



REDRAWING THE BOUNDARIES OF CITIZENSHIP: ISRAEL'S NEW HEGEMONY

NADIM N. ROUHANA AND NIMER SULTANY

This article focuses on the development since the second Palestinian intifada of a new consensus in Israeli Jewish society with regard to the Arab minority, which the authors call "the New Zionist Hegemony." After describing the attitudes and beliefs undergirding the new consensus, the article focuses on four areas in which it manifests itself: legislation, government policies, public opinion, and public discourse. The result of the new policies is to change the meaning of citizenship for non-Jews in an ethnic Jewish state.

ISRAELI POLITICAL THOUGHT and practice toward its Palestinian citizens have witnessed a major shift in the last few years, particularly since the second Palestinian intifada broke out in late September 2000, and Israel's Palestinian citizens held mass protests a few days later. This shift, which had begun a few years earlier, emerged against the background of a larger strategic change in Israel's policy aimed at defeating the Palestinian national movement before the start of the final status negotiations. Nonetheless, it was the dynamics set off by the failure of the Camp David summit that catalyzed the shift, which has been reflected in a new consensus within Israeli society in support of new discriminatory policies and practices toward the Palestinian minority. We call this consensus the New Zionist Hegemony.

The ideological foundations of the New Hegemony are not alien to Israeli political thinking or to Zionist thought and practice. Nonetheless, it represents a step further on a continuum running from the extreme Zionist Left, which subscribes to equal rights for Arab citizens within an ethnic Jewish state, to the extreme Zionist Right, which openly espouses policies of expulsion and ethnic cleansing (actual or symbolic). Zionism's New Hegemony has not yet reached the extreme right of this continuum, but it has moved closer, and it is not inconceivable that the dynamics of the Israeli-Palestinian conflict could bring Zionism to this extreme.

The new phase is characterized by the reversal of policies initiated by the Rabin government (1992–95) both with regard to the Palestinian national

NADIM N. ROUHANA is professor of sociology and psychology at Tel Aviv University and the director of the Haifa-based Arab Center for Applied Social Research–Mada. **NIMER SULTANY** is the coordinator of the Political Monitoring Project at Mada and author of Mada's first annual political monitoring report, *Citizens without Citizenship*.

movement (via the Oslo process) and Israel's Palestinian minority (certain liberalizing trends). The new consensus is most dramatically expressed in new policies toward the entire Israeli-Palestinian conflict and the Palestinian national movement, which are beyond the scope of this article. With regard to the Palestinian minority, the policies and attitudes growing out of the new consensus are more subtle and less visible, but they are transforming the meaning of citizenship for "non-Jews" in an ethnic Jewish state. New boundaries for citizenship and democracy are being set that are far more limited than those previously tolerated, even on the margin of the Jewish state.

ZIONISM'S NEW HEGEMONY

The New Hegemonic discourse, as noted, evolved in Israel against the background of the second Palestinian intifada. In essence, it is an accentuation of ideological elements deeply rooted in Zionism (though differentially weighted in its various strains and across time). But while there is nothing really new in the New Hegemonic discourse, the intifada reawakened views that had to an extent lain dormant and which have now become widely shared across the Zionist spectrum, including large segments of the Zionist Left. These views, summarized below, provided the public support that made possible the enactment of the new policies that will be described later in this article.

Renewed Emphasis on the Jewishness of Israel

Given Israel's self-identification as the "state of the Jewish people," it is not surprising that Jewish ethnocentrism has always been the most important ideological pillar guiding Israeli domestic and foreign policies.¹ Nonetheless, the emphasis on Israel's Jewish identity has reached unprecedented heights since the October 2000 protests and the earlier rise in Arab national consciousness. After all, if Israel is structured (in reality and in the public mind) as an ethnic Jewish state, it is only natural that any rise in non-Jewish political and national consciousness will be construed as a threat to the Jewish public. In addition, the arrival of many immigrants not considered Jewish by Halachic tradition, as well as the salient presence of foreign workers imported as substitutes for cheap Palestinian labor from the occupied territories, created multiethnic and multicultural realities on the ground that are inconsistent with the state's uniethnic conception and praxis. Today, non-Jewish residents of Israel constitute 28 percent of the population, including the Arab citizens (about 16 percent of Israeli citizens), the noncitizen Arabs living in East Jerusalem, non-Jewish immigrants, and foreign workers.²

One manifestation of the exacerbated Jewish ethnocentrism is heightened concerns about the "demographic threat"—inevitable in a state where one of the national groups subordinates the state to its own interests, exclusively. When ethnic control is part of the very definition of the state, protecting the dominant group's demographic majority becomes essential not only for the

state's claims to be democratic but also for its security. Thus, if the state's security is defined in ethnic terms demographic concerns readily become a perceived security threat, which in turn legitimizes for many Israelis the racist discussion of such issues as Arab birth rates, the growing numbers of non-Jews, and how many "Jewish immigrants" are not Jewish.³

After the October 2000 protests, open interest in the demography question increased among Israeli academics, policy planners, and government officials.⁴ In December 2000—within two months of the protests—a high-powered conference entitled "The Balance of Israel's National Strength and Security" was convened at the Herzliya Interdisciplinary Center by the newly created Institute of Policy and Strategy (IPS). The conference, which has since become a highly influential annual event, brought together in closed sessions the country's foremost academics, political leaders both Left and Right (among the speakers were Ariel Sharon, Benjamin Netanyahu, Shimon Peres, and Uri Savir), and senior military figures to discuss national security, foreign policy, and strategic planning. One of the main topics on the agenda was the "demographic threat," with the overall conference recommendation being a demographic "policy of containment" to preserve "the Jewish character of Israel." Among the specific recommendations was a "birthrate planning policy" that involves encouraging higher Jewish birthrates, canceling subsidy payments to families with many children (read: Arab families), adjusting borders to include within the Jewish state settlement blocs in the occupied West Bank while attaching Arab towns near the Green Line (e.g., the Triangle, East Jerusalem) to an eventual Palestinian state, and increasing the Jewish population in "problem areas in terms of demography—particularly the Galilee, the Jezreel Valley, and the Negev." Another recommendation aimed at reducing the Arab and increasing the Jewish political presence by offering Arab citizens the choice between Israeli citizenship and citizenship in a future Palestinian state (with residency rights in Israel) and giving Israelis living abroad the right to vote in Israeli elections.⁵

