

## **The 100 Terms Program: A Rawlsian Critique**

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"The 100 Terms Program in Heritage, Zionism and Democracy," a program formulated in 2005 by the Ministry of Education headed by Limor Livnat and designed for grades seven to nine in Jewish, Arab and Druze schools, will most likely find its way to the garbage heap of history, together with the Dovrat Report, another wonderful creation of the same educational regime. However, the 100 Terms Program bluntly expresses a deep-rooted educational perspective that will not end with the passing of the regime that gave birth to it. While it is true that Limor Livnat does not have an educational role in Ehud Olmert's government, the bureaucracy of the Ministry of Education, which developed the program, remains in place. It is also worth recalling that Livnat's sword-bearer at the Ministry of Education, Ronit Tirosh, is now a key Member of Knesset in the Kadima party, and aspires to an executive position in the field of education.

The 100 Terms Program is composed of three parts: "Democracy," which is the same for all schools; "Zionism," which is also common to all schools, with slight differences between Jewish and Arab schools; and "Heritage," which is different for Jewish and Arab schools. The list of terms in the "Heritage" section designed for Jewish schools covers the cultural, religious and historic heritage of the Jewish people in a comprehensive manner. In addition, the "Zionism" section also addresses Jewish heritage. The "Heritage" terms designed for students in Arab schools, on the other hand, refer almost exclusively to the different religious heritages of Muslim and Christian students. There are only three figures from Arab history on the list, all from the Middle Ages. Clearly, the impression the Arab students are supposed to imbibe from this list of terms is that the Arabs have no common historical or cultural heritage, at least since the Middle Ages, and that most definitely no such heritage exists with regard to the Palestinian Arab people.

The grave significance of the attempt to convey such a message to Arab students is clearly revealed in a letter from Livnat to Adalah Attorney Gadeer Nicola, dated 29 March 2005. Livnat responded to a letter sent by Attorney Nicola on 7 March 2005, in which Adalah argued that the discriminatory nature of the 100 Terms Program violated the right of Arab students to dignity and demanded that its implementation be frozen immediately. In her letter (written in broken Hebrew), Livnat, then-Minister of Education, states that, "Only he who recognizes his past, his heritage, his culture, can understand the strong connection that exists between the people and the land, and his right to build himself and his institutions on this strip of land." That is, by preventing Arab students from becoming familiar with their past, their heritage and their culture, which is a Palestinian-Arab past, heritage and culture, they are being denied the ability to understand the connection that exists between them and their land and to recognize their right to build themselves and their institutions on this strip of land.

Contrary to Arab students, who are denied the right to get to know their heritage, Jewish students are exposed to their religious, cultural and national heritage in both the "Heritage" and "Zionism" sections of the list of terms. This discrimination constitutes a severe violation of the principle of equality, as clearly evidenced by the aforementioned letter from the Minister of Education:

The program... emphasizes the thread connecting Jewish heritage to the return to Zion and living in a democratic state in accordance with Jewish heritage.

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The minorities who study their unique heritage also learn about the strong link between the people of Israel and their land, and this as citizens with equal rights in the State of Israel.

The goal of these studies is to strengthen the connection between the Jewish student and his heritage and land, and to instill national and civic pride. With regard to the student from the minorities, there is a message of equal rights and human dignity in a Jewish and democratic state.

As noted above, the blatant inequality in these declared educational objectives, which are also expressed in the "100 Terms Program," does not convey to Arab students "a message of equal rights and human dignity," but rather a message of discrimination and lack of respect for them as Arab human beings.

