

CHALLENGING ETHNIC CITIZENSHIP

German and Israeli Perspectives
on Immigration



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NATIONALISM, IDENTITY, AND CITIZENSHIP

An Epilogue to the Yehoshua-Shammas Debate



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A Non-Platonic Dialogue

On the eve of the Jewish New Year, on 13 September 1985, Anton Shammas—the Israeli-Arab writer, essayist, translator, journalist, and the author of *Arabesque*,¹ an autobiographical Hebrew novel of a youngster growing up as a hybrid of Jewish-Arab culture and identity in the village Fasuta—aroused bitter controversy among the Israeli elite. In a brief article he accused Israel of excluding Israeli-Palestinians from participation in the common political, cultural, and collective identity or nationality (Shammas 1985).

His accusations of extreme discriminatory policy against Israel's Arab citizens were by no means a new issue on the Israeli political agenda. Between 1949 and 1966, Israeli Arabs had been subject to crass military rule, which served as a useful umbrella for land confiscation, exclusion from the labor market, and de facto deprivation of most citizen and human rights. Since 1966 their condition has gradually improved; yet still no Jewish intellectual would deny that Israeli-Palestinians have remained an underprivileged ethnic or national minority. Shammas's claim, however, went far beyond the regular complaints and protests against discrimination of a minority group within a supposed democratic and humanistic polity. Shammas called for space and participation for the "Israeli Arabs" within the holy of holiest of Israeli collective identity and Israeli culture.²

Faced with such a provocation, even the liberal, "leftist," and dovish writer A. B. Yehoshua, was unable to restrain himself. Although he was not the only respondent to Shammas, he was one of the most strident and certainly the most prominent. "I am suggesting to you," shouted Yehoshua, "that if you want to exercise your full identity, if you want to live in a state

that has a Palestinian character with a genuine Palestinian culture, arise, take your chattels, and move yourself one hundred yards eastward, into the independent Palestinian state, that will be established alongside Israel."³ Alluding to God's commandment to Abraham to leave his home and go forth into the land God will show him, the land of Canaan, Shammas angrily responded: "I have no intention to leave my motherland and my father's home, for the country Yehoshua will show me."⁴

Another respondent to Shammas's challenge was the writer of Mizrahi origin, Sami Michael (1986). He wrote that "Many Jews from every [ideological] camp understand his pain and identify with his suffering as a member of a minority. Many are ready to pay a price in order to make it more comfortable for him [to be a minority], but not to the point where they [the Jews] make themselves into a minority." Here the claim for equal civil and symbolic rights for Israeli Arab citizens was promptly transformed into the restoration of the situation in which Jews were a minority in Palestine (or in fact anywhere in the world) and the Jewish nation-state would be dismantled.

Nonetheless, Anton Shammas never intended to dismantle the state, but rather to challenge its constructions as a homogenous ethno-national entity and identity. He wanted to invent and create a new local national identity, or nationality, common to Jews and Arabs of the country, and based solely on state citizenship and territory.

He stated explicitly, "What I'm trying to do—multishly, it seems—is to un-Jew the Hebrew language, to make it more Israeli and less Jewish, thus bringing it back to its Semitic origins, to its place. This is a parallel to what I think the state should be. As English is the language of those who speak it, so is Hebrew; and so the state, should be the state of those who live in it, not of those who play with its destiny with a remote control in hand" (Shammas 1989). And he added, "the State of Israel demands that its Arab citizens take their citizenship seriously. But when they try to do so, it promptly informs them that their participation in the state is merely social, and that for the political fulfillment of their identity, they must look somewhere else (i.e., to the Palestinian nation). When they do look elsewhere for their national identity, the state at once charges them with subversion; and, needless to say, as subversives they cannot be accepted as Israelis" (Shammas 1989).

The controversy between Yehoshua and Shammas over the meaning and boundaries of Israeli identity was reopened six years later, in a debate held in 1992. This time Shammas was much more articulate in his arguments and Yehoshua was more defensive.⁵

"My problem and debate with Anton," suggested Yehoshua, "are not about equality, but about identity. Because as a national minority in an Israeli state...."

"What's an Israeli state?" Shammas shot back. "There's no such thing!"

"What do you mean there's no such thing? ... For me, 'Israeli' is the authentic complete and consummate word for the concept 'Jewish.'

Israeliness is the total, perfect, and original Judaism, one that should provide answers in all areas of life."⁶

"You see Israeliness as total Jewishness, and I don't see where you fit me, the Arab, into that Israeliness. Under the rug? In some corner of the kitchen? Maybe you won't even give me a key to get into the house?"

"But, Anton, think of a Pakistani coming to England today, with a British passport and telling the British, 'Let's create the British nationality together. I want Pakistani-Muslim symbols....'"

"Buli [Yehoshua's nickname], the minute a man like you does not understand the basic difference between the Pakistani who comes to England and the Galilean who has been in Fasuta for untold generations, then what do you want us to talk about? I always said that the Zionist state's most serious mistake in 1948 was that it kept the 156,000 Arabs who did not run away and were not expelled. If you really wanted to establish a Jewish state, you should have kicked me out of Fasuta, too. You didn't do it—so treat me as an equal. As an equal in Israeliness."

"But you won't receive one single right more for belonging to the Israeli nation. On the contrary. I'll take away your special minority rights.... For instance, you'll have to study Bible, just as in France all citizens study Molière and in England Shakespeare."

"But as a literary text...."

"What do you mean?! We have no Shakespeare or Molière. We have the Bible, the Talmud, and Jewish history, and you will study them, and in Hebrew...."

"If that's the case, then Judaism also has been separated from Israeliness, and you'll oppose that by force of arms."

"But how is that possible? Try, for instance, separating France from Frenchness—it is impossible."

"France and Frenchness come from the same root. But Judaism and Israeliness are a different matter. That's why I advocate the de-Judaization and de-Zionization of Israel.... I'm asking you for a new definition of the term 'Israeli,' so that it will include me as well, a definition in territorial terms that you distort, because you're looking at it from the Jewish point of view.... [However,] ultimately we are dealing with the question of identity; the identity that is given to us by those who have the power to do so."

"... I'm not excluding you. My Israeliness includes you and all the Israeli Arabs as partners in the fabric of life here. Partners in that you vote for the Knesset [Israeli parliament], on creation of Israeli citizenship as a whole...."

"You want me to vote for the Knesset so you can show off your democracy to the enlightened world. I'm not willing to be a party to that. I know that all I can do here is to vote and nothing else. I know that my mother would never be able to see me become Israel's Minister of Education."

Shammas had already demonstrated several years before this exchange that he possessed a comprehensive and sweeping understanding about

the past, present, and what should be done in the future. Zionism, as a national movement, Shammas argued, achieved its historic role with the establishment of the state. Every person currently living within the "green line,"⁷ who is a citizen of the state of Israel, should be defined as an "Israeli." The time has come to transform the Law of Return into a regular immigration law, as exists in Western secular and democratic states. This state will have the authority to decide who may be called Israeli, but Israeliness should no longer be automatic or self-evidently granted only to Jews. All Israelis should be equal with regard to rights and duties. As the bottom line of his argument, he proclaimed that "we, the members of the Israeli nation, should then wait, with Levantine patience, for the first Jew to proclaim at the head of the camp: 'Zionism is dead, long live the Israeli nation!' That in the hope that the entire [Jewish] camp will follow after him."⁸

Subjects and Citizens

We may grossly divide the states of the world into two categories: subject-states and citizen-states. As was argued by T. H. Marshall (1983), subject-states emphasize the obligations of the individual toward the state and its rulers, while citizen-states emphasize the rights that the state is obliged to grant to its citizens. Between these two ideal types exist a considerable number of mixed types. Subject states are characterized by the unconditional status of the state's population as the state's property, lacking a true basis or claim to any rights based on universal and egalitarian membership in the state. Relations between the state and its subjects are patronage-like: different groups (such as class, ethnic, gender, religious, racial, or occupational groups) receive favors and privileges according to their closeness to the state's rulers and ruling strata in exchange for loyalties to the state's ruler. This loyalty is usually constructed and camouflaged as patriotism, nationalism, and commitment to the state as "motherland."

The citizen-state, in contrast, represents a kind of sociopolitical order based on an unwritten conditional contract between the state and each individual member. The state promises to grant a package of citizen rights that go beyond those self-evident human rights, as defined by the Charter of the United, whose inclusion as self-evident citizen rights and internalization by the state and its legislative and social welfare systems are inviolable. All these citizen rights are provided in exchange for a package of citizen obligations toward the state. The state's minimal obligations are to provide law and order and defense from external threats on the citizen's life, to insure property and freedoms, and to supply some basic needs, such as health services, schooling, and subsistence. In addition, the state possesses a legitimate monopoly on the exercise of violent power within its sovereign territory, that is, the right to make war and peace with other states and external entities. In exchange, the citizen's

obligations toward the state are to obey the law, to pay the imposed taxes, to answer the call to military service, and even to endanger one's own life as the ultimate sacrifice to the state's demands.

No wonder that Charles Tilly defined these state-citizen relationships in terms of Mafia-client relations: the citizen has to pay the "organization" protection fees. Beyond these reciprocal relationships, any expansion of the state's role (for example the scope of the welfare offered by the state or its redistributive agencies) is the subject of perpetual negotiation and bargaining between the state and various groups of citizens.

An additional major principle of the notion of citizenship is its universalistic character, or more simply put: all citizens of the state possess equal constitutional rights. This means that the same criteria for access to both material and symbolic common goods are indiscriminately assured for the entire citizenship population and that the same duties are demanded of all.

The scope and validity of rights and obligations imply the inclusion of an individual or social category within the boundaries of the state. The definition of citizenship as a personal status—even if the status symbolizes membership in a collective of equal citizens or in the nation-state as a "membership organization" in Brubaker's (1992) terms—presumes the existence of an individual to whom rights and obligations are "naturally" determined by an invisible social contract. The definition of citizenship as a legal-personal status according to Tilly (1995), is a series of continuing exchanges between persons of a given state in which each has enforceable rights and obligations "by virtue." These virtues or traits are based on an individual's membership as an exclusive category, that is, native-born or naturalized, and on the individual's relation to the state rather than to any other authority the agent may enjoy. This equation is reversed in a situation of an active mass immigrant-settler society, in which the natives are not a part of the "nationality" of the nation-state.

This definition of citizenship in terms of the individual-state relationship, focuses attention on the juridical, political, and symbolical levels of the mutual relationships between individuals and the state (Turner 1983; 1997). It presumes at least a legal membership in the polity. In fact, this is apparently congruent with liberal theory and its approach to citizenship, which defines it as a "set of normative expectations specifying the relationship between the nation-state and its individual members which procedurally establish the rights and the obligations of members and a set of practices by which these expectations are realized" (Peled 1992). Under such definition, individuals are not committed to each other and in fact lack "communal" responsibility toward their fellow citizens. Rights and duties are fulfilled without the help of intermediaries such as institutions and communities, but rather as a direct link between each person and the state (Roche 1987).

More precisely, the state relates and constructs citizenship as individual or collective categories according to its various interests and internal

power structure. Thus, some states tend to delimit different types and degrees of citizenship, for example, ethnic-, class-, or gender-based citizenship (Vogel 1991; Walby 1992, 1994; Hindess 1993: 19–21; Yuval-Davis 1997). Thus, within the same state different patterns of citizenship may coexist, according to differential access to the rights and obligations of citizenship. The question is how much the underprivileged or passive citizens consider their lowered level of obligations to the state⁹ as a privilege that compensates them for their lowered rights in other spheres, and not as a symbol of their total exclusion from membership in the state. Are “individual-minority rights” a worthy compensation for a lower degree and quality of citizen rights, as hinted by A. B. Yehoshua in equating “citizen rights” with “minority rights”?

Theoretically, the problem should be even more acute: Can a claim that is based on the liberal dogma of unalienable equal citizen rights, which is itself based on the right of an individual, legitimately profess claims for equal collective rights? Can individual citizen rights be separated from collective religious, ethnic, or cultural rights? This whole problematic sounds somewhat familiar, and indeed resembles the nineteenth-century French and German Enlightenment and Emancipator movement slogans that a Jew as a person should enjoy full citizen rights, but Jews as a collective—nothing. Rightly, the Jews considered this formula as covert anti-Semitism and as an attempt to dissolve Jewish identity, culture, religion, and community.

