



A New Book, published by The Citizens' Accord Forum between Jews & Arabs in Israel

Between Vision and reality: The Vision Papers of the Arabs in Israel, 2006-2007

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Table of Contents:

Editors' Introduction

Theoretical Aspects

Amal Jamal	Future Visions and Current Dilemmas: On the Political Ethos of the Palestinian Citizens of Israel
Ilana Kaufman	Consociational Democracy and the Palestinian Arabs in Israel
Denis Charbit	Israel as a Multicultural State: Prospects and Risks
Raef Zreik	The Documents: A Theoretical and Textual Reading and Discussion

A View from Within

Ghaida Rinawi-Zuabi	The Future Vision of the Palestinian Arabs in Israel: The Group's Story
As'ad Ghanem and Mohanad Mustafa	The Future Vision as a Collective Political and Theoretical Platform of the Palestinians in Israel

Hassan Jabareen Constitution Making: The Distinction between the Legitimacy of the Israeli Regime and the Self-Determination of the Jews

Arab Responses

Mustafa Kabha The Future Vision Documents and their Reception in the Discourse of the Arab Public in Israel

Marry Totry The Vision Documents: Coping with an Internal Crisis

Jewish Responses

Sammy Smooha The Arab Vision of Turning Israel within the Green Line into a Binational Democracy

Itzhak Reiter Nakba and Revival: A Zionist-Jewish Perspective on the Vision Documents of the Arabs in Israel

Meron Benvenisti Fragment and Rule

Yehouda Shenhav The Vision Documents in Light of “40 Years to 1967” (interview)

About the Authors

Appendix: The Documents

The Future Vision of the Palestinian Arabs in Israel

The Democratic Constitution

The Haifa Declaration

Foreword

At the height of the negotiations between Israel and the Palestinian Authority prior to the Annapolis Conference in November 2007, the secretariat of the Supreme Follow-up Committee of the Arab Citizens in Israel met to discuss Israel's demand that the Palestinians recognize it as a "Jewish state." The committee decided to reject this demand out of hand. Moreover, MK Ahmed Tibi met with the heads of the Palestinian negotiating team and expressed his opposition to the possibility of the Palestinian Authority's recognizing Israel as a Jewish state, because that would "help to perpetuate Israel's discriminatory policy toward the Arabs in its territory."¹ The absolute rejection of the definition of Israel as a Jewish state was the culmination of a process that began in the early 1990s. This process had involved a reexamination of the status of the Palestinian-Arab minority in Israel and of that minority's relation with the state. Leading the process is Arab academic and political intellectual elite in Israel, influenced by international thought and practice regarding the status of minorities. This elite refuses to accept the basic traditional assumptions underlying the relations between Israel's majority and minority; instead, it deconstructs those assumptions and reconstructs them anew. In the background of this internal examination by the Palestinian community in Israel and the questions it is asking itself about the direction of future developments are the dramatic political events of the past two decades - from the first Palestinian *intifada*, through the peace process and the mutual recognition of Israel and the PLO, the collapse of that process, the October 2000 violent events, the internal developments in the Palestinian arena, and global and regional changes.

In the space of a few months, between November 2006 and May 2007, four documents were published in rapid succession. They were put together on the initiative and under the auspices of Arab civil organizations (rather than political parties). These documents deal with the future of the Palestinian-Arab population in Israel and propose changes in the character of the state and of its regime. The documents aroused a flurry of contradictory responses in the media and in the Jewish population, and, to a lesser extent, in the Arab community. Two of the documents are of a legal nature and two are visionary.

The four documents are:

1. An Equal Constitution for All? by the Mossawa Center
2. The Future Vision of the Palestinian Arabs in Israel, by the National Committee of the Heads of Arab Local Authorities in Israel
3. The Democratic Constitution, by Adalah, the Legal Center for Arab Minority Rights in Israel
4. The Haifa Declaration, published under the auspices of Mada al-Carmel, the Arab Center for Applied Social Research.

