed constitution, and he would have been concerned about the small number of Arab invitees who agreed to take part in the secondary meetings. But it seems that these issues do not concern an institute which operates as a Jewish institute for ethnic democracy. We can therefore understand, but not accept, what really concerns this Institute: a Constitution by Jewish–Israeli Consensus.