Nonetheless, various patterns and qualities of citizenship that grant differential scopes and degrees of rights reflect how states use citizenship to incorporate social groups (such as gender, class, ethnicity, religion, and nationality) into their structures and to redefine or re-create social categories. As a consequence, patterns of citizenship and diverse cultural, ethnic, and political identities are shaped, created, or reinforced. In the case at hand, the identity of “Israeli Arabs,” or even “Israeli-Palestinians” was created rather successfully. This seems to fit with Harrison C. White’s (1992) and Jacques Derrida’s claim that self-imposed identity, not to mention that imposed by others, is an act of violence. This is because “the rapport of self-identity is itself always a rapport of violence with the other; so that the notions of property, appropriation and self-presence, so central to logocentric metaphysics, are essentially dependent on an oppositional relation with otherness. In this sense, identity presupposes alterity” (Derrida 1984). On the other hand, Dahlia Moore and I have shown how the maneuvering of different definitions of self-identity in different social and political contexts can be employed as a survival strategy for minority groups (Kimmerling and Moore 1997; Moore and Kimmerling 1995).

Different positions within the holy civic communion of the state prescribe what Yasemin Soysal (1994) has conceptualized as “models of membership,” or “institutionalised scripts and understandings of the relationships between individuals, the state, and the polity as well as the

organizational structures and practices that maintain that relationship.” These “scripts and understandings” include cultural assumptions that shape the boundaries of the citizens’ collectivity, the different positions within it, and the ways in which access to citizenship is interpreted. These cultural assumptions may be conceptualized as national projects. They are national projects not because they constitute a desire for a separate political and cultural representation for a collectivity, but because they are shaped through narratives and discourses of the state’s interests in the discursive space of citizenship (Habermas 1997).

The convention is that historical processes shape national projects. These processes and constraints explain the type of ties between citizenship and national identity that national projects promote. As such, they frame the conception of the links between citizenship and nationality, and envision the exclusivity or inclusiveness of those ties as well as their primordial or civil character.

Moreover, the patterns or degree of inclusion (full, partial, differential, or exclusion) in the community of citizens, and the arenas through which inclusion is concretized and symbolized, are central to the understanding of how individuals and social groups react to the state’s practices. Patterns of inclusion are central to the understanding of the patterns of social action and identity mobilized in transactions (bargaining or conflict) between individuals, social groups, and the state’s agents. These negotiations and bargaining over citizenship are not only related to “who gets what,” but also to “who is what” and “who can decide who is what.” The kinds of identities and narratives raised in the process of claims making and negotiations over citizenship, including the terms and degree of participation and membership demanded, are thus central to the understanding of those identities that claim recognition (Yeatman 1994).

The Israeli State and Identity

As was already demonstrated, citizenship includes a basic and inherent contradiction. On the one hand, it is a legal status granted by the modern state to its members. On the other hand, the state is not just a rational-bureaucratic and identity-indifferent organization, but also the embodiment of ethnic and national, and sometimes also religious, attachments. The Israeli state takes this contradiction to its logical and sociological end. By its own constitutional definition, Israel is “Jewish and democratic.” At first glance, nothing is wrong or contradictory in this definition. After all, it sounds precisely like “French and democratic” or “German and democratic.” After all, a Jew who was entitled to French or German citizenship, but needed to keep his or her ethnic or religious identity, became a “French-Jew” or “Jewish-French,” etc. The same goes for “Turkish-German” or even “Muslim-French.” Nevertheless, taking into account that Israel is a “Jewish state,” can we even consider a French

of "Jewish-Christian," "Jewish-Muslim," or "Jewish-Buddhist"? These "impossible combinations" are almost inconsiderable to the "Jewish-Israeli" ear—and by the way why not a "Jewish-Jew"? But if Israel is a "Jewish nation-state," implying that the Jews are a nation and "Judaism" is actually "Jewish national identity," why does the existence of "Jewish citizenship" in the Jewish nation-state sound so weird?

In fact, for most of us the answer is taken to be self-evident. It is not accidental that the inscription on the rubric of my official ID card is "nationality (*leom*): Jewish" and not "citizenship: Jewish" or even "Israeli." This is simply because neither Jewish nationalism in its Zionist incarnation nor the Israeli state were able to invent or construct a purely secular or a civil national identity.¹⁰ Zionist nationalism was generally not constructed as a pure ideology, but was intermingled with other ideologies, such as classical liberalism, or with varieties of socialism, including communism (Kimmerling 1985). It is also necessary to remember that the beginnings of Jewish national thought and activity were shaped at the end of the colonialist era, when Jewish migration was intertwined with large scale intercontinental population movements. During this era, the formation and construction of immigrant-settler nations was still at its height. European colonialism was the dominant world order, and Eurocentrism was the hegemonic cultural approach.

Jewish-religious nationalism, which approximated this approach from a religious outlook, was a negligible and marginal minority within the Jewish religious collectivity since religious principles did not permit "forcing the End,"¹¹ or achieving collective salvation without divine intervention. In spite of this, the religious worldview looked positively on ascendance (*aliyah*) to the Holy Land. But the religious-national mixture was a relatively marginal phenomenon, which demanded a very great intellectual-interpretive effort. Even today its theological standing within Judaism is quite shaky and problematic.¹² Thus, for example, the first rabbi who can be classified as a "Zionist," Samuel Mohilever, was more concerned with convincing secular Jews to consider the sensitivities of fervently observant Jews than he was with the theological problems of a return to Zion in his day. Practically speaking, Mohilever failed in his mission to bring about an understanding among the founding fathers of Zionism, and played a part in starting the split between religious and secular components of the movement. This laid the foundations for the beginnings of the Mizrahi movement (short for *mercaz ruchani* or "spiritual center"), which in 1902 incorporated the group of Rabbi Isaac Jacob Reines.¹³

Even the absence of distinction between religion and nation is not however, the primary cause for, but itself flows from, the basic nature of the Israeli state, which cannot be understood apart from its historical-sociological context. Israel was formed as a society of settler-immigrants, and is still an active immigrant society, engaged in the settlement process to this very day. Two mutually complementary political practices are involved. The first is what we like to call Israel's existence as an

"immigrant-absorbing state"; the second involves the view that its boundaries are still in the process of formation with regard to their expansion and contraction. Israeli Jews therefore belong to the category of "immigrant-settler" nations, similar to the nations formed in North and South America, in North Africa (French Algeria), and in white South Africa, Australia, and New Zealand. Despite the tremendously fast and constant transformation that this society is undergoing, its fundamental character as a settler-society—which must consolidate itself in a given territory, living by the sword and with a need to create a space for itself—remains constant. The Arab inhabitants, in whose midst the Jewish immigrants settled, have, almost from the beginning of Jewish settlement, consistently resisted the process with great determination. The Jewish-Arab conflict flows from this. Indeed, it is true that Zionism, the national movement that motivated Jewish immigration and settlement but that was also formed by it, was clever enough to distance itself from the global colonial context—the matrix out of which it was born. Zionism emphasized the uniqueness of the "Jewish problem," anti-Semitism, persecutions, and, later, the Holocaust, and presented itself as the sole realistic and moral solution. Thus, the Jewish immigration movement was successfully represented as a "return to Zion" correcting an injustice that had lasted for thousands of years, and as totally disconnected from the movements of European immigration to other continents. Nonetheless, the fact that Jewish immigration and settlement were construed in these terms was not enough to change their basic social-cultural character.

In reality, Israeli society was established mostly by immigrants from an ethnic, religious, and cultural background that differed from the broad local population, and who thought of themselves as part of "Western society." In the political culture of the postcolonial world order, this society has been plagued by the problem of existential legitimacy. It has had to repeatedly explain to itself and to the international community why it chose Palestine, the land retitled as "The Land of Israel," as its target territory for settlement. For behold, Palestine was not chosen for its fertile soil, its natural treasures, the presence of a cheap labor force, nor for its potential markets; rather, it was chosen on the basis of ideological-religious motives (Kimmerling 1983: chap. 7). This caused the Zionist project to be not only unable to support itself from an economic point of view, but also, as an essentially religious project, unable to disconnect itself from its original identity as a quasi-messianic movement. The essence of this society and state's right and reason to exist is embedded in symbols, ideas, and religious scriptures, even if there has been an attempt to give them a secular reinterpretation and context. Indeed, the society was made captive from the beginning by its choice of target territory for immigration and nation-building. For then neither the nation nor its culture could successfully be built apart from the religious context, even when its prophets, priests, builders, and fighters saw them-

At least three basic laws¹⁴ and one additional regular law state that Israel is a "Jewish and democratic state." The definition of "Jewishness" that the state itself has adopted, however, transforms these two concepts—"democracy" and "Jewishness"—into mutually exclusive ones in certain areas (Kimmerling 1999). As a result, a major part of the practices engaged in by the state hardly conform to usually accepted notions of Western-liberal and enlightened democracy. Israel inherited what is known as the *millet* system from both the Ottoman Empire and the British colonial administration.¹⁵ This system provides that "religious-ethnic" communities should enjoy autonomy from the state and have sole jurisdiction in matters of personal status litigation. Even before its establishment as a sovereign entity, the Israeli state decided to preserve the institution of the *millets* and to construct a *millet* form of citizenship. Therefore, citizens have been subjected to two separate legal and judicial systems that operate according to different and even opposing principles. One is secular, "Western," and universalistic; the other is religious and primordial, and is mainly run—if we are speaking about Jews—according to the Orthodox interpretation of Halacha. The minorities, who were thus defined ab initio as religious minorities, were also forced to conduct their "autonomous" lives in accordance with this dual system. The Israeli parliament has so far given up its authority to legislate in crucial areas and has recognized a parallel legal and judicial system outside its control. In fact, the state has obligated itself to relate to rules of Halacha, *shari'ya*,¹⁶ and diverse Christian denominational rules as if they were its own law.

Jewish-religious elements have been incorporated into other areas of legislation as well, such as the Work Hours and Days of Rest Law, the Freedom of Occupation Law, and the like. In contrast to these, the Law of Return and Law of Citizenship, immigration laws, which were intended as a sort of "affirmative action" (or corrective discrimination) on behalf of world Jewry after the Holocaust, are relatively liberal ordinances. One must of course qualify this characterization, since these laws were indeed discriminatory against both those Palestinians who were uprooted from the territory that fell under the rule of the new state and those who remained and were for the most part denied family reunification. Although the Law of Return and the Law of Citizenship are not based on the theological definition of Judaism,¹⁷ and in practice these laws grant Israeli citizenship (and define the boundaries of Judaism) more or less in accordance with the broader definition of the Nuremberg Laws, the logic underlying them is internally consistent and justified. These laws were intended to grant citizenship to almost everyone who suffered persecution as a Jew, even if the individual case did not correspond with the halachic definition of Jewishness. If the Law of Return and the Law of Citizenship have been among the most problematic laws in Israel until now, they have nevertheless preserved relatively open "Jewish" boundaries. The currently proposed "Conversion Law"¹⁸

however, has apparently been intended to "heal" the breach and give the orthodox a monopoly on this essential domain of determination of the boundaries of the collectivity. Complementing the laws of return and citizenship is the Law on the Status of the World Zionist Organization (of the Jewish Agency), which also facilitates the allocation of particularistic benefits to Jewish citizens of the state alone. Yet another constitutional arrangement is inherent in the Social Security Law, which for many years has been complemented by a set of welfare laws, in which the only eligible beneficiaries are "former soldiers" and their families. This most unobvious code phrase is intended to construct a broad separation between Jewish and Arab citizens. Similarly, the agreement between the Jewish National Fund and the Israel Lands Administration prevents the leasing of state lands, 93 percent of the territory inside the "green line," to non-Jews.

Conclusions

Israeli national identity is based on a mixture of both religious-primordial symbols and orientations and civil and universalistic orientations. These two components of Israeli Zionism complement each the other, but also introduce strains, contradictions, and distortions into the democratic regime. The primordial component is exclusionary and emphasizes Jewish ethnocentrism, while the civil component is inclusive and based on the modern notion of citizenship. On the one hand, the primordial orientation envisions the state as a homogenous Jewish nation-state, in which ethnic or national minorities have some "protected" individual rights as citizens. In this view, citizenship is regarded as a legal status granted to individuals but limited to certain fields. On the other hand, the civil orientation regards citizenship not as a mere legal status, but also as an all-encompassing dominant cultural and political metaidentity, common to all citizens of the state.

According to the primordial orientation, "the people" constitute a state, which is entitled to grant different kinds of "membership cards" to the population under its control, ranging from "full citizenship" to partial rights for those who are seen as "subjects" under state control. The opposite approach perceives citizenship as an absolute right, granted at birth to any member of a state with a democratic regime. This citizenship and the rights it supplies are considered the ultimate base for a common national identity and as the necessary condition for a state's very existence.