The first document was written by the jurist Yousef Jabareen; the three others are the results of collective efforts of three groups of social and civil activists and public and academic figures, who labored for an average of two years to crystallize each of them. The documents are consensual products of these groups, despite the members' differences in political affiliations and views on other issues. Although there was some overlap of the participants in the various groups, they were unable to unite their efforts in order to create a single shared document. This is why four papers, each with a different focus, appeared in such a relatively short period. Creating these documents is a landmark in the construction of a group and national identity of the Palestinian citizens of Israel. A similar effort in 1980 failed at the outset. In that year, the

Communist Party in Israel tried to convene the "Conference of the Arab Public" in Nazareth and prepared a document that opened with words similar to those of The Haifa Declaration: "We have remained in our homeland despite all the acts of oppression and disinheritance".² But the Begin government refused to allow the conference to convene, and the initiative came to a halt. Initiatives by members of the elite to reshape the mechanisms for action within the Palestinian society are not new. Their roots can be found as early as in the time of the British Mandate, when members of the elite and municipal leaders, belonging to the Nashashibi camp, challenged the leadership of Haj Amin al-Husseini, the leader of the Palestinian national movement at the time, in an attempt to chart a new course of action. But because of a variety of constraints, this attempt failed to produce significant results.

The conditions and circumstances that led to the creation of the recent visionary documents, and the fact that separate documents - rather than a unified one - were published, aroused much commentary and analysis in the ensuing months. Dozens of conferences and discussions in civil and academic institutions were convened, and hundreds of articles were written. On the Jewish side, the main responses were of panic and counterattack. Most of the criticism was aimed at the documents' definition of Israel as an "outcome of a colonial process initiated by the Zionist-Jewish elite in Europe and the West", and at the concrete proposals for changing the definition and character of the regime to that of a multicultural, bilingual or consociational democracy. Various Jewish groups proposed creating counter-documents that would present a decisive Jewish position contrary to the Arab vision, a vision that most Jewish readers rejected completely. The criticism from the Arab side was concerned less with content than with procedural matters; it related mostly to the authors' pretensions that they represented the entire population. The overall indifference of the Arab public to the documents is surprising in light of their crucial importance to their future relations with the state and with the Jewish majority. In the introduction to the Future Vision document, Shawki Khatib, chairman of the National Committee of Heads of Arab Local Authorities and also of the Follow-up Committee, wrote that the document goal was "to spark the public discussion concerning the future of the Palestinian Arabs in Israel". He promised that the paper is open to changes based on the outcome of that debate. The authors of The Democratic Constitution and The Haifa Declaration made verbal declarations to this effect and said that they would be willing to introduce changes and corrections following a dialogue and in response to comments they received, both from Arabs and from Jews.

As is natural, after a few months of lively public discussion, interest in the documents waned and people and the media returned to other urgent everyday matters. The Committee of Heads of Local Authorities tried to set up a number of frameworks for discussion on the Future Vision document and held a number of meetings, some open and some closed, throughout the country. But by the beginning of 2008 it seemed that the public had tired of the theoretical consideration of the documents' proposals and wanted to see concrete achievements.

The Citizens' Accord Forum decided to bring the documents together in one book, and to invite researchers and writers to analyze various aspects of them. This collection has a twofold aim: to summarize, analyze and document the debate over the documents from various points of view and to rekindle the discussion on the crucial topics the documents were challenging.

The book includes articles by authors of various disciplines and is divided into four sections: theoretical aspects, a view from within, Arab responses, and Jewish responses. The appendix

contains the three collective documents, as they originally appeared, to enable the reader to examine them and compare them with each other. We decided not to include the document titled *An Equal Constitution for All?* of the Mossawa Center, because it was written by a single author. It can be found on the Web site of the organization.³

The following is a summary of the articles that appear in the book:

Amal Jamal sets the documents in their sociological, historical, and theoretical contexts, and examines the shared world of symbols and meanings reflected in the text itself. He also examines the reasons for the proliferation of imaginary future visions at a particular juncture, and their effect on the relations of the imagining group with its political environment. He attributes the appearance of the documents to a sense of urgency and an emerging awareness among the leadership of the Arab public that their civil status is in danger, in light of the increasing right-wing extremism among the Jewish population and the Arab public's need to make its unique voice heard and to forge its own strategy. Yet another factor is the aspiration to create a shared common good and achieve an agreed solution to the disputes with the state and with the Jewish majority. Jamal analyzes the decline of the political parties as a fount of political thought and examines the growing strength of civil organizations in shaping the character of Arab society. In another part of his article, Jamal looks at the similarities and differences between the documents and points out their political implications.

