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Security - or insecurity?

"Makhbarot Adalah" ("Adalah's Review"), Vol. 4, Spring 2004, chief editor: Hassan Jabareen, co-editors: Samera Esmeir and Rina Rosenberg, Legal Center for Arab Minority Rights in Israel, 110 pages, NIS 40.

By Jonathan Yovel

Very quietly, without recourse to public relations or marketing campaigns, Adalah's Review, published by the Legal Center for Arab Minority Rights in Israel, has become one of the most interesting, original and readable journals in Hebrew today. Published annually since 1999, and appearing also in Arabic and English, each of the attractively designed issues focuses on a specific topic. The current volume, "In the Name of Security," explores what might be called "Israeli security-speak" from a whole range of angles.

What is "security"? What is "security-speak"? How is it woven into public discourse? The underlying assumption here is that security is a cultural, social and political concept, rather than just a military one, and that various powerbrokers in Israeli society promote political aims and configure reality on the pretext of safeguarding security while, ultimately, security has nothing to do with it.

A prime example is the new citizenship law passed by the Knesset in July, 2003. In practice, this law prevents marriages between Israeli citizens and Palestinians from the territories through disallowing "family unification." Palestinian spouses, as opposed to, say, non-Jewish American or French spouses, are denied permission to live in Israel with their Israeli partners. The reasons cited are security-related: keeping hostile elements from infiltrating the country under the guise of marriage.

But another argument making the rounds in political and other circles is related to demography: The chief purpose of the law is to restrict the influx of Palestinians into Israel and possibly to encourage Arab citizens to leave. The rhetoric is security-related, but the hidden motive is demographic. Traditionally, security issues in Israel are handled by the defense establishment. The Knesset and the courts approach "security" as a kind of totem. It is taboo to intervene.

So how does one examine a democratic society's use of complicated political concepts like "security" and "equality"? In traditional research, there are two main strategies: One is to look at how the concept is ordinarily applied. For example: How does the State of Israel protect the security of its citizens? How does it allocate resources in general? This is a liberal political approach: One takes the established sense of a concept and analyzes its proper application in reality. Samera Esmeir, in her editorial introduction, analyzes

this "grand narrative" of defense thinking in Israel: "Security" is an objective, neutral term connoting protection from some threat or harm. Understood this way, it is a concept equally acceptable to "security-minded" politicians, human rights activists and certainly the courts.

The second strategy - the "critical" approach, if you like - analyzes and sometimes breaks down the concept itself. What is actually meant by "security" in Israel and elsewhere? Whose security are we talking about? Is the great likelihood that accused parties will be found guilty by an American military tribunal a threat to their security? Is having one's baggage and person searched on the basis of ethnic profiling conducive or harmful to security? Consider the dedicated security guards at Ben-Gurion airport who greet me with a cordial "shalom" to get me to reply in my unmistakable Ashkenazi Hebrew accent. What if I answered in an Arabic accent, possibly prompting a search of my car, with all the associated risks? Is that not a threat to my security? Whose sense of security matters as we move around the public domain?

Threat-vs.-security

Esmeir shows that "security" in modern discourse is closely related to perceptions of being threatened. The security issue has become dominant in so many spheres: demography, land, freedom of movement, artistic and political expression, privacy and so on. Framing all these issues in the language of threat-versus-security, we see that there are many kinds of threats. Apart from fear of physical harm or damage to property or collective assets, there are fears of cultural and historiographic dominion, of a threat to the Jewish character of the State of Israel.

Jurists know the lingo: When land was expropriated for the establishment of Alon Moreh in 1979, for example, two Zionist approaches competed in the Supreme Court: one that recognized land expropriation for national purposes like settlement, and one that permitted it only for security reasons, according to international law. The expropriating authorities learned how to talk to the court: All they had to do was say that the expropriation was related to security and the restraining order was lifted, even though the objective - building a settlement - remained exactly the same. Whose security was being safeguarded? What were the threats that came into play?

Proponents of a post-liberal approach like Esmeir's are not interested in whether or not security concerns in Israel are applied equally. They are interested in the ideological biases inherent in the concept itself and the ways it is used to serve politics. This duality runs like a thread through many of the articles in the journal. While some of the authors ultimately accept the established security paradigm and examine its implications for Israeli society, especially the Arab minority, some help to enhance the discourse itself.