The preoccupation with the Jewishness of Israel can also be seen in the Jewish establishment's response to the political program put forward by the Palestinian minority calling for Israel as a "state for all its citizens" irrespective of ethnic identity or religion. This fundamentally democratic platform was attacked as "politically extremist," and the legitimacy of its proponents (especially Azmi Bishara, head of the National Democratic Alliance, who introduced the concept into the public discourse)⁶ was attacked. The other response to the political platform was to claim that Israel, as currently configured, *already is* a state for all its citizens.⁷

The Self-Deceiving Consensus: Israel as Jewish and Democratic

No Zionist party, including on the Left, has ever acknowledged the fundamental contradiction between Israel as an ethnic Jewish state and its claims to be democratic. One possible explanation for this denial is the "invisibility"

of the Arab minority for Israeli Jews. The prevailing attitude of the general public—shared by most Israeli politicians, left and right, and much of academia—is that if Israel is the state of the Jewish people, and if the Jewish citizens enjoy democracy, then Israel by definition must be both Jewish and democratic.

During the 1990s, partly as a result of the Palestinian minority's articulation of this contradiction, segments of the Israeli political and academic elite began to entertain the possibility that there might be a "tension" between a Jewish state and democracy. More decisive, however, were efforts to square the circle by denying the existence of any contradiction at all. In the end, a broad Jewish consensus emerged strongly reaffirming Israel as a "Jewish and democratic state"; indeed, the description was formally incorporated into Israel's Basic Laws.⁸ Prominent scholars, such as Sammy Smooha, even developed theoretical models showing how states can be both ethnic (read: controlled by a single ethnic group of a multiethnic citizenry) *and* democratic; the new model was called an "ethnic democracy."⁹ According to this model, Israel, along with states such as Estonia, Latvia, and Slovakia, simply represents a variant of democracy on a par with other variants, such as "liberal democracy" and "consociational democracy." Despite the logical and psychological contortions required to maintain simultaneously the privileges of the dominant ethnic group and the cherished self-image of democracy, many Israeli academics enthusiastically embraced the concept of ethnic democracy—a concept that permits the illusion that the state's fundamental contradiction has been resolved without actually having to change its reality.¹⁰

One of the most striking public manifestations of the aggressive efforts to portray Israel as both Jewish and democratic¹¹ is the Kinneret Covenant. Drafted in the wake of the October protests by the National Responsibility Forum (part of the Rabin Center in Tel Aviv), the covenant was completed after prolonged deliberations and signed in August 2001 by some sixty leading Jewish religious and secular scholars and opinion makers from across the political spectrum. The Palestinian identity of the Arab citizens is entirely absent from the document, which focuses entirely on the Jewish identity of Israel and reaffirms Israel as a "Jewish and a democratic" state without proposing any significant change in the country's structure. It is noteworthy that the document, which purports to provide a future vision for Israel, was drawn up without the participation of a single Arab citizen.

The Jewish consensus denying the contradiction between Israel's "Jewish" and "democratic" identities is not only a matter of terminology and self-perception. It also has far-reaching implications for the future of Arab-Jewish relations in Israel and for the possibilities of transforming Israel into a genuine democracy. For if the Jewish majority believes that Israel *already* is both Jewish *and* democratic, then the existing legal inequalities and the exclusion of Arab citizens from meaningful citizenship can be dismissed either as not cause for serious concern or as not unusual in "ethnic democracies." These beliefs enable the Jewish majority to slip into an anti-democratic political

culture and enact discriminatory measures against its own Arab citizens without any serious self-examination. The result is an anti-liberal political culture that is increasingly becoming mainstream.

Heightened Sense of Existential Threat

A sense of fear, however repressed, has accompanied Israelis ever since they established their state on what had been Palestine. This feeling progressively faded after the 1967 victory, the 1978 peace agreements with Egypt, the Oslo accords with the Palestinians in 1993, and the peace agreement with Jordan in 1995.¹² Since the start of the second intifada, however, and quite apart from the generalized anxiety caused by the suicide bombings, there has been a resurgence of the belief that Israel faces an *existential threat*. The October 2000 protests by Palestinian citizens were construed in Israel as an “internal intifada” or “joining the intifada.” Jewish Israelis felt deeply threatened by the “discovery” that the people they had always called “Israeli Arabs” or “Israel’s Arabs” are, in fact, Palestinians and part of the Palestinian people; 74 percent of the Jewish public polled in the aftermath of the protests categorized the behavior of Arab citizens as “treason.”¹³

Jewish Israelis felt deeply threatened by the “discovery” that the people they had always called “Israel’s Arabs” are, in fact, Palestinians and part of the Palestinian people

An existential threat is qualitatively different from fears associated with “terrorist attacks.” It involves uncertainty about the country’s continued national and physical existence and readily evokes the catastrophic Jewish history in Europe over the centuries, particularly the Holocaust. A major component of the fear relates to the way Israel was created by displacing the native people and taking over their homeland; the fact that the Palestinians still exist and claim their right to return to their lands feeds the sense of threat.¹⁴ However unrealistic the fears may be given the gross power asymmetry in Israel’s favor with regard to the Arabs, there is no doubt about the genuineness of the fear or its prevalence. Fear fuels the emergence of anti-liberal political cultures, and in combination with other factors, such as economic hardship and exclusivist ideologies, can lead states to perpetrate crimes against humanity.¹⁵

Doubts about the Solvability of the Israeli-Palestinian Conflict

It is in the same context of the uprising and the October 2000 protests in Israel that a new belief began to take root in Israeli Jewish society: that the conflict with the Palestinians, including the Palestinian citizens, may be unsolvable. It is not clear how widespread the belief is, but it appears to be increasing among Israeli Jews. A society that believes that an agreement cannot be reached with the foe inevitably turns its attention to how best to overpower it. According to this logic, Israel needs to suppress and dominate the Palestinians in order to contain the conflict and “prevent terror”; the use of force comes to be seen as an inevitable component of interaction with

the enemy. This explains, in part, both the lack of serious criticism for the level of carnage Israel is inflicting in the occupied territories and the lack of self-examination concerning the use of force and domination in dealing with the country's Palestinian citizens.