Ilana Kaufman relates to a distinct aspect of the Future Vision document - the notion of "consensual democracy", known in political science as "the consociational model". She discusses the theoretical and empirical sources of the application of this model in riven societies, as well as its advantages and disadvantages. Kaufman compares the Israeli case with others, especially Northern Ireland, and considers whether the conditions in Israel are suitable for the adoption of the consociational democratic idea. The author concludes that in the short run, we must adopt elements of consociationalism - if not the entire model - if we want to prevent a Northern Ireland scenario. But in the long run, she suggests that it would be preferable to move toward a multicultural model.

Denis Charbit broadens the comparative discussion. He examines the documents and the demands made in them in light of other arrangements with minorities in the world. According to Charbit, the documents' writers are comparing their situation to that of other minorities and the way they formulate their demands reflects the influence on them of political scientists of a particular school. He argues that they have adopted the democratic doctrine that requires a "politics of identity" and a "politics of recognition" of minority groups, rather than the liberal universal view that sees the individual, and only the individual, as the exclusive holder of rights. The formulators of the visions, he argues, have totally ignored the fact that the state of Israel, despite its being defined as the state of the Jewish people and having no pretensions of cultural and linguistic inclusivity, does not prevent the Arab minority from exercising its linguistic and cultural rights.

Raef Zreik conducts a theoretical and textual analysis of the documents, especially of The Haifa Declaration and The Democratic Constitution. He focuses on the internal tensions in the texts and points out the political problems that the documents' language is struggling to overcome. The article aims to help the reader examine the text from its less illuminated sides and to focus on the vague expressions and the sometimes contradictory underlying principles.

The author points out the stumbling blocks Palestinian intellectuals face when they gather to write a text of this kind and the problems hidden below the surface of the smooth text. He points out internal contradictions in the two documents and asks questions, not all of which have answers.

Ghaida Rinawi-Zoabi was the coordinator and facilitator of the group of authors of The Future Vision of the Palestinian Arabs in Israel and was involved in the process from start to finish. She provides a unique view from within of the group's story. In contrast to the classic process of empowerment that a social group must undergo in order to change its status, the process that the vision group underwent was focused by a clear goal of forging a concrete final product. This enabled the group to be goal-oriented. She describes the group's transformation from hesitancy - to belief in its power, from a lack of belief in its ability and low expectations - to taking full responsibility for bringing about change. Woven into the chronological story of the process are descriptions of background issues that had accompanied the process, such as gender, identity, the absence of "the other," and different worldviews among the participants. None of these kept the group from forging an agreed upon final document.

Hassan Jabareen, one of the leading initiators of The Democratic Constitution, who also participated in formulating The Haifa Declaration, analyzes the motives that brought his organization, Adalah, to compose an alternative constitution to those proposed in Israel in recent years. According to Jabareen, in order to formulate a constitution one must envision the future of the entire society and establish principles that are not affected by everyday political changes. Jabareen discusses at length the importance of the preamble to a constitution, which sets its tone. Beginning the Israeli constitution with Israel's declaration of independence would be anachronistic, he argues, as a comparison to the preambles of other constitutions in the world will show. The declaration has no terminology of human rights, and even the word "democracy" does not appear in it. Its statement that the Israel is "the state of the Jewish people" excludes the Palestinian-Arab population from equal citizenship. The democratic constitution composed by Adalah means to rectify this situation. It calls for a democratic state for all its citizens, a state with clear boundaries, so that we can know who its citizens are.

As'ad Ghanem, one of the initiators of the Future Vision document, and Mohanad Mustafa examine the nature and significance of the documents and the background to their appearance. They also describe briefly the responses among Arabs and Jews. The heart of the article is an analysis of three central topics: the historical narrative, the symbolic challenge embodied by the discourse on visions, and the political alternatives proposed so that Palestinians in Israel can extricate themselves from the crisis they are in.

Mustafa Kabha examines the way in which the documents were received in the public discourse of the Arabs in Israel and expresses surprise at the relative indifference to them. From an analysis of Arab responses it appears that criticism came from various directions: some argued that the documents contained nothing new; others doubted Israel's willingness to enter into discussion over recognizing the rights of the Arab minority, and therefore saw the documents as unimportant. The Islamic Movement criticized the documents for ignoring its values and positions as a religious movement representing a sizable portion of the population. Other political circles claimed that the authors did not represent the Arab public as a whole and that they sat in an academic ivory tower without experiencing the real struggles.