### **Respect, Self-Respect, Equality and Freedom**

According to John Rawls, a prominent liberal philosopher of the second half of the 20th century, self-respect is the fundamental prerequisite for a person's ability to forge a rational life-plan for him- or herself and then put it into practice. That is, self-respect is the most basic condition enabling a person to be a free creature. Thus, Rawls designates self-respect as perhaps the most important "primary good" By the same token, self-respect is also a prerequisite for a person's ability to treat others with respect: "one may assume that those who respect themselves are more likely to respect each other and conversely."<sup>2</sup> Lack of self-respect is liable to engender envy: a destructive, irrational emotion that causes a person to be ready to suffer hurt as long as others, whose social situation is better than his, will also be hurt. In Rawls' view, in a society based on economic inequality, the emotion of envy poses the most tangible threat to social stability.

In a society based on economic inequality, Rawls further argues, equality in the political status of the citizens is an essential condition for the existence of self-respect: "In a well-ordered society then self-respect is secured by the public affirmation of the status of equal citizenship for all; the distribution of material means [on the other hand] is left to take care of itself in accordance with the idea of pure procedural justice."<sup>3</sup> Political equality, expressed in the careful and universal safeguarding of liberal individual freedoms, constitutes a necessary condition for developing self-respect because the ability to develop self-respect depends on receiving respect from others. Another essential condition, which is also related to respect from others, is the possibility of different and competing perceptions of the good to exist in society; or, in other words, the lack of a single monopolistic perception of the good: "This democracy in judging each other's aims is the foundation of self-respect in a well-ordered society."<sup>4</sup>

### **Self-Respect and Multiculturalism**

Rawls' assessment of the importance of allowing different personal perceptions of the good to exist in society was expanded by Will Kymlicka (and other philosophers, including Yael Tamir, the current Minister of Education) to also apply to the relations between different ethnic groups in a multicultural society.

Like Rawls, Kymlicka also emphasizes that individuals do not decide what will be the content of their life plan without some prior background, and rely on models and ways of life

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<sup>2</sup> John Rawls, *A Theory of Justice*, Cambridge: Harvard University Press, 1971, p. 179.

<sup>3</sup> *Ibid.*, p. 545.

<sup>4</sup> *Ibid.*, p. 442. See also, Jose Brunner and Yoav Peled, "Rawls on Respect and Self-Respect: An Israeli Perspective," *Political Studies*, Vol. 44, No. 2, 1996, pp. 287-302.

bequeathed by those who came before them. Thus, individuals cannot make a decision how to conduct their lives in a social or cultural vacuum. The range of alternatives they consider is derived from their cultural heritage; that is, the way of life or ethos individuals are born into, determines to a great extent their sense of the world. Therefore, Kymlicka argues, a person must be part of a "societal culture" to acquire the necessary tools for authentic choice, such as self-respect, a meaningful selection of different alternatives and life paths, a sense of history, personal ability and identity.

If the cultural heritage of a minority culture and its perception of "the good" are scorned or pushed to the margins by a dominant and exclusivist definition of the social good, and if the members of a minority culture are not given access to models of behavior, norms and cultural values and are prevented from participating in the common good, their ability to attain individual autonomy and form rational life-plans is liable to be seriously hurt. Therefore, "special rights are needed to treat aboriginal people with the respect they are owed as members of a cultural community."<sup>5</sup>

Kymlicka emphasizes that his arguments are especially applicable to groups of native minorities as opposed to immigrant groups. Unlike immigrants, native groups – which Kymlicka terms "national minorities" and which are customarily referred to as "homeland minorities" – did not become minorities as a result of a free decision to emigrate and become part of a new culture.<sup>6</sup> They became minorities unwillingly, as a result of historical circumstances that were imposed upon them. From the perspective of such groups, the majority culture is in many cases not only foreign, but also hostile, and its historical narrative is contrary to their historical narrative. In such cases, imposing the majority's historical narrative on the minority constitutes another severe blow, beyond the hurt entailed – according to Kymlicka (and Rawls) – in denying them the right to a supportive cultural context.

## **Summary**

The "100 Terms Program" violates the principles of justice formulated by Rawls and applied by Kymlicka to multicultural societies in two ways: it ignores the principle of equality, and it prevents students in Arab schools from becoming acquainted with their cultural heritage, thus hindering their ability to develop self-respect.

