

# **TOWARD A PARADIGM SHIFT IN CONFLICT RESOLUTION:**

## **Structural Violence and Power Asymmetry in Intergroup Conflict**

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# Two Existing Paradigm

- Existing paradigm
  - Western-Centered
  - Sides with the powerful
- Non-Western views
- Why structural structural violence?

# Two Broad Conceptions of Conflict Resolution

- Any strategy that brings a socially visible or public episode of conflict to an end: negotiations, mediation, withdrawal, coercion
- Any strategy that “aims to get to the root causes of a conflict and not merely to treat its episodic or symptomatic manifestation”

# Conflict Resolution Definition

“Conflict resolution is a more comprehensive term [than settlement, containment, and management] which implies that the deep-rooted sources of conflict are addressed and transformed. It implies that behavior is no longer violent, attitudes are no longer hostile, and the structure of the conflict has been changed. It is difficult to avoid ambiguity since the term is used both to refer to the process (or the intention) to bring about these changes, and to the completion of a process.”

# Conflict Resolution Definition,

continued

Conflict transformation “implies a deep transformation in the institutions and discourses that reproduce conflict, as well as in the conflict parties themselves and their relationship. It corresponds to the underlying tasks of structural and cultural peacebuilding.

Ramsbotham, Oliver, Tom Woodhouse and Hugh Miall (2005). *Contemporary Conflict Resolution*, 2nd edition. Malden, MA: Polity Press.

# Conceptions of Conflict Resolution,

continued

Burton: Conflict resolution seeks to eliminate the root causes of conflict.

- Transformation of the relationships ...by “the solution of the problem that led to the conflictual behavior in the first place”
- How?
  - First, by analysis, explanation, ...
  - Then, given the explanation, by finding a constructive approach and using “processes and policies that we derive from the explanation”
  - Notice the strong connection

# Example

- Burton and colleagues: Conflicts stem from unfulfilled basic human needs (eg, identity, security, recognition, equality?...)
- Problem-solving workshop
- Simple theory, perhaps even simplistic but points to a methodology
- Other theories on sources of conflict, such as structural sources, social psychological theories, migration resources, technology, development, globalization should also guide our work, but do not point to a methodology

# Methodologies

- Emphasis has been on process
- Track 2
- **Third-party intervention:** Facilitation, consultation, interactive problem solving



# Methodologies

- **Problem-solving:**
  - Dialogue groups
  - People-to-people meetings
  - Multi-track: Business
  - Media work
  - Citizens' diplomacy
  - Cultural exchange
  - Humanitarian diplomacy
  - Civilian fact finding
  - Training: Journalists, educators
  - Religious initiatives/dialogue

# Methodologies, continued

- In community grassroots work and for mid-level participants
  - Cultural meetings
  - Joint training
  - Improving communications
  - Sensitivity training

# Some Questions

- Who carries out conflict resolution activities?
- What are the underlying assumptions of these processes?
- What are the explicit and implicit theories behind conflict inherent in these practices?
- Are there normative assumptions?
- To what extent is practice guided by theory?
- My analysis of the main parameters within which CR operates

# Underlying Assumptions

1. Pragmatism anchored in rationality
2. Emphasis on symmetrical analysis
3. Emphasis on future, de-emphasis on history
4. De-emphasis on justice or fairness
5. De-emphasis on development and power structures
6. De-emphasizing local cultures

# 1. Pragmatism Anchored in Rationality

- Emphasis on pragmatism in various forms
- Achieve what is possible within existing power relations
- No emphasis on what participants are entitled to, eg, according to international law
- No discourse of rights – the tension between conflict resolution and human rights

# 1. Pragmatism, continued

- For some people, avoiding this analysis, point of departure, discourse is paramount to “taking sides.”
- The discourse of international law is favored by:
  - Low-power groups
  - The South
  - “Third world” minorities

# 1. Pragmatism, continued

- If you cannot get what is *yours*, get what is salvageable
- If full equality is impossible, accept near-equality: 90% is better than 0%.  
So why not accept it?
- What is the limit of rationality?
  - 99% vs. 0%
  - 10% vs. 0%
  - 1% vs. 0%

# 1. Pragmatism, continued

- Is it indeed rational to accept less than what is considered “fair”?
- Do people behave rationally?
- Take the ultimatum game as an example...



