

{SEPTEMBER 25 2004}

A NATION? WHAT NATION?

It sounds like a joke, but it is quite serious. The government of Israel does not recognize the Israeli nation. It says that there is no such thing.

Could you imagine the French government denying the existence of the French Nation? Or the government of the United States of America not recognizing the (US) American nation? But then, Israel is the land of unlimited possibilities.

Every person in Israel is recorded in the Interior Ministry's "registry of inhabitants". The registration includes the item "nation". This entry also appears on the Identity Card that every person in Israel is legally obliged to carry with them at all times or risk criminal prosecution.

The Interior Ministry lists 140 recognized nations which its officers can register. This includes not only established nations ("Russian", "German", French" etc.) but also "Christian", "Muslim", "Druze" and more. The "nation" of an Arab citizen of Israel, for example, may be recorded as "Arab", "Christian" or "Catholic" (but not "Palestinian" - the Interior Ministry is not yet aware of the existence of such a nation.)

Most Israeli inhabitants carry, of course, identity cards saying "Nation: Jewish". This has now become a subject of debate.

A group of 38 Israelis have asked for the cancellation of their registration as "Jewish" and its replacement with "Israeli". The Interior Ministry refuses, saying that no such nation appears on its list. The group has petitioned the High Court of Justice to instruct the ministry to register them as belonging to the "Israeli" nation. This week, the case came before the court.

The 38 include some of the most eminent professors in Israel (historians, philosophers, sociologists and the like), well-known public figures and others (including my humble self). One of the initiators is a Druze. They are far from belonging to one political camp – indeed, they include both leftists and rightists. One of them is Benny Peled, former commander of the Air Force, a very right-wing person, who died after the petition was submitted.

The Supreme Court (sitting as the High Court of Justice) handled the case like a hot

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potato. (Even though Justice Mishal Heshin was delighted to find in the ministry's list the "Assyrian" nation – actually a small religious community, a remnant of antiquity which still speaks an Aramaic dialect.)

On the main point, the judges said that the High Court – dealing generally with administrative matters – is not equipped to rule on such a profound question. It advised the petitioners to apply to the District Court, where a wide discussion is possible and expert witnesses can be called. The petitioners accepted this advice, and so the battle will be transferred to another judicial forum that will have to devote to it many hearings.

Why does the Israeli government refuse to recognize the Israeli nation? According to the official doctrine, there exists a "Jewish" nation, and the state belongs to it. After all, it is a "Jewish State", or, in the words of one of the laws, "the state of the Jewish people". According to the same doctrine, it is also a democratic state, and all its citizens are supposed to be equal, irrespective of their national affinity. But basically the state is "Jewish".

According to this doctrine, Jewry is both a nation and a religion. In the first years of Israel, it was still the rule that if a person declared, bona fide, that he is a Jew, he was registered as such. But when the religious camp attained more power, the law was amended and from then on a person was registered as a Jew only if his mother was Jewish or he had converted to the Jewish faith and not adopted another religion. This is, of course, a purely religious definition (according to Jewish religious law, a person is Jewish if his mother is. The father is irrelevant in this context.)

This situation has created another problem. In Israel, the orthodox rabbinate enjoys a monopoly on Jewish religious affairs. Two other Jewish religious factions that are very important in the United States, Conservative and Reform, are discriminated against in Israel and conversions conducted by them are not recognized by the government. Some years ago, the High Court decided that persons converted to Judaism in Israel by these two communities must also be registered under "Nation: Jewish". Whereupon the Interior Minister at that time, a religious politician, peremptorily decreed that all future identity cards will show, under the item "nation", only five stars. But in the Ministry's "registry of inhabitants", it still says "Nation: Jewish".

The roots of the confusion go back to the beginnings of the Zionist movement. Until then, Jews throughout the world were a religious-ethnic community. This was abnormal in contemporary Europe, but quite normal 2000 years ago, when such communities – Hellenic, Jewish, Christian and many more – were the norm. Each was autonomous in the Byzantine Empire and had its own laws and jurisdiction. A Jewish

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man in Alexandria could marry a Jewish woman in Antioch, but not his Christian neighbor. The Ottoman empire continued this tradition, calling the communities millets (from an Arabic word for nation).

But when the modern national movements arose in Europe, and it appeared that the Jews had no place in them, the founders of the Zionist movement decided that the Jews should constitute themselves as an independent nation and create a national state of their own. The religious-ethnic community was simply redefined as a nation, and thus a nation came into being that was also a religion, and a religion that was also a nation.

That was, of course, a fiction, but a necessary one for Zionism, which claimed Palestine for the Jewish “nation”. In order to conduct a national struggle, there must be a nation.

However, two generations later, the fiction became reality. In Palestine a real nation, with a national reality and a national culture developed. Members of this nation considered themselves Jews, but Jews who are different in many respects from the other Jews in the world.

Before the creation of the State of Israel, and without a conscious decision being made, in everyday Hebrew parlance a distinction was made between “Hebrew” and “Jewish”. One spoke of the “Hebrew Yishuv” (the new society in Palestine) and “Jewish religion”, “Hebrew” agriculture and “Jewish tradition”, “Hebrew” worker and “Jewish diaspora”, “Hebrew underground” and “Jewish” Holocaust. When I was a boy, we demonstrated for Jewish immigration and a Hebrew state.

When Israel came into being, things became simpler. Every Israeli who is asked abroad about his national identity, answers automatically: “I am an Israeli”. It would not enter his head to say “I am a Jew”, unless specifically asked about his religion.

There is no contradiction between our being Israelis and Jews. Modern man is composed of different layers that do not cancel each other out. A person can be a man by gender, a vegetarian by inclination, a Jew by religion and an Israeli by national group. A woman in Brooklyn can be Jewish and American at one and the same time - Jewish by origin and religion, belonging to the (US) American nation.

According to modern Western norms, a nation is defined by citizenship, indeed in many languages “nationality” does denote citizenship. Every American citizen belongs to the (US) American nation, whether he is by origin Scottish, Mexican, African or Jewish. By religion, an American can be Catholic, Jewish, Buddhist or Evangelical. That has no bearing on his belonging to the nation, which is a political collective.

European nations, too, adapt themselves slowly to these norms. Only Fascists demand “total” conformity of race, nation and language.

Why is this important? Contrary to the now defunct Fascist doctrine, belonging to a

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nation is a matter of autonomous decision. The hundreds of thousands of Russians who came to Israel legally (as close relatives of Jews), who serve in the Israeli army and pay Israeli taxes – if they want to belong to the Israeli nation, they do indeed belong to it. Arab citizens who want to belong to the Israeli nation are indeed Israelis – without giving up their Palestinian identity and their Muslim, Christian or Druze religion.

For many people it is difficult to give up the Zionist myths with which they grew up. They try to evade any discussion on this subject – and indeed, it is hardly ever mentioned in our media. Our petition to the High Court of Justice, and soon to the District court, is designed to provoke, at long last, such debate.

Two thousand years ago, the Prophet Jonah found himself on a ship tossed by a storm. The frightened seamen, looking for someone to blame, asked him (Jonah, 1,8): “What is thy country? And of what people art thou?” To which Jonah replied: “I am Hebrew!”

In response to the same question we declare: “We are Israelis!”