Citizenship Studies
Publication details, including instructions for authors and subscription information:
http://www.informaworld.com/smpp/title~content=t713411985

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To cite this Article: Jamal, Amal , 'Strategies of Minority Struggle for Equality in Ethnic States: Arab Politics in Israel', Citizenship Studies, 11:3, 263 - 282
To link to this article: DOI: 10.1080/17450100701381821
URL: http://dx.doi.org/10.1080/17450100701381821

Citizenship Studies,
Vol. 11, No. 3, 263–282, July 2007

Routledge
Taylor & Francis Group

Strategies of Minority Struggle for Equality in Ethnic States: Arab Politics in Israel

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ABSTRACT *This paper challenges existing theories of radicalization and secession that are presented as "natural" tendencies of minority nationalism. It demonstrates the affinity between the strategies of national minorities and those of social movements, claiming that excluded minorities seek to reframe and expand the meaning of their citizenship, as do social movements, by utilizing the structures of opportunities available to them through citizenship and by mobilizing whatever resources possible to improve their status. Minorities utilize the opportunities embedded in their citizenship, despite its shortcomings, before ever moving to alternative strategies that may jeopardize the valued incentives that were achieved so far as citizens. The paper demonstrates its theoretical hypothesis by examining the changes taking place in the strategy adopted by the Arab minority in Israel. This minority has chosen to abandon accommodative politics and is adopting a more active and challenging strategy* vis-à-vis *the state. In contrast with common claims that conceive Arab politics as a tendency towards strategies of radicalization and confrontation with the state, this paper demonstrates that recent changes in Arab politics seek to expand the meaning of citizenship beyond liberal limits and adapt it to new conditions in order to meet the minority's expectations of full and equal citizenship.*

Introduction

Scholarship on the relationship between the Arab minority and the wider Israeli polity has demonstrated the growing tension between the two, especially after the events of October 2000. In October 2000, thousands of Arab youth interrupted the public order in Israel with demonstrations triggered by the outbreak of the second Palestinian intifada. This led to the death of many Palestinians in the first two days as a result of the excessive power used by the Israeli army (Hammami & Tamari, 2001; World Bank, 2003). The massive mobilization of Arab youth in the streets, and the belligerent reaction of the Israeli police to this mobilization, resulted in the killing of 13 young Arab men, 12 of them Israeli citizens, within a period of 10 days.

The scope and power of these events raised many questions concerning the nature of the relationship between the Israeli state and its Arab minority. The Jewish majority boycotted

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1362-1025 Print/1469-3593 Online/07/030263-20 © 2007 Taylor & Francis
DOI: 10.1080/17450100701381821

Arab towns and villages for a long time in retaliation of the events. Arabs, on the other hand, lost faith in state authorities and showed much alienation from it. Despite the fact that six years have passed and tension has eased, the events of October 2000 are still considered by many analysts as a turning point in the relationship between Israel and its Palestinian minority.

Some analysts showed understanding of the events. They claimed that despite some use of violence the Arab protest remained within the realm of contentious politics and was triggered by long-standing policies of discrimination and deprivation of the Israeli government (Rabinowitz *et al.*, 2000). They added that when the second Palestinian intifada broke out one could not have expected this alienated population to stand still and watch the Israeli army crushing their relatives in the occupied territories. In contrast, many Israeli observers viewed the events as reflecting a radicalization of the Arab community (Shiftan, 2002; Rekhess, 2003; Rubenstein, 2003; Dor, 2004). Many claimed that the resort to violence in early October 2000 by thousands of Arab citizens is indicative of their danger. These analysts used the events to claim that there is a potential threat inherent in the mere existence of a large Arab community in Israel.[1] Based on such an understanding, many have recommended adopting an aggressive policy to contain this community.

This paper examines this debate in Israel in order to contribute to the growing literature on the complex relationship between national revival and the strategies adopted by national minorities to cope with their minority status. In contrast to accepted notions in the literature on national revival, which identifies minority mobilization with eroding governability and destabilizing of the state, this paper argues alongside new scholarship in the field that there is a need to differentiate between different forms of mobilization before such a claim is validated. Building on the presumption that national revival is not inherently violent the paper demonstrates that the use of violence by the Arab minority in Israel in October 2000 was occasional. This minority has adopted civil means as its main strategy to promote its status.

To demonstrate this claim, the paper differentiates between "politics of radicalization" and "politics of contention". Whereas politics of radicalization is counter-systemic in which national minorities mobilize resources to abolish citizenship and confront the state up to the point of secession, politics of contention entails mainly the attempts to reframe the relationship with the state by challenging its basic assumptions about citizenship. Both forms of politics may begin by utilizing the rules of the game available in the political system. But, whereas the politics of radicalization aims at countering and even breaking the system, the politics of contention aims at transforming the system by reframing the interpretation of its own rules of the game. There can be a shift from politics of contention to politics of radicalization but this shift is not predetermined as some people would like us to think (Connor, 1993; Laitin, 1995; Keating & McGarry, 2001).

This paper follows in the footsteps of recent scholarship that seeks to combine the study of ethnic revivalism, social movements and politics of contention (Hanagan, *et al.*, 1998; Dafary & Troebst, 2003; Hobson, 2003). It follows the notion, which has been gaining more theoretical and empirical support in the literature, that national or ethnic revival does not have to be violent (Waldmann, 1989; Brubaker & Laitin, 1998). When minorities do shift from contentious to radical strategies, it is generally only after being convinced that all other possible options available to them as citizens have been exhausted (Daftary & Troebst, 2003). Minorities respond to state injustice and utilize all possible options available to them within the repertoire of citizenship before adopting more radical challenges to the state

(Waldman, 1989). Such a claim challenges existing theories of radicalization and secession that are presented as "natural" tendencies of minority nationalism (Smith, 1981; Buchanan, 1991). This paper demonstrates that minority radicalization is a strategy of last resort, especially when citizenship enables effective struggle for better status.