# 1. Pragmatism, continued

Side 1 makes the offer to divide \$100.

Side 2 can **accept** or **reject**.



Deal



Nobody gets anything  
(the Simpson choice)

Accepting 99:1 is rational

50/50 vs. 55-45

People are not exactly rational

# 1. Pragmatism, continued

Emphasis on pragmatism has risks:

- Taking sides
- De-emphasizing rights
- Pushing toward settlement, not conflict resolution
- Alienating the weaker side

It is done automatically – it is part of the paradigm.

## 2. Emphasis on Symmetrical Analysis

- Conflict Analysis (CA) is not necessarily symmetrical.
- Conflict Resolution (CR) tends to be symmetrical.
- The symmetrical approach is augmented by a third party that seeks appearance of neutrality or impartiality.

## 2. Symmetrical Analysis, continued

- In its most gross forms, conflict resolution symmetricizes power relations.
- In other forms, CR ignores power asymmetry.
- Even if practitioners are aware of it or pay lip service to it, usually, not much is done about it.
- This doesn't necessarily happen in interpersonal conflict.

## 2. Symmetrical Analysis, continued

- Symmetrical analysis: Both sides have needs, fears, feel victimized, etc.
  - But unless this is analyzed and contextualized, the symmetrical analysis becomes misleading.
  - It can potentially undermine the process.

## 2. Symmetrical Analysis, continued

- Perhaps most challenging, most disturbing to the weaker side is equating the narratives.
- Think of:
  - South Africa
  - Rape
  - Sexual harassment

## 2. Symmetrical Analysis, continued

- Not all conflicts are clear-cut cases of gross asymmetry, but most are asymmetrical to some extent.
- Nuanced analysis is needed.

### 3. Emphasis on Future, De-emphasis on Past

- Many protracted conflicts have a long history and are in large part about history, about the *story*.
- But these approaches gloss over and avoid history.
- Instead, the focus tends to be fixed on the future.



### 3. Emphasis on Future, continued

- Typical claims:
  - Historic truths cannot be proven.
  - History is divisive; brings about *blaming* and *debates*.
  - History is a *source of conflict*.
  - History is not important anyway – what matters is the future.
- But if we look carefully, we find that it is history of the powerless that is to be forgotten, not the powerful; it is the divisive, provocative one.
- Think of African-American history.

### 3. Emphasis on Future, continued

- The history of the powerful is the mainstream.
- The low-power group often has *only* their history to cling to; it may have been targeted for erasure over the course of the conflict.
- How can we talk about *identity*, and *dignity* without history?
- Healthy identity requires close contact with history – owning one's history.
- Examining history also provides *validation*, which can open the way to genuine reconciliation.
- Conflict resolution avoids examining history for a reason: It is problematic for the high-power group.

# 4. De-emphasis on Justice or Fairness

- Glaringly absent from conflict resolution discourse
- Typical claims about justice:
  - Hard to define
  - Subjective - in the eye of the beholder
  - Divisive - each side has its own justice
  - Futile to discuss
- But is it?
  - Basic agreement on what is just and fair
  - Inter-subjective frame of reference
  - Attempts in the literature to define: attainable justice, relative justice, distributive justice, restorative justice

## 4. De-emphasis on Justice, continued

- Why did conflict resolution fail to incorporate their attempts?
- Positivistic definitions as fallback options
  - Conventions
  - International agreements
  - UN Resolutions

# 5. Development and Power Relations

- Underdevelopment, deprivation, legacy of colonization, exclusion, marginalization, discrimination, domination are all sources of conflict
- Some renewed emphasis on development, but power-sharing remains largely ignored
- Restructuring means a different kind of distribution - power-sharing
- How to get the powerful to do that?
- Just because power-sharing is difficult doesn't mean it should be avoided; conflict resolution may require it