The debate between A. B. Yehoshua and Anton Shammas over the fundamentals of Israeli society centered around this primordial-civil and symbolic axis. The liberal Jewish Yehoshua was anxious to preserve the exclusive Jewish ethno-national identity of the state, while the Arab-Palestinian Shammas demanded, for his own interest equal symbolic and

cultural shares for his local Arabness under a reshaped universal Israeli nationality based on citizenship. Conceptually speaking, Shammas fused the liberal-individualistic approach to citizenship and the communitarian construction of citizenship (Daly 1993; Oldfield 1990). Basically, his hidden argument is that citizenship can be shaped and reshaped by an interaction between the individual (as a part of a community) and the community (that makes individuals), and that individuals have the right to equal representation within the national identity as a part of a minority community.

Notes

1. Published in 1986 by the mainstream Hebrew-Zionist publishing house Am Oved. Shammas is also well known for his Hebrew translations of Emil Habibi's powerful novels and stories that depict, through satire and irony, the life of Arabs under Israeli control and the destruction and uprooting of the Arab community during the 1948 War.
2. Arabs are in a continuous dilemma between demanding equal and full (not separate) participation in the common material and cultural goods of the Israeli state and society and demanding autonomous spaces within the state. Recently, some Arab intellectuals suggest a binational state within the whole land of colonial Palestine instead of the two-state solution proposed by them before. For a historical analysis of the Arab Palestinian identity, its crystallization and development, see Kimmerling 2000.
3. Yehoshua 1985. Also see idem 1986. For an excellent overview and analysis of the controversy in its wider context, see Silberstein 1999: 127-165. Yehoshua's response was incredibly harsh, because it resembled the far-right fringe claim of expulsion ("transfer") of all the Arabs from the "Land of Israel."
4. As a matter of fact, Shammas did it. About ten years ago he left the country and settled in Ann Arbor (Michigan), where he accepted a permanent post of professor of Arabic and Hebrew cultural studies.
5. This took place in a private meeting in 1992, when Shammas, who had since moved to the U.S., returned to Israel for a visit. He and the writer David Grossman met with Yehoshua at the latter's home in Haifa. The debate is reported in Grossman 1994: 250-277. The book was first published in Hebrew in 1992. The conversation has been edited and adapted for print.
6. Here Yehoshua adopted the conventional Israeli Zionist belief that Judaism in exile, or diaspora, can only be a partial identity, while the complete or total fulfillment of Jewishness, whatever it might mean, can be expressed only within the framework of a territorial nation-state, or Zion. Thus, the "Israeli" is the Jew who has returned to Palestine ("Eretz Israel"—the "Land of Israel") to constitute the sovereign Jewish nation-state.
7. The armistice border with the Arab states from 1949 to the 1967 War.
8. Shammas 1987. One can read the debate between Shammas and Yehoshua as one of conflicting interpretations of culture and cultural identity. On the one hand, in contrast to Yehoshua's ethnocentric definition of Israeli identity, Shammas's antessentialistic position resembles the recent strongly contested conceptions of identity that have been espoused by thinkers such as Edward Said, Homi Bhabha, Stuart Hall, and the feminist critic Judith Butler. In their writings, cultural identity is perceived as a dynamic process that can best be understood in relation to the "cultural others" over and against which a group defines itself. See Butler 1990.
9. Such as, for example, exemption from military service in a system that still exercises a universal and obligatory draft. Horowitz and Kimmerling 1974. The "active versus passive" citizenship is Bryan Turner's (1990) concept.

10. Or, as was stated by Anton Shammas: "My nationality, according to the Israeli Ministry of the Interior, is 'Arab'; and my Israeli passport doesn't specify my nationality at all. Instead, it states on the front page that I'm an Israeli citizen.... If I wrote 'Arab' under *Nationalité* in the French form, I would be telling the truth according to the state that had issued my identity card and my passport, but then it might complicate things with the French authorities. On the other hand, writing 'Israeli' under *Nationalité* is worse still, because in that case I would be telling a lie; my passport doesn't say that at all, and neither does my ID." Shammas continued: "I do not know many people in the Middle East who can differentiate between 'citizenship,' 'nation' (*leam*), 'nationalism' (*le'minut*), 'nationalism' (*le'umanut*), 'people' (*Am*), and 'nation' (*umat*). In Arabic, as in Hebrew, there is no equivalent for the English word 'nationality.'" See Shammas 1995.
11. See, for example, the appendix of Ravitzki 1996.
12. See, for example, Friedlman 1989.
13. Reines (1839-1915) was an orthodox rabbi of the community of Lida who called for some adaptation of the Halacha to the modernizing world in order to prevent the secularization of the Jews. He first joined the Lovers of Zion movement and later Herzl's "political Zionism." His major approach was that Zionism should be a genuine religious movement.
14. See "Basic Law: Knesset," "Basic Law: Freedom of Occupation (1992)," and "Basic Law: Human Dignity and Liberty (1992)." The additional "regular" Law is the Parties' Law. A basic law is one passed by a special majority of the Knesset, and intended to be incorporated in any future written constitution (Israel lacks a complete written constitution at present).
15. Since 1948, the Israeli government has recognized certain established religious groups, whose leaders are granted special status even when they are tiny minorities. These communities are entitled to state financial support and tax exemptions. According to Israeli legislation, all residents must belong to a religious denomination whose rules they are obliged to follow with regard to marriage, divorce, and burial. British colonial rule recognized ten *millets* (i.e., Jews and nine Christian denominations). The Israeli state added to these the Druze in 1957, the Evangelical Episcopal Church in 1970, and the Bahai in 1971. Muslims have not been officially recognized, but their religious courts de facto have similar authority to a *millet* institution. All other groups from conservative and reform Jews to "new religious" groups (i.e., cults) are not recognized.
16. Islamic religious law.
17. One born to a Jewish mother or "converted according to Halacha." However, the law does not include this crucial last phrase, thus allowing non-Orthodox converts (abroad) and even family members who are not converts to enter and enjoy the privileges granted according to the immigration law known as the Law of Return.
18. This proposed law states that only Orthodox conversions to Judaism will be recognized by the state.

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A.B. Yehoshua

By A. B. Yehoshua

The State of Israel was given by the world to the Jews, on the condition that it be the state of the Jewish people. The moral right to establish the state in 1948 via a United Nations charter followed from the determination that this state would solve both the problem of the six hundred thousand Jews resident in the land at the time, as well as the Jewish problem itself, by granting all the Jews of the world the possibility of a political haven (whose need was never as clear as after the Holocaust), thereby enabling every Jew to live under his own sovereignty and in his own territory. The real goal was the normalization of the Jewish people.

In this sense, the Law of Return is not only a law of the State of Israel, nor even merely a Basic Law. Rather, it constitutes the moral basis for the establishment and existence of the state among nations—a contract between us and the world. Consequently, and despite the proposals for its cancellation that are raised from time to time, the Law of Return must remain in force in the future as well. (Of course, certain amendments could be introduced into the Law of Return, such as a waiting period of a number of years between immigration and the granting of citizenship, mainly because there are many people today who seek to take advantage of this law in order to move to Israel and to receive citizenship with no real effort, only to leave shortly thereafter.)

Just as the Law of Return is the fundamental basis for the existence of Israel, we should demand that the Palestinians apply a similar law to their state when it is established. Such a state could not make claims about refugees who should be allowed to return to the territory of the State of Israel, since it, as the Palestinian state, would be responsible for resolving the problem of the Palestinian people on its own, and within its territory. Practically speaking, I do not believe that a final status agreement between Israel and the Palestinians would have any chance of succeeding if the Palestinians did not expressly declare that their state would solve all the problems of the Palestinian refugees and of the Palestinian people. Such a step would also be necessary for a proper relationship between the State of Israel and its Arab citizens. In principle, the existence of the Law of Return, and the fact that Israel is the state of the Jewish people, are not inconsistent with Israel's also being a state of all its citizens. The Israeli assumption always was, and must continue to be, that its Arab inhabitants are full citizens, entitled to full rights, including the right to

vote and to hold office. In economic and social terms, Arabs have indeed suffered from discrimination, partly the result of war, partly by cruel people who seek to take advantage of a weak population. It should be stated in no uncertain terms that this discrimination must be corrected. Most important, however, is to stress the fact that such prejudice has no basis in Israeli law. There is no law which states that less money will be transferred to the city of Um-el-Fahm than to Ra'anana or Kfar Saba. Moreover, legally, the Arab minority in our midst enjoys full civil rights in every sense of the term. Correcting discrimination is incumbent upon us, but as an ordinary political matter, like any other political reform in any other country.

Beyond this, the necessary reforms will be established upon firm ground, because on the whole the relationship between Jews and the Arab minority in Israel—and especially considering the smoldering volcano that is the Arab-Israeli conflict—has proven to be relatively good, particularly in comparison with other national conflicts in the world. This relationship has withstood very difficult tests, both from Arab and Jewish sides, and has weathered them well.

The need for a nation-state to come to terms with the presence of a national minority is not a new one, nor one unique to Israel. Many democratic nation-states have a resident national minority, and from their experience we can learn how to handle this problem in the best possible manner. The most successful method has been to grant the national minority the right to cultural self-expression in its language, its heritage and other related domains, in addition to normal civil rights. When the agreement between Israel and the Palestinians is reached, the time will have come to draw up a covenant between the Jewish majority and the Arab minority within Israel. In this covenant, the latter would accept the fact that Israel is a Jewish state, with a Jewish majority, that its symbols are Jewish, its anthem is Jewish, and so on. At the same time, the Arab minority would be granted special national rights, or, in other words, cultural autonomy (Israeli Arabs are not concentrated in a single region, and therefore this autonomy could not have a territorial dimension). One example would be the idea of a state educational system run in Arabic, in which the pupils also studied their own heritage and anything else pertaining to their national identity and culture. Such a cultural autonomy, in addition to full rights as citizens, would compensate Israeli Arabs for their being a national minority within a majority composed of the members of another people. This model assumes the presence of a Palestinian state alongside Israel, since full expression of Palestinian nationalism will be given in the former: Israeli Arabs will be able to participate in this Palestinian national experience in some form or other, just as Jews throughout the world share in the national experience of the State of Israel.

In such a state of affairs, the correct balance could be struck between the rights of the Arab minority and Israel's identity as a Jewish nation-state. The national character of Israel, as a Jewish state, would be expressed in the Israeli ethos, and in those inalienable assets of Jewish heritage and culture. The character of such an ethos would be the product of our Jewishness, just as is the case for the French and English. What creates the Frenchness of France? It is made by the French people, by France's past, by French history, and also the buildings, eating habits, modes of dress and all the national and moral traditions that have accumulated over the course of time. In the same fashion, all that the Jews have done throughout three thousand years to the present will serve as raw materials for the making of an expanded Jewish identity for Israel. Just as the king and queen in England must belong to the Anglican church, because of the place of the church in Britain's ceremonies and national symbols—and just as Englishmen who are atheists accept these particular symbols as part of the corpus of their national symbolism—so too will the Jewish religion occupy a similar position for us. As a result of our stay in the diaspora, the Jewish religion assumed that our national sentiment could not be expressed in architecture, in possessions, or even in language, as they are expressed for other peoples. For us, everything was concentrated within religious texts, and therefore religion is today one of the primary sources of Jewish culture, of Jewish history. As a result, even complete atheists such as myself find in it a source for the components of their personal identity.

We should relate in similar fashion to an issue such as the Sabbath. The concept of the day of rest is fundamentally religious; in Sweden, for example, it was decided, following the Christian tradition, that work was not to be done on Sunday. This is the law of the land, even though Sweden is a completely secular country. In Israel, the Sabbath must be established as the day of rest on a similar basis, with all the significance that that entails. It must be defined by law as the day on which every person who so desires (and not necessarily for religious reasons) may rest from his labors. Yet at the same time, public transportation and recreational and cultural activities, for example, must be allowed, in order to enable everyone to spend their day of rest as they see fit.

All the things that I have mentioned—Jewish historical and cultural history, the place of religion in the state, the attitude toward the Sabbath—are subjects on which the Israeli public may reach a broad consensus. Under no circumstance is the "Israeli" to be placed in opposition to the "Jewish," for this would be a grave error. The Israeli does not stand in opposition to the Jewish, and the two terms are not contradictory. In my opinion, the Israeli Jew contains within himself that which is Jewish. In a sense, the Israeli is the complete Jew.

thanks in no small measure to the help we received from the rest of the world, we will now begin to give to others.

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PHILOSOPH OMRI BOEHM

"Zionismus nicht vereinbar mit humanistischen Werten"

Der Philosoph Omri Boehm im Gespräch mit Natascha Freundel



Haifa in Israel ist der Geburtsort von Omri Boehm. (picture-alliance / dpa / Andreas Keuchel)

Zwischen einem jüdischen und einem demokratischen Staat besteht ein Widerspruch - diese Ansicht vertritt der israelische Philosoph Omri Boehm. Denn um jüdisch zu sein, müsse man "jüdisches Blut" haben - und ein Staat könne keine liberale Demokratie sein, wenn er sich zugleich erlaubt, ethnisch nicht neutral zu sein, sagte er im DLF.