In sum, the New Hegemony among Israeli Jews is characterized by a dangerous mix of Jewish political ethnocentrism and self-deception exacerbated by the sense of existential threat and the conviction that the state is permanently embroiled in a quagmire emanating from the perceived insolubility of the conflict with the Palestinians. This climate has created a new consensus that in turn affects Israel's policies toward its Palestinian citizens. These policies themselves reinforce the New Hegemony in what has become a self-reinforcing cycle.

REDRAWING THE BOUNDARIES OF CITIZENSHIP

Citizenship for Arabs and Jews in Israel was never equal. The political establishment long ago stopped pretending that Arabs enjoy equality, and the intelligentsia for the most part accepts as givens both the inequality and the state's role in perpetuating it.¹⁶ Even scholars who insist that Israel is a "Jewish and democratic" state, such as Smooha and Gavison, acknowledge that full equality in a Jewish state is impossible for Arabs.¹⁷ The view of unequal citizenship with "as many individual rights as possible" and even some collective rights represents "the limits of the Zionist paradigm"¹⁸—the farthest reaches of the Zionist continuum on the Left with regard to this issue.

The New Hegemony affects the already unequal citizenship of the Palestinians in Israel to the extent of compromising the very essence of their citizenship. Thus, the boundaries of that citizenship are being redrawn through legislation, government policies, and public discourse to create a new consciousness among Jews and Arabs alike that the Arab citizens' "citizenship" is not real, in other words, that the Arabs are in effect "citizens without citizenship."¹⁹ Below we examine manifestations of the changes affecting the Palestinian minority in four areas: legislation, government policies, public opinion, and public discourse.

Legislation

The Israeli Knesset, especially the Fifteenth Knesset (1999–2002), took an active part in redrawing the boundaries of Arab citizenship, enacting a number of discriminatory laws affecting the Palestinian citizens' political participation, right of expression, economic status, and even family life. These laws aim to redefine the limits of democracy and legitimate discourse in Israel in keeping with the Zionist consensus. Since the Palestinian minority is outside this consensus, the new legislation can be seen as part and parcel of the delegitimization process underway.²⁰ Below is a brief discussion of seven of the laws enacted in the past two years.²¹

On 15 May 2002, the Knesset passed four amendments to existing laws that significantly reshaped the rules of the democratic game and parliamentary debate. Three of these, closely related, concern elections. The first, *Basic Law: The Knesset, section 7A (Amendment No. 35)*, is aimed exclusively at Arab Knesset candidates (without actually saying so). The amendment (a) empowers the Central Elections Committee to prohibit individuals (subject to High Court approval) and entire political parties from running for the Knesset; (b) stipulates that parties or individuals will be disqualified for rejecting Israel's identity as a "Jewish *and* democratic state" (not as a Jewish state and/or a democratic state, as stipulated in the law before its amendment); (c) stipulates that parties or individuals will be disqualified for supporting the armed struggle of an enemy state or of a terrorist organization against the State of Israel; and (d) requires candidates to make a declaration in keeping with the above provisions (the text of which is provided in the third amendment passed the same day, which follows).

The second elections-related legislation—*The Political Parties (Amendment No. 13) Law—2002*—changed the rules concerning the registration of political parties, including setting the conditions under which they can be disqualified from running. The aim of this law was to ensure uniformity with the amendment outlined above. The third, the *Knesset and Prime Minister Elections Law (Amendment no. 46)—2002*, among other things, spells out the precise wording of the declaration required of all candidates under the first piece of legislation mentioned above, as follows: "I pledge allegiance to the State of Israel and refrain from acting contrary to the principles of section 7A of the Basic Law: The Knesset." Making the required pledge in effect bars the candidates (and, needless to say, the candidates who are elected) from "acting contrary" to what they may consider racist and detrimental to their own community's political rights, even using democratic and legal means. In essence, the pledge outlaws working toward changing the state's political ideology even if this ideology is fundamentally in contradiction with democracy.

These three amendments together mean that candidates and their parties must submit to the Zionist consensus in order to have the right to be represented in parliament. Moreover, even if the party itself is not disqualified, the law can now interfere with which candidates the party chooses to run since the party's platform and list of candidates must be submitted to the Central Elections Committee. And because the Zionist hegemony defines which organizations are terrorist and which states are "enemy," the law gives the committee additional leeway to deprive those who deviate from this hegemony of the right to representation. The result is that these laws significantly reduce the effectiveness of Palestinian political participation by removing what is certainly a main incentive for political action: the possibility of influencing decision making and ultimately changing the existing social order in the direction of greater fairness. Instead, the amendments confine legitimate change to the boundaries defined by the Zionist consensus and anchor them in constitutional law.²²

The fourth piece of legislation passed on 15 May 2002—the *Penal Law (Amendment No. 66)—2002*—infringes upon the free speech not only of Arab Knesset candidates but of all citizens. The amendment prohibits the publication of material deemed to have a “substantial possibility” of leading to an act of violence—another provision open to wide interpretation, but certainly applicable to support for the intifada. Although the amendment was a direct response to a case in which the High Court had ruled against the government’s attempt to prosecute a journalist for supporting a terrorist organization,²³ its underlying aim was to bypass the legal difficulties involved in prosecuting Arab MKs for statements perceived as encouraging “civil insurrection” in the wake of the October 2000 protests.

Two months later, on 22 July 2002, the Knesset extended the restrictions it had imposed on *candidates* for the Knesset to those who had *already been elected*. Thus, the *Knesset Members (Immunity, Rights and Duties) (Amendment No. 29) Law—2002*²⁴ stipulates that the parliamentary immunity granted to MKs, as spelled out in the original law, will be lifted if the MK (a) commits an act or expresses an opinion rejecting the State of Israel as the state of the Jewish people; (b) rejects the democratic nature of the state; (c) incites to racism; or (d) supports the armed struggle of an enemy state or acts of terror against the State of Israel. Without parliamentary immunity, the MK can be prosecuted for any act or statement deemed in violation of the law. This amendment effectively curtails the political rights of Israel’s Palestinian citizens by limiting the free speech of their elected representatives and prohibiting them from publicly challenging the definition of the state or attempting to change that definition by lawful means. Moreover, by prohibiting support for acts of “terror” against Israel, the statute can outlaw the expression of support for the intifada and the Palestinian struggle to end occupation (despite the fact that the principles of international law permit the use of force under certain clearly defined circumstances).²⁵

In addition to laws affecting the political rights of Arab citizens in Israel, the Knesset has also passed legislation that discriminates against them economically. The *Emergency Economic Plan (Legislative Amendments to Achieve the Budget’s Goals and Economic Policy for the 2002–2003 Fiscal Year) Law—2002*, which was submitted as a government bill, passed on 5 June 2002. This law stipulates drastic cuts in governmental assistance paid to families not covered by the principle of “entitling service,” broadly defined as service of a family member in one of the security forces. Because most Arabs do not serve in these organizations, the law is a thinly disguised means to deny Arab families the benefits available to virtually all Jewish families. This effectively reinforces the status of Arab citizens as the weakest socioeconomic class in Israel and Arab children as the most vulnerable group in Israeli society. It is not far-fetched to suggest that, at least in part, demographic considerations contributed to the bill’s broad support by the Jewish MKs, two-thirds of whom voted for it.