# 6. De-emphasizing Local Cultures

## Cultural Hegemony

<b>End of History/North</b>	<b>History/South/ Out of Colonization Captured by Authoritarian Regimes</b>
Era of achievements	Struggle
Seek pleasure	Pain
Avoid suffering & pain	Sacrifice
Science, technology, education, health, arts, entertainment	Giving to the collective
Democracy, freedoms, individual standard of living	

# 6. De-emphasizing Local Cultures,

continued

- Globalization
- Global media
  - Makes the difference known to the powerless

# Underlying Assumptions: Summary

- It is within these parameters that **conflict resolution** is offered, or at least so perceived, by many, to be offered.
- The powerless are offered a paradigm whose parameters are pre-determined.
- Within these parameters, the status quo is challenged.
- There is room for improvement – some change is discussed.



# Underlying Assumptions: Summary,

continued

- The weak side finds itself facing one of two alternatives:
  - Alienation
  - Cooptation
- Suggesting a new paradigm

# Suggesting a New Paradigm

- Not only pragmatism – future vision even if not pragmatic
- Asymmetry and context
- History and narratives
- Fairness
- Development
- Local cultures

# Conflict Resolution Guided by Conflict Analysis

- If conflict resolution “implies that behavior is no longer violent, attitudes are no longer hostile, and the structure of the conflict has been changed” than we have to examine the nature of violence and its use, the social and political sources of intergroup violence and hostility, and the structure of conflict.

# Conflict Resolution Guided by Conflict Analysis

We need an analysis that responds to the elements of the paradigm suggested above: examining power distribution, contextualizing the conflict in history, examining the psychological impact on the dominant and dominated within the context of power relations, focusing on equitable development, examining ways to establish political institutions that ensure equality and fairness

# Structural Violence as a Source of Conflict

- I use Galtung's analysis of structural violence as an EXAMPLE. One possible framework to understand conflicts and the intergroup violence they often entail
- It is useful in addressing particular intergroup conflicts
- The analysis of the nature of structural violence and cultural violence responds to most elements of the paradigm I am proposing.

# Structural Violence as a Source of Conflict

- Violence is defined as “the cause of the difference between the potential and the actual, between what could have been and what is. Violence is that which increases the distance between the potential and the actual” (1969; p. 168).
- Obviously, this applies to cases in which the actual is avoidable

# Three types of violence

- There are three types of violence that should be considered here. Direct violence, indirect or structural violence, and cultural violence
- Think of the three as the points of a triangle

# Direct (personal violence)

- Direct violence: “type of violence where there is an actor that commits the violence” (p. 170).
- Committed through bodily harm, denying physiological needs, restriction of movement, and psychological harm



# Structural violence

- There is no personal actor that can be identified as committing the violence against a subject
- The violence is built in. It is demonstrated by unequal power between groups.
- Access to power and resources are monopolized by one group in a system of domination.
- The power to decide over the distribution of resources, including power, is monopolized

# Cultural Violence

- Cultural violence: the symbolic sphere we use to justify violence. This includes religion, ideology, language, arts, etc.
- Cultural violence is used to make violence -- both direct and indirect -- look right, feel right, and be accepted.
- The challenge of understanding violence is understanding the legitimation of the use of violence.

# Typology of violence

	Survival Needs	Well-being Needs	Identity Needs	Freedom
Direct Violence	Killing	Maiming, Siege, Sanctions	Desocialization Second class citizens	Repression Expulsion
Structural Violence	Exploitation (A)	Exploitation (B)	Penetration Segmentation	Marginalization Fragmentation

# The Dynamics of Violence – and Conflict

- Direct violence is an event
- Structural violence is a process
- Cultural violence is a ‘permanence’
- They enter time differently
- Reaction to violence?
- The interrelationships among the three points of the triangle

# Dynamics

- Example:
- Africans are captured, killed, shipped, massive direct violence, massive structural violence -→ producing massive cultural violence

# Cultural violence – using religion

- Example of using religion:

I will quote somebody here speaking about using religion by Israelis. Try to guess who, and what year.