Natascha Freundel: Am Mikrofon begrüßt Sie Natascha Freundel. Mir gegenüber im Studio sitzt der israelische Philosoph Omri Boehm, der als Professor in New York an der Universität für Sozialforschung, an der New School, unter anderem Kant, Descartes und Spinoza unterrichtet. Herzlich willkommen, Herr Boehm!

Omri Boehm: Hallo!

Freundel: Omri Boehm wurde 1979 in Haifa geboren und ist in der kleinen Ortschaft Gilon im Norden Israels aufgewachsen. Er ist ein israelischer Jude und deutscher Staatsangehöriger, mit einer - ich zitiere ihn - "bildungsdeutschen jüdischen Großmutter und einem traditionsverhafteten iranischen jüdischen Großvater". Omri Boehm hat in Tel Aviv studiert und in Yale promoviert, über "Kants Kritik an Spinoza". Er hat in Heidelberg und München gelebt und geforscht und er schreibt meinungsstarke Artikel, etwa in der israelischen Zeitung Haaretz oder hierzulande in der ZEIT, in denen er das politische Denken und Handeln Israels sehr heftig kritisiert. Und wir wollen mit Omri Boehm über sein Heimatland reden und über die deutsch-israelischen Beziehungen, die - auf diplomatischer Ebene - seit 50 Jahren bestehen. Zunächst aber möchte ich Sie fragen, Herr Boehm, welche familiären Beziehungen Sie zu Deutschland haben? Sie sprechen von Ihrer "bildungsdeutschen" Großmutter - woher stammte sie?

Boehm: Meine Großmutter stammte aus Breslau. Sie hat Breslau '39 verlassen, als sie 16 war oder so. Als ein Kind habe ich mit ihr natürlich kein Deutsch gesprochen. Und auch sehr wenig über Deutschland. Aber dann irgendwann als ich nach Berlin zum ersten Mal gekommen bin, das war 2001, habe ich irgendwann verstanden, ach, Berlin ist sehr interessant, wir müssen meine-Großmutter doch auch wieder nach Berlin bringen. Dann hat mein Vater sie nach Berlin gebracht, und zusammen waren wir hier für eine Woche. Das war sehr interessant und so haben wir angefangen, mehr über Deutschland und so zu sprechen.

Freundel: Und inwiefern war sie eine "Bildungsdeutsche" oder ist sie eine "Bildungsdeutsche"?

Boehm: Es wurde doch Thomas Mann, Schopenhauer, Nietzsche zu Hause gelesen, Wagner gehört, und so weiter und so fort. Also das, was vielleicht nicht in allen israelischen Häusern gemacht wird. Gelesen aber auf Hebräisch oder Englisch, nicht auf Deutsch.

"Widerspruch zwischen einem jüdischen und einem demokratischen Staat"

Freundel: Aber man kann schon sagen, dass Ihre Großmutter einen gewissen Einfluss darauf hatte, dass Sie sich für die deutsche Philosophie, insbesondere für Kant interessieren?

Boehm: Ja, das auf jeden Fall. Wobei das erste Buch, das sie mir geschenkt hat, war Spinozas Theological-political Essay. Sie hat gesagt: "Am Anfang versteht man nicht, warum das überhaupt Philosophie ist. Aber irgendwann wirst du es schon verstehen." Irgendwann habe ich das verstanden, und trotzdem wollte ich, als ich das schon verstanden habe, wollte ich das doch mit Kant kritisieren. Ich dachte, die Philosophie Kants ist viel wichtiger für uns als die Philosophie Spinozas.

Freundel: Was erscheint Ihnen so reizvoll an der Philosophie Kants?

Boehm: Sie will nicht immanent denken. Heutzutage wollen die Philosophen normalerweise alles immanent denken, sie wollen alles von sozusagen "drinnen" denken, ohne Transzendenz. Ich denke, um wirklich radikal zu denken, muss man auch von außen denken können. Und das kann man mit Spinoza nicht wirklich gut tun. Alles was passiert, alles was gedacht wird, passiert oder wird gedacht von innerhalb der Welt. Mit Kant leugnet man diese Position.

Freundel: Mit Kant fragt man nach den Bedingungen der Möglichkeit einer Tatsache.

Boehm: Genau, und das ist eine Frage von außen und nicht von innen. Das ermöglicht wieder auch eine ganz andere Politik, radikaler, finde ich, und, ja, Kritik wird ermöglicht dadurch.

Freundel: Sie argumentieren außerhalb Israels, im räumlichen Sinne. Sie leben außerhalb Israels, in New York, ich hatte es erwähnt, wo Sie an der New School unterrichten. Und Sie gehören zu den wenigen jüdisch-israelischen Intellektuellen, die die Möglichkeit eines zugleich jüdischen und demokratischen Staates offen infrage stellen. Worauf gründen Sie Ihre Zweifel diesbezüglich?

Boehm: Soll ich das vielleicht auf Englisch sagen?

Freundel: Vielleicht.

Boehm: Wie eigentlich alle Israelis bin ich mit der Vorstellung aufgewachsen, dass es vielleicht eine Spannung gibt, aber keinen Widerspruch in der Rede von Israel als einem jüdischen und demokratischen Staat. Wir sagen gern, Israel ist jüdisch, insofern es demokratisch ist und demokratisch, insofern es jüdisch ist. So kann man es in der Schule hören. Oder sogar von kritischen Linken. Erst nach einiger Zeit habe ich philosophisch begriffen, dass man damit etwas sagt wie: Ein Quadrat ist quadratisch, insofern es rund ist, und ein Kreis ist rund, insofern er quadratisch ist. Man behauptet nichts weiter als einen Widerspruch, aber mit Pathos, und glaubt daran. Meine Überzeugung, dass es einen Widerspruch gibt zwischen einem jüdischen und einem demokratischen Staat, ist unabhängig davon, dass Judentum eine Art Religion ist. Denn Israel könnte Judentum anders interpretieren, nicht als Religion. Sie ist auch unabhängig davon, dass Judentum eine Kultur ist. Denn ich glaube nicht, dass liberale Demokratien kulturelle Neutralität verlangen oder voraussetzen. Ein Staat kann nicht-neutral sein, kulturell betrachtet. Deutschland ist nicht neutral, es ist deutsch, aber es ist eine Demokratie. Der Widerspruch zwischen einem jüdischen und einem demokratischen Staat liegt für mich darin, dass man sozusagen "jüdisches Blut" haben muss, um jüdisch zu sein.

Jüdisch ist, wer eine jüdische Mutter hat. So verstehen religiöse Juden ihre Identität. Problematischer für uns Israelis ist aber, dass auch säkulare Juden ihre Identität so verstehen. Es ist eine Frage der ethnischen Zugehörigkeit. Und ein Staat kann keine liberale Demokratie sein, wenn er sich zugleich erlaubt, ethnisch nicht neutral zu sein. Die Tatsache, dass man aufgrund seiner ethnischen Herkunft von der Gruppe der jüdischen Israelis ausgeschlossen bleibt, verhindert, dass Israel eine Demokratie ist. Vielleicht kann man es auch so sehen: Die Bezeichnung "israelisch" für mich zum Beispiel - wie Sie es vorhin getan haben, glaube ich - ist nicht ganz zutreffend. Denn das Adjektiv "israelisch" hat einen informellen Status, es ist ein Bastard. Sie sind deutsch, nehme ich an. Wir sind hier von vielen Deutschen umgeben. Sie sind deutsch, weil sie deutsche Staatsbürger sind und zu diesem Land gehören. In Israel hat man zwar die israelische Staatsangehörigkeit, wird aber als "jüdisch" bezeichnet. Anders als Deutschland, das deutsch ist, ist Israel kein israelischer Staat, sondern ein jüdischer Staat. Der Vergleich zwischen nicht-neutralen, liberalen Demokratien und Israel ist daher irreführend. Sie haben nicht den gleichen Status.

"Wir müssen anfangen, unseren Zionismus aufzugeben"

Freundel: Aber könnte nicht die Interpretation des Begriffs "jüdisch" so geändert werden, dass man es dann doch kulturell auffasst, dass man wekommt von dieser ethnischen, blutsorientierten Bedeutung?

Boehm: Sicher kann man Judentum eher als Kultur und weniger als Religion interpretieren. Aber ich weiß von keinem erfolgreichen Versuch, ich weiß von überhaupt keinem Versuch, Judentum so umzudeuten, nicht nur dass es eher als Kultur und weniger als Religion verstanden wird, sondern dass es unabhängig von ethnischer Herkunft ist. Zum Beispiel ich kann Deutscher werden, indem ich hier lebe und ein Gefühl entwickle für deutsche Musik, Philosophie, deutsche Geschichte. Das kann ich auch als Jude oder als Muslim, zumindest ist es möglich. Es ist nicht unproblematisch, aber möglich. Ich kenne kein Konzept von Judentum, kulturell betrachtet, das es einem Araber erlauben würde, ja, was denn zu entwickeln? Ein Gefühl für den Holocaust? Oder soll er Woody-Allen-Filme mögen? Die Bibel lesen? Wäre er deshalb "jüdisch"? Ich kenne keinen Begriff von Judentum, der das erlauben würde. Da wir einen solchen Begriff nicht haben, kann ein Staat nicht jüdisch und demokratisch zugleich sein. Die Frage ist, was tun wir angesichts dieser Herausforderung? Eine Möglichkeit besteht darin, zu verstehen, dass wir zumindest anfangen müssen, unseren Zionismus aufzugeben. Die andere Möglichkeit wäre, das Judentum aufzugeben. So verstehe ich Ihren Vorschlag, wenn Sie fragen, ob wir Judentum nicht so umdeuten können, dass es nicht mehr vom Blut abhängt. Dann aber ist Israel wichtiger als das Judentum selbst, und es geht nur darum, den Zionismus aufrechtzuerhalten. Ich halte das für einen Irrtum.

Freundel: Sie sprechen hin und wieder, Omri Boehm von der "Tragik" des jüdisch-israelischen Lebens heute. Was genau meinen Sie damit?

Boehm: Wahrscheinlich genau das, was ich Ihnen eben gerade geantwortet habe: Diesen Widerspruch zwischen zwei Werten, die aus guten Gründen sehr wichtig sind für die meisten Juden und die meisten israelischen Juden, auch für mich. Da ist der Wert des Zionismus, Israel als jüdischer Staat. Ich gehöre nicht zu den Kritikern Israels, die keine Zuneigung für den Staat als jüdischen Staat hegen. Ich sehe die historischen Ursachen für seine Gründung, ich sehe die wunderbare Kultur und Gesellschaft, die er hervorgebracht hat. Ich liebe Israel als jüdisch-israelischen Staat. Auf der anderen Seite müssen wir uns fragen, als Juden, als Menschen, ob wir eher diesen Werten verbunden sind oder eher den Werten der Menschenrechte, der Gleichheit, der Demokratie. Ich glaube, als Menschen und vielleicht sogar als Juden, sollten wir das Letztere wählen. Vielleicht ist das die Lehre, die wir aus der jüdischen Geschichte ziehen sollten. Dieser Widerspruch bedeutet eine Tragödie. Denn er führt uns zu einer Lebensform, die Dingen widerspricht, an die wir wirklich glauben. Es gibt keine Lösung, mit der wir uns in dieser Tragödie einrichten können. Wir müssen die bittere Pille schlucken und uns etwas Neues ausdenken. Ich weiß nicht, was das sein wird.

"Es gibt keine politische Kultur in Israel, die es erlauben würde, diese Haltung offen zu vertreten"

Freundel: Das heißt, Sie beziehen den Begriff der Tragik nicht auf historische Ereignisse, die als tragisch betrachtet werden können, wie die Vertreibung der arabischen Bevölkerung 1948 im Unabhängigkeitskrieg bei der Staatsgründung Israels und so weiter, alle Kriege, die daraus gefolgt sind. Sie glauben an einen inhärenten tragischen Widerspruch?