Based on the experience of the Palestinian minority in Israel, this paper demonstrates that citizenship in ethnic states could be exclusive. Therefore, the changes taking place in Palestinian politics in Israel should be viewed as aiming to reframe citizenship in such as way as to set alternatives to the dominant interpretation promoted by the state. This course of action should not be viewed as identical to a radicalization process (Lustick *et al.*, 2004). On the contrary, according to this understanding, citizenship is viewed by the minority as a structure of opportunity and a very central resource for mobilization. It is a maneuvering space for resistance and contention that forms a shield in face of possible brutal state policies that may result from its ethnic loyalties (Kymlicka & Norman, 2000).[2]

In order to demonstrate the claims of this paper, I first examine the meaning of citizenship and clarify the way in which citizenship may be reframed as a structure of opportunity and a resource for mobilization. In the second section, I characterize the politics of radicalization and the politics of contention, turning them into operational parameters that could be used in order to examine specific minority strategies of coping with their status. Only in the third section do I examine central shifts in Palestinian politics in Israel, applying the parameters developed in the previous section.

Citizenship: Control vs. Opportunity

Citizenship is usually perceived as a universalizing and homogenizing concept through which all citizens are equally related to the state (Turner & Hamilton, 1994). Many political thinkers, especially from liberal and republican traditions, view citizenship as a legal and political relationship between an individual, or groups of citizens, and the state, characterized by a package of rights given from top to bottom (Turner, 1993; Shafir, 1998). Many political theorists even go so far as to perceive citizenship as a form of patriotic attachment (Barber, 1984; Connor, 1993). Citizenship and its various manifestations can therefore be utilized by dominant elites to allocate differential benefits to citizens based on their degree of attachment to the state. Citizens are often differentiated from non-citizens based on the mere expectation of loyalty to the state. They are also differentiated based on their active feelings of respect for the state and pride in it. In this sense, citizenship has a delimiting nature (Poggi, 1990). It is a form of closure where clear boundaries are set between "us" and the "other", based on their attachment and loyalty to the state (Brubaker, 1992, 2004).

This differentiation is not solely limited to setting boundaries between citizens and non-citizens. It spills over into the internal civic arena in most states, especially in multinational or multiethnic states in which the state identifies with one national or ethnic group of its citizenry. As Rogers Brubaker argues,

> In some settings, "nation" is imagined as an ethnocultural community distinct from the citizenry of the state. When "nation" is imagined in this way, nationalism can be internally as well as externally exclusive, for it can define some fellow residents, even fellow citizens, as outsiders to, perhaps even enemies of, the nation. (Brubaker, 2004, p. 122)

In such states, citizenship does not have the same meaning for various sub-groups in the society. Citizenship may establish hierarchies with clear (or subtle) legal, political, economic consequences. Hegemonic majorities, for instance, conceive of citizenship and the set of rights related to it as a benefit and, as a result, utilize it as a control mechanism *vis-à-vis* minority groups that challenge the dominant status of the majority (Mann, 1989).

Minorities, on the other hand, especially those deprived of power, may conceive citizenship in contrasting terms. They may view citizenship not as a form of attachment to the state but rather as a framework that gives them legal power to challenge state policies, especially when these work in favor of the dominant socio-cultural group in the state. Minorities may seek to reframe citizenship into an opportunity, countering attempts to utilize it as a successful control mechanism by hegemonic groups. In such cases, minorities seek to uncover the manipulations embedded in the dominant citizenship ideology by pointing out its dual character. They may demonstrate that citizenship is framed differentially in accordance with the distribution of power in society and is used by hegemonic groups as a vehicle that furthers the dominant power structure.

Rogers Smith in his monumental work on American civil history has elaborated this point clearly (Smith, 1997). Smith has demonstrated that citizenship is not necessarily universal and equal even when it is introduced as such by state agencies. Smith explores the way in which multiple citizenship visions were applied simultaneously in US history. These visions formed ideological regimes justifying racial, social and economic hierarchies in American society (Smith, 2003). He illustrated the gap between the political rhetoric and the practical policies of the state *vis-à-vis* various sub-groups in its citizenry (Smith, 1997). Thus, the state can invoke universal human and democratic values while still promoting different classes of citizenship in reality. Gershon Shafir and Yoav Peled have demonstrated similar patterns in their book on the dynamics of multiple citizenship in Israel (Shafir & Peled, 2001).

Historical conclusions such as those of Smith (1997) and others have fed multicultural theories that draw attention to the limits and the cunning nature of liberal citizenship in diverse societies (Taylor, 1992). A central argument in multicultural thinking has been that individual liberal equality does not meet the demands of members of national or ethnic minorities for equality (Kymlicka, 1996). Multicultural thinkers have long claimed that generalized citizenship does not satisfy the needs of all citizens equally (Young, 1990). They argue that generalized citizenship has a strong oppressive dimension, particularly when it is assumed that all citizens should be related to the state in the same manner (Williams, 1998). A multicultural understanding of citizenship enables a critique of citizenship models that homogenize on the normative level and an examination of the manipulative mechanisms of citizenship models on the analytical level.

As demonstrated above, there are at least two frames of citizenship based on majority–minority relations. Whereas one is viewed as a control mechanism, the other is seen as a structure of opportunity. While the first is utilized by dominant groups, the second is usually adopted by minorities who face discrimination as a mechanism to improve their minority status. These two frames of citizenship operate simultaneously, competing with each other constantly. Despite their mutual exclusionary relationship they "coexist", leading to distorted political realities. Before we move ahead it is important to note that, whereas minorities view dominant citizenship ideologies as deceitful, hegemonic groups view contentious citizenship to be radical and even illegitimate.

Radicalization versus Contentious Politics

Scholarship on ethnic or national revival and the strategies utilized by ethnic or national minorities to cope with their status can be divided into two divergent schools. The first school of thought that I examine views ethnic or national revivalism as a threat to state authority (Smith, 1981; Laitin, 1995). These scholars tend to frame minority struggles for equality as a form of radicalization that renders political stability precarious. This perspective on minority behavior is dominated by the governability syndrome. In his book *The Ethnic Revival*, Anthony Smith outlines a typology of six possible strategies employed by ethnic communities to ensure the achievement of their political demands. Smith speaks of isolation, accommodation, communalism, autonomism, separatism and irredentism (Smith, 1981). He claims that "the general trend of the 'ethnic revival' has been to move away from the isolationist and accommodationist strategies to those of communalism, autonomism, separatism and irredentism" (Smith, 1981, p. 17). Smith adds that there is a clear trend in ethnic revivalism wherein "[d]efensive, solipsist stances have been exchanged for aggressive and activists postures" (p. 17). This analytical claim, made in the early 1980s and based on experiences up to that time, has proven to be accurate in the 1980s and 1990s. The study of "minorities at risk" has demonstrated the extent to which minorities' struggles for equality have become a dominant characteristic of the international political arena (Gurr, 1998). Over this period, many national, ethnic or cultural groups have demanded substantial changes in their relationship with the state.

