Israel/Palestine: Will it ever end?

Welcome Day 4

Peter Larson
Israel/Palestine: Can it ever be solved?

Outline - (six 2 hour lectures)

1. Tuesday, Sept 11th, Introduction

2. Tuesday, Sept 18th, Who are the Palestinians, why are they unhappy and what do they want?

3. Tuesday, Sept 25th – Who are the Israelis, where do they come from and what do they want?

4. Tuesday, Oct 2 – What does it mean to be a “Jewish State”?

5. Tuesday, Oct 9th - The issue of the Palestinian refugees

6. Tuesday, Oct. 16 – Canadian policy/Conclusion/discussion
Today’s Israel: What does a “Jewish State” really mean?

Peter Larson
Chair,
Canada Talks Israel /Palestine

www.canadatalksisraelpalestine.ca
A little geography reminder…..

Presentation Outline

- Modern Israel – apartheid state or democracy?
- Palestinian Israelis (or Israeli Arabs)
- Citizenship rights vs. national rights
- Examples
- Consequences:
  - Land
  - Education
  - Employment
- Conclusions
Two conflicting narratives:

“Israel is the only democracy in the Middle East” – Justin Trudeau

“Israel is an apartheid state”

Archbishop Tutu
European Christian anti-Semitism has a long and sorry history

- Expulsion from Spain
- Ghettos
- Pogroms
- Exclusions, etc.
WWI - Britain beats Ottoman Empire, takes over Palestine
Britain encourages European Jewish immigration into “mandate Palestine”

Population of Palestine (1914)*
- 657,000 Muslim
- 81,000 Christian
- 59,000 Jews

TOTAL 800,000
* est. J. McCarthy

Population 1931
- 760,000 Muslim
- 91,000 Christian
- 174,610 Jews

1,026,000
* British Census, 1931
1931 – ‘48 – The Holocaust

- Rise of Hitler and growing anti-Semitism
- Jews desperate to find safety
- Refused entry to many countries, including Canada
- Many saw Palestine as the only option
British Mandate Palestine - 1931 – ‘48

- ‘31 – ‘48 increasing resistance by Palestinians
- 1945 – 650,000 Jews (v. 1 M Arabs)
- Zionists turn on Britain to get own State
- 1947 – Britain announces exit and turns over to the UN

Nov. ‘47 – UN Vote to partition
The “Nakba”  

- Immediately after UN vote, Jewish militias move to “Judaize” Palestine while still officially “British”

- Zionist forces go well beyond UN proposed borders

- the operation continues another 6 months - in total about 750,000 flee (80% of the population)

- Resulting in a Jewish majority and control of best land
Population of Palestine by ethno-religious groups

Source: UN Special Committee on Palestine
In the end:

- The Palestinians who remained became citizens of Israel
- Israel calls them “Israeli Arabs”
- But for 20 years lived under military rule (1948 – 1967)

May 15, 1948 - British flag goes down, Israeli flag up

- Neighbouring countries intervene
- Fighting and more ethnic cleansing continue for another 6 months
- Armistice in 1949 yields temporary borders
- But the “Judaisation” was not complete!!
  - Israel only 78% of former Mandate Palestine
  - About 150,000 Muslims and Christians remained inside Israel
Where are the Palestinians today?

1. Refugee Camps (Lebanon, Jordan, Syria)*  3.7 M
2. West Bank  2.4 M
3. Gaza  1.8 M
4. Israel  1.7 M
5. Diaspora  2.0 M

Total  11.6 M

* - there are also refugee camps in Gaza and the WB
Palestinian citizens of Israel (or “Israel’s Arabs”) today

- About 20% of Israeli population (1.7 million)
- Citizens of Israel
  - Passport
  - Right to vote
  - Represented in Knesset
  - State supplied education
  - Elect own mayors of towns and villages
  - Eligible for Supreme Court
- Arabic officially recognized
- Religious freedom
- Surveys show they prefer to live in Israel > OPT or Egypt
Furthermore:

- As citizens, Palestinian Israelis can:
  - travel wherever they want inside Israel
  - shop at the same stores,
  - go to the same beaches,
  - eat in the same restaurants as Jewish Israelis
  - go to the same universities
SO – WHAT ARE THESE GUYS COMPLAINING ABOUT?

Jamal Zahalka.
Received his BA, MA and PhD from Hebrew University.
Three term Arab member of Israel’s Knesset.
Current leader of the Balad political party.

Has described himself as a victim of “Israeli racist apartheid.”

Apartheid?

MK Haneen Zoabi
What are the issues facing Palestinians living in Israel?