Boehm: Ja, ich glaube, das ist die größte Tragödie für die Juden in Israel heute. Die Tragödie, von der Sie gerade gesprochen haben, ist vielleicht eher ein Verbrechen. Ich würde es nicht als Tragödie bezeichnen, muss ich sagen, sondern als ein Verbrechen, infolge der Unfähigkeit, ernsthaft mit unserer Tragödie umzugehen. Statt ernsthaft darüber nachzudenken, was wir als israelische Juden tun sollten, gehen wir mit Gewalt gegen die palästinensische Bevölkerung vor. Das stimmte vielleicht schon für 1948, wobei die Umstände damals natürlich sehr verschieden waren so kurz nach dem Holocaust, eine völlig andere Situation im Nahen Osten, ohne Frage. Doch man sieht an Denkern wie Hannah Arendt und Martin Buber - Denkern, die jedenfalls nicht unberührt waren von der Situation der Juden in Europa - dass es schon damals sehr wohl möglich war, anderer Meinung über ein Zusammenleben im damaligen Palästina zu sein.

Freundel: Sie leben in New York, und ich frage mich, Omri Boehm, ob Sie Ihre Thesen genauso offen in Jerusalem oder Tel Aviv vertreten könnten?

Boehm: Ja also... Die Antwort ist Nein. Ich könnte diese Ansichten aus zwei Gründen nicht vertreten. Das heißt, ich würde es tun, aber die Gefahr und die Komplexität dabei hat zwei Gründe: Zum einen die politische Kultur in Israel. Um es klar zu machen, ich glaube nicht einmal Haaretz, bekanntermaßen die liberale Zeitung in Israel, die meiner Meinung nach eine sehr gute Arbeit macht in der Verteidigung der israelischen Demokratie - nicht einmal Haaretz und ihre Leser sind bereit, sich mit dem, worüber wir hier reden, ernsthaft auseinanderzusetzen. Natürlich gibt es dort ein paar Autoren, die solche Meinungen

vertreten, aber nur am Rande. Und in der Regel geht es diesen Autoren um die Besatzung, sagen wir Gideon Levi oder Amira Hass. Sie werden gehasst, sie haben Bodyguards, das ist allgemein bekannt. Es geht ihnen nicht besonders um die Frage, ob Israel jüdisch und demokratisch sein kann. Sie schreiben über die Verbrechen der Besatzung, die ja Konsens ist. Das einzige Problem, das Israelis mit Gideon Levi oder Amira Hass haben, ist die Klarheit, mit der sie über die Besatzung sprechen, und schon das macht sie zu Verrätern für einige Israelis. Es ist kein Geheimnis, ich habe in der Vergangenheit manchmal Meretz und manchmal Hadasch gewählt.

Freundel: Also sehr linke Parteien in Israel, am "linksten" Rand, wenn man so sagen kann...

Boehm: Meretz ist die am meisten linke, aber immer noch jüdisch-zionistische Partei. Es gibt in Israel keine linke Partei, die nicht als "arabische Partei" gilt - ich betone: gilt -, die die Idee einer jüdischen Demokratie nicht unterstützt. Die wenigen Parteien, die nicht für eine jüdische Demokratie sind, gelten als "arabische" Parteien. Angefangen von Hadasch, die gar keine arabische Partei ist, eher eine arabisch-jüdische Partei, dazu kommunistisch, weshalb mir nicht ganz wohl dabei ist, sie zu wählen. Und dann gibt es andere arabische Parteien, die Israels Existenz als im Kern jüdischen Staat nicht akzeptieren. Aber es gibt keine politische Kultur in Israel, die es auch nur erlauben würde, diese Haltung offen zu vertreten. Ich verrate Ihnen den anderen Grund, weshalb es in Israel so schwierig ist, Meinungen zu äußern, die nicht zionistisch sind: Die Familie und die Freunde. Sehr wenige Menschen wissen Meinungen dieser Art zu tolerieren. Wenn man die Beziehungen zu seinen Nächsten in Israel bewahren möchte, ist es besser, weniger davon zu reden. Das ist eine echte Frage für Leute wie mich. Ich fühle mich verantwortlich, über diese Dinge in Israel zu reden und ich tue es auch. Aber mein Eindruck ist, dass solche Äußerungen ihren Preis haben.

"Die Linke ist im Zionismus verschwunden"

Freundel: Viele Menschen, die Israel schon länger im Blick haben, sich für israelische Politik interessieren, fragen sich, wohin die israelische Linke verschwunden ist. Sie haben zwei Parteien genannt, die ja durchaus den Namen "links" verdienen, aber auf der politischen Ebene begegnet man linken Positionen doch nur noch selten. Friedensverhandlungen sind nur noch eine leere Formel für ein Kreisen um die immer gleichen Widerstände, tatsächlich einen Weg in den Frieden zu versuchen. Wohin ist die Linke verschwunden, Omri Boehm?

Boehm: Ich möchte nicht zu radikal klingen. Sie ist im Zionismus verschwunden. Sogar die extreme Linke, also Meretz, solange sie am Zionismus festhält, als ihrem wichtigsten Wert, kann sie nicht mit gutem Gewissen linke Ideale vertreten, wie Gleichheit und Menschenrechte. Ich geb' Ihnen ein Beispiel: Im jüngsten Gaza-Krieg im Sommer kursierte ein Plakat auf Facebook, eine Anzeige gegen Rassismus in Israel. Es zeigte drei Soldaten in Uniform, drei arabische Israelis, die gerade in der israelischen Armee dienten, in einer operativen Einheit. Auf dem Plakat stand: "Bevor du wieder 'Tod den Arabern' rufst", - wie das bei Demonstrationen letzten Sommer geschehen ist -, "überleg es dir noch mal". Das ist natürlich ein übles Plakat, das wieder mal zeigt: Was sind die Leitlinien, sogar für Linke in Israel? Dass Loyalität zum Staat die Voraussetzung dafür ist, als legitim anerkannt zu werden. Das war kein offizielles Plakat etwa von Meretz oder Peace Now. Eine Woche später tauchte aber ein neues Plakat auf, diesmal offiziell von Peace Now, der wichtigsten außerparlamentarischen linken Organisation in Israel. Dieses Bild zeigte eine weitere Gruppe von Soldaten in Uniform, mit Gaza im Hintergrund. Und darauf stand: "Bevor du Linke Verräter nennst, denk daran, dass einige der Soldaten, einige deiner Waffenbrüder, auch Linke sind." Wieder war das Argument, auch wir sind loyal gegenüber dem Staat, wie könnt Ihr uns Verräter nennen? Ich erkenne darin den Ausgangspunkt der israelischen Linken. Sie muss sich als loyal darstellen, um sich als legitim darzustellen. Es geht nicht nur um Darstellung, sie glauben wirklich daran. Sie wollen sagen: Auch wir sind gute Zionisten, die den Staat unterstützen, wie jeder andere auch, und das verleiht uns Legitimität. Wenn man so argumentiert, und wenn der Zionismus, wie ich meine, nicht vereinbar ist mit humanistischen Werten, dann verschwindet die Linke. Deshalb gehen sogar Meretz-Wähler nicht auf die Straße, wenn da ein Krieg vor sich geht, wie der letzten Sommer.

"Ich möchte ganz klar sagen: Ich liebe Israel"

Freundel: Sie haben einen sehr scharfen analytischen Blick auf die Politik Israels, auf die inneren Widersprüche der israelischen Staatsräson. Aber man könnte fragen, wo Ihre Empathie ist für die Sorgen und Ängste der jüdischen Israelis, die sich zunehmend bedroht fühlen von den arabischen Staaten, vor allem nach dem sogenannten "Arabischen Frühling", den arabischen Staaten, die das kleine Land Israel umgeben und die, ja man könnte sogar sagen, Todesangst haben vor radikalen islamistischen Bewegungen - und möglicherweise zu Recht.

Boehm: Zuerst möchte ich noch einmal ganz klar sagen: Ich liebe Israel, und vor allem liebe ich die israelische Lebensart in vieler Hinsicht. Das aufgeben zu müssen, ist keine angenehme Vorstellung für mich. Wenn man die Details Ihrer Frage hinzufügt, die Tatsache, dass es ernsthafte Bedrohungen gibt "in unserer Nachbarschaft", wie man bei uns gern sagt, dann bereitet mir das wirklich Sorgen. Und ich stimme zu: Es ist nicht ersichtlich, dass zum Beispiel ein Ende der Besetzung unsere Situation im Nahen Osten viel sicherer macht. Ich teile jedoch nicht die Ansicht, dass es unsere Situation sehr viel schlechter machen wird. Ich glaube, unsere Situation wird ähnlich und vielleicht etwas besser sein. Weil viele Gründe, uns anzugreifen, verringert sein werden. Ich sollte vielleicht sagen, das ist hier bisher nicht deutlich geworden: Ich bin für eine Zwei-Staaten-Lösung. Ich glaube, idealerweise sollte es einen demokratischen Staat für alle geben. Das ist es, was ich meine, wenn ich sage, dass ich kein Zionist bin. Dass der Staat nicht jüdisch sein sollte, sondern eine Demokratie für alle. Ich glaube nicht, dass das kurz- oder mittelfristig eine wünschenswerte Option ist. In diesem Sinne bin ich kein Revolutionär, ich glaube nicht, dass wir den jüdischen Staat sofort beenden sollten. Wir sollten eher einen palästinensischen Staat errichten, und zugleich eine ernsthafte Diskussion innerhalb Israel über den Zionismus beginnen.

Freundel: Wir wollten auch über die deutsch-israelischen Beziehungen sprechen, Omri Boehm. Sie haben in Heidelberg, München und auch in Berlin gelebt. Sie haben einen deutschen Pass. Fühlen Sie sich wohl in Deutschland?

Boehm: Ja, ich bin gern hier. Und hoffentlich nicht nur, weil es ganz lustig ist. Es ist interessant und wichtig für mich. Ich fühle mich wohl in Deutschland, nicht als wäre ich hier zu Hause, aber ich verbringe meine Zeit gern mit meinen deutschen Freunden und anderen Freunden, die ich hier habe...

Freundel: ... Und Sie sprechen auch wunderbares Deutsch, obwohl wir im Laufe des Gesprächs auf Englisch umgeswitcht sind...

Boehm: Jetzt habe ich ein Schuldgefühl, dass ich im deutschen Radio Englisch spreche. Aber ich bin hier gern an den Unis und rede vor deutschen Akademikern über Kant. Ich genieße es, in München oder Berlin zu sein und deutsche Zeitungen zu lesen. Ich bin skeptisch und sogar ein bisschen verärgert über die gegenwärtige Debatte über Israelis in Berlin. Ich sag' Ihnen ganz ehrlich warum: Möglicherweise auch aus schlechten psychologischen Gründen; es ist nicht schön, zu wissen, dass man zu einem Trend gehört. Vielleicht muss ich zugeben, dass auch ich zu einem Trend gehöre.

Freundel: Obwohl Sie in New York leben und nicht in Berlin. Und New York ist ein bisschen teuer als Berlin, es geht ja in dieser Diskussion auch darum...

Boehm: And Munich!

Freundel: Ja - und Sie leben auch in München...

Boehm: Wir sollten sehen, dass diese ganze Diskussion von Israelis in Berlin handelt, nicht von Israelis in Deutschland. Ich betrachte mein Leben in Deutschland wirklich als Leben und auch als Projekt in Deutschland. In Heidelberg, das ist zwar lange her, aber es war sehr bedeutsam für mich; in München, das für mich beruflich und persönlich immer noch sehr wichtig ist, und auch in Berlin. Natürlich gibt es viele Israelis an vielen Orten in Deutschland. Aber ich glaube nicht, dass es einen Trend von Israelis in München oder irgendwo in Baden-Württemberg gibt. Tatsächlich glaube ich, dass viele Israelis in Berlin sehr skeptisch darüber wären, ob sie gern in Deutschland leben würden.

"Gilt unsere Verbundenheit den Juden oder den Israelis oder der Menschheit?"

Freundel: Aber sprechen wir auch noch einmal über die offiziellen Beziehungen zwischen Israel und Deutschland. Vor sieben Jahren bereits sagte die Bundeskanzlerin Angela Merkel vor der Knesset, "die besondere historische Verantwortung Deutschlands für die Sicherheit Israels" sei Teil der deutschen Staatsräson. Wie verstehen Sie diesen Satz, Omri Boehm?