Smith's study of ethnic revival was followed by others. For example, David Laitin demonstrates that the use of violence could be a stage of escalation of ethnic conflict. He argues,

> Nothing inherent in nationalism leads to violence; but since national revivals compel people to make important changes in how they live their lives, violence and terror become an available tool for those supporting or those suppressing the national project. The tool of violence is not historically or culturally determined; it is triggered by factors incidental to macrosociological factors and to the prevailing nationalist idea. (Laitin, 1995, p. 41)

This causal connection between conflict escalation and violence is supported by Bollerup and Christensen. Based on their study of several examples they conclude that "[t]he potential for intense (and ultimately violent) national conflict is highest when the opposing nation-groups perceive strong primordial and instrumental interest with both or all groups perceived as conflicting with the interests of the opposing group(s)" (Bollerup & Christensen, 1997, p. 263).

Supporters of the second school do not accept this inherent connection between ethnic and national revivalism and radicalization or the use of violence. Peter Waldmann claimed that ethnic radicalism is not an "inevitable result of an extreme state of tension, but as an autonomus mode of conflict, whose application is primarily determined by the interests and available resources of the adversaries" (Waldmann, 1989, p. 267). Similarly, Thomas Scheffler followed Waldmann's footprints, claiming that ethnoradicalism, which he defines as all political efforts that construct friend–foe relations along ethnic lines and that pursue their goals by violent means, is not inherently connected to ethnic or national revivalism (Scheffler, 1995, p. 12). Scheffler views violence as a resort that compensates for a lack of

resources, strength or numbers. Brubaker & Laitin (1998) clarify this position in their study on ethnic and nationalist violence. They conclude, "[w]e lack strong evidence showing that levels of conflict (measured independently of violence) lead to higher levels of violence. Even where violence is clearly rooted in pre-existing conflict, it should not be treated as a natural, self-explanatory outgrowth of such conflict, something that occurs automatically when the conflict reaches a certain intensity, a certain 'temperature'" (p. 426).

This less deterministic position is followed by Michael LeMay, who delineates an interesting typology of minority politics in his study *The Struggle for Influence*. LeMay speaks of three strategies utilized by minorities to cope with minority status: accommodation, separation and radicalization. In his recent book *The Perennial Struggle* (2000), LeMay confines minority politics to the maneuvering spaces given to it by the state, clarifying possible shifts in minority strategies. LeMay echoes a position raised by Ted Robert Gurr, who claims that "state responses to communal grievances are crucial in shaping the course and outcomes of minority conflicts" (Gurr, 1998, p. 66). The state is a very strong agent of differentiation and resource accumulation, especially if it is an institutional agent of an ethnic nation (Gurr, 2000; Horowitz, 2001; Tilly, 2003). Therefore, the identity and policies of the state must be considered major factors in explaining minority strategies, whether these minorities are cultural, national, ethnic or other. The state, in its structure, identity and policies, becomes the main target of a minority struggling to improve its status. Therefore, contentious political strategies utilize state institutions, such as citizenship, in order to achieve the sought for goals. Although contentious politics may mean disruption of public order, demonstrations and protests, it usually falls within the confines of the dominant political system (McAdam *et al.*, 2001). Thus, contentious politics utilizes the means available within this system in order to transform it from within (McAdam, 1999).

Based on the opposing views presented so far, one could delineate two separate models of ethnic or national minority mobilization. The first model is that of radicalization, which is composed of the following stages:

1. Loss of hope in the system and in its tools to promote one's interests.
2. Loss of hope in conventional means of expression and protest.
3. Separation and self-segregation as an expression of alienation, on the one hand, and of autonomy, on the other.
4. Use of radical means, such as violence and even terror, in order to achieve demands.
5. Demands for secession.

The second model is that of contentious politics. This model is dynamic and is not deterministic. Minorities may move back and forth based on the shifting political opportunities available to them. The model demonstrates that minorities move between politics of recognition and politics of allocation and change their repertoire based on the given circumstances. The model is composed of the following:

1. Reframing and challenging the citizenship discourses of the state.
2. Uncovering the differential implications of citizenship for the different socio-cultural groups in society.
3. Demonstrating the interrelationship between citizenship rhetoric and allocation of state resources.

4. Introducing new repertoires of contention.
5. Utilizing legal political means, including occasional disruption of public order to challenge state discriminatory practices.

In the following pages I examine the recent developments in the political discourse and behavior of members of the Arab national minority group in Israel in order to determine the strategy this minority group chose in their struggle for equality and the relationship between this strategy and available structural opportunities.

Israeli Citizenship and the Dynamics of Arab Politics

Before we move ahead it is important to note that there are apparent and hidden causes for the changes taking place in Arab society. Since we cannot go into detail here, suffice it to say that the Palestinian community in Israel, especially the second and third generations, is undergoing major sociological changes that facilitate its readiness to develop new strategies in their struggle for equality. The constant rise in the educational level of the Arab community in general and the fact that literacy has replaced illiteracy as a common characteristic of this community has led to significant changes in Arab political and civic elite in Israel.[3] Since 1948 there has been a fundamental change in the number of academics in the Arab community (Al-Haj, 2003). The number of university students increased from 46 in 1956–1957 (0.6% of the Arab population) to 7903 in 1998–1999 (7.1% 0f the Arab population). This generation of educated youth has introduced broad new socio-economic and political trends, both within the community and in its relationship to the wider polity. The rise of a new generation of Arab leaders that are better educated and connected to global transformations has also influenced Arab politics (Jamal, 2006). Arab leaders, on the national as well as local level, and in political, civic and economic fields are generally equipped with leadership tools that enable better mobilization of the Arab community in common struggles for equality. New trends of institutionalization and the establishment of a broad network of NGOs are characteristic of Arab leadership attempts to open new spaces from which to maneuver and transcend minority status in fields of action autonomous of direct state control (Payes, 2003; Jamal, 2006). Although Arab leadership continues to suffer from fundamental internal and external challenges, it has managed to raise critical consciousness among Arab citizens and encourage them to expect more from their citizenship status in Israel (Jamal, 2006). These broader expectations are a driving force behind the transformations taking place in Arab struggles for equality in Israel.