1 main legal issue – many practical implications

Legal issue – *Israel is a Jewish state*

Practical implications
- Land ownership
- Education
- Employment
- Family issues - right to return/immigrate
- Racism/discrimination
- Police repression
- Suppression of Palestinian culture/history/memory
Israel as a “Jewish State”
- legally the state of the Jewish people
- NOT the State of its Citizens

Some implications:
- Any Jew anywhere in the world can immigrate to Israel and automatically gain citizenship.
- Israel makes great efforts to recruit Jews from around the world.
- 93% of the land is reserved for Jews.
- Very difficult for non-Jews to immigrate.
- Even difficult for Palestinians born in Israel to visit.
- Demanding that Israel be a state of “all its citizens” is seen as treasonous.
Five key legal/administrative tools used by the majority to ensure Jewish dominance

1. Laws explicitly based on race/religion

2. Few/weak laws that make discrimination on the basis of race/religion illegal

3. Laws that only affect certain sections of the population

4. Laws that permit official discrimination on the basis of race/religion

5. Discriminatory administrative practices based on race/religion
‘Citizenship’ vs. ‘Nationality’

By law – every Israeli citizen has both ‘citizenship’ and ‘nationality’ (e.g. ‘Jewish’, Arab, Druze, etc. etc.)

• some rights come from citizenship

• nationality is legally defined

• 75% of the citizens of Israel have the ‘Jewish’ nationality

• NOTE: Being Jewish has little to do with religion. Many Israelis are secular. But you are a “Jew” if your document says so, otherwise …
Some ‘citizenship’ rights:
• the right to vote
• the right to be elected
• the right to be named a judge
• the right to a passport and to travel
• the right to travel anywhere inside Israel
• free education K-12

Some rights that flow from ‘nationality’
• immigration
• where one can live
• access to various state subsidies
• marriage law
• quality of school system
• access to best jobs
• treatment by police
• access to services, swimming pools, etc.
But what about…

“The State of Israel will affirm complete social and political equality for all its citizens, regardless of religion, race, or gender.”

- Israeli Declaration of Independence

“Israel is a Jewish and Democratic State”

- Israeli Basic Law

- These two notions are often in conflict and the High Court often has to balance them.

- But there is little legal foundation for equality or human rights.
Three small examples

1. Can an Arab Israeli live in a ‘Jewish Municipality’?

2. Can an Arab Israeli get a license to produce and sell eggs?

3. Do Arab citizens have a right to have a say in planning?
Example 1: Can an Arab Israeli live in a Jewish municipality?

- 93% of the land of Israel belongs to the state
- Jewish communities have “admissions committees”
High Court rules Arab couple can live in Jewish town

Couple's admission request was denied on grounds of 'social incompatibility'; say 'Arabs in the State of Israel have a right to live in Jewish communities'

Hassan Shaalan
Published: 09.14.11, 08:16 / Israel News

Israeli-Arab couple Ahmad and Fatna Zabidat celebrated on Tuesday night the High Court of Justice's decision permitting them to live in the Jewish town of Rakefet after the community's admissions committee had rejected their application.

"Arabs in the State of Israel have a right to live in Jewish communities. We respect everyone regardless of their religion," they said.

More on controversial law:
- State to explain why admissions committees legal
- 'Admissions committees' bill set for approval
- Op-ed: The Jewish anti-Semitism
September 14, 2014
Israel’s Supreme Court dismissed a petition by Adalah: The Legal Center for Arab Minority Rights in Israel.

‘the Admissions Committees Law “entrenches racial segregation”

“434 small communities in Israel, or 43% of all residential areas, are allowed to close their doors to Palestinian Arab citizens of the state.”

- Adalah
Example 2
Can an Arab Israeli get a licence to produce and sell eggs?

For the first time in history, Arab farmers hatch official Israel egg license
Six Arab farmers who met the ministry's quality standards have now been chosen; others complain conditions make it financially not worthwhile.
By Amiram Cohen and Jack Khoury | Dec. 28, 2011 | 1:50 AM
Example 3 – Do Arab Citizens have any right to have a say in urban planning?

Court Rules in Favor of Arab Planning Rights

Update: June 13, 2013

The District Court for Administrative Matters ruled in favor of the Arab-Israeli residents.

Up until now, Arab citizens of Israel have not been represented in the State planning committees and divisions that decide upon planning and building laws.

- From ACRI website
Arab Israelis (or Palestinian Citizens of Israel - PCI)

About 1.4 million

Some live in 4 major Israeli cities
- Jerusalem
- Tel Aviv/Jaffa
- Haifa
- Nazareth

Many live in approx. 150 smaller “arab” towns

Some live in “unrecognized” villages
July 2018

Knesset passes “nation state law”

A constitutional law

Gives direction to Supreme court

Israel’s “Jewishness” is most important value
Practical consequences - A tale of two towns: Kufr Qasm and Rosh Ha'ayin
Introducing Rosh Ha'ayin

- Created in 1955 as a new Jewish municipality
Rosh Haayin is a Jewish municipality in Israel. It could be a gated community in California with checkpoints at the entrances.