# Cultural violence – using religion

- “Consider the policies of Israel with regard to the Palestinians. The Chosen People even have a Promised Land, the *Eretz Yisrael*. They behave as would expect, translating chosenness, a vicious type of cultural violence, into all eight types of direct and structural violence listed [in table]. There is killing, maiming, material deprivation...desocialization within the

# Cultural violence – using religion

theocratic state of Israel with second class citizenship to non-Jews; there is detention, individual expulsion and perennial threat of massive expulsion. There is exploitation ..”

And continues with every cell in the table



# Author and Year

- Author?
- Year?

# Answering some questions; power asymmetry as a key

- Who commits which kind of violence?  
The salience of direct violence
- Does symmetrical analysis make sense?
- How is violence legitimized? What are the “ideological” foundations for legitimization?

Resistance to Dominance

Vs. ? Threat to stability, threat to peace?

# Answering some questions

- What are the “ideological” foundations for deligitimation
    - Racism, dominance, inequality, ...
- EXCLUSIVE STATE, ETHNIC state, Ethnic Democracy
- Vs. Terrorism, demographic threat, security concerns,

# Answering some questions

- Psychological implications for the oppressor (Martin-Baro, Bartal—recent work), the oppressed (Brinton Lykes), and the bystander (I hope that Staub will write about this)
- The asymmetrical social and political grounds for providing meaning to psychological manifestations such as:

# Answering some questions

- Victimhood. How used and what is the meaning depending on being oppressed or oppressor.
- Group Guilt – the context
- How to address history. Who wants to address history?  
(Fayyad's statement from yesterday)
- How to change power relations
- How to end violence?

The End

To be continued

# The Conflict in Israel

- Between the State and the Arab Palestinian citizens (1967 borders)
- About 17% to 20% of the population, about 1.25 million citizens
- Citizens since 1948
- They claim that as citizens (and as indigenous group), they deserve:
  - Cooptation
  - Equality – equal citizenship for Arabs and Jews in Israel
  - Democracy (Israel cannot be both Jewish and democratic)
  - Power sharing in a bi-national state

# The Conflict in Israel, continued

Israel now officially:

1. Doesn't provide equality
2. Defines itself as Jewish State
3. Claims that a Jewish State can be democratic

The conflict is over equality, democracy, citizenship, and identity.



# Background

- For past 10 to 15 years, Israel has focused on affirming the Jewish State as Jewish and democratic:
- Academic project – Ethnic democracy
- Legal effort – Parliament
- Political plans – Politicians left and right (territorial exchange)
- Diplomatic efforts – Recognize Israel as a Jewish state
- Constitutional efforts – NGOs as Jewish and democratic

# Background, continued

Israel has no constitution – has basic laws:

1. The Declaration of Independence (1948)
2. The Kinneret Covenant (2002)
3. The Israel Democracy Institute (2007)
4. Insert here
5. The Knesset – (2008)

# 1. Declaration of Independence of State of Israel, 1948

ERETZ-ISRAEL [(Hebrew) - the Land of Israel, Palestine] was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom.

# 1. Declaration of Independence,

continued

In the year 5657 (1897), at the summons of the spiritual father of the Jewish State, Theodore Herzl, the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country.

# 1. Declaration of Independence,

continued

The catastrophe which recently befell the Jewish people - the massacre of millions of Jews in Europe - was another clear demonstration of the urgency of solving the problem of its homelessness by re-establishing in Eretz-Israel the Jewish State, which would open the gates of the homeland wide to every Jew and confer upon the Jewish people the status of a fully privileged member of the community of nations.