Due to limited space, it is impossible to go into all the details of the transformations taking place in Arab struggles for equality. Therefore, I refer only to some of the more prominent changes that are underway. These transformations represent general trends that need greater elaboration, but will only be briefly presented for the purpose of this paper.

Constitutionalizing Substantive Civic and National Equality

The 1948 war and the establishment of Israel as an ethnic Jewish state are foundational events that have informed Arab political strategies in Israel. The Arab community did not voluntarily choose to become Israeli. Arab politics in Israel have been deeply influenced by the trauma of being transformed from a majority in its homeland to a minority in an

alien state. The tension between belonging to the homeland and being alienated from the state is a major underlying dynamic in Arab collective action. Israel was founded as a Jewish state, ignoring and actively dislocating the indigenous Arab population. The complex political and legal reality established since 1948 has led the Israeli state and members of Arab communities to develop strategies that address this situation. The state, as an organized institution, was able to develop deliberate and sophisticated strategies of control and containment (Jiryis, 1976; Zureik, 1979; Lustick, 1980; Rouhana, 1997).

The state has intentionally utilized multiple citizenship discourses, albeit not always clearly articulated, that vary according to the political interests of the Jewish majority (Peled, 1992). Whereas Jews were granted a selective republican citizenship based on ethnic affiliation, Arabs remained limited to partial and selective liberal citizenship (Shafir & Peled, 2002). Accordingly, Jewish Israelis are conceived to be a closed political community with its own particular public good in which Arabs have no role to play. Arabs, on the other hand, are conceived as an aggregate of individuals entitled to selective individual liberal rights granted to them by the state in exchange for political loyalty. This loyalty factor is a fundamental parameter in determining the prioritization of Arabs citizens based on their degree of attachment to the state (Firro, 1999). Using loyalty as the base criteria of good citizenship reflects state attempts to use citizenship as a mechanism of control. The depth and solidity of Arab citizenship is therefore directly proportionate to the depth and thickness of Arab loyalty to the state and its existing structures.

This negative differential citizenship has remained conditional and does not include substantial equality. The hierarchy of rights is related to the identity of the state, and is defined in exclusive ethnic terms (Smooha, 2002). Emphasizing liberal citizenship—assumed to be blind to difference—in the case of Arab citizens is used to portray an image of equality and fairness. This artificial image serves to block the Arab minority from becoming an integral and equally involved part of the Israeli political community. In fact, the selective liberal Israeli citizenship granted to Arabs is intended to be oppressive (Young, 1998; Yona, 1999). Utilized by the state as an "elite strategy of control", it results in the disregard of any special minority group rights and the establishment of a hegemonic Jewish political culture as something beyond challenge, not even by democratic means (Mann, 1989; Saban, 2002; Yona, 2005).

The Palestinian minority, on the other hand, came out of the 1948 war devastated and unorganized, lacking the human and material resources to organize its struggle in the new political and legal circumstances. Despite consciousness of their Palestinian identity and their sense of injustice, the majority of the Palestinian citizens of Israel were forced to accommodate their patterns of behavior to the Israeli control system (Bishara, 1996). At first, many of the first generation of Arab citizens became satisfied with the liberal citizenship granted to them by the state.

As time passed, however, Arab citizens became increasingly dissatisfied with the concept of equality offered to them within the Jewish state framework. In 2004 a majority of the Arab population (53.4%) claimed that it feels treated as a second class citizen in Israel.[4] Political leaders and intellectuals have begun criticizing the dominant conception of equality interpreted by the state as mere non-discrimination in the allocation of state resources, and as equality before the law. Equality, not yet recognized as a constitutional value in Israel, has been conceived of in Arab political discourse to mean positive equality; namely, the full right to participate in defining the main characteristics of the state, including its most fundamental symbols, and the right to power-sharing, especially in

crucial decision-making (Jamal, 2004a). According to many Arab leaders and intellectuals, equality can only be reached if the state recognizes the Arab minority as a legitimate national collective and relinquishes the exclusive Jewish hegemony on the state as informed by Zionist ideology.[5] This can only happen in a shared civility accountable to the national identities of all Arab and Jewish citizens (Jamal, 2004b). These positions are advocated by all Arab parties that win the support of the vast majority of the Arab community, as translated in the elections to the Israeli Knesset. Furthermore, an increasing number of Arab intellectuals and leaders demand activating an Arab citizenship in accordance with democratization trends taking place in different countries around the globe. They point out the attempts of official and unofficial institutions to draw up a constitution for Israel that reifies the status quo and tightens its grip on the rights of the Arab minority (Rouhana, 2004). These attempts are criticized by members of the Arab population, 90% of whom support a transformation of the state from its official definition as "Jewish and democratic" into a state for all its citizens.[6]

Leading Arab advocacy and lobbying NGOs have introduced alternative constitutional principles to the ones dominant in Israel. For instance, Aadalah and Mosawa have in the last several years challenged the efforts made by the Constitution, Law and Judiciary Committee of the Knesset, which has been one of the motivating forces behind the efforts to draw up a constitution for the state of Israel.[7] These same NGOs appealed also to the Human Rights Commission of the UN and to other international human rights organizations.

Integrating Allocation Politics with Politics of Recognition

For many years, Arab protests against discrimination have been limited to protesting the state's policy of differential resource allocation. Allocation of resources usually reflects the balance of power in a society. As Arab society has been deprived of real power in the Israeli polity, it has no access to the main centers of policy making. As a result, Arabs have been marginalized in the Israeli matrix of power, a marginalization apparent in the allocation of resources by state agencies. The Arab struggle for fairness in resource allocation has been unsuccessful so far (Ghanem, 2001).