Boehm: Darüber habe ich viel nachgedacht und ich kann nicht anders, als diesen Satz wertzuschätzen. Ich verstehe ihn und halte ihn für wichtig, weil ich das Bedürfnis in Deutschland verstehe, alles zu tun, um Israel zu unterstützen. Meine Zweifel an dem Satz haben mit der Frage zu tun, ob Israel der Repräsentant aller Juden auf der Erde zu sein hat. Wenn es zur Grundlage Deutschlands gehört, Israel zu verteidigen, Israels Existenzrecht zu unterstützen, wenn das von der deutsch-jüdischen Geschichte abhängt, dann steckt die Annahme dahinter, dass Israel die Juden repräsentiert. Diese Annahme, glaube ich, sollten wir bestreiten, auch um der Juden willen und auch um Israel willen. Wenn eine Politikerin wie Angela

Merkel das sagt, dann erkenne ich es an und verstehe es. Solange Israel ein jüdischer Staat ist, glaube ich, sollte sie es sagen. Ich frage mich aber, warum es keine eigene öffentliche Diskussion gibt, jedenfalls nicht genug, zu der Frage: Gilt unsere Verbundenheit in erster Linie den Juden oder in erster Linie den Israelis oder in erster Linie der Menschheit? Als Deutsche, mit der deutschen Geschichte. Wir können nicht einfach davon ausgehen, dass wir mit Israel die Juden oder die Menschheit verteidigen. Leider hat Israel einen Widerspruch erzeugt zwischen der Unterstützung der Menschenrechte und der Unterstützung Israels. Vielleicht ist das kein notwendiger Widerspruch, aber er existiert nun mal. Ich glaube, die Deutschen und der deutsche Staat, die für mich nicht dasselbe sind, müssen sich harten Fragen dazu stellen: Wo stehen sie in dieser Beziehung? Wenn viele Deutsche, wie ich glaube, eine besondere Verantwortung und eine besondere Sensibilität aufgrund der deutschen Geschichte zu haben meinen, wie interpretieren sie dann diese Verantwortung? Zu schnell wird angenommen, es handle sich um eine Verantwortung gegenüber Israel und nicht eine allgemeinere Verantwortung.

Freundel: Wenn Sie, Omri Boehm, die israelische Politik, das israelische Bildungssystem, das Militär oder auch die Justiz so scharf analytisch kritisieren, wie Sie es tun - haben Sie da nicht manchmal Angst, dass Sie anti-israelischen Ressentiments das Wort reden?

Boehm: Das halte ich für unmöglich, weil ich Israel so liebe. Die Antwort ist nein.

Freundel: Omri Boehm, vielen Dank für das Gespräch.

Boehm: Thank you very much!

Der **Philosoph Omri Boehm**, 1979 in Haifa geboren und in Gilon im Norden Israels aufgewachsen, ist israelischer Jude und deutscher Staatsangehöriger. Promoviert hat Boehm über Kants Kritik an Spinoza, er hat in Heidelberg und München geforscht und lehrt als Professor für Philosophie an der New School for Social Research in New York.

means dissolving the government, going to an election, and losing their places in the next cabinet.

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Mohammed Wattad

Haarb
25. 11. 2014

Israel already is a Jewish nation-state

The

After last week's delay on the vote for the proposed Basic Law on the Jewish nation-state, Benjamin Netanyahu said it was time to enshrine in legislation the Jewish character of the State of Israel as the state of the Jewish people.

According to the prime minister, this had never been codified, while civil rights, the assurance of civic equality for every citizen, regardless of religion, race, or gender, had been anchored in the 1992 Basic Law: Human Dignity and Freedom. In this context, Netanyahu read out sections of United Nations Resolution 181, known as the partition resolution, passed in 1947, and parts of the Declaration of Establishment of State of Israel.

This left the impression that the prime minister is not very familiar with the details of Israeli legislation, unless he is trying to mislead the public with regard to its legal situation. UN Resolution 181 indeed recognizes the Jewish character of the State of Israel. However, it conditions this on the existence of a democratic regime that ensures equal civil and political rights to all citizens of the state.

It's no surprise, therefore, that Israel's founding declaration included clear language about striking a proper balance between the Jewish character of the

state and its democratic character. The declaration was worded in a manner consistent with the partition resolution, and was accordingly presented to the international community so that it would recognize the State of Israel, which it did.

The Jewish character of the State of Israel is anchored explicitly, along with its democratic character, in Section 1a of the Basic Law on Human Dignity and Freedom, and in Section 2 of the 1994 Basic Law: Freedom of Occupation, which states, "The purpose of this Basic Law is to protect freedom of occupation, in order to establish ... the values of the State of Israel as a Jewish and democratic state."

Moreover, Section 7(a)(1) of the 1958 Basic Law: The Knesset also establishes the Jewish and democratic character of the State of Israel as grounds for disqualifying a candidate and/or a list of candidates for the Knesset, whose objectives or actions, explicitly or implicitly, negate the existence of the State Israel as a Jewish and democratic state.

In addition, there are sections in the Basic Law: Human Dignity and Freedom and of the Basic Law: Freedom of Occupation stating that basic human rights in Israel "will be honored in the spirit of the principles in the Founding Declaration of the State of

Israel." This is an explicit reference, in Basic Laws, to the declaration of independence.

In other words, both the Jewish and democratic character of the State of Israel is anchored not just in legislation, but in its Basic Laws.

Netanyahu's inaccuracies do not end there. For were it not for the so-called "judicial activism" of the Supreme Court, Israeli citizens in general and the Arab minority in particular would have no guarantee of equal rights. The Basic Law: Human Dignity and Freedom does not ensure protection, explicit or implicit, of primary basic rights such as the right to equality, freedom of expression and freedom of religion. It is the Supreme Court that acknowledged the existence of these unwritten constitutional principles and gave a purposeful interpretation to the "human dignity" enshrined in the Basic Law: Human Dignity and Freedom, to protect such unspecified human rights as equality and so on.

If the declaration of independence and its promises are so close to the heart of the prime minister, it would behoove him to promote the Basic Laws that recognize the human rights anchored in that declaration: to maintain full social and political rights for all the country's citizens, regardless of re-

ligion, race or gender, and to assure, "freedom of religion, conscience, language, education, and culture." All these are rights that have never been enshrined in basic legislation, not even in the Basic Law on Human Dignity and Freedom.

Thus, what's really behind the basic law on the Jewish nation-state is an effort to weaken the power of the Supreme Court to give a balanced interpretation to the words "Jewish and democratic," and instead subject the democratic character of the state to its Jewish character. Indeed, according to the prime minister, enactment of this proposed basic law would require the justices to give weight to the Jewish character of the state, because to date, he says, judges consider only its democratic character.

This approach must be understood given the clear propensity of Netanyahu and his colleagues to weaken the power of the Supreme Court. It should be noted that the Supreme Court has never issued a ruling that weakened the Jewish character of the state. Supreme Court justices have only sought to strike a proper balance between its Jewish and democratic character.

The writer is a visiting professor at the law school and political science department of the University of California, Irvine.

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as I was by his previous acquittals. I had always wondered what the story was behind all those homes, cigars, lighters, ties, envelopes and hotel suites, why all the gifts bestowed openly and secretly, why he needed to act as though he'd been born in first class and not in Binyamina. How did you fall from on high, Ehud? It's really very unpleasant for me to stand here and watch you bleed on

and everything that money can buy. And I'm not sure that he'll know how to be careful and control his desire.

Olmert is not alone in that column of shame; there are plenty like him up at the top, people who have looked out and are still looking out for themselves. Every single one of them is familiar to you. From a legal perspective, they are innocent. But, damn it, what about your perspective?

and tending to Israelis' consular needs. This year's budget also takes into account new challenges including threats and opportunities in Syria, the peace process "going international, and strengthening ties with communities in the United States. The budget incorporates the need to ratchet up security for Israel's 103 missions across the world due to increased threats. But can all this be achieved at current spending levels?

service, one that can attract qualified, motivated individuals and provide incentives for them to stay, because diplomacy is a profession that thrives on personal experience, long-time friendships and shared agendas. Anyone who tells you otherwise has never served abroad and is working off a computer screen somewhere in Jerusalem.

Yiftah Curiel, a career Foreign Ministry diplomat, is the London embassy's spokesman.

tion Law

ing asylum seekers as hordes rather than as people.

The state has not stopped trying to have it both ways. It wants to acknowledge that it can't deport asylum seekers from Eritrea and Sudan because of the principle of not deporting people who face a risk to their lives or liberty in their homeland, but also wants to deny that they are refugees, thus transforming Israel from a state pretending to protect asylum seekers to a state that infringes on their liberty.

In its response to the High Court, the state said Holot has a laundry room that is open from 6 A.M. to 10 P.M. and contains a dryer and a drying rack, and that laundry detergent is provided free of charge. But it appears that even the best whitewashing job won't be able to get out the stains of the reality in which Israel continues to imprison asylum seekers and seriously infringe upon their dignity and their liberty.

If human rights have any meaning, if there is any reason for having a Basic Law on Human Dignity and Liberty, if there is any value to the idea of protecting asylum seekers and refugees, then the new Infiltrators Law must be overturned just as its predecessor was, despite the scaremongering efforts by the government and the Knesset.

The writer is a board member of the Association for Civil Rights in Israel, one of the groups that filed the High Court petition against the Infiltration Law.

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Eli Hershkovitz

Uzi Baram

Haaretz
1 April 2014

An Israeli state based on religious law? It can happen

"How Israel would look as a state run according to Jewish religious law" was the title of a symposium last Friday at Tel Aviv's Tzavta Theater. Among the participants were researchers and public figures including Knesset members. The title is pretentious and groundless, I said at the symposium. Still, I couldn't ignore the comments by speakers such as Prof. Arnon Soffer, a demographer.

There is no doubt that the demographic weight of Israel's ultra-Orthodox and religious-Zionist communities is growing. But it's not at all certain that all streams want to impose Jewish law on our lives.

The only group that wants to is the Hardal, or national-Haredi, segment of the population; they're part of the religious-Zionist movement with Haredi (ultra-Orthodox) traits. It's a messianic movement with imperialist aspirations. It seeks to give Judaism and Zionism a character and beliefs that many people find intolerable.

I tend to think that modernity won't be defeated by Haredism, partly because of the digital media and social networks, which reach the Orthodox and Haredi communities despite the rabbis' best efforts. But this optimistic assumption might not come true in light of the demographic and social pro-

cesses taking place in Israel.

In the mid-1990s, I met with the mayor of Istanbul. Even though he was a believing Muslim, he had reservations about the trends Prime Minister Recep Tayyip Erdogan represents. He claimed that the Islamists did not aspire to change the face of Turkey; they only wanted to represent the poor in education and health.

The Turkish experience proves that with years of thorough groundwork, it's possible to change the character of a secular state.

No one, he said, had any intention of changing the country's image as shaped by Mustafa Kemal Ataturk. He reminded me that in the Turkish army, which still had a lot of power at the time, prayer was forbidden. The Israeli ambassador, who was present at the meeting, was less optimistic. He spoke about the incessant sermons in Turkey's mosques that called for making Turkey an Islamic country.

When Erdogan came to pow-

er he was careful not to get into confrontations with the army. But gradually he increased his power, got his own people into the military and began fighting the generals. A few years later it was clear the army had lost its Ataturkian character and had become a branch under Erdogan's control. This takeover was accompanied by increasing Islamization and a change in the law enforcement system. Only Erdogan's hope of acceptance into the European Union is keeping him from going further.

Anyone who wants to be pessimistic about Israel can cite the Turkish model. In Israel, rabbis incessantly give sermons about the importance of having religion rule our lives. Most religious people who attend synagogue don't object to commandments like wiping out the descendants of Amalek — and Amalek means the Arabs, wherever they may be.

It's true the army in Israel is always loyal to the civilian government. But the increasing number of Hardal and religious-Zionist officers will present us with a difficult challenge. Israel's secular and democratic character is not assured. What happened in Turkey proves that with years of thorough groundwork, it's possible to change the character of a secular state with a Western orientation. It's possible to strengthen the rule of religion.

Israel's new Zionists aim not to be a nation among nations, but to stand apart from the international community. A Jewish settler looked over the West Bank.

NEWS ANALYSIS

Two Groups Claim to Be True Heirs of Zionism

By STEVEN ERLANGER

JERUSALEM — Zionism was never the gentlest of ideologies. The return of the Jewish people to their biblical homeland and the resumption of Jewish sovereignty there have always carried within them the displacement of those already living on the land.

The Israeli general and politician Yigal Allon defined Zionism in 1975 as "the national liberation movement of a people exiled from its historic homeland and dispersed among the nations of the world."

Some years later, and more crudely, perhaps, another general and politician, Rehavam Ze'evi, a tough right-winger, said, "Zionism is in essence the Zionism of transfer," adding, "If transfer is immoral, then all of Zionism is immoral."

In that gap between idealism and pragmatism is the fierce battle now going on in Israel about the true inheritors of Zionism. Are they those who hold to the secular and internationalist vision of the nation's founders, or are they the nationalist religious settlers who create communities beyond the 1967 boundaries and seek to annex more of the biblical land of Israel?

The earliest version of Zionism based the creation of a Jewish nation on the revived language of Hebrew, to unify the huge variety of dispersed Jews. Beginning in the 1920s and especially with the

Holocaust, suggests Bernard Avishai, the author of "The Tragedy of Zionism" and "The Hebrew Republic," came the idea of "political Zionism," which required a state and a military both to protect Jews against anti-Semitism and to transform them into a modern state.

