

Citizenship in Great Danger: A Proposed Discussion

By Shalom (Shuli) Dichter*

The citizenship of Arabs in Israel is so distorted that it can surely be called “*de facto* Class B citizenship,” although no law determines it as such. However, the tempest expected in the coming months is liable to make the “inferior citizenship” *de jure* as well. During the disengagement process and the popular Jewish Israeli response it has engendered, the Israeli government is liable to feel in the next year or two that it is losing its legitimacy in the eyes of a small, but prominent, part of the Jewish public. To appease this section of the population, the government may well take action to initiate legislation which could lead to the formalization of a second-class citizenship for Arabs.

The two major forces acting in this regard are the government, on the one hand, and Jewish public opinion, on the other. However, Jewish public opinion, with its power to dictate government action in Israel, will play the leading role in this process. In this article, I shall not analyze this danger from a political-legal perspective, for politics and law are not my fields of expertise. Rather, I will try to point to the epicenter around which the Jewish public in Israel is liable to succeed in convincing the government to take measures to establish a *de jure* second-class status for the Arabs in Israel.

Inferior Citizenship – With International Backing

Since 2000, the State of Israel has been undergoing political and historic turmoil, which has deeply influenced the relationship between the Arab minority and the state. The shooting to death of 13 Arab demonstrators in the fall of 2000 struck a critical blow to Arab citizenship. Since then, the Or Commission, which investigated the events that led to the killings of the 13 Arab citizens, published its conclusions. In addition to its legal conclusions, the Or Commission stated that government authorities over the years have consistently failed to treat Jewish and Arab citizens equally, and that the gap had to be closed immediately. Two years have passed since the publication of the report, but none of the Or Commission's conclusions on this subject has yet been implemented.

In recent years, the government's relationship with the Arab minority has deteriorated further. During the last year, the discriminatory Nationality and Entry into Israel Law, which prohibits the granting of any residency or citizenship status to Palestinians from the Occupied Territories married to Arab citizens of Israel was renewed. In addition, the government is initiating new amendments that will severely limit the status in Israel of any “non-Jews” married to Israeli citizens. Other initiatives exclude Arabs and regularly threaten their citizenship. For example, the recommendations of the Gadish Committee, under which the state will be able to transfer land to the Jewish National Fund (JNF), were recently approved by the government, thereby granting the JNF a free hand to distribute the land exclusively to Jewish citizens. With the likelihood that nationalism will be intensified over the next couple of years, it is possible that further such initiatives will be introduced in the Knesset.

The government's request for financial assistance from the United States in carrying out the disengagement includes a request for help in the “development of the Negev and Galilee.” Actions taken by the government and the accompanying public relations activity in this context emphasize that the aim is to “Judaize the Galilee and Negev.” The fact that the administration in Washington is not conditioning (at the time of writing) the granting of development assistance to Israel on an equal division of funds between Jews and Arabs based on citizenship is reason

* Co-Executive Director of Sikkuy - The Association for the Advancement of Civic Equality in Israel.

for great concern. It indicates that the US administration is prepared to lend legitimacy to development in Israel based on ethnic separation. In the future, it is possible that silent support of this kind could serve as an international "security net" for far-reaching actions against Arab citizens in Israel without external interference, with these actions being considered the internal affairs of "the only democracy in the Middle East."

Lately, the government's relationship with Arab citizens has become so strained that on 6 July 2005, as reported in *Ma'ariv*, the General Security Service ordered government ministers to travel to Arab towns and villages in Israel only in bullet-proof vehicles. One would assume that the ministers who take the trouble to visit Arab communities will not follow this instruction, but its publication under a headline running the full width of the newspaper in itself further intensifies the de-legitimization of Arab citizens. Indeed, the worst aspect of these examples is the deterioration in the Jewish public's and the government's perception of Arab citizens.

This deterioration is further evidenced by the idea to redraw the Green Line, so that Arab citizens living in Umm al-Fahem and the Triangle would lose their citizenship, while remaining in their homes and communities. This idea has penetrated the Israeli debate in a way that can no longer be ignored. With feigned innocence, the plan is referred to as an "exchange of territory" with the Palestinian Authority, although the proposal deals essentially with the people living in those areas. This plan will be referred to below as the "revocation of citizenship," a name which focuses specifically on the people it affects and on their citizenship status.

Geo-Political "Frish-Mish" (Re-Shuffle)

According to the findings of a public opinion poll reported on 2 July 2005 on the Channel 10 television program "Cabinet," 56 percent of Jews in Israel support the revocation of the citizenship of Arab citizens living in the Triangle. The idea has gained broad-based legitimacy in the demographic discourse in Israel. This discourse developed from the desire to establish a Jewish state in Israel, and contains a diversity of attitudes toward the Arab minority in Israel, from the legitimization of structural discrimination in allocating state resources, to attempts to rid the state of Arab citizens by relinquishing sovereign state territory.