In recent years, members of the Arab political and intellectual elite have begun pointing out that the lack of equal allocation mechanisms in Israel is not a temporary flaw in the bureaucratic system, but is intrinsically related to the identity of the state as Jewish. In line with recent developments in political theory, Arab leaders and intellectuals claim that there is an inherent interdependence between the allocation of resources and the politics of recognition (Honneth, 1995; Jamal, 2005b). Therefore, many claim that there can be no equality between Arabs and Jews as long as the state is defined in ethnic Jewish terms.

Some Arab leaders exemplify these claims by citing Arab experiences in land allocations by the state, and the disparity between Arabs and Jews in this regard. They claim that liberal citizenship in an ethnic state leads to a problematic pattern of allocation of state resources as exemplified in the case of the Qa'dan family. This Arab family sought to buy a house in a Jewsih town neighboring its village and established on land confiscated in the past by the state from Arab owners. The lands of the Jewish town belonged to the Keren Kayemet, a Jewish institution, and were managed by the Israeli Land Authority (ILA), which is an official state agency. The request of the Arab family to buy the house was rejected based on the fact that the land of the township belongs to a Jewish institution that is entitled to promote the interests of the Jewish people only. The appeal of the Arab

family to the Israeli High Court proved to be legally fruitful. The court's verdict stated clearly that the state should not discriminate between its own citizens when allocating its resources even when these resources come from a Jewish institution. Up to this point the verdict of the court was positive. However, a deeper reading of the verdict demonstrates that the High Court established its ruling based on the liberal principle of non-discrimination only, thereby legitimizing the overall hegemony of the Jewish people over state land, while limiting Arab rights over state land to the individual level. The court emphasized in its verdict the importance of the state land policy in the past, thereby legitimating the waves of land confiscations from the Arab population (Kidar & Forman, 2004). The verdict of the High Court, being formulated in individual liberal terms, ignored past historical injustices committed against Arabs and their lands (Jabareen, 2002). It did not consider the land confiscation policy as historical wrongdoings against the Arab population and never questioned the way in which state land resources were acquired (Kidar & Yiftachel, 2006). Instead, the court praised state policy for allowing the equal distribution of resources among citizens based on color-blind policy.[8] The verdict, thereby, justified 50 years of discrimination policies, while simultaneously laying the ground for a new policy that not only fails to compensate for the past, but also does not even guarantee equality between Arab and Jewish citizens.

This verdict provided the evidence for Arab politicians and scholars as to the limits and even contradictions of the liberal understanding of equal land rights in an ethno-national state. As a result, we witness a constant rise in the number of Arab appeals to the court based on their identity as Arabs, indicating thereby that the discrimination against them is not an occasional matter resulting from bureaucratic flaws, but rather is systematic and has to do with their identity as non-Jews in a state that prioritizes Jewish interests based on its identity. Adalah has appealed against several ministries claiming that Arab citizens and communities do not receive their equal share in state resources due to their identity as Arab rather than Jewish.[9] Recently Mosawa appealed also against the Second Israeli TV and Radio Authority for not providing the Arab population with a proportional share in the programs of the TV channels monitored by the Authority.[10] At the same time, we witness a growing emphasis of the Arab political parties and social movements on the exclusive hegemony of the Jewish community on state institutions and resources and its implications for the status of the Arab community. Arab political discourse, as reflected in the platforms of political parties, the NGOs and social movements, accentuates the interdependence between the politics of allocation and the cultural identity of different groups in Israeli society. Most Arab parties, NGOs and social movements stress the need for structural as well as cultural transformation in the Israeli state's system of allocation if equality between Israeli citizens from different backgrounds—Arab, Jewish and otherwise—is to be achieved.

Incorporating Individual and Collective Rights

Israel has never adopted an assimilative policy towards the Arab population. Nor has it adopted positive and active integrative policies (Shafir & Peled, 2002). Arabs were incorporated as individuals on the margins of Israeli society and economy (Haidar, 1995). The partial integrative policy that has been promoted by the state is part of a strategy of containment and control (Lustick, 1980). When the state has adopted integrative policies these were based on individual grounds alone. Whereas Jews are viewed as a national

group with a collective right of self-determination, Arabs are conceived as an aggregate of individual citizens who are only entitled to rights on an individual basis. This conception has become a target for Arab leaders and intellectuals, who view it as one of the main threats to the coherence of the Arab community. As a result, the language of collective rights has become in recent years a central component of the discourse of the Arab community in Israel (Jamal, 2005a). Recent studies have found that a large majority (93%) of the Arab population demands that the state recognizes their right to control its educational, cultural and religious affairs.[11] Furthermore, most Arab political parties, albeit not always directly, speak the language of collective rights (Jamal, 2002). Arab politicians and intellectuals claim that individual rights are a good goal to struggle for, but individual rights alone cannot fully satisfy the need of the Arab community for equality. Only when the Arab community has the right to organize collectively, and has its own representative institutions recognized by the state, can Arabs become equal citizens in the state (Bishara, 1993). It is in the context of this struggle for collective rights that we find Arab political parties and NGOs utilizing legislative and judicial means to promote official recognition of the Arab community as a national minority. Arab Members of Knesset (MKs) have introduced legislative proposals for the recognition of the Arab community as a national minority, while NGOs have litigated and advocated for the collective rights of the Arab community in several fields, domestically and internationally.