Part of this issue of the review analyzes security legislation enacted by the military administration in the Galilee and the region known as the Triangle from 1950 to 1966. Ilana Koren shows that the military administration, especially through the regulations it imposed that restricted civilian mobility by requiring entry and exit permits for residents

of Arab towns and villages, created an incriminating mechanism: The overwhelming majority of legal infractions in those days involved being caught without proper permits.

Koren points out that the military administration was abolished at the recommendation of the defense establishment itself. In her article, she discusses the law enforcement measures - by civilian authorities and police - that were meant to replace military control over Arab Israeli citizens. Indirectly, she touches on the connection between security and threat we spoke about above. Koren argues that appointing a military administration to govern the Arab sector is what defined it as a security risk - and not the other way around.

To go back to the old brain twister about which comes first - the chicken or the egg - the answer is neither the chicken nor the egg, but the farmer, who put the chicken/egg in the coop in the first place, and stood guard over it while the egg was being laid or the chicken emerged. Even if Koren does not directly address the confusion, apprehension and inexperience of the fledgling Israeli establishment in its handling of the Arab population, these emotions are evident in the conglomeration of measures - military legislation, civil legislation, restrictions of all kinds - introduced by the military administration back then. Some are still in force today.

Tip of the iceberg

Areen Hawari has contributed a fascinating historical-anthropological study, written in prose, that combines scathing criticism and almost lyrical depictions of how masculinity and femininity underwent a process of change in Arab society during the period of military administration. She describes how family heads became dependent on village mukhtars, how power was measured in terms of ability to squeeze out concessions from the military governors - securing permits for everything under the sun, bargaining for the purpose of eking out the most meager livelihood.

The editors of the journal have appended original documents to the articles. For example, a long letter in English from a doctor whose permit to reside in Nazareth, where his family lives and he runs a clinic, has been canceled for some unknown reason. The letter, written in the elegant, educated prose of an indignant member of the upper class, opens a window into a different world, especially for those who are used to the dry formality of legal documents and petitions.

Dr. Hadad writes to the military governor of Nazareth in the name of the law, but also in the name of "human conscience and morality," and even more so as a gentleman, a professional and a respectable citizen who has been treated in a manner that is beneath him. The editors have been wise to incorporate these original documents, from decades ago and also today.

Hillel Cohen's article addresses an important issue - the policing of information in this country - but ends up exposing only the tip of the iceberg. Cohen mainly explores the legal restrictions on gathering and disseminating information, such as those stipulated in

the GSS Law. This "alienation of data," as I call it in my own work, is typical of democratic regimes: Under the guise of concealing information from hostile elements ("in the name of security"), the country withholds information from its citizens and stifles public discourse on sensitive issues.

An example of this is the sweeping ban on publishing the names, particulars and photos of Lebanese and Iraqi citizens abducted from Lebanon and held in Israel as "bargaining chips" during the 1990s. The most famous of them are Mustafa Dirani and Sheikh Obeid, but 22 others, who remained anonymous at the time, were held along with them. Why are the citizens of Israel forbidden to know anything about them? "Security reasons," we are told. But that is ridiculous. The enemy, of course, knows very well who these people are. Keeping the information from Israelis is a way of dehumanizing the prisoners, of not allowing anyone to feel solidarity with them or take pity on them, regardless of how justified one may feel Israel's actions are in holding onto them.

The same is true for information that has already gone public overseas. Obviously, the enemy knows it, too. Most of the data relayed by nuclear whistleblower Mordechai Vanunu falls into this category. Vanunu broke the law, and Israel is certainly entitled to decide what kind of information is classified and cannot be revealed without danger to the state, but once this information has reached the enemy, there is no good reason for prohibiting its dissemination in Israel.

For lack of space, we cannot review all the articles in the journal, several of which are quite fascinating. One of them is Rhoda Kanaaneh's study of Arab soldiers serving in the Israel Defense Forces. My apologies to those who have been left out. The editors can only be commended for their decision to reprint the legal documents in full, although not bringing in documents from the other side has created a certain void: Adalah's arguments are not easy to understand without the charge sheets of the state. A semi-academic journal should be up to publishing such material, even if the editors disagree with the views they express.

Adalah's Review is a well-designed, easy-to-read publication. The articles fit into an unfilled niche in Israeli discourse: They are scholarly, solidly researched, but relatively short, using clear, comprehensible language. If it were up to me, I would include one full-length study to allow the subject to be developed more thoroughly. Nevertheless, the journal is packed with intelligent, articulate writing by an intriguing group of men and women, Arabs and Jews, with different literary styles and research approaches, but all able to convey their ideas in a fresh, straightforward and stimulating manner.

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