The largely secular founders of Israel, the generation of David Ben-Gurion, had a dual vision of Israel as both "a light among nations" and a state like others,

A battle between secular and nationalist religious visions of Israel.

part of the international community of nations. "When Israel has prostitutes and thieves," Ben-Gurion said, "we'll be a state just like any other."

The "new" Zionists — religious Zionists — are sure that they represent the future. "We are the real Zionists now," a settler, Igal Canaan, said, "and slowly, slowly we will be the majority of the country." They argue that they are the pioneers, taking risks to expand the state in the face of dangers from the Palestinians.

The new Zionists see themselves as honoring God's commandments and living in shared communities like the early heroes of Israel. They believe they are building a religious Israel. "Zionism justified a return to the holy land in terms of universalist values," said Yaron Ezrahi, an emeritus professor at Hebrew University. "The idea was to bring enlightenment and cultural development, to bring universalism to the Middle East. But the settlers are the epitome of particularism, of localism, and they give a bad name to Zionism. If Zionism is a European movement," he said, "the settlers are colonialism in a post-colonial era. They've lost the universal values of Zionism."

Uri Dromi, who was a spokesman for Prime Minister Yitzhak Rabin, said that liberal, secular Israelis feel "besieged and pessimistic" in the face of new security fears and the political power of the nationalist religious and ultra-Orthodox. Rather than trying to be a nation among nations, "today, without saying it, by what we are doing, we are a people that is alone."

Religious Zionism regards the settlements as "its most important creation," said Yossi Klein Halevi of the Shalom Hartman Institute, a research center. "There is a growing sense that they are the true future of Zionism, because secular Zionism has been in decline for de-

cade." They have taken more leadership positions in the Army, have the most vital youth movements and are having a major impact in politics, so "they have a growing sense of self-confidence," he said.

The real danger to religious Zionism comes not from the Palestinians or from abroad. What settlers fear, Mr. Halevi said, is the secular right, still largely represented by Prime Minister Benjamin Netanyahu and his party, Likud. He said "religious nationalists" have an almost apocalyptic fear "that another pragmatic, secular, right-wing government like that of Ariel Sharon will betray them and undermine the settlement movement."

The relationship of religious Zionism to democracy is another of the hidden dramas now in Israel. The struggle for the future of democracy here, Mr. Halevi said, will be "between those who are legitimate democrats and those who don't really understand it, who pay lip service to it but come from a nationalist and even theocratic place and view certain democratic norms as a threat."

Still, the older Zionism is not dead, noted Mr. Avishai. Every high-tech start-up, every new Thai restaurant and every successful film — and the very existence of a Hebrew-speaking, pluralistic, thriving Tel Aviv — speaks to the success of traditional Zionism and its continuing importance in Israeli life.

By ANDREW E. KRAMER and ALISA SOPOVA

KIEV, Ukraine — In the fields of eastern Ukraine, they fought the Russians. Now, as men in a kitchen, they are no less fearsome. "It's hard, it's hot, but I'm with my brothers," said Leonid Ostal'tsev, the bearded

segment of the population.

Kiev, the picturesque Ukrainian capital, is coping with a flood of returning war veterans, about 12,000 of the estimated 50,000 soldiers demobilized as the 18-month war in the east wound down in September. Hundreds of these veterans are looking for jobs

Jobs and optimism, served with bacon and mushrooms piled high.

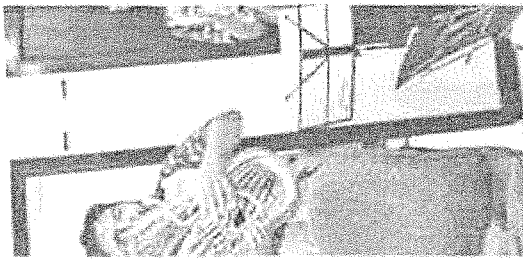
ican investor, Pizza Veto

oven in one of the city's many. The pizza place has yet to part because a sign proclaims that any veteran who gets a free pizza. But to his employees' dismay, it



Forsaken by Their Government, Ukraine's Returning Vets

The Yarrabah Brass Band left, Greg Fourmille, Ja



Now, each nearby village, the band is making its own modest way, the best heal deep racial wounds. The third annual Yarrabah drew about 2,500 people of Cairns, about an hour's time — settling on the ground band play with the well-known jazz musician James Morrison. "It sounds like here is a nation being foisted upon in Australia — what a horrible country," said Mr. Morrison, the director of the Queensland Arts Festival, one of the project's main organizers. "Nothing could be further from the truth. It was a soul Greg Fourmille, who played

RONEN ZVULUN/REUTERS

DEMOCRATIC

Continued from page 8

and cities barely exist any longer. When did these parties last hold conventions to discuss serious policy issues?

On the other hand, parties like Yisrael Beiteinu, Habayit Hayehudi and

certainly Yesh Atid are managed by authoritarian means at the hands of leaders who are not accountable to the membership, and who in some cases have ensured their own leadership positions for many years to come.

The origins of Israeli democracy are anchored in the tradition of institutions and behavior that was transmitted to this country from the Jewish reality in the Diaspora. Those frameworks and

traditions are now in danger. Those who wish to preserve Israeli democracy against ossification must rehabilitate the old political parties - on both the right and the left - as active, vital bodies, and not only as frameworks for pre-election rivalries. The judicial system is helpless in this regard. The answer lies only in public activity by citizens, from the bottom, on a voluntary basis.

INCLUSIVE, BUT REPRESENTATIVE

The origins of Israel's democracy are anchored in institutional traditions and behavior that originated in the Diaspora. Now, with the diminishment of the political parties, those frameworks and traditions are in danger

Shlomo Avineri

More than 130 new states have been established around the world since World War II. All of them enacted democratic constitutions, generally adopting the traditions of their former colonial rulers. In most cases these national frameworks collapsed under external and domestic pressures - economic hardship, wars, ethnic conflicts - and were supplanted by various types of despotic regimes: military dictatorships, one-party rule, personal tyranny, communist or quasi-fascist forms of governance. However, Israel, which has been buffeted by foreign and domestic pressures perhaps more powerfully than other countries, has preserved a democratic, multiparty framework and a free and open society. Despite all its flaws, it maintains free political discourse. What accounts for this difference?

Two answers are usually given to this question, and both of them are wrong. The first answer ascribes the sources of democracy in Israel and its resilience to the origins of the country's founders. According to this argument, they came from Europe and brought with them

If these new immigrants had actually brought with them the political culture of their countries of origin, communist or semi-fascist regimes would have been established here, not a pluralistic democracy.

The second explanation seeks to anchor Israeli democracy in the Jewish tradition. This is totally lacking in foundation. The Hebrew Bible imparted to Israel - and to the whole world - lofty and sublime values, but democracy is not one of them. Similarly, one finds important legal and moral elements in the Mishna and the Talmud, but no mention of a representative or elected regime. If the first immigrants had tried to establish a polity in the image of that of David or of Solomon, the result would have more closely resembled Saudi Arabia than a free and democratic society (see, for example, Kind David's bloody testament in 1 Kings 2).

That said, it is not completely wrong-headed to search for the roots of Israeli democracy in the immigrants' countries of origin - but not in the general political culture of those lands, but in the social and political structures of the Jewish Diaspora. For paradoxically, even though Jewish sovereignty was lost when the Temple in Jerusalem was destroyed, the

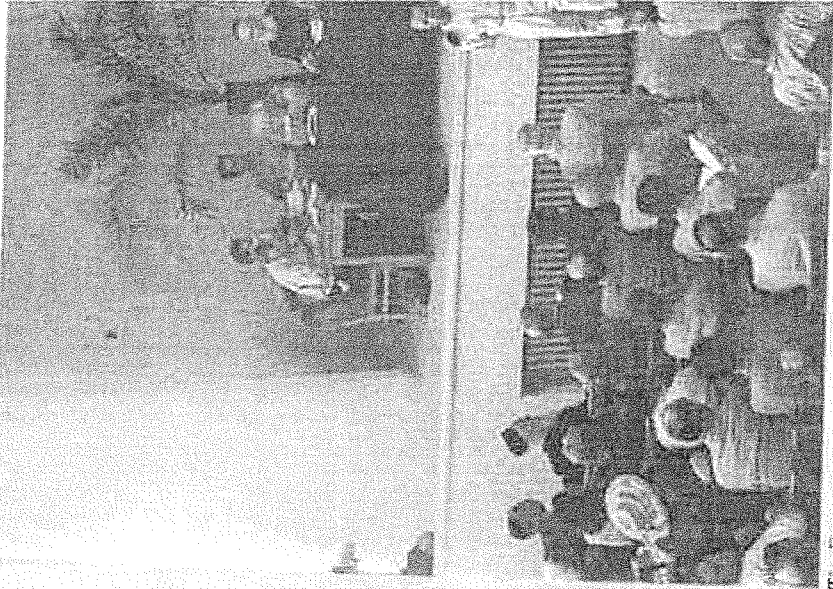
people and entrust them with this mission; to levy taxes on themselves; to appoint a rabbi; and to regularize relations with the ruling authorities.

Lacking an authorized hierarchical institution that would help determine how this was to be done, each group set up its own institutions and leadership. Jewish communal structure thus emerged not according to biblical or Talmudic injunctions (there are none), but on the basis of the practical demands of concrete societal life.

'Community dispute'

As such, the Jewish communal structure that emerged throughout the Diaspora resembles the Greek polis - albeit without sovereignty or military power, but with considerable ability to impose its authority on its members. That is the meaning of the *helem* - the act of excommunication.

Each community determined its regulations and decided who had the right to take part in decision-making. Would it be all the adult males or only the taxpayers? Would each person's vote bear the same weight, or would those who paid more taxes get an extra vote? How long would officeholders serve? *Crucially*



The Representative Assembly in session in Jerusalem. Photograph by...

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Commonwealth - the Council of Four Lands united the Jewish communities in the four regions of Poland (Greater Poland, Lesser Poland, Volhynia and Rusyn).

Each community elected representatives to the council, which met once a year in Lublin, during the annual fair there. The body's deliberations dealt with issues that were of general concern, and the council set norms and rules in regard to education, welfare, dietary laws, charity for brides' dowries, assistance for distressed communities (particularly after the Chmielnicki massacres of 1648-1649). The council also established the nature of relations with the Polish authorities, who for their part recognized it as the representative of the Jewish population (the council was referred to as *Congressus Judaicus* in official Polish documents). A separate council existed in the Grand Duchy of Lithuania, while in neighboring Moravia, the Council of the Lands of Mehrin represented the 39 Jewish communities in that Hapsburg crownland.

When the Jews of Prague faced the threat of expulsion in the mid-18th century, they sent letters to dozens of other Jewish communities across Europe, asking them to intercede with the authorities in their countries and bring pressure to bear on Empress Maria Theresa to revoke that decree - and they were successful. These Jews did not enjoy sovereignty or independence, but even in the absence of a state they practiced politics and diplomacy.

Quarrels and officiousness

The First Zionist Congress convened in Basel in 1897, at the personal invitation of Theodor Herzl and his supporters. At that meeting, however, the participants immediately made arrangements to hold elections for the coming congresses, and chose an executive committee, whose members were assigned specific tasks and were obligated to submit a report to the next congress.

The new immigrants in Palestine also organized on a representational basis. Whether among the *moshavot* (early agricultural settlements) of the First Aliyah, the founders of the *kibbutzim* or the group that established *Ahuzat Bayit* - the forerunner of Tel Aviv - the tradition of the political culture of the Jewish community in Europe was manifested in the local establishment of representative institutions: A general assembly elected a committee or an executive, established regulations and set mechanisms of accountability - which naturally gave rise to conflicts, quarrels and petty officiousness.

This situation was the cause of the deep, and understandable, hostility that the *moshavot* - which needed the support of Baron Rothschild so as not to collapse - displayed toward the bureaucratic methods he imposed on them. The latter were alien to the tradition of communal representation which had been brought to the Yishuv from Europe.

There is a paradox here: The Jews who arrived in the first waves of immigration to Palestine were for the most

communal Jewish prayer - of their own that was more congenial to their outlook.

The British Mandatory authorities in Palestine allowed Arabs and Jews to establish separate organizations to manage their internal affairs. The Yishuv set up a body called the Representative Assembly of Palestinian Jews (*Asefat Ha'ovdim*). No fewer than 20 parties and groups contested the first election to the representative body, held in 1920 - from *Ahava Ha'avodah*, to the Association of Sephardim and the Artisans' Society.