Politicizing Indigeneity

In the last several years an increasing number of voices in the Arab community have begun to reject the state's perception of them as simply a minority differentiated along religious lines. Political leaders and intellectuals increasingly emphasize the historical fact that the Arab population in Israel is an indigenous minority and an integral part of the native people of the land of Palestine, a position that establishes entitlement to special rights, namely, differentiated citizenship rights rooted in indigeneity, as well as citizenship (Jamal, 2005a). An increasing number of intellectuals and political leaders point out the need for fundamental changes in the Arab minority's conception of time and space, in its relationship to rights, and in the settlement of the Israeli–Palestinian conflict. The argument is that by limiting the discussion over rights only to liberal citizenship rights granted by the Israeli state one turns the 1948 war into a neutral event, thus limiting the history of the Arab community in Israel to a time span determined by the Israeli state. This understanding deprives Arab citizens of an indigenous status that would entitle them to rights rooted in a belonging to the land long before the state of Israel was established (Jabareen, 2002). An increasing number of Arab citizens claim that liberal citizenship is not adequate in solving their status problem.[12] More and more leaders and NGOs are demanding transformations that incorporate Arab indigenous status, aware that such a transformation challenges exclusive Jewish control of the Israeli polity. This demand becomes even more pronounced in the face of increasing attempts by the Jewish majority in Israel to constitutionalize its exclusive control of the state.

One of the better processes to illustrate this change is the rising influence of Internally Displaced Persons (IDPs), who amount to almost 250,000 people, on the political agenda of the Arab population. In the last several years, we have witnessed a soaring rise in the number of visits that IDPs pay to their villages that were evacuated and destroyed by the Israeli army in the 1948 war as well as the institutionalization of al-Nakba marches as a

day of protest on the eve of Israel's independence day (Jamal, 2005c). Since the beginning of the 1990s, there has been a clear systemization of the IDPs' political campaign and public gatherings are covered in the local newspapers and reported to foreign press agencies. The IDPs have sought to rebuild or rehabilitate holy places—mosques, churches, and cemeteries—in their original villages as a marker of their historical and moral bond to concrete places. Public marches to villages have become an educational tool to memorialize displacement and infuse national awareness among younger generations that are expected to carry on with the struggle to return. Establishing the National Committee for the Rights of the Internally Displaced in Israel and its registration in 2000 as a legal NGO is part of the IDPs' campaign to reassert their problem and bring it to the center stage of the public agenda in Israel. A central achievement is their success in uniting all Arab parties in Israel behind their right to return to their homes. Beginning with the 1996 elections, all Arab parties listed the right of return of the IDPs as a central goal in their platforms. The IDPs' National Committee has also united many Arab leaders of local councils behind their goal of return.

Advocating the Right to Self-government

For a long period of time, a large portion of the Arab population was satisfied with its liberal individual citizenship, as attributed to them by the Israeli state. However, as a result of several factors, among which is the rise of the voice of indigenous populations in different countries in the world and their assertion of their rights as original inhabitants of their land, the Arab population began advocating cultural autonomy and even recently some forms of self-government in certain fields, such as education, as a basic human right (Anaya, 2002).

As early as the 1970s, the Arab-Jewish Communist Party began to argue:

> ... the Arab community in Israel is a national minority and an integral part of the Palestinian people. [This minority] is struggling for equal civil and national rights in the state of Israel, for social progress and democracy, in order to realize the just national rights of the Arab Palestinian people and for a just peace.[13]

The demand for equality was deliberately formulated in civic and national terms, referring to the need for both liberal and group equality. The Communists have never elaborated the collective national dimension of this demand for reasons related to their universalistic ideology and the internal political balance of power between Arabs and Jews inside the party.[14]

During the same period another Arab political movement, Abna'a Al-Balad (Sons of the Village), began to assert the right of the Arab population in Israel to have collective rights. This movement has also advocated the establishment of a bi-national state in which Jews and Palestinians live in a secular and democratic country. This movement echoed the political program advocated by Fatah, the main political party in the Palestinian Liberation Organization (PLO), in the late 1960s.

In the late 1980s, Said Zidani and Azmi Bishara reformulated the Arab demand for autonomy inside Israel in a series of articles published in newspapers. This demand for group rights is based on the self-perception of the Arab community as a national minority, and the denial of this status by the Israeli state. The formulation of this demand was a turning point in Arab political discourse. Zidani and Azmi explain the historical, national

and cultural bond between the Arab citizens of Israel and the Palestinian people. Using democratic theory, they analyze Israeli political reality by demonstrating that the Arab citizens of Israel are discriminated against not solely as individuals but also collectively. The Palestinian national minority is denied certain rights because of its particular group identity. To overcome the exclusionary discrimination and ensure the cultural integrity of this minority, Zidani and Bishara demand recognition of the Arab community as a national minority entitled to autonomy in several domains, especially in education, communications and planning.

Zidani and Bishara's demand echoes the shy language of the Progressive List for Peace (PLP), an Arab-Jewish party that had representatives in the Knesset from 1984 to 1992. A central argument of the PLP is that,

> ... our Arab masses demand to realize their rights as a national minority different in its national and cultural affiliation as well as in its social life-style. We need to administer our own life style by establishing cultural, social and political institutions in order to manage educational and cultural affairs and to establish an Arab university to strengthen our national Arab-Palestinian identity ... (Osazky-Lazar & Ghanem, 1990, pp. 14–15)

Despite the fact that the PLP did not explicitly mention the term autonomy in its platform, a literal translation of its demands amounts to just that.

One month after publishing the first article, Zidani, this time alone, elaborated his vision of the Arab autonomy, explaining that it should not be limited to cultural-personal domains.[15] Instead, he outlines a detailed description of his demands, emphasizing its territorial character: "I visualize an autonomy for Arabs in the Galilee and the Triangle that an elected administrative body, with the broadest authority possible" (Ozatsky & Ghanem, 1990). Zidani later made clear that his view was realistic, despite the fact that it remains unrealized to this day (Zidani, 1998).

In 1993, Bishara published another paper that criticizes Israeli policies towards the Arab community in Israel, demanding state recognition for this community as a national minority entitled to collective rights, favoring cultural-personal autonomy over that of the territorial variety (Bishara, 1993). Bishara justified his claims on moral and political grounds by advocating an inherent connection between the need for cultural autonomy for the Arab population and necessity to transform Israel into a state for all its citizens. In demanding equality, Bishara emphasized the interdependence between individual and collective rights, a demand that became central in the political platform of the party he has headed since 1996, the National Democratic Assembly (NDA), which wins the support of almost third of the Arab population in most elections.