One of the gravest steps limiting the boundaries of citizenship for Arab citizens is the *Nationality and Entry into Israel Law (Temporary Order—2003)* passed by the Sixteenth Knesset on 31 July 2003. The bill, introduced by the government, grew out of an initiative by Interior Minister Eli Yishai, who in January 2002 had instructed his legal advisors to explore the possibility of introducing legislation to reduce the number of Palestinians—referred to in the new law as “residents of the region,” with “region” being defined as Judea, Samaria, and the Gaza Strip—who become naturalized following marriage to Israeli citizens.²⁶ The effect of the law is that families resulting from the marriage of an Israeli (invariably Arab) citizen and a Palestinian from the territories must either live separately or leave the country.²⁷

Government Policies and Decisions

The preoccupation with demography and the “Jewishness” of the state of Israel that constitutes an important element of the New Hegemony is very much reflected in a number of government policies. One example is the new policy on family reunification, which resulted in the 2003 law discussed above. The policy, whose explicit aim was to sharply decrease the number of Palestinians from the occupied territories eligible for naturalization, was unanimously approved by the government in May 2002.²⁸ The initiative was put forward by Interior Minister Yishai, who several months earlier had frozen thousands of naturalization requests by Palestinians on the basis of family reunification.²⁹

In September 2002, Minister of Labor and Social Affairs Shlomo Benizri revived, after a four-year hiatus, the Public Council for Demography. The council had been set up to monitor the activity of the ministry’s Demography Center, and its task was to set policy guidelines to ensure the “preservation of the Jewish character of Israel.”³⁰ The same agenda is the *raison d’être* of the quasi-government Strategic Forum for the Advancement of the Jewish Character of Israel, established by the Zionist Council of the World Zionist Organization (WZO). Both bodies strongly promote government policies relating to demography—a number of which echo recommendations of the Herzliya Conference discussed above—including efforts to influence birthrates. Among these is providing financial benefits for a couple’s third and fourth child while canceling them for the fifth and subsequent children. This policy is clearly geared toward increasing the Jewish birthrate, since Jews tend to have families of two to three children, while removing incentives for Arabs, where families of five or more children are more common. As a member of the Strategic Forum forthrightly explained, benefits for a “fifth child and more gives preference to Arab families, even in comparison with ultra-Orthodox Jewish families.”³¹ The government’s discriminatory use of financial benefits was already witnessed in its sponsorship of the above-mentioned legislation cutting subsidies for families without members having served in the military—in other words, Arab families.

Another demographically motivated decision came in October 2002, when the government directed the settlement division of the WZO to establish fourteen new settlements in the Negev in keeping with the Jewish Agency's multi-year plan to establish a Jewish majority in those areas of the Galilee and the Negev where Palestinians continue to be the majority. The WZO was put in charge of the project so as to bypass a High Court ruling against land allocation on the basis of national belonging. Moreover, in an effort to mask the blatant racism of the plan, its objective was stated as achieving a "Zionist" rather than a "Jewish majority," thereby enabling Arabs with a demonstrated "commitment to the state" (i.e., who serve in the army) to participate. Given the small number of Arabs eligible, however, the effect of the policy, that is, breaking up the Arab population concentrations is the same.³² (It should be noted that the land issue had come to the fore several months earlier, in July 2002, when the government decided to support a Knesset bill providing for the allocation of land to Jews only. As a result of disagreements concerning the proposed legislation within Sharon's National Unity cabinet, however, the government's official support was withdrawn.)

A highly significant step in shrinking the boundaries of Palestinian citizenship was the move in August 2002 by Interior Minister Yishai to revoke the citizenship of two Palestinian citizens of Israel and to nullify the permanent residency status of a Palestinian from East Jerusalem based on the allegations that they had helped carry out suicide actions inside Israel and were members of terror organizations. The fact that the citizenship of only one of the Arab citizens was successfully revoked (rendering him stateless), in September 2002,³³ does not make the precedent any less serious. The interior minister has never revoked the citizenship of a Jewish citizen of Israel, nor was such a possibility ever raised, even in cases of the gravest security offenses.³⁴ With regard to the Palestinian minority, however, it seems that the New Hegemony sees citizenship as a conditional privilege to be conferred by the state.

Illustrative of the extent to which ideas once considered extreme have become acceptable in the New Hegemony is the official legitimization of the ideas of Rehavam Ze'evi. Ze'evi, minister of tourism and founder of the extreme rightist Moledet party whose core ideology is the transfer (ethnic cleansing) of the Palestinians from the occupied territories and the encouragement of Palestinian citizens of Israel to accept "voluntary" transfer, was assassinated in Jerusalem by members of the Popular Front for the Liberation of Palestine in October 2001. As the first-year anniversary of his death approached, the Ministry of Education issued a circular instructing school principals to devote an hour of class time or "another instructional activity" to commemorate the "milestones in Zionism that Rehavam Ze'evi's actions and contributions touched on in achieving the national goal."³⁵ The circular made no mention of Ze'evi's vociferous support of ethnic cleansing, but his ideology is well known. Ze'evi had never tried to move toward the center; it was the "center," as it has emerged with the New Hegemony, which has moved

toward his ideology, with the government itself legitimizing it as something young Israelis should be taught.

Public Opinion Polls

Public opinion polls surveying the views of the Jewish public toward Arab citizens, their rights, and their political behavior reveal a picture of increasing intolerance. There is sizeable support among Jewish citizens for anti-liberal policies.³⁶ For example, with respect to security, nearly two-thirds of Jewish citizens saw their Arab compatriots as a security threat in 2001, and over 70 percent did so in 2002. Table 1 summarizes the results of several polls taken in these years.