# 1. Declaration of Independence,

continued

**Accordingly we, members of the people's council,** representatives of the Jewish Community of Eretz-Israel and of the Zionist Movement, are here assembled on the day of the termination of the British mandate over Eretz-Israel and, by virtue of our natural and historic right and on the strength of the resolution of the United Nations General Assembly, **hereby declare the establishment of a Jewish State in Eretz-Israel, to be known as the State of Israel.**

# 1. Declaration of Independence,

continued

**The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles;** it will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; ...

# 1. Declaration of Independence,

continued

We appeal - in the very midst of the onslaught launched against us now for months - to the Arab inhabitants of the State of Israel to preserve peace and participate in the upbuilding of the State on the basis of full and equal citizenship and due representation in all its provisional and permanent institutions.



## 2. The Kinneret Covenant, 2002

### *Preamble*

Out of our commitment to the existence of the State of Israel as a Jewish and democratic State, and out of our sense of responsibility, and deep concern to the future of the State of Israel and the image of Israeli society

We, Israeli citizens, sons (sic) of the Jewish people convened and in the spirit of the declaration of independence we adopted this covenant.

The State of Israel is the national home of the Jewish people.

We confirm that the right of the Jewish people for sovereignty in the land of Israel is indisputable.

The State of Israel embodies in the land of Israel the right of the Jewish people for life, sovereignty, and freedom.

## 2. The Kinneret Covenant, continued

1. The State of Israel is a democratic State.
2. According to its declaration of independence, the State of Israel is founded on the principles of freedom, justice, and peace. The State of Israel is committed to full equal rights to all its citizens irrespective of religion, origin, and gender. Israel is committed to freedom of religion and conscience, language, educational culture.

## 2. The Kinneret Covenant, continued

### 3. The State of Israel is a Jewish State.

As a Jewish state, Israel embodies the right of the Jewish people for self-determination based on its values, the State of Israel is committed to the continued existence of the Jewish people and to its right to head its own destiny in its own sovereign State.

The Jewish character of the State of Israel is expressed in its deep commitment to Jewish history and Jewish culture; relationship with Jews in the Diaspora, Law of Return, and encouraging Jewish immigration and its absorption; in the Israeli creativity and the Hebrew language which is the main language of the State; and days of observance and official holy days, symbols and anthem; in the Hebrew culture with the Jewish roots and the institutions that advance it; in the Hebrew educational system which aims to promote in addition to general education and human values and in addition to loyalty to the State and love of the land and its landscape the relationship of the students to the Jewish people, and its history and culture and to the book of books.

Israel has an existential interest in strengthening Diaspora Jews and reinforcing relationship with them. Israel will help Jewish education in every place and will ... the Jews of Israel and the Jews of the Diaspora responsible for each other.

## 2. The Kinneret Covenant, continued

### 4. Israel is a Jewish and democratic State.

Based on the historic right of the Jewish people, and according to the UN resolutions, the State of Israel is Jewish State. According to its founding principles, the State of Israel is a democratic State, there is no contradiction between Israel being a Jewish State and being a democratic State. The existence of Jewish State does not contradict democratic values, and should not violate the principles of freedom and civic equality.

In order to secure the continued existence of Israel as Jewish and democratic State, **the Jewish majority should also be secured. This majority will be preserved only by moral means.**

## 2. The Kinneret Covenant, continued

5. The State of Israel respects the rights of the Arab minority.

Israel is committed to treat all its citizens equally.

In the areas where Israeli non-Jewish citizens suffer from negligence and inequity, the principle of civic equality should be immediately and forcefully applied in practice.

# 3. Constitution by Consensus, 2006

## *Preamble, Israel Declaration of Independence*

### Principles:

(one) Israel is a Jewish and democratic State,  
Israel will treat all of its citizens equally.

(three) Flag, Symbol, and Anthem

Flag of Israel: Two blue lines, Star of David

Symbol – Menorah

Anthem – *Hatikva* (“*The Hope*” – *Return of the Jewish People*)

# 3. Constitution by Consensus,

continued

Principles, continued:

(five) **Language** – Hebrew is the language of the State

Arabic is an official language.

(six) **Sabbath and Days of observance**

Sabbath and Jewish days of observance are official holidays. Non-Jews have the right for holidays in their days of observance.

