

**Introductory Remarks\***

**By Dr. Marwan Dwairy†**

The protest of October 2000 is considered an important landmark in the narrative of the Arab Palestinian citizens of Israel, from the establishment of the state until the present day. Numerous other landmarks predated October 2000, the most important of which being 'Land Day' in 1976. During the October 2000 uprising and Land Day 1976, there were public protests which the authorities confronted with bullets, resulting in a number of deaths and injuries.

On this day, we must stop to evaluate our experiences, and to examine the constant and the changing factors in our ongoing narrative. Even though the dynamics of the struggle between ourselves and the authorities has not fundamentally changed since the first Land Day, it is untrue to claim that nothing changed between 1976 and 2000. It is our duty today to assess both experiences and these changes in order to profit from them in our work and our struggle. We must study the changes in the authority's policy and practices, as well as in our ways to struggle against the authority.

Following Land Day, the authorities refused to create a commission of inquiry, and immediately after this day issued a racist paper, written by King, the Northern District governor, in which he recommends the arrest of Arab citizens with the use of more severe force. In the aftermath of the October protest, a Commission of Inquiry, headed by Justice Or, was formed and published a report which was lenient towards government and police officials, while acknowledging the right of Arab citizens to equality. This document was not adopted or implemented, but watered-down and aborted by the Lapid Committee, which contained racist members. In spite of the differences between the authorities' handling of the events of Land Day [1976] and the October [2000] protest, it seems from this comparison that the Israeli authorities are still a long way from dealing with the Arab citizens as citizens of the state, and continue to view them as an alien body and a threat to the state which must be suppressed. The two stages differ in their manner of restraining Arab citizens. King's paper proposed greater force, whereas the Or Commission, which did not make the policy of force a criminal offense, proposed using alternative methods for containing Arabs citizens.

What has changed on our side with regards to our response and our means of resisting the state? After Land Day in 1976, there was a revolutionary expansion, and a national upsurge emerged out of the collapse of the authorities' strongholds and the victory of national leaderships in the majority of local authorities. In that period, the regional committee of local councils was transformed into a collective national leadership around which the Arab public rallied with great enthusiasm. The October 2000 protest was followed by national and political stagnation, and indications of a decline in the vigor of the struggle for national equality.

At the same time, however, we have recently witnessed something new in the political behavior of the Arab public: the appearance of NGO's and other national organizations. In the 1970s, there were the political parties, primarily the Communist party, which was the only party that

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dealt with the issues of Arab citizens. Today there exists a host of political parties and organizations, attracting intellectuals and professionals, to deal with these issues. I do not see that the activities of these organizations contradict the role of political parties and the political leadership, but am of the opinion that they can work together in this stage in our battle against the policy of national oppression and discrimination. There is an important role to be played by both political parties and organizations, and neither can substitute for the other's role and responsibilities. This is in fact what came to pass following the October protest. Tens of organizations, including Adalah, assumed roles according to their fields of expertise and, in cooperation with other organizations and the political leadership, confronted the remnants of October [2000]. In this respect the situation differed from that in the 1970s.

The authorities treat Land Day and the October protest as tests of the extent of Arab citizens' loyalty towards the state, whereas we deal with these events as tests of the justice of the state's democracy. In all cases, the state's institutions fail the test of justice. Israeli democracy, which is a liberal democracy based on majority rule, has in the past allowed and continues to allow racist anti-Arab resolutions and laws to be passed. This democracy allowed for the expulsion of a people from their homeland, the destruction of their villages, the confiscation of their lands, the perpetration of massacres against many of them, and the perpetuation of a policy of racial discrimination. As long as the majority remains Zionist, this democracy will be able to continue along this path, and in theory even to implement a program of transfer. Given that our experiments with liberal Israeli democracy did not ensure justice, but on the contrary were utilized for the benefit of the Zionist majority, we must confront this democracy and transform it into a just pluralistic democracy. This takes us to a burning issue of the day: the formulation of a state constitution.

I believe that the issue of the constitution, which a Knesset Committee is in the process of formulating, is one of the most important issues in which we must invest our energies, with responsibility and caution. As is well known, the constitution must stand above any law legislated by the Knesset, and be a democratic tool for safeguarding citizens' rights, and in particular those of minorities. The political right is attempting to exploit the prevailing right-wing atmosphere in the country in order to enact a Zionist constitution. However, the credibility of any state's constitution is of course not only dependent on the numerical majority, but also on the consent of all groups, and especially minorities. At this stage we cannot avoid a debate on the constitution, but at the same time do not want our participation to confer legitimacy on a Zionist constitution which disregards the collective rights of the Arab citizenry. Thus, as political parties, organizations, and as a people, we must now shift from the phase of reaction or rejection to the phase of getting our national agenda onto the debating floor. We must prepare a charter defining our vision of the state and our position within it. That is, we must prepare a document in which we set out our collective rights, to be a foundation for any negotiations over the formulation of a state constitution. Arab consensus on this issue is of utmost importance, in addition to cooperating with progressive Jewish forces. Regardless of our chances of success in imposing our design on the constitution, placing it on the negotiating table and before public opinion will jeopardize any other constitution and damage the credibility of any constitution which ignores it. A constitution cannot enjoy credibility if it is rejected by a national minority constituting approximately 20% of the state's citizens. Therefore, all Arab political forces must unite and highlight what they have in common in the face of Zionism, in order to be able to formulate an Arab voice regarding the constitution.

I am aware that various bodies are working on the preparation of documents which lay out the voice or discourse of Arab citizens, and this is a good thing. Within the framework of this

activity, Adalah has decided to initiate, in cooperation with political forces, professionals and intellectuals, a project to formulate a "bill of rights" to define the collective and human rights of Arab citizens in Israel. This is a long and intricate process, in which legal and social experts will participate, but it will place the project of the Arab citizens in this state before public opinion and before history.