TABLE 1: PERCENTAGE OF RESPONDENTS WHO SAY ARAB CITIZENS ARE A DANGER TO STATE SECURITY

%	Date of Poll	Pollsters
64	October 2001	Pedhazur and Canetti
63	November 2001	Hasisi and Pedhazur
61	February 2002	Jaffee Center
72	August 2002	<i>Ma'ariv</i>

Source: Nimer Sultany, *Citizens without Citizenship: Mada's First Annual Political Monitoring Report: Israel and the Palestinian Minority 2000–2002* (Haifa: Mada-The Arab Center for Applied Social Research, 2003).

Seeing Arabs as a danger to security can be the basis of or the consequential justification for extremist attitudes toward Arabs. The Jaffee Center survey of February 2002, in which only the opinions of Jewish Israelis were examined, showed an increase in support for statements calling for the expulsion of Arab citizens: one-third of the Jewish population supported their transfer, while two-thirds supported encouraging them to emigrate from Israel. Table 2 summarizes the results.³⁷

TABLE 2: PERCENTAGE OF RESPONDENTS SUPPORTING TRANSFER OF ARABS

Position	% in 2002	% in Previous Years
Transfer of Arab citizens of Israel	31	24 in 1991
Transfer of Palestinian residents of the occupied territories	46	38 in 1991
Encourage emigration among Arab citizens of Israel	60	49 in 2001
Encourage Arabs to leave the state (without indicating if they leave willingly or by compulsion, or whether regarding citizens of Israel or residents of the occupied territories)	53	NA

Source: Derived from Asher Arian, *Security Opinion 2002* (Tel Aviv: Jaffee Center for Strategic Studies, 2002); and *Public Opinion on National Security 2000* (Tel Aviv: Jaffee Center for Strategic Studies, 2000).

When more specific questions about population transfer or exchange are asked, a similar picture emerges. Table 3 summarizes the findings of various surveys on this issue. These findings indicate wide support for positions that seek to rid Israel of Arab citizens or to expel them from their homeland.

TABLE 3: SUMMARY OF OPINION DATA ON TRANSFER

Position	In Favor (%)	Pollsters, Date of Poll
Exchange land in Israel populated by Arab citizens of the state for settlements in the occupied territories	51	<i>Ma'ariv</i> , 6 October 2000
Movement of all Arab citizens of Israel to areas outside of the state (= transfer)	60	<i>Ma'ariv</i> , 6 October 2000
	31	Jaffee Center, February 2002
Encourage emigration of Arab citizens of Israel to locations outside the borders of the state	65	Pedhazur and Canetti, October 2001
	62	Hasisi and Pedhazur, November 2001
	60	Jaffee Center, February 2002

Source: Nimer Sultany, *Citizens without Citizenship: Mada's First Annual Political Monitoring Report: Israel and the Palestinian Minority 2000–2002* (Haifa: Mada–The Arab Center for Applied Social Research, 2003).

The political culture also is characterized by increased tolerance for the use of force. For example, in the *Ma'ariv* survey of 6 October 2000—after ten Arab citizens were killed—45 percent of the Jewish public said the Israeli security forces had been too soft in handling the protests, and 43 percent said that the security forces handled them well.³⁸ A March 2001 survey by researchers at the University of Haifa to assess why Israeli police used lethal force against Palestinian citizens found that three factors combined to mold a “nonliberal democracy” in Israel: (1) the centrality of public debate and the widespread belief that Israel will survive only as long as it is stronger than its enemies; (2) a constant striving for homogeneity and consensus; and (3) the ethnocentricity built into Israeli culture and society.³⁹ Public opinion polls show that most of the Jewish public believes the use of force against Palestinians in the occupied territories is acceptable.⁴⁰

Public Discourse

Of all the manifestations of the new hegemonic discourse, perhaps the most striking are public statements of animosity, racism, and, indeed, hatred toward Israel's Palestinian citizens. Officials at all levels of the government, starting with the prime minister, make such statements. During a July 2002 Knesset debate, for example, Arab MK Talab El-Sana addressed the prime minister as follows: “I am not a Jew, and you acknowledge this. So where is my state?” Sharon replied by recounting what his parents had explained to him when he was a child:

They said, so as not to confuse you, that I should know the following: all the rights *over* the Land of Israel are Jewish rights. In the Land of Israel, all the rights must be given to the people who live here. That is the difference between rights *over* the Land and rights *in* the Land.⁴¹

This statement encapsulates the limits of Arab citizenship. Perhaps the best status differential that defines the distinction between rights *over* and

rights *in* is that of citizen versus resident. Citizens have rights over their homeland. Residents, by contrast, cannot claim such rights but have limited rights enabling them to reside, work, and pursue an education in the country. Apart from the right to vote (of limited effectiveness in terms of influencing Israeli policy), the status of the Arab citizens is now very much like that of noncitizen residents in democratic countries. Indeed, their status in many respects is worse, insofar as they are treated as unwanted, and, on some issues, such as land control, even as enemies.

Depiction of the Palestinian citizens as enemies is by no means uncommon in the public discourse. Even leaving aside extremes like comparing Palestinians to vermin—"reproducing like insects," "swarming like ants"; should be gotten rid of "the same way you get rid of lice;" "foxes who [have] moved up a level, and are now snakes and scorpions"⁴²—expressions of hatred or contempt abound. The more respectable refer to "cultural" differences. For example, the president of Israel, Moshe Katzav, was quoted in the *Jerusalem Post* in May 2001 as saying, "There is a huge gap between us [Jews] and our enemies not just in ability but in morality, culture, sanctity of life, and conscience. They are our neighbors here, but it seems as if at a distance of a few hundred meters away there are people who do not belong to our continent, to our world, but actually belong to a different galaxy."⁴³ A similar idea was expressed by Avraham Burg, at the time Speaker of the Knesset and a contender for leadership of the Labor party, in an interview on ABC's *Nightline* on 2 August 2001. In response to a question about his country's policies in the occupied territories, Burg noted that while Israelis live in the "Western value system," "different rules" apply in the Middle East because "we're living in a different hemisphere, of Islamic fundamentalists, of human bombs, of suiciders. . . of killers, of kidnappers, of people you do not want your daughter to get married to." The value system was also evoked by former prime minister Ehud Barak in an April 2002 interview with historian Benny Morris: "They [the Palestinians] are products of a culture in which to tell a lie . . . creates no dissonance. They don't suffer from the problem of telling lies that exists in Judeo-Christian culture. Truth is seen as an irrelevant category. There is only that which serves your purpose and that which doesn't."⁴⁴