Apart from a few “mixed” cities, no Jews live in “Arab” towns and no Palestinians live in Jewish municipalities.
Palestinian Israeli village of Kafr Qasim
KQ appears rather over crowded
But not “poverty stricken”
Two neighbouring towns compared: Kefr Qasm vs. Rosh Ha’ayin

- Pop’n: 22,500
- Founded (Ottoman empire)
- 100% Palestinian
- Area: 9,1 km²
- Av. Income: 3663 NIS

- Pop’n: 50,500
- Founded 1950’s (on site of earlier Arab village)
- 99.7% Jewish
- Area: 24.3 km²
- Av. Income: 8408 NIS

Figures from Israeli Bureau of Statistics
Two neighbouring towns compared: Kefr Qassm vs. Rosh Ha’ayin

- Municipal library: no vs. YES
- Swimming pool: no vs. YES
- Cultural centre: no vs. YES
- Irrigated parks: none vs. SEVERAL
- % paved roads: 70% vs. 100%
- Industrial park: no vs. Yes
How to explain the striking differences between the two towns?

Two neighbouring towns compared:
Kefr Qasm vs. Rosh Ha’ayin

- **Pop’n**: 18,500
  - (Cf: 1931 census – 989)
- **Founded**: (Ottoman empire)
- **100% Arab Palestinian**
- **Area**: 9.1 km²
- **Pop’n density**: 2000/km²
- **Av. Income**: 3663 NIS

- **Pop’n**: 35,500
- **Founded**: 1950’s (on site of earlier Arab village)
- **99.7% Jewish** (mostly from Yemen)
- **Area**: 24.3 km²
- **Pop’n density**: 1440/km²
- **Av. Income**: 8408 NIS

Figures from Israeli Bureau of Statistics, 2000 census

Rosh Ha’Ayin is designated a “Jewish community”
- Allowed to set rules for accepting residents
- Subsidies from Israel
- Zoning is in its favour
- Government offices, etc.
93% of Israel is now “State land”
Socio/economic/political/cultural realities for non Jewish citizens of Israel

1. Education
2. Employment
3. Policing
4. Culture
5. Racism
Socio-Economic Consequences
Jews vs. Arabs inside Israel

Some examples:

**Income** (average income $/year)
- Jewish: $31K
- Arab: $21K

**Poverty rate** (families after transfers)
- Jewish: 12.3%
- Arab: 44.9%

**Education** (Qualification for matriculation certificate)
- Jewish: 75.9%
- Arab: 30.8%

**Unemployment** (Unemployment rate)
- Jewish: 6.9%
- Arab: 10.9%

**Civil service employment**
- Jewish: 94%
- Arab: 6%

All figures from Dirasat (Arab Centre for Law and Policy), ADALAH, and Central Bureau of Statistics, Israel
Education in Israel

• State supplied education K – 12
• Israel fares very well on international tests

• But... education is segregated:
  • Jewish schools (in Hebrew)
  • Arab schools (in Arabic)
Education in the “Arab sector” for the Palestinian citizens of Israel

Four major problems:
1. Inadequate funding
2. Curriculum
3. Poor outcomes
4. Barriers to higher education for Arabs
Funding for “Arab sector education”

• Funding 3 to 4 times more per capita for Jewish schools
Arab Israeli Curriculum

“The primary objective of education is to preserve the Jewish nature of the state by teaching its history, culture and language”.

– Israeli State Education Law 1953

- The Arab Israeli school system does not teach Palestinian culture and history – it teaches Jewish culture and history.
Barriers to higher education for Palestinian citizens of Israel

- No Arabic language university in Israel
- Hebrew and English entry test
- Few Palestinians on faculty (<2%)
- “delays” for certain subjects
- Subsidies to those who have done military service
- Justified on grounds that Israel is a state of the Jewish people
Result?

- High dropout rate
- Low wage jobs
- High unemployment among Palestinian Citizens of Israel
Repressive policing practices

- Lots of unemployed/underemployed Palestinian youth
- Seen as potential danger by Jewish Israelis
- PCI youth “carded” constantly
- Even peaceful Arab demonstrations often violently suppressed

A very frequent scene in Israel: Israeli police checking Palestinians for ID.
Defense (emergency) regulations (1949)
(= “The war measures act”)

Objective: to protect the Jewish State of Israel

Provides for:
• military tribunals to try civilians without appeal,
• sweeping searches and seizures,
• prohibiting publication of books and newspapers,
• detaining individuals administratively for an indefinite period,
• sealing off particular territories, and
• imposing curfew, etc., etc.

• First introduced 1949
• Re-voted every year by Knesset.