More recently Hassan Jabareen, the director of Adalah, the Legal Center for Arab Minority Rights in Israel, utilizes the concept of self-determination as a vehicle for the articulation of the collective right of Arabs to control some aspects of their collective experience (Jabareen, 2002). Jabareen has been more daring than other Arab leaders in utilizing the concept of self-determination. He argues that only an acknowledgement of the right of self-determination for Arab citizens of Israel can lead to equality between Jews and Arabs within the framework of the Israeli polity. Although this usage of the term did not become part of the platforms of Arab political parties in Israel, it has nevertheless begun to find its place among the educated Arab elite.

Institutionalizing Autonomous Arab Civic Spheres and Extra-parliamentary Politics

Since the mid-1970s, we have witnessed a constant rise in the number of Arab NGOs active in different fields. Outside the realm of politics, young Arabs with leadership abilities, seeking avenues of mobilization autonomous from state control, have gravitated toward Arab NGOs, which were established to advocate for community interests and to provide services to the Arab community in areas neglected by the state. The influence of Arab NGOs begins to be effective in the mid to late 1980s, with a new wave being established in the 1990s, partly under the impact of the growing power of the Israeli NGO sector. The wide network of Arab NGOs forms a counter-public where the interests of the Arab community are represented in such areas as urban planning, health services, educational infrastructure, legal rights and services, and human rights monitoring. The NGOs serve an important function, providing goods and services much needed in the neglected Arab community. Among the examples of successful NGOs formed in the late 1990s are: Arab Human Rights Association, Association of the 40, Adalah, Mosawa, Mada, I'lam, and Al-Aqsa.

A growing number of NGOs advocate, empower, and seek to develop Arab society, providing services that are not adequately or sufficiently offered by the state (Payes, 2003). There are a number of different civil spheres in which Arabs interact with each other, without a direct connection to Jewish society. Arab NGOs, media institutions and alternative educational ventures are increasingly active, establishing a de-facto autonomy supported by the almost clear-cut segregation of the Arab community into largely separate towns and villages. This trend serves to empower the Arab community and activate its citizenship despite the limitations imposed by the policies of the Israeli government.

At the same time the number of people disappointed in the Israeli parliamentary system is growing steadily, as are the voices of those political movements calling for a boycott of elections.[16] Despite the fact that the majority of the Arab population still takes part in the Israeli elections to the Knesset and the fact that the three major Arab parties advocate participation, we have witnessed a constant change in the position of Arab citizens *vis-à-vis* elections to the Knesset from the late 1980s to present day. Since the late 1980s, there has been a constant drop in the number of people participating in elections. The widespread abstention of the Arab population in the 2001 prime ministerial elections, and the drop in the number of Arab voters in the 2003 and 2006 Knesset elections, have sharpened the debate between those who still hold some trust in parliamentary politics, and those who call for a boycott on ideological principles. Amendments to the election laws, introduced by the Knesset in May 2002, and the persecution of Arab Knesset members might have strengthened the claim that participating in the Israeli elections only legitimates the state and its ideology without accruing benefits to the Arab population (Jamal, 2005b). Whereas the Arab parties argue that participation in the elections and having representatives in the Knesset gives the Arab population a chance to raise its voice in front of the Jewish public, critics of parliamentary politics call on the population to act outside the parliamentary framework through participation in social movements, the work of NGOs, and international lobbying.

This latter trend has been a central ideological component of the Abna'a al-Balad movement since the 1970s. In the mid-1990s, part of the Islamic Movement, led by Sheikh Ra'ed Salah, also adopted this position. Salah calls for a boycott of Knesset elections, and argues that Arabs should operate in separate spaces in which they are not committed to the

procedural rules of the parliamentary system set by the Jewish majority (Rubin-Peled, 2001). Furthermore, several Arab academics support this idea, and promote the boycott of Knesset elections.[17] In their view, there is an imbalance between the benefits the Arab community secures by being represented in the Knesset, and the price the community pays by legitimating the Zionist character of the political system. They emphasize the fact that political parties are prohibited from running for the Knesset under a platform that rejects the notion of a Jewish state, or advocates for change to that state identity. This limits the ability of Arab parties to use legitimate democratic means to challenge the hegemony of the Jewish majority over state institutions.

Conclusion

In view of these changes in Arab politics in Israel, it can be claimed that Arab citizens are becoming more assertive in regard to their political expectations. Arab leaders and intellectuals are promoting a more engaging and encompassing understanding of citizenship, one that emphasizes the right of people to participate fully in the decision-making processes that determine their lives. Although there is no clear agreement among all Arab political players as to the right tactics to achieve this goal, all agree that there is a need to challenge the dominant political ideology of the state in order to achieve equality. Some utilize the formal structures of the state, such as the Knesset and the High Court. Others utilize extra-parliamentary means, in particular, NGOs. These two spheres complement one another and both fall within the contention model presented above.

As the previous pages demonstrate, the Arab community's disillusionment with liberal citizenship does not mean that all members of this community are renouncing their Israeliness. Recent transformations in Arab politics demonstrate that the Arab community is seeking to expand the space in which to maneuver within the Israeli system. Arab political conduct aims at empowering citizenship and turning it into a political formula that accommodates Palestinian national identity on the one hand and Israeli reality on the other. Israeli citizenship, although deeply criticized, is still conceived of as the best grounds on which Arabs in Israel can promote their rights.

When looking at the two models delineated above, one can see that only a very small portion of the Arab population is drifting towards the radicalization model that I have outlined, losing hope in the system and in the conventional means of expression and protest. Nevertheless, this same group does not adopt radical means—violence or terror—to achieve its goals and does not demand political separation from the system. Even the northern wing of the Islamic movement, which is considered most radical *vis-à-vis* the state and argues for Arab social autonomy from Jewish society, still takes part in local government elections and does not call for massive boycott of the elections to the Knesset. None of the central Arab political players adopts the last three means of the radicalization model (see above). Neither of the Arab political players calls for separation from the state or secession nor for the use of violence as a strategy. The majority of the Arab population in Israel continues to insist on negotiating with the state in order to improve its situation. Although the population shows a low level of trust in the system, it is generally engaged in applying the means of the contention model, such as reframing official attitudes and struggles for constructive relationship with state institutions. Thus, the Arab population utilizes various means to embarrass the state and bring to fundamental change in its policies. The means used are legal and fall within what is usually conceived to be

legitimate means of protest. Although one could claim that the October 2000 violence could be viewed as a "cycle of protest" (Tarrow, 1998, p. xvi), indicating a process of some radicalization, the use of violence was rather occasional and limited to that event. As opposed to some accusations voiced by some state officials and by the Israeli Hebrew press, the Or Inquiry Commission that was appointed by the Israeli government to investigate the events made clear that the violence used was local and occasional. This conclusion supports the argument that the changes taking place in Arab politics, as delineated above, fall within the contention model.