Though hate speech infects all levels of public discourse, from the academic community, the judiciary, and religious leaders to commentators and analysts,⁴⁵ statements by political figures probably carry the most weight. Palestinian citizens are openly referred to as a threat. Former prime minister Benjamin Netanyahu, for example, stated in a September 2002 interview that "Quiet with the Arabs outside and inside of Israel is based on one principle only: deterrence."⁴⁶ Effie Eitam, head of the National Religious Party (NRP) and currently minister of construction and housing, said in a March 2002 interview that "the Israeli Arabs are in large measure the ticking bomb beneath the

Apart from the right to vote (of limited effectiveness in influencing Israeli policy), the status of the Arab citizens is now very much like that of noncitizen residents in democratic countries

whole democratic Israeli order inside the Green Line. . . . I say that the State of Israel today faces an existential threat that is characterized by being an elusive threat, and elusive threats by their nature resemble cancer."⁴⁷ The ostensible reason the Palestinian citizens constitute a threat was summed up by Barak in the above mentioned interview: "if the conflict with the Palestinians continues, Israel's Arabs will serve as the 'spearpoint' [of the Palestinians] in their struggle, and this may necessitate changes in the rules of the democratic game . . . in order to assure Israel's Jewish character."⁴⁸

Politicians wanting to avoid outright talk of transfer speak about the "exchange of lands" option—a code word for getting rid of Palestinian citizens involving (in the context of a future Palestinian state) exchanging densely populated Arab areas inside Israel for settlement areas in the occupied territories. While Barak in the April 2002 interview cautioned against government spokesmen openly advocating such an exchange, and specified that it "could only be done by agreement," he added that it "makes demographic sense and is not inconceivable." Another Labor politician favoring the "transfer of lands" is MK Ephraim Sneh, transportation minister in Sharon's national unity government. When asked why the Palestinian Israelis would agree to this solution, he replied, "This whole process is not easy. . . . There may be some individuals who will have to change their nationality; we have to go for a natural solution."⁴⁹

Right-wing political figures are less coy about advocating transfer outright. MK Avigdor Lieberman, minister of transportation in Sharon's government and head of the Russian immigrant party Yisrael Beiteinu, for example, said in an interview on *Meet the Press*, "I do not reject the transfer option. We don't have to escape reality. If you ask me, Israel's number one problem is not the Palestinian problem; it is first of all [the problem of] Arab citizens of the State of Israel. . . . Do I consider them citizens of the State of Israel? No! . . . They have to find a place where they will feel comfortable."⁵⁰ MK Binyamin Elon, the current minister of tourism, opts for the more palatable "voluntary transfer," which he explains as "aiding Arabs to want to get onto buses, a kind of pushing them until they say 'I want to go.'"⁵¹ The distinction between "voluntary transfer" and "transfer by force" was supported by Attorney General Elyakim Rubinstein, who believes that voluntary transfer is an acceptable subject for public debate but that advocating outright expulsion could result in a criminal investigation.⁵²

Transfer has a venerable history in Zionist thought, and many Israelis undoubtedly believe that an opportunity was missed at Israel's founding. In an October 2002 article, Benny Morris, author of *The Birth of the Palestinian Refugee Problem*, for example, noted that David Ben-Gurion "probably could have engineered a comprehensive rather than a partial transfer in 1948" and then speculated that the Israeli leader would perhaps "now regret his restraint. Perhaps, had he gone the whole hog, today's Middle East would be a healthier, less violent place, with a Jewish state between Jordan and the Mediterranean and a Palestinian Arab state in Transjordan."⁵³

Hatred for Arabs has on occasion been given a religious underpinning. Influential and important rabbis have frequently expressed antipathy toward Arabs, and some have even encouraged violence. In April 2001, Rabbi Ovadia Yosef, the spiritual leader of Shas and one of Israel's senior rabbis, said, "Arabs come from the seed of Amalek" and should be "bombed and annihilated." When these words provoked an outcry among Arabs, Yosef published a "clarification," in which he explained that he did not mean to attack Arabs as Arabs, but to attack terrorists and murderers.⁵⁴

CONCLUSION

The New Zionist Hegemony, characterized by the movement of Israel's mainstream political "center" to the right on the Zionist continuum, effectively has redrawn the boundaries of citizenship in Israel in such a way that meaningful citizenship is available to Jewish citizens only. For Arab citizens, citizenship has been redefined through legislation and government policy to push them even further to the margins of Israeli politics and society. Their treatment as residents with unequal rights, if not as enemies whose political power must be combated, is supported by the Jewish public, as reflected in opinion polls and public statements by government figures and other elites.

Though attempts to explain the ideological, political, social, and psychological foundations of the New Hegemony are beyond the scope of this paper, it would be useful to examine Israeli demographic trends over the last two decades in conjunction with changing economics, rising national consciousness within the Arab minority, the failure of Oslo, and the politics of fear in Israel. It would be important to examine Israel's ongoing Judaization project both inside the 1967 borders and in the occupied territories, and Palestinian resistance to this project. An inquiry along these lines would undoubtedly raise questions as to whether, in the circumstances, the emergence of the New Hegemony was inevitable given Zionist fears of losing control over an indigenous population seen as outside its statehood project. A most pressing question is the circumstances under which the current context of Israeli domination and Palestinian resistance would move this hegemony even further to the right.

The status of citizenship emptied of real substance cannot be acceptable to a national minority whose demographic weight (in absolute numbers) and national awareness are constantly on the rise. Furthermore, as the indigenous population, the Palestinian citizens believe that their right to citizenship emanates not from Israeli "generosity" but from their very rootedness in their homeland. In redrawing the boundaries of citizenship status, Israel is placing itself on a confrontation path with its Arab minority. Whether that confrontation is calculated or the outcome of changes that cumulatively have translated into a major policy shift is a question that deserves further examination.