The historic process of founding a Palestinian state, which, among other things, will form a "magnetic field" of Palestinian national consciousness for the rebuilding of the Palestinian people following the events of 1948, is legitimate and worthy. It includes, *inter alia*, the determination of a "living and breathing" border between these two legitimate magnetic fields – Jewish and Palestinian. However, in practice, the historic project of setting a border is liable to be the opposite of the disengagement, which is based on sealing a wall. Drawing a healthy border means, first of all, building a strong system of relations and allowing osmosis between the two sides of the border, and not encouraging people to develop a closed-consciousness toward one another. The current system of sealed relations between Jews and Palestinians is built on loathing, mostly a product of frustration, and the harm this loathing causes may outweigh any benefits. Below I shall also discuss its effect on citizenship inside Israel.

The awareness among the Jewish public of the possibility of disengagement from the Gaza Strip began with the battle-call of peace sounded by Ehud Barak in 1999: "Them there, us here!" This call answered the dream of many Israelis not to see Palestinians, period. Perhaps this dream would enable the Zionists to flee from emotionally confronting the devastation of the Palestinian nation in 1948.

It may also be that the source of this Jewish fantasy is that Palestinians represent the greatest failure of the state: to provide its Jewish citizens and Zionists in general with a reasonable life, in peace with their Palestinian neighbors within the state and without. One way or another, this idea seized the imagination of a large section of the Israeli Jewish public, and led to widespread support for the construction of the concrete walls and fences that "will sear into the

consciousness" of that public the separation between Jews and Palestinians in the area between Jordan and the Mediterranean Sea.

The concept of separation is not at all about a temporary security system or separation from the Occupied Territories and from the Palestinian nation. The real fantasy is not seeing Palestinians as they are, even if they live nearby geographically, and even if they share citizenship in the state with Jews. In this way, the perception of the separation wall penetrates internally into Israel, and its route of demarcation is drawn along ethno-national lines. However, this conception of separation is not satisfied with structural discrimination in the allocation of state resources; its aim is the revocation of the citizenship of Arabs in Israel.

Presumably, this process will not take place in practice, because moves of this kind occur under the smokescreen of wartime and far from the eyes of world opinion. Even if total war were to break out here, the eyes of the world, which closely follow events in the area, would not allow such an action. Further, those who advance this idea are probably aware of this, and so they apparently are not interested in achieving physical changes in the border; rather, they seek conceptual achievements, which raise consciousness. It seems the objective is to revoke the legitimacy of Arab citizenship in Israel in the eyes of the public and in the eyes of the government, and, at some point down the road, to create a permanent, inferior status for Arab citizens.

This conception is not detached from the reality of Israeli discourse. Recently, we have had reason to be greatly concerned that the idea of the revocation of citizenship will be readily absorbed. Linking the idea of the "exchange of territory" with the disengagement from Gaza and parts of the northern West Bank looks natural to many Israelis. It is even seen as an idea that identifies the national perspective, contrary to the citizenship perspective, as the view which determines the future. It is also harmonious and supplemental, and provides an easy way of getting rid of the all-too-complex picture posed by diverse levels of citizenship in Israel.

Even if the possibility of an all-out war is excluded, one that might provide a smokescreen to enable a process of physical transfer to take place, we cannot negate the possibility of a "frish-mish," that is, a geo-political re-shuffle under the auspices of a sweeping regional peace process. Although such a process would not permit changes in borders, it would grant legitimacy to a permanent *de jure* inferior citizenship for Arabs in Israel, as part of the "fortification of the Jewish character of the state," and as a counterbalance to "abandoning parts of the homeland." International leaders and officials in such a scenario would absolve themselves from interference in this kind of a process, as it concerns "the internal affairs of the only democratic state in the Middle East," and, "in any event, the Jews are entitled to something after they relinquished so much."

The Discourse of Demographics – The Top of the Slippery Slope

The proposition of removing the Arabs of the Triangle from the Israeli citizenry is part of the demographic discourse which has evolved here, particularly during the last decade. From the time that the Oslo peace process was presented to the Jewish public in Israel, the discourse of demographics has been used to justify the establishment of a Palestinian state. Looking back, it is apparent that this was a mistake. The founding of a Palestinian state is based on need and historical justice, and does not need to rely on an illegitimate argument, even for the Jewish public. However, this supportive argument has become the threat, now hovering over both Jews and Arabs.