Arab political conduct in Israel, thus far, has utilized citizenship as a field of contention in the struggle for equality. The case of Arab citizens in Israel demonstrates that one cannot take state expectations as the main criteria for understanding civic patriotism. Citizenship must not be conceived in homogenous terms. Whereas citizenship can facilitate patriotic attachment for those citizens who identify with the state, for oppressed minorities it can serve as a counter-patriotic tool, used to challenge the state and seek its transformation.

It can, however, be forecasted that the shifts and processes outlined herein will continue to reframe Arab citizenship in Israel, and that the civil struggle for substantial equality will persist. This pattern of political behavior falls within the analysis put forward by theorists of contentious movements. Citizenship is conceived of as a structural opportunity that can be utilized to mobilize resources for fundamental changes to majority–minority relations in Israel. This trend does not necessarily fall within the deterministic typology presented by Smith; however, bearing in mind Gurr's claim that state responses to communal grievances are crucial in shaping the course and outcomes of minority behavior, and considering the state's policies towards the Arab community over the last several years, Smith's typology cannot be labeled a mere creation of fantasy. The fierce Israeli response to Arab demonstrations in October 2000, the changes in legislation that took place in May 2002 that limit the boundaries of freedom for conventional Arab politics, and the imprisonment of nationalist and Islamist leaders help the small number of advocates of radicalization make their case.

Although the Arab demand for collective national rights and power-sharing as well as the instrumentalization of its indigenous status may sound like radical claims, the struggle to achieve them is through legal means and from within the Israeli system. The Arab minority in Israel has been very cautious not to slide into counter-civic tactics that would endanger the benefits it has managed to achieve through its civic struggle thus far. In the Arab-Jewish Relations Index conducted at Haifa University 81% of the Arab population expressed their fear of harm to their citizenship rights by the state and 72% expressed their fear of state violence.[18] This does not mean that this will remain the case. As long as the state does not block all civil spheres of protest and leaves hope for democratization, all minority groups, including the Arab minority, tend to use available legal means to ensure their equality. However, if the state eliminates the space of civic protest, minorities may radicalize their strategies. Such a development certainly harms the minority, but it also causes much harm for the state.

The dialectics of the relationship between the Israeli polity and its Arab minority demand structural changes in the Israeli state in order to incorporate Arab citizens into the state's identity and structure. Concurrently, there is a need to enable Arabs to have control over some aspects of their collective life, since a full incorporation into the state does not mean that the Jewish majority will lose its dominant status in the public sphere and in state institutions. Differential citizenship that incorporates individual and collective rights for

Arab citizens and that transforms them into legitimate citizens seems necessary if the gaps between Arabs and Jews are to be overcome in Israel. Liberal citizenship does not meet the expectations of Arab citizens, and the full hegemony of the Jewish majority over state institutions will remain a challenge that the Arab minority will continue to seek to overcome. Based on the experiences of minorities elsewhere, Arab leaders are seeking to convince the Jewish majority and the state of Israel that devolution of power is a necessary precondition for stable Arab-Jewish relations within the Israeli polity. The devolution of power, along the lines of the models instituted in Wales and Scotland, might be considered a positive strategy that can avoid potential confrontations in the future (McGarry & O'Leary, 1993; Harvie, 1994; Alter, 2003).

Notes

[1] This view is best expressed by Benny Morris in an interview with Ari Shavit in *Haaretz Magazine*, 8 January 2004.

[2] This was the case with the Scots and Welsh in Great Britain, the majority of the Basques in Spain, the Québecois in Canada, the Maori in New Zealand and the Indigenous peoples in many South American states. See Kymlicka & Norman (2000).

[3] Israeli Central Bureau of Statistics. Statisilite, no. 50, available at www.cbs.gov.il/statistical/arab_pop03e.pdf.

[4] Smooha (2005, p. 83).

[5] These demands appear on the platform of the three Arab parties represented in the Knesset (Hadash, National Democratic Assembly and United Arab List). For more details see the website of the Knesset: www.knesset.gov.il.

[6] Smooha (2005, p. 89).

[7] See the efforts made by Adalah and Mosawa on their websites: www.adalah.org and www.mosawa.org.

[8] HCJ 6698/95, Qa'adan *et al.* v. Israel Lands Administration *et al.*, March 2000.

[9] www.adalah.org.

[10] www.mosawa.org.

[11] Smooha (2005, p. 89).

[12] Public opinion polls conducted by Mada Al-Carmel, an Arab research institute based in Haifa, demonstrate clearly that Arab citizens are not satisfied with their current civil status. For more details see: www.mada-research.org.

[13] The 17th Convention of the Communist Party, a publication of the Israeli Communist Party.

[14] Bishara, who grew up within the Communist party, abandoned the party in 1989 as a result of personal and ideological controversies with its leadership. He established the Democratic National Assembly later and turned the topic of cultural autonomy into a central goal of its platform.

[15] *Al-Arabi* newspaper, 26 January 1990.

[16] In the 2003 elections to the Knesset 38% of eligible Arab voters did not participate in the elections. In a public opinion poll conducted by Mada Al-Carmel, Arab Center for Applied Social Research, after the elections found that 9% of the non-voters abstained for ideological reasons, 35% for protest reasons, 20% for indifference and 36%occasional abstention related to disability, sickness or similar reasons. For more details see: Saabneh (2004, p. 15).

[17] Prominent among these academics is Dr. As'ad Ghanem from Haifa University.

[18] Smooha (2005, p. 19).

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