Marry Totry looks at the documents from within and examines their relation to the deep internal crisis of the Arab society in Israel. In her view, the documents do not present detailed solutions for handling social issues, such as advancing the status of women or dealing with the many sources of divisiveness: ethnic, religious, *hamula*, or other. Totry is of the opinion that there is no broad consensus in the Arab public on some of the topics covered by the documents. This is particularly true of the desired nature of society the documents present: a liberal society based on principles of equality and solidarity among its members, that will respect individual liberty and the individual's right to be different and unique.

Sammy Smootha considers the proposal to establish a democratic binational state in Israel within the Green Line. He challenges this proposal empirically by examining a series of relevant questions: What does the international and historical experience teach us about binational regimes? Is the Arab minority ready for a fierce struggle for a binational democracy, and will the Palestinian Authority support it? Will the Jewish majority accept such a regime? Will the international community provide legitimation and support for the idea? And is the alternative of one binational state in all of Eretz Israel/Palestine feasible? From a comparative perspective, Smootha negates the feasibility of the binational idea, arguing that the conditions for it do not exist and are unlikely to exist in the foreseeable future. Though for the Arab minority it is a legitimate and optimal alternative, for the ruling Jewish majority it is illegitimate and catastrophic. According to Smootha, the idea of two states for two peoples is still the reigning concept for both sides and is supported by the international community, and therefore there is no chance of realizing the proposals in the vision documents.

Itzhak Reiter challenges the vision documents from a Jewish-Zionist standpoint and counters the underlying assumptions point by point. According to Reiter, the four documents challenge the moral basis of the state of Israel and its existence as a Jewish state, thus presenting a vision that is unacceptable to a Jewish-Zionist. He is especially appalled by the historical narrative they include, which sees the state of Israel as the product of colonialism; the claim that Israel was solely responsible for the 1948 war; and the categorical rejection of the definition of Israel as not only a democratic state, but also a Jewish one. He calls on Jews to formulate a strategy regarding the status of the Arabs in Israel and to conduct consensual discourse on gradual local arrangements. In a table at the end of his article Reiter summarizes the positions and demands in the vision papers and comments on the negotiability of each.

Meron Benvenisti argues that Israel has fragmented the Palestinian national community into five separate subcommunities, each of which must deal with the Israeli authorities on its own: more than 1 million Arab citizens of Israel; more than 1.5 million residents of Gaza who are represented by the Hamas government; some 2 million residents of the West Bank who are represented by a Fatah leadership; a quarter of a million residents in East Jerusalem, west of the Separation Barrier; and millions of refugees in the Palestinian Diaspora. In the vision papers, which demand collective equality and national rights for the Palestinian-Israeli minority, he sees a transformation of this subcommunity from a marginal group to a unified minority that recognizes its own value and challenges the Jewish majority. It is also a transformation from being a despised group among its own people across the border to being a community whose leaders and intellectuals are in the forefront of the Palestinian national movement.

Yehouda Shenhav, too, sees the documents as “expressing the assertive voice of the 1948 Arabs, who demand their collective rights,” and is of the opinion that there is no moral justification for suppressing this demand. His criticism of the writers is that they have not dealt with the "Jewish question": How does one ensure the continued physical, cultural, and political existence of the Jews, who are a religious and national minority in the Middle East? He does not distinguish between Israel within the Green Line and the territories conquered in 1967, and rejects the term “occupation.” According to Shenhav, there will be no alternative to a single state in the entire area, a state of all its national groups or of all its communities. And this, he believes, is also in the Zionist interest. This solution is linked to his position that the removal of the settlements is an unrealistic, perhaps even immoral, goal. If there is a binational state, there will be no point in removing the settlers. A different means of achieving justice must be created.

It is reasonable to assume that some of the opinions and positions presented in this collection of articles will arouse criticism, and that others will enjoy a measure of agreement that crosses national and ethnic boundaries. As noted above, we are seeking to reopen this important debate on the future and the character of the state of Israel and of the internal relations between Jews and Arabs, and hope that this book would help increase understanding of the current issues.

We thank Udi Cohen, the co-director of the Citizens' Accord Forum, for the idea of putting together and publishing this book, and also thank co-director Ibrahim Abu-Shindi and the entire staff of the Forum for their support and encouragement throughout the project.

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Mustafa Kabha

April 2008

¹ Ha'aretz, November 17, 2007

² Kol Ha'am, September 17, 1980

³ www.mossawacenter.org