Whatever the case, the goals of the policy shift are clear: to bolster the Jewish character of the state while reducing the status of the Arab citizens to

something less than citizenship, but in ways not dramatic or abrupt enough to disrupt Israel's democratic image abroad or its own comforting illusions about itself as "Jewish and democratic." The combination of a permissive international climate, strong public support, and the dynamics of the ongoing conflict in the occupied territories argue for a continuation, if not an exacerbation, of current policy. But the gradual shrinkage of citizenship boundaries for the Arabs could bring the New Hegemony to the far right end of the Zionist continuum, to such an extent that Israelis will find themselves in a Jewish state that no amount of self-deception could term "democratic."

NOTES

1. For discussion of Israel as an ethnic Jewish state and as an ethnocracy, see Nadim Rouhana, *Palestinian Citizens in an Ethnic Jewish State: Identities in Conflict* (New Haven: Yale University Press, 1997) and Oren Yiftachel, "Israeli Society and Jewish-Palestinian Reconciliation: Ethnocracy and Its Territorial Contradictions," *Middle East Journal* 51 (1997), pp. 505–19.

2. A study by Asher Cohen of Bar-Ilan University that was released at a 2002 Bar-Ilan conference estimated that 72 percent of the Israeli population is Jewish, 20 percent Arab, 4 percent foreign workers, and 4 percent non-Jewish immigrants who entered the country under the Law of Return.

3. For a discussion of the various trends feeding the demographic concerns, see *Ha'Aretz*, 3 September 2002.

4. Yair Sheleg, "First of All Jewish, Then Democratic," *Ha'Aretz*, 16 April 2002.

5. *Balance of National Strength and Security, Policy Directions* (Herzliya Conference and Herzliya Interdisciplinary Center, 2001). Excerpts of the report as published in English are reproduced in *JPS* 31, no. 1 (Autumn 2001), pp. 50–61. See also <http://www.herzliyaconference.org>.

6. One of the most vocal opponents of the "state of all its citizens" concept is Attorney General Elyakim Rubinstein. See Rubinstein, "On Equality for the Arabs in Israel," *Mabkari Mishpat* (Law Research) A (2001), p. 17, and "Not the End of Zionism," *Karka'a* (Land) 49 (July 2000), p. 15.

7. See, for example, Minister of Education Limor Livnat, "Also a State of All Its Citizens," *Ma'ariv*, 9 May 2003. It

should be mentioned that Ehud Barak used the slogan "state for all its citizens" in his 1999 election campaign.

8. The main laws that included the term "Israel's values as a Jewish and democratic state" were Basic Law: Human Dignity and Liberty; and Basic Law: Freedom of Occupation, both enacted in 1992.

9. See Sammy Smooha, "The Model of Ethnic Democracy: Israel as a Jewish and Democratic State," *Nations and Nationalism* 8, no. 4 (2002), pp. 475–503; and Smooha, "The State of Israel's Regime: A Civil Democracy, a Nondemocracy, or an Ethnic Democracy?" *Israeli Sociology B*, no. 2 (2000), pp. 565–630.

10. For criticisms of the model, see Ghanem, Rouhana, and Yiftachel, "Questioning 'Ethnic Democracy': A Response to Sammy Smooha," *Israel Studies* 3, no. 2 (1998), pp. 253–67; Aeyal Gross, "Democracy, Ethnicity, and Constitutionalism in Israel: Between the 'Jewish State' and the 'Democratic State,'" *Israeli Sociology B*, no. 2 (2000), pp. 647–74; Amal Jamal, "Israel's Political Regime: Ethnic Democracy and the Critique of Reality" *Israeli Sociology B*, no. 2 (2000), pp. 631–46; and Oren Yiftachel, "'Ethnocracy' and its Discontents: Minorities, Protests and the Israeli Polity," *Critical Inquiry* 26, no. 4 (2000), pp. 725–56.

11. See, for example, Ruth Gavison, "Jewish and Democratic" *Adalah's Review* 2 (2000), pp. 32–38; and "On the Jewish Right to Sovereignty," *Azure*, no. 15 (Summer 2003). For details on the Kinneret Covenant, see Vered Levi-Barzilai, "In Tiberia We Defined the State of the Jews," *Ha'Aretz*, 4 January 2002.

12. See, for example, Asher Arian, *Israeli Public Opinion on National Security 2000* (Tel Aviv: Jaffee Center for Strategic Studies, July 2000, August 2001, and 2002).

13. For the survey, see Sever Plotzker, "Loyal to Palestine, Want to Live in Israel," *Yediot Abaronot* (weekend supplement), 6 October 2000.

14. This source is rarely mentioned in the literature on sources of Israeli fears. See for example Daniel Bar-Tal, "Why Does Fear Override Hope in Societies Engulfed by Intractable Conflict, as It Does in Israeli Society?" *Political Psychology* 22, (2001), pp. 601–62.

15. See, for example, Ervin Staub, *The Roots of Evil: The Origins of Genocide and Other Group Violence* (Cambridge: Cambridge University Press, 1989).

16. See Zeev Rosenhek, "New Developments in the Sociology of Palestinian Citizens of Israel: An Analytical Review," *Ethnic and Racial Studies* 21, no. 3 (May 1998), pp. 558–78.

17. This view is best represented by the writings of Sammy Smooha. See for example Footnote 9. Israel as a "Jewish and democratic" state was advanced by many scholars; see, for example, Footnotes 6 and 11.

18. See Ilan Saban, "Up to the Limit of the Zionist Paradigm," in *Seven Roads: Theoretical Options for the Status of the Arabs in Israel*, ed. Sarah Ozacky-Lazar, A. Ghanem, and Ilan Pappé (Givat Haviva: Institute for Peace Research, 1999), pp. 79–122 [in Hebrew].

19. See Nimer Sultany, *Citizens without Citizenship: Mada's First Annual Political Monitoring Report: Israel and the Palestinian Minority 2000–2002* (Haifa: Mada—The Arab Center for Applied Social Research, 2003).

20. See Nimer Sultany, "The De-legitimization of the Arab Minority in Israel," *Lawyer* 37 (May 2003).

21. For a comprehensive review of the legislation, see Sultany, *Citizens Without Citizenship*.

22. It was on the basis of these laws that the Elections Committee banned two Arab candidates (Azmi Bishara and Ahmad Tibi) as well as the National Democratic Alliance (headed by Azmi Bishara) from running in the 2003 elections. The decision was appealed to the High Court, which ruled against the Elections Committee.