(seven) **Hebrew calendar**

The Hebrew calendar is an official calendar in the State of Israel.

# 3. Constitution by Consensus, continued

Principles, continued:

(eight) **Law of Return**

(ten) Minorities

The State of Israel will guarantee the status of the Arab, Druze, and other minorities in it.



# 3. Constitution by Consensus,

continued

(seventeen) Equality before the law and prohibiting discrimination

Everybody is equal before the law; there will be no discrimination between one person and another based on race, religion, national belonging, gender, ethnic group, country of origin, or any other reason.

(sixty-five) Loyalty of a Knesset member

“I am committed to maintain loyalty to the State of Israel, its constitution, and laws and to fulfill faithfully my mission in the Knesset.”

# 3. Constitution by Consensus,

continued

1.

The adhesive cement that allowed compromises is the perception that the State of Israel is the actualization of the Zionist dream. The State of Israel is the revival of the Jewish people's aspirations over generations, and the driving force for this revival is the Zionist movement. The constitution proposal . . . expresses a Zionist 'I Believe' in the broad and diverse sense of the word. As such, and on the basis of Zionist foundations, the constitution sees in granting civic equality to the Arabs of Israel an important base for its justification, as it reflects the Zionist effort to found Jewish sovereignty in Israel on the values of humanism, liberalism, and fraternity.

# 3. Constitution by Consensus,

continued

2.

The summary continues to describe how various Zionist views—liberal, religious, socialist, and revisionist of all the founding fathers of Zionism—are expressed in the ‘Collective I Believe’ and the proposed constitution.

Then the summary argues that the proposed constitution strove to create ‘equilibrium’ between Jewish state and democracy, therefore placing emphasis on a ‘Jewish and Democratic’ state.

# 3. Constitution by Consensus, continued

## 3.

To take just a few examples, the proposed 'constitution by consensus' is founded on the values of Zionism, but the vast majority of Arab citizens see in Zionism a racist ideology; it includes a 'law of Return' for Jews when this law is seen as discriminatory and racist by most Arab citizens; it defines Israel as Jewish and democratic when most Arabs oppose that definition on the grounds that it excludes them and that it holds an inherent contradiction; and it ignores the Palestinian Right of Return when most Palestinian citizens support such a right and care about the fate of Palestinian refugees who are their people. The ethnically homogenous nature of the constitution is also reflected in the statement that 'Hebrew is the language of the state' and that 'the Hebrew Calendar is the official Calendar of the state' both designed, as explained by the drafters, to express the character of the state of Israel as a Jewish state. Furthermore, the constitution by consensus incorporates the Declaration of Independence of the State of Israel in its entirety as its preamble. This declaration does not speak in the name of 'we the people' or 'we the citizens' but in the name only of the Jewish people (i.e., in Israel and worldwide) and its representatives.

On all these central issues (and many others), there seem to be two different consensuses: an Israeli Jewish consensus and a Palestinian consensus for the Arab citizens of Israel. **The IDI's 'constitution by consensus' reflected the Israeli Jewish consensus and completely ignored the minority's consensus.**

# Arab Vision Documents

1. Haifa Declaration, 2007
2. Future Vision for Palestinian Arabs in Israel, 2006
3. The Democratic Constitution, 2007

# 1. The Haifa Declaration

Arab elites have produced four documents including a “Democratic Constitution”: Here are some ideas:

We do hereby affirm in this Declaration the foundations of our identity and belonging, and put forth a vision of our collective future, one which gives voice to our concerns and aspirations and lays the foundations for a frank dialogue among ourselves and between ourselves and other peoples.

# 1. The Haifa Declaration, continued

In this Declaration, **we also set forth our own reading of our history, as well as our conception of our citizenship and our relationship with the other parts of the Palestinian people, with the Arab nation, and with the State of Israel.**

# 1. The Haifa Declaration, continued

We further present our vision for achieving a dignified life in our homeland and building **a democratic society** founded upon justice, freedom, equality, and mutual respect between the Palestinian Arabs and Jews in Israel.