• Always a potential tool against Arab Israelis
• Almost never used against Jews
Differential treatment of history/culture

- Above – ruined Palestinian Bedouin cemetery in downtown Be’ersheva

- Right – Canada Park – built on ruins of a Palestinian village – all signage in Hebrew and English
Arabic place names disappear...
The new Museum of Tolerance Jerusalem…

… is built on the largest Muslim cemetery in Jerusalem
Pervasive AND PERSISTENT Racism

• Petty exclusions
• Professional limitations
• No legal remedy because Israel is a “Jewish state”
Widespread, state-tolerated racism in Israel

• 48% of Israelis agree or strongly agree that Arabs should be expelled or driven out of Israel;

• 79% of Jews believe they deserve favorable treatment compared to non-Jews.

• (60% of those who live inside Israel and 85% of West Bank residents) believe that God gave the Land of Israel to the Jewish people.

- American Pew Research Center, which surveyed 5,601 Israeli adults between October 2014 and May 2015,
Most Jews say Israel should give preferential treatment to Jews

% of Israeli Jews who agree/strongly agree that Jews deserve preferential treatment in Israel

<table>
<thead>
<tr>
<th>Group</th>
<th>% Agree</th>
</tr>
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<tbody>
<tr>
<td>All Jews</td>
<td>79%</td>
</tr>
<tr>
<td>Haredi</td>
<td>97</td>
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<tr>
<td>Dati</td>
<td>96</td>
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<tr>
<td>Masorti</td>
<td>85</td>
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<tr>
<td>Hiloni</td>
<td>69</td>
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PEW RESEARCH CENTER
Nearly half of Jewish Israelis want to expel Arabs, survey shows

Pew study finds 79% believe Jews should get preferential treatment over Arab citizens; number of those who believe settlements are helpful to Israel’s security growing; majority identify as centrist

BY MARISSA NEWMAN | March 6, 2016, 1:03 pm | 36
Most Arabs say Israel cannot be both a democracy and Jewish state

% of Israeli ... who say Israel can be a democracy and a Jewish state at the same time

<table>
<thead>
<tr>
<th>Group</th>
<th>No</th>
<th>Yes</th>
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<tbody>
<tr>
<td>Arabs</td>
<td>64%</td>
<td>27%</td>
</tr>
<tr>
<td>Muslims</td>
<td>63</td>
<td>28</td>
</tr>
<tr>
<td>Christians</td>
<td>72</td>
<td>20</td>
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<td>Druze</td>
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PEW RESEARCH CENTER
'Superland' and the normalization of segregation in Israel

An Israeli amusement park found itself in hot water after being caught segregating Jewish and Arab school groups. But instead of being an aberration, the incident is reflective of the dominant culture of segregation and discrimination that permeates Israeli society from the bottom up.
Palestinian Israelis
(A second look)

- About 20% of Israeli population (1.4 million)
- Citizens of Israel
  - Israeli passports
  - Right to vote
  - Represented in Knesset
  - State supplied education
  - Elect own mayors of towns and villages
  - Eligible for Supreme Court
- Arabic no longer an official language
- Religious freedom
- Surveys show prefer to live in Israel

Store sign: Help wanted “after military service”
Summary

- Israel is a European type country with high level of socio-economic development and a developed political structure and legal framework.

- It has many aspects of a liberal democracy

- Its declaration of independence declares that there shall be no discrimination on the basis of gender, religion, ethnicity, etc.
But Israel conceives of itself as a “Jewish State”.

This justifies preferential treatment for Jews - in education, employment, housing, land ownership and many other areas.

Some resistance from courts now overruled by “Nation state” law

Palestinian Israelis are permanently locked in an inferior position
My conclusions
"The Jews should be denied everything as a nation, but granted everything as individuals...it should not be tolerated that the Jews become a separate political formation or class in the country. Every one of them must individually become a citizen; if they do not want this, they must inform us and we shall then be compelled to expel them. The existence of a nation within a nation is unacceptable to our country." Conte de Clermont-Tonnerre, 1792
Review

Today there are 3 main groupings of Palestinians living under Israeli control with very different problems:

- Those who live under occupation
- The refugees
- Palestinian citizens of Israel
Conclusion

• The Palestinian citizens of Israel face specific conditions of inequality and injustice

• They do have some rights as citizens

• But they live as non Jewish citizens inside a “Jewish State”

• They face a systemic, and socially accepted discrimination based on ethnicity/religion
Conclusion cont’d

• Israel’s Jewish majority can continue to “democratically” preserve rights and privileges for itself as long as Jews constitute a majority

• This means the refugees must be denied their right to return
Support for the idea of Israel “as a Jewish state” is very problematic for anyone who believes in equality and democracy.
Thank you!!

Peter Larson,
Chair,
Canada Talks Israel Palestine

Please check out my blog:
www.canadatalksisraelpalestine.ca