The Jewish communal structure that emerged throughout the Diaspora resembles the Greek polis - albeit without sovereignty or military power, but with considerable ability to impose its authority on its members.

To ensure that small groups would be properly represented, a system of proportional representation was introduced, and no one obtained a majority. The largest faction, *Ahdut Ha'avodah*, won only 70 of the assembly's 314 seats. As a result, coalitions had to be formed in order to elect the executive body - the National Council (*Va'ad Leumi*), which bore responsibility for education, local government, welfare and, to a certain extent, for security and defense as well.

Eighteen parties ran in the elections to the fourth, and final, Representative Assembly, held in 1944, during World War II: *Mapai*, the Israel Workers Party, a successor to *Ahdut Ha'avodah* and forerunner of today's Labor, won 63 of the 171 seats, thus mandating the formation of another coalition. The Jewish Agency was established as a joint body of the Yishuv and the Zionist movement, on a similar representational and coalitional basis.

With this background, no difficulty arose in 1948 in the transition from the "state in the making" framework to the trappings of a sovereign state. The chairman of the Jewish Agency, Ben-Gurion, was elected head of the provisional government, which was based on a coalition of the existing local parties. One of its first decisions was to hold an election for a Constituent Assembly (which would become the First Knesset).

The election took place in January 1949, despite the country's war footing, and with the participation of the Arab residents who had not fled or been expelled. There was no need to "reinvent the wheel" and hold exhausting constitutional discussions, or to choose from among systems of governance used in distant lands, whose conditions were unsuited to the local situation.

Even the jolting *Altalena* episode - a reference to the weapons-carrying ship of Menachem Begin's underground *Irgun* group, which was sunk off the coast of Tel Aviv by order of Ben-Gurion in

tion Organization and Hamas to come up with an effective joint normative framework today stems from the absence of a democratic tradition, a situation that is common to other Arab societies.

Historical continuity - from the tradition of the community in Europe via the institutions of the Zionist movement and the Yishuv, down to the democratic political structures of the State of Israel - shows, in a comparative context, that democracies do not spring up in a vacuum, but are rooted in a society's traditions and political behavior. This explains the difference, for example, in the events in Eastern Europe after 1989 - between, on the one hand, Poland, the Czech Republic and Hungary, which established democratic regimes based on free elections and changes of government, and on the other hand, Russia and Ukraine, neither of which has a representative tradition and which developed in very different directions.

The Jewish communal and Yishuv tradition was of course enhanced by the legacy of the British Mandate judicial system, which Israel adopted, and the way in which the Supreme Court extended its powers to ensure the rule of law. But democracy is not only the rule of law - Prussia, too, was a *Rechtsstaat*. The institutional foundations of democracy - elections, representation, parliamentary responsibility, pluralism, the multiplicity of parties, the need for coalitions - are rooted deeply in the concrete political consciousness and practical behavior of Israel's citizens.

The fact that Israel preserved the democratic framework even in conditions of a protracted conflict and of far-reaching demographic changes testifies to a powerful resilience anchored in Jewish history. That pluralism also accounts for the wide range of Jewish institutions abroad: Indeed, among the Jewish communities in the United States there are at least 50 member groups under the umbrella of the Conference of Presidents of Major Jewish Organizations. Other immigrant communities, such as the Irish or the Italians, do not have such richness of pluralistic representation.

That all this is sometimes accompanied by petty officiousness is the price democracy exacts from those who uphold it.

Lately, it cannot be denied, this pluralistic fabric has somewhat unraveled in Israel. The danger lies not only in attempts to pass obnoxious laws - most of which will not succeed, will not overcome the legislative hurdle or will be struck down by the High Court of Justice - or in the militant nationalistic atmosphere. It's clear that the continued rule of the Palestinian population also heightens antidemocratic tendencies.

The gravest danger can be seen in the shriveling of the structure of the political parties, which are the foundation of democracy. On the one hand, the system of primaries has hollowed out the historic parties (*Likud*, Labor) of content and transformed them solely into election mechanisms for Knesset candidates. Instead of members there are "registrees" who are rounded up by "vote contractors"; party branches in the towns

Continued on page 12

YOM KIPPUR

Not democratic, but representative

The origins of Israel's democracy are anchored in institutional traditions and behavior that originated in the Diaspora. Now, with the diminishment of the political parties, those frameworks and traditions are in danger

Shlomo Avineri

More than 130 new states have been established around the world since World War II. All of them enacted democratic constitutions, generally adopting the traditions of their former colonial rulers. In most cases these national frameworks collapsed under external and domestic pressures - economic hardship, wars, ethnic conflicts - and were supplanted by various types of despotic regimes: military dictatorships, one-party rule, personal tyranny, communist or quasi-fascist forms of governance. However, Israel, which has been buffeted by foreign and domestic pressures perhaps more powerfully than other countries, has preserved a democratic, multiparty framework and a free and open society. Despite all its flaws, it maintains free political discourse. What accounts for this difference?

Two answers are usually given to this question, and both of them are wrong. The first answer ascribes the sources of democracy in Israel and its resilience to the origins of the country's founders. According to this argument, they came from Europe and brought with them European traditions of democracy, liberalism, a multi-party system and freedom of speech - much as the Pilgrims on the Mayflower brought to North America the British parliamentary tradition, which became the foundation of American democracy.

The explanation sounds convincing, but ignores the fact that the members of the first *dipor* (waves of Jewish immigration to Palestine) did not come from parliamentary Britain or republican France. They came, in fact, from nondemocratic countries - places where Jews were in distress: from czarist or Soviet Russia, from authoritarian Poland or Romania, from Nazi Germany or from Austria and Czechoslovakia after their annexation to the Third Reich.

If these new immigrants had actually brought with them the political culture of their countries of origin, communist or semi-fascist regimes would have been established here, not a pluralistic democracy.

The second explanation seeks to anchor Israeli democracy in the Jewish tradition. This is totally lacking in foundation. The Hebrew Bible imparted to Israel - and to the whole world - lofty and sublime values, but democracy is not one of them. Similarly, one finds important legal and moral elements in the Mishna and the Talmud, but no mention of a representative or elected regime. If the first immigrants had tried to establish a polity in the image of that of David or of Solomon, the result would have more closely resembled Saudi Arabia than a free and democratic society (see, for example, King David's bloody testament in 1 Kings 2).

That said, it is not completely wrong-headed to search for the roots of Israeli democracy in the immigrants' countries of origin - but not in the general political culture of those lands, but in the social and political structures of the Jewish Diaspora. For paradoxically, even though Jewish sovereignty was lost when the Temple in Jerusalem was destroyed, the Jews in their lands of dispersion created political structures of their own - different from those of the societies within which they lived - and these became the bedrock of Israeli democracy.

In the absence of a state or a Jewish church institution, the only way Jews could preserve and maintain their identity, their faith and their customs wherever they were - be it Krakow or Casablanca, Prague or Fustat (Old Cairo) - was by voluntary means. The only recourse for Jews anywhere who wished to build a synagogue or to ensure a place of burial for their dead, to give their children an education, to find a mentor to instruct the community in its religious tradition, or to help the poor among them was to organize themselves on a voluntary basis: to choose a few of their own

people and entrust them with this mission; to levy taxes on themselves; to appoint a rabbi; and to regularize relations with the ruling authorities.

Lacking an authorized hierarchical institution that would help determine how this was to be done, each group set up its own institutions and leadership. Jewish communal structure thus emerged not according to biblical or Talmudic injunctions (there are none), but on the basis of the practical demands of concrete societal life.

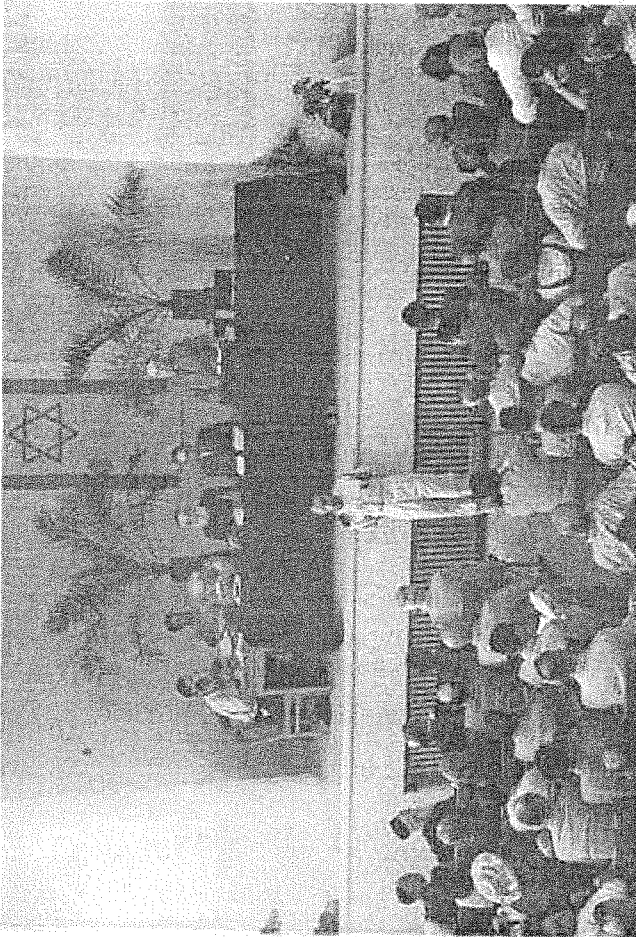
'Community dispute'

As such, the Jewish communal structure that emerged throughout the Diaspora resembles the Greek polis - albeit without sovereignty or military power, but with considerable ability to impose its authority on its members. That is the meaning of the *hetaera* - the act of excommunication.

Each community determined its regulations and decided who had the right to take part in decision-making: Would it be all the adult males or only the taxpayers? Would each person's vote bear the same weight, or would those who paid more taxes get an extra vote? How long would officeholders serve? Could they be reelected, and could members of the same family hold posts in the community's institutions?

The heads of the community were not the rabbis - whose services were hired - but the *parnasim*, the officials, and they were always elected in one way or another. Each community laid down its own regulations, and some were more egalitarian and others more oligarchical - again analogous to the Greek polis, inasmuch as the constitution in ancient Athens differed from that in Sparta or Corinth. From this perspective, a Jewish community also resembled the townships of colonial New England.

Clearly, the community was not democratic in the modern sense of the word (women did not have the vote, and in many communities not all men were en-



The Representative Assembly in session in Jerusalem. Proportional representation and a multiplicity of parties.

franchised). Nevertheless, it was based on the principles of representation: Jewish community records attest to political struggles, disputes, conspiracies and factionalism - the bread and butter of a representative society. In some cases, when the quarrels and the disputes intensified, communities split, with those in the minority breaking away and forming a separate entity: "Community dispute" (*"nahloket hakhanat"*) was flesh of the flesh of the Jews in their diasporas.

Subsequently, various communities joined forces to create regional or national associations. Thus, from 1520 to 1764, in the largest Jewish area of settlement in Europe - the Polish-Lithuanian Commonwealth - the Council of Four Lands united the Jewish communities in the four regions of Poland (Greater Poland, Lesser Poland, Volhynia and Rusyn).

Each community elected representatives to the council, which met once

part secular, and some of those who came in the second and third waves were militant atheists who had rebelled against rabbinic authority and religious tradition. Yet in setting out to create a new society in Palestine, they were steeped in the well-established tradition of political behavior practices by their ancestors.

Thus, when Kvitzyat Degania, the first kibbutz, on Lake Kinneret, split into Degania Aleph and Degania Bet, their members were replicating the behavior of their parents and grandparents, who might have left a particular synagogue and set up a *shul* - a place for communal Jewish prayer - of their own that was more congenial to their outlook.

The British Mandatory authorities in Palestine allowed Arabs and Jews to establish separate organizations to manage their internal affairs. The Yishuv set up a body called the Representative Assembly of Palestinian Jews (Asefat Ha-

June 1948) - did not prevent Begin's Herut party from taking part in the election. On the other hand, the fact that even in the peak periods of Ben-Gurion's hegemony Mapai never gained an absolute majority but had to fall back on coalitions in order to govern, is - for good or ill - a legacy of the pre-state Yishuv structure of rule.

The parallel Arab body in Palestine during the Mandate period - the Arab Higher Committee under the mufti of Jerusalem, Hajj Amin al-Husseini - consisted of local dignitaries and sheikhs and never held elections. It may be said that the inability of the Palestine Liberation Organization and Hamas to come up with an effective joint normative framework today stems from the absence of a democratic tradition, a situation that is common to other Arab societies.

Historical continuity - from the tradition of the community in Europe via the institutions of the Zionist movement and

to the state of Israel in the 1940s and 1950s.

Zohar Ringler