# 1. The Haifa Declaration, continued

As we are a homeland minority whose people was driven out of their homeland, and who has suffered historical injustice, **the principle of equality – the bedrock of democratic citizenship – must be based on justice and the righting of wrongs, and on the recognition of our narrative and our history in this homeland.** This democratic citizenship that we seek is the only arrangement that guarantees individual and collective equality for the Palestinians in Israel.

# 1. The Haifa Declaration, continued

We also put forward our conception of the preconditions for an historic reconciliation between the Palestinian people and the Israeli Jewish people, and of the future to which we aspire as regards the relationship between the two peoples.

# 1. The Haifa Declaration, continued

Our vision for the future relations between Palestinian Arabs and Israeli Jews in this country is to create **a democratic state founded on equality between the two national groups.**

# 1. The Haifa Declaration, continued

This would require a change in the constitutional structure and a change in the definition of the State of Israel from a Jewish state to a democratic state established on national and civil equality between the two national groups, and enshrining the principles of banning discrimination and of equality between all of its citizens and residents.

# 1. The Haifa Declaration, continued

In practice, this means annulling all laws that discriminate directly or indirectly on the basis of nationality, ethnicity, or religion – first and foremost the laws of immigration and citizenship – and enacting laws rooted in the principles of justice and equality.

# 1. The Haifa Declaration, continued

It also means the application of equality between the Arabic and Hebrew languages as two official languages of equal status in the country; ensuring the principle of multiculturalism for all groups; securing the effective participation of the Palestinian minority in government and in decision making; guaranteeing the Palestinian citizens in Israel the right of veto in all matters that concern their status and rights; guaranteeing their right to cultural autonomy, which includes the rights to develop policies for and to administer their own cultural and educational affairs; and distributing resources in accordance with the principles of distributive and corrective justice.

## 2. Future Vision for Palestinian Arabs in Israel

Defining the Israeli State as a Jewish State and exploiting democracy in the service of its Jewishness excludes us, and creates tension between us and the nature and essence of the State. Therefore, we call for a **Consensual\* Democratic** system that enables us to be fully active in the decision –making process and guarantee our individual and collective civil, historic, and national rights.

\*Consociational

## 2. Future Vision for Palestinian Arabs in Israel, *continued*

The State should recognize the Palestinian Arabs in Israel as an indigenous national group (and as a minority within the international conventions) that has the right within their citizenship to choose its representatives directly and be responsible for their religious, educational and cultural affairs.



## 2. Future Vision for Palestinian Arabs in Israel, *continued*

The State has to acknowledge that Israel is the homeland for both Palestinians and Jews (the Israeli future constitution and state laws should reinforce this point by adding an introduction paragraph). The relation between the Palestinians and Jews in Israel should be based on attainment of equal human and citizen rights based on international conventions and the international relative treaties and declarations. The two groups **should have mutual relations based on the Consensual Democratic system** (an extended coalition between the elites of the two groups, equal proportional representation, mutual right to veto and self administration of exclusive issues).

## **2. Future Vision for Palestinian Arabs in Israel, continued**

Israel should acknowledge the right of the Palestinian Arabs in Israel of social, religious, cultural and national continuity with the rest of the Palestinian people and the Arab and Islamic Nation.

## 2. Future Vision for Palestinian Arabs in Israel, *continued*

In order to guarantee the desired legal protection of the shared citizenship rights in Israel, the legal system should adopt the anti-discrimination laws in all aspects of life individually and collectively.

Such participation would be the cornerstone of building an equal and just society, where this society would include equal relevance and opportunity for each group on the basis of democratic principles of consensuality and power sharing.

The boundaries of the Israeli land must conform to the boundaries of citizenship and not to the boundaries of the Jewish people. Adoption of the use of the term “Israeli land” instead of “Jewish territory” or “State land.”

