

WE ARE A PEOPLE, A RESPONSE TO SARI NUSSEIBEH

By Shlomo Avineri Haaertz 12 10 2011

Answering one of the most moderate and enlightened of Palestinian intellectuals - but who still opposes the idea of a Jewish state.

Recently the English-language website of Al Jazeera featured a long and meticulously argued article by Prof. Sari Nusseibeh under the title "*Why Israel Can't Be a 'Jewish State.'*" Nusseibeh is not only president of Al-Quds University, a scion of one of the most respected Palestinian patrician families and the most prominent Palestinian intellectual: He is also known for his moderate views and his principled opposition to terrorism, and more than once put himself in danger because of these views.

His autobiography, "Once Upon a Country: A Palestinian Life," was published, to much critical acclaim, in 2008, by Weidenfeld and Nicolson (and in the U.S. by Farrar, Straus & Giroux) - a publishing house known for its pro-Israel sympathies - and he is a welcome guest at departments of Jewish and Israeli studies at many American universities, including Brandeis. A few years ago, the London Jewish Book Fair featured him as a keynote speaker. It is therefore interesting to know his views on Israel as a Jewish state.

As the title of his article clearly indicates, Nusseibeh totally rejects the very idea of Israel as the Jewish nation-state. Even those who think - as do I - that Prime Minister Benjamin Netanyahu was wrong in raising this as a subject for political negotiations, cannot but be deeply disappointed by the depth of Nusseibeh's rejection of the concept. If one of the most moderate among the Palestinians - and an impressive academic like him - is so negative on the subject, it seems clear that a historic compromise between the Palestinian and the Jewish national movements is still far away.

Nusseibeh opens his article with a historical overview stating that neither the Balfour Declaration, nor the 1946 Anglo-American Commission or even the First Zionist Congress in Basel in 1897 spoke explicitly about a Jewish state. But the Basel Congress chose the more ambivalent term of a "national home" because it wished to avoid a confrontation with the Ottoman Empire, from whom Herzl and his colleagues hoped to receive a charter for Jewish immigration and settlement in Palestine. What Nusseibeh does not mention is that Herzl's path-breaking volume, "The Jewish State" (1896), called explicitly for a state and that in his inaugural address to the Congress he repeatedly stated "We are a people."

But what is much more disturbing is that in his historical account, Nusseibeh never mentions the 1947 UN General Assembly partition resolution, which explicitly called for the establishment of two states - a Jewish one and an Arab one - in the territory of the British Mandate. This gave international legitimacy to and was an endorsement of the claim of the Jewish people to independence and sovereignty. It is for this reason that Arab spokesmen and propagandists systematically overlook it, and Nusseibeh, here, is just following the Palestinian party line. One would expect better from an intellectual of his stature.

Nusseibeh then recalls Martin Buber and Judah Leib Magnes, both of whom preferred a binational state. Once again, however, what he does not mention is that even such an accommodating and minimalist Zionist approach never received any reciprocity from the Arab side, and that the only Palestinian who joined Brit Shalom (an organization founded in the 1920s to promote Jewish-Arab coexistence in Palestine), Fawzi Husseini, was assassinated by Palestinian extremists.

At the core of Nusseibeh's article are a number of arguments regarding why the idea of a Jewish state is "logically and morally problematic." The following are the main ones:

-*First*, Nusseibeh maintains that a modern nation-state cannot be defined in religious or ethnic terms. This is just factually wrong: European countries like Greece and Ireland define themselves in such terms, as do most Arab countries, which even have this in their official names: "Arab Republic of Egypt," "Syrian Arab Republic."

-*Second*, Nusseibeh argues that defining Israel as a Jewish state would mean that it is either a theocracy (if the definition is in religious terms) or an apartheid state (if the definition is ethnic), and hence not a democracy. This is totally wrong: Israel views itself today as a Jewish

state, and even if this puts the Arab minority in a difficult position (it would be cavalier to deny this), it does not deny them equal political and civic rights. MK Ahmed Tibi has been elected by Arab Israeli voters in a country that is neither a theocracy nor an apartheid state: Had it been either of the two, he would not be in the Knesset.

-Third, Nusseibeh rightly points out that around 20 percent of Israelis are non-Jews. But he wrongly concludes from this that they are "strangers in their own homeland," second-class citizens, and that they are in danger of losing their Israeli citizenship. Again - without idealizing the position of Israel's Arab citizens, and without denying the existence of racist and totally unacceptable views, especially among members of the Yisrael Beiteinu party - there is no contradiction between Israel being the Jewish nation-state and the fact that members of the Arab minority are equal citizens. Nusseibeh seems to be a prisoner of a dichotomic "either/or" world view and is unable to face the complex challenge of Israel being both a Jewish and a democratic state - that is, both the Jewish nation-state and the state of all its citizens, as decided many times by Israel's Supreme Court.

-Fourth, Nusseibeh maintains that defining Israel as a Jewish state would mean denying citizenship to the country's Arab population and would grant Israeli citizenship to 10 million Diaspora Jews. This is nonsense: Even the extreme right in Israel does not demand this.

-Fifth, according to Nusseibeh, defining Israel as a Jewish state would deny the possibility of the return to Israel of the Palestinian refugees and their descendants. He gives their number as 7 million. If one is to understand the implications of this sentence, then Nusseibeh supports the return of these seven million to Israel: One should be aware of the fact that this is his position.

-Sixth, Nusseibeh maintains that defining Israel as a Jewish state would privilege the Jewish religion over Islam and Christianity. This is true, just as in Britain, the Scandinavian countries and some other European countries, Christianity is privileged over Islam and Judaism: In many cases they have a cross on their flags. But this is not the question: The question is, do members of minority religions enjoy equal rights and can they practice their religion freely? It is the UN Partition Plan, which as we have seen Nusseibeh never mentions, that required the planned Jewish - and Arab - states to guarantee freedom of worship to members of all religions. And Israel, despite continuous war and siege conditions, managed, more or less, to live up to this requirement. In the Palestinian Authority, on the other hand, anyone selling land to Jews is liable to the death penalty: I haven't heard Nusseibeh distance himself from this abomination.

To bolster his arguments that the very definition of Israel as a Jewish state would deny members of other religions their basic civic rights, Nusseibeh brings up a number of (admittedly) unpleasant biblical quotations. Yet it is difficult to see the relevance of this to the political and legal realities of present-day Israel as a modern democratic nation-state, in which human and civil rights are anchored in legislation and in the judicial system.

Yet toward the end of the article, the inner truth of Nusseibeh's whole belief system comes out: Somewhat surprisingly, he suggests that Israel declare itself as a "civil, democratic pluralist state, whose state religion is Judaism." Regardless of whether this is realistic or not, the intellectual and ideological subtext of this proposal is obvious: For Nusseibeh, the Jews are members of a religious community (and as such he is willing to recognize them) - but they are not a people. He fundamentally denies the basic foundation of the State of Israel as the expression of Jewish national identity.

Those of us who have no problem recognizing the Palestinians as a people, based on their own self-determination, are thus left with a feeling of bitter disappointment that a Palestinian intellectual and philosopher who - justifiably - insists on the right of the Palestinians as a people to a state of their own, is not ready to accept the self-determination of the Jews as a nation. The abyss currently separating moderates in Israel from the most moderate of Palestinians is indeed very, very deep and the chances of reconciliation do not appear to be likely.