23. The amendment was enacted in response to the decision of the High Court in Add. Hear. 8613/96, *Mubammad Yusef Jabarin v. State of Israel*, Supr. Ct. Rpt. 54 (5) 193. Jabarin, a journalist, had been charged with supporting a terrorist organization on the basis of three articles he wrote. In interpreting Section 4(a) of the Prevention of Terrorism Ordinance—1948, the High Court ruled that application of the section is limited to incitement to commit acts of violence by a terrorist organization as defined by the ordinance, while incitement by individuals not agents of a terrorist organization is not prohibited by the ordinance.

24. *Sefer Habukim* [Book of Laws]—2002, p. 416. Beyond the broader motivations behind the law, it was a response to statements made by MK Azmi Bishara praising the Lebanese and Palestinian resistance to Israeli occupation. Though the law was actually passed *after* Bishara's immunity had been lifted and he had been indicted, it continues to be popularly known as the "Bishara Law."

25. See, for example, Christopher Quaye, *Liberation Struggles in International Law* (Philadelphia: Temple University Press, 1991); and Richard Falk, "Azmi Bishara, the Right of Resistance, and the Palestinian Ordeal," *JPS* 31, no. 2 (Winter 2002), pp. 19–33. Available at: <http://www.jpsjps.org/jps/122/falk.html>.

26. According to *HaAretz*, 9 January 2002, Yishai "perceives an urgent need to find ways to restrict the number of non-Jews who receive Israeli citizenship, Arabs among them, which has dramatically increased in recent years and 'threatens the Jewish character of the State of Israel.'"

27. The media reported that the law was passed in response to a suicide bombing in Haifa by a Palestinian whose father had been given resident status following his marriage to an Israeli citizen. Yishai's January 2002 directive, however, makes it clear that the legislation grew out of a preplanned policy.

28. See Government Decision 1813 regarding "the handling of persons staying illegally in Israel and family reunification policy toward residents of the Palestinian Authority and foreigners of Palestinian origin." Sultany, *Citizens without Citizenship*.

29. The number of couples affected by the law—i.e., those whose requests for family reunification had been frozen—was

reported in *Ha'Aretz*, 30 and 31 July 2003, to be 21,000.

30. Anat Zigelman, "The Public Council for Demography Will Reconvene in Early September," *Ha'Aretz*, 14 August 2002.

31. Sheleg, "First of All Jewish, Then Democratic."

32. See Yair Sheleg, "Jewish Agency Readies Plan to Foster a 'Zionist Majority,'" *Ha'Aretz*, 28 October 2002.

33. *Ma'ariv*, 10 September 2002.

34. See press releases of the Association for Civil Rights in Israel, 6 August 2002 and 9 September 2002 (available at <http://www.acri.org.il>) concerning Jews convicted of treason and transferring secrets to enemy states.

35. See Sultany, *Citizens without Citizenship*.

36. For a review of polls among the Jewish majority about the Arab citizens, see Sultany, *Citizens without Citizenship*.

37. Arian, *Security Opinion 2002* (Tel Aviv: Jaffee Center for Strategic Studies, 2002); and *Public Opinion on National Security 2000* (Tel Aviv: Jaffee Center for Strategic Studies, 2000).

38. See Chemi Shalev, "Battle Shock," *Ma'ariv* (weekend supplement), 6 October 2000.

39. See Gabriel Ben-Dor, Badi Hasisi, and Ami Pedhazur, "Anti-Liberalism and the Use of Force in Israeli Democracy," *Journal of Political and Military Sociology* 31, no. 1 (2003) forthcoming.

40. A poll conducted in 2001 showed that 57 percent of the Jewish public supported incursions into area A (of the Palestinian Authority), 68 percent supported closure, 89 percent supported assassination of Palestinian activists, and 71 percent supported the use of tanks and warplanes. See Asher Arian, "Security Opinion: The Effect of the Intifada 2000–2001," *Strategic Assessment 2* (August 2001).

41. The 333rd sitting of the Fifteenth Knesset, 22 July 2002.

42. Rabbi Ovadia Yosef, spiritual leader of the ultra-Orthodox Shas party, concerning the Arabs in his weekly sermon on IDF radio, quoted in Agence France Presse, 27 July 2001; Rehavam

Ze'evi, concerning the Arabs who are working illegally in Israel, on Israel army radio, Associated Press, 2 July 2001; MK Nissim Dahan, at the time health minister under Sharon, concerning those praying at al-Aqsa, quoted in *Yediot Abaronot*, 25 September 2002.

43. Cited in the *Daily Star* (Beirut), 15 May 2001.

44. Benny Morris, "Camp David and After: An Exchange (An Interview with Ehud Barak)," *New York Review of Books*, 13 June 2002.

45. For other examples, see Sultany, *Citizens without Citizenship*, pp. 140–205.

46. *Ma'ariv* (weekend supplement), 6 September 2002.

47. *Ha'Aretz Magazine*, 22 March 2002.

48. Shlomo Gazit, head of military intelligence from 1974 to 1979 and currently with the Jaffee Center for Strategic Studies, warned at a March 2001 meeting of the Jewish Agency in Kibbutz Ma'aleh Hahamisha that if Israel did not take the necessary measures to combat the demographic threat, it would cease to be a Jewish state within one or two generations. Gazit, known as a moderate, proposed that an emergency, nondemocratic regime be established capable of taking measures that would be impossible in a democracy. He repeated some of these statements in an article he published in *Yediot Abaronot*, 28 March 2001.

49. Quoted in Amira Lam, "Sneh and the Arab Question," *Yediot Abaronot*, 22 March 2002. See also Ori Nir, "We Can't Just Be Shooed Away," *Ha'Aretz* (English edition), 25 April 2002.

50. Quoted in *Yediot Abaronot*, 28 December 2001.

51. Sari Makover, "How Transfer Became a Concept That Is Discussed Out Loud," *Ma'ariv* (weekend supplement), 22 February 2002.

52. *Ha'Aretz*, 24 June 2002.

53. Benny Morris, "A New Exodus for the Middle East?" *Guardian*, 3 October 2002.

54. See <http://www.walla.co.il/>, the Israeli news Web site *Walla*, 13 April 2002. For comments of other rabbis, see Sultany, *Citizens without Citizenship*.