The disengagement process, too, rests on the demographic argument, and on the long European tradition of the drawing up of borders along ethnic lines, which was begun by the nationalism which sprouted in the 19th century. Both the arguments on the legitimacy of the "exchange of territory" and the associations the idea raises come from the global arrangement

formulated in Europe in the 20th century. However, Europe, which experienced the racist whirlpool at the peak of that process, has since come to understand that, even if nation-states exist, it is forbidden that they rest on the conception of ethno-national purity. Thus, in Europe, where the rights and the ability to enjoy the resources of the state are concerned, citizenship is determinative and not based on national belonging. Those persons who propose getting rid of the 200,000 Arab citizens who live in the Triangle also know that another one million Arabs will continue to live here. The proposal for implementation ostensibly rests on a pragmatic tradition in Israel – of "a bit less land and one less goat."[†] However, as stated, the physical action is not what is important here; of greater importance is the legitimacy afforded to the illegitimate conception of the ethnic purity of Jewish sovereignty in Israel.

Hypothetically, let us imagine what the citizenship of the Arabs remaining in Israel would look like following the expulsion of the residents of the Triangle to the other side of the border: would residents of Sakhnin finally receive the allocation of state lands to which they are entitled, so they can build housing for young couples in the same way as their neighbors in Karmiel? Would Nahaf, Beineh and Dir al-Assad share in the substantial tax revenues generated by the regional industrial zone which are presently given to Karmiel? Would Arab residents of the Negev [Naqab] finally be provided with proper communities in which to live? Clearly not; on the contrary, Arab citizens would become increasingly marginalized.

In the view of the "demographics people," there is no difference between the residents of Sakhnin and Baqa al-Gharbiya, other than the fact that residents of Baqa live close enough to the border that they can be cut off from the state, while Sakhnin is stuck deep inside the state, like a spike in the heart of the Galilee. According to those who support the proposal, the residents of both communities are Arabs, and therefore not legitimate citizens of the state.

From the perspective of the Jews, the demographic discourse endangers the future of the state in two ways. The first aspect is that the danger lurking at the portal of the conception of ethnic purity is a slippery slope, its beginning being the de-legitimization of the citizenship of non-Jews, its continuation being the firm establishment of structural discrimination, and the bottom of the slope being *de jure* apartheid. The second aspect is the internal-Jewish perspective, but the slope is the same slope, and the gradient is the same gradient: the speakers of the discourse of demographics emphasize that there is a need to establish a "Zionist majority" here and a "productive majority," their comments being directed not only at Arabs, but at the ultra-orthodox as well, in addition to others who receive allowances from the state. In this way, those who speak the discourse of demographics create an alliance between religious Zionism, including the settlement movement, and the taxpaying middle class, which attracted much attention with the appearance of the Shinui political party. Thus, whereas Arabs can be expelled conceptually, this cannot be done with the other groups, because they are Jewish. Within one or two generations of the de-legitimization of the Arabs, these groups will find themselves at the bottom of the demographic slope, together with those Arabs whose citizenship could not be taken from them; that is, those who are discriminated against and excluded from civil life within the state.

If, Heaven forbid, the discourse of demographics succeeds in convincing many and exploits Israeli democracy to achieve its goals, Zionism will have reached its historical end-point, choked in a fanatic, secular, Godless fortress of demographics. Jews who value Zionism must reject the discourse of demographics outright, both because of its unjust consequences for

[†] The Hebrew saying, "a bit more land and one more goat" is an expression of the practical Zionist approach to the establishment of the Jewish national home, before and after the establishment of the State.

Arab citizens, and because it conflicts with the Jewish Zionist interest of maintaining a democratic regime in Israel.

The Goal – Pluralist Citizenship in a Democratic State; The Obstacle – The Discourse of Demographics

To return to the disengagement and its anticipated consequences, last year, the Israel Democracy Institute (IDI) issued a position paper based on in-depth, extensive discussions held at the Institute. One of the IDI's most striking recommendations was to give settlers "ideological compensation" for withdrawal from lands in a way that "firmly establishes the Jewish image of the state in the public domain." Against the backdrop of the demographic discourse, which plays a major role in mainstream Jewish Israeli thought, and in a situation in which the inclination is to appease the anger of the extreme right in the Knesset, we should not reject outright the possibility that elements of the mainstream will support racist legislative initiatives in order to "emphasize the Jewish character of the state."

The value of democracy is in the diversity of the population which constitutes its common political framework. The two principal groups comprising the population of Israel are Jews and Arabs, each with internally divisions based on origin, religion, way of life, etc. The only framework which can contain this diversity is a pluralistic democratic regime. The demographic specter is hovering dangerously over both the Jewish majority and the Arab minority, requiring a strong process of counteraction by all Jews and Arabs who value democracy.