# 3. The Democratic Constitution

## The Foundations of the Regime

### The Borders of the State of Israel

1. The borders of the State of Israel are the borders of the territory which was subject to the Israeli law until 5 June 1967.

### A democratic state

2. The State of Israel is a democratic state, based on the values of human dignity, liberty and equality.

# 3. The Democratic Constitution,

continued

## Citizenship

**15.**

The laws of citizenship and immigration will be established on the basis of the principle of anti-discrimination and will define the arrangements by which the State of Israel will grant citizenship to:

- A. Anyone who was born within the territory of the State of Israel and whose parent was also born within the territory of the State of Israel;
- B. Anyone who was born to a parent who is a citizen of the state;
- C. The spouse of a citizen of the state;
- D. Those who arrive or remain in the state due to humanitarian reasons, including those who are persecuted on the basis of political background.

**16.** The citizenship of an Israeli citizen cannot be revoked.

# 3. The Democratic Constitution,

continued

## A bilingual state

Hebrew and Arabic are the official languages of the State of Israel and enjoy equal status in all of the functions and activities of the legislative and executive branches.

# 3. The Democratic Constitution,

continued

## A multicultural state

18.

- A. Each group that constitutes a national minority is entitled to educational and cultural institutions; each group that constitutes a religious minority is entitled to religious institutions.
- B. All the groups mentioned in (A) are entitled to operate their institutions via a representative body chosen by the members of the group (hereafter: the representative body).
- C. The State of Israel will allocate a suitable budget to the representative body for operating the institutions to ensure their existence in good quality and at a level equal to that of the majority's institutions.
- D. All the historical, cultural and holy sites of all of the groups shall be preserved and protected from any damage or harm to the dignity and sanctity of the site.

# 3. The Democratic Constitution,

## continued

### Participation in decision-making

#### 20. Model I

A parliamentary committee will be formed that will be called “the Parliamentary Committee for Bilingual and Multicultural Affairs.” Half of the committee members will be members of parliament from parties that by definition and character are Arab parties or Arab-Jewish parties.

### Equality and anti-discrimination

**24.** Every person is equal before the law and is entitled to equal protection; no person should suffer direct or indirect discrimination based on national affiliation, religion, race, sex, color, ethnic origin, sexual orientation, disability or age.

### Anti-discrimination in property

**37.** No person shall be discriminated against – directly or indirectly – in land transactions, such as purchasing, long-term leasing or renting property, based on nationality, religion, race, sex, color, ethnic origin, sexual orientation, disability or age.



# 3. The Democratic Constitution,

continued

## Distributive justice

### 38.

Every group of citizens which has suffered from a policy of injustice and historical discrimination in the allocation of land is entitled to affirmative action based on the principles of distributive justice in the allocation of land and water and in planning.

# 3. The Democratic Constitution,

continued

## Restitution of private property

39.

Every person whose land has been expropriated or whose right to property has been violated arbitrarily or because of his or her Arab nationality under the following laws is entitled to have his or her property restored and to receive compensation for the period during which his or her right to property was denied: the Land Ordinance (Acquisition for Public Purposes) of 1943, and/or the Land Acquisition (Validation of Acts and Compensation) Law of 1953, and/or the Absentee Property Law of 1950, and/or article 22 of the Statute of Limitations of 1958, and/or Regulation 125 of the Emergency (Defense) Regulations of 1945.

# The Conflict in Israel

- How do we deal with this?
- Pragmatism? Ethnic democracy
- Symmetrical equal claims
- Avoiding history – one side's history is affirmed
- De-emphasize fairness
- Ignore restructuring power-relations
- Local cultures

# The Conflict in Israel, continued

- New terms of reference
- Democracy as a point of departure
- Equality not almost equality
- Examine history – narratives
- Define fairness (responsibility, truth, injustice)
- Restructuring power relations – examine successful models of power-sharing
- Local cultures – deal with Jewish fear and trauma, deal with Arab 1948 trauma

# The Conflict in Israel, continued

- Who will do that?
- Who will do that? Not governments
- NGOs
- Elites
- Public policy institutes