According to Basic Law: Human Dignity and Liberty, "All persons are entitled to protection of their life, body and dignity." But according to Rawls, human dignity means first and foremost self-respect, and a person's self-respect is denied when his or her own perception of the good is not recognized and protected by society. According to Will Kymlicka, the most prominent philosopher of liberal multiculturalism, a person's perception of the good and life-plan must be anchored in the heritage of his or her cultural group. Denying the possibility of recognizing and fostering the group's cultural heritage, therefore, deals a severe blow to human dignity.

The educational program for Arab students, as reflected in the terms of Arab "Heritage" in the "100 Terms Program," seeks to deny them the possibility of becoming familiar with their

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<sup>5</sup> Will Kymlicka, *Liberalism, Community and Culture*, Oxford: Oxford University Press, 1989, p. 183. See also, Jose Brunner and Yoav Peled, "On Autonomy, Capabilities and Democracies: A Critique of Liberal Multiculturalism," in *Multiculturalism in a Democratic and Jewish State; A Memorial Book for Ariel Rosen-Zvi, Menachem Mautner, Avi Sagi and Ronen Shamir* (eds.), Tel Aviv: Ramot Press, 1998, pp. 107-131. (Hebrew)

<sup>6</sup> See also, Hassan Jabareen, *The Future of Arab Citizenship in Israel: Jewish-Zionist Time in a Place With No Palestinian Memory in Challenging Ethnic Citizenship*. Daniel Levy and Yfaat Weiss (eds.) (New York: Berghahn Books, 2002) at 196-220.

national cultural heritage as Palestinian Arabs. Without becoming familiar with this heritage, Arab students will not be able – as they are currently unable – to develop self-respect, and in this way their right to dignity is violated. Since Jewish students are able to learn about their cultural heritage in a comprehensive way (and Arab students are also required to study the Jewish cultural heritage), the withholding of this possibility from Arab students constitutes a serious violation of the principle of equality, a fundamental constitutional principle that the state is required to safeguard, even in the absence of an explicit basic law.

Beyond legal and moral considerations, one may also question the political wisdom behind the discriminatory educational policy expressed in the “100 Terms Program.” Does the emphasis on the different religious heritages of Muslim and Christian students and the denial of their common secular national heritage serve the interest of the State of Israel in maintaining a stable and peaceful society (not to mention a democratic, equal and just one) on the political level? Is the emphasis put on religious elements over national ones in the Arab cultural heritage consistent with the state’s values as a Jewish and democratic state? From the state’s political perspective, would it not be better for Arab students, whose national cultural heritage cannot be concealed from them, to learn about this heritage in a balanced and responsible way in the state’s own educational institutions, rather than learning about it from other sources, for whom the good of the State of Israel is not necessarily the main concern? Does a lack of self-respect among the Arab citizens of Israel, which could lead to the development of what Rawls calls “envy,” serve the state’s interests?

Since the answers to these questions are self-evident, it would be appropriate, in my opinion, for the Ministry of Education under the new minister to replace the “Heritage” terms pertaining to Arab education with a new list of terms, which would be written by Arab historians, intellectuals and educators.<sup>7</sup> This new list, which would faithfully reflect the cultural heritage of the Arab citizens of Israel, could help in developing the self-respect of Arab students, and thus also help to develop their respect for members of society who are different from them. It would also be fitting if Jewish students were also required to learn terms of the Arab “Heritage,” just as Arab students are required to learn the terms of “Zionism,” which are terms that belong to the Jewish heritage. This is essential not only due to the principle of equality, but also because of the need to foster understanding and mutual respect between the two national and cultural communities that comprise Israeli society.

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<sup>7</sup> For example, see, Amal Jamal, *The Civic Lexicon for Pupils in the Arab Education System in Israel*, Jerusalem: Gilo Center, 2005. (Hebrew)