

The Right of Jews to Statehood

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It is telling and troubling that at sixty, Israel still needs to defend its very right to exist. The State of Israel was created pursuant to the UN Resolution of November 29, 1947. This stipulated that two states, one Jewish and one Arab, would be established to allow each of the two peoples the right of self-determination respectively in parts of Palestine. Most surprisingly, sixty years after its establishment, and despite persistent and consistent international commitment to a two-state solution for the two peoples, the State of Israel is the only country in the world confronted with a debate not about its borders, but its very existence. There are UN member states that openly call for, pine for, and await the physical liquidation of the State of Israel. More worrying still, this does not elicit a resounding response from the international community. Furthermore, even the states that are prepared to accept the continued existence of the State of Israel often deny the State of Israel's right to continue as a nation-state where the Jewish people exercises its right to self-determination.

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The puzzle is made greater by the fact that Israel's wish to exist not as a neutral country, but as a country where the Jewish people defines itself by self-determination, is a recognized right under international law. It is the same

right accorded to Arabs under the Partition Resolution of November 29, 1947. Those who challenge this right for Jews demonstrate a great degree of hypocrisy. Those who wish to deny the right of the Jewish people to possess a single country in the world in which it constitutes a majority, controls its destiny, and maintains political independence are the very same people who call for the immediate realization of a Palestinian right to political self-determination. The Palestinian state is not supposed to be “a state of all its citizens,” but a tangible nation-state, which defines itself as Arabic-speaking, Muslim, and part of the sizable Arab nation. Thus, what is denied the Jews is demanded for Palestinian Arabs. Moreover, while supporting the right of the Palestinians to a Palestinian state where, apparently, there will not be a single Jew, some of these critics also maintain the right of the Palestinian minority in Israel to delegitimize the special connection between Israel and the Jewish people.

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To this situation, one must add the constant demand to realize the Palestinian “right” of return. It is obvious to anyone with an understanding of the situation in the region that the realization of this “right” is tantamount to the liquidation of the Jewish state, by making Jews a minority within Israel itself.

Against this background, the statement claiming that Israel agrees to the “two-state solution” (TSS) is misleading. It will not suffice to agree to two states, but rather will be necessary to agree upon the principle of *two states for two peoples*, and all the implications which this entails. A large portion of the international community is either unwilling to address or, if

it does acknowledge them, to allow Israel to promote the implications of this principle.

To this picture must be added the increase in the popularity of the claim that Zionism is a form of racism. This claim even received a seal of approval from the UN General Assembly for many long years. Yet the rescission of the UN position has not led to a reduction in the popularity of the claim in international forums. It is interesting to note that on November 29, the date on which the UN General Assembly passed with a majority of over two-thirds the resolution concerning the establishment of a Jewish state in part of the Land of Israel, the UN today marks solidarity with the Palestinian people! For Jews, this fact arouses questions and apprehension. For Israel's enemies, this must be a source of great joy and satisfaction.

How can it be explained that what seemed so compelling and clear in 1947 is now challenged so deeply? And what can be done about this? Clearly, it is necessary to restate a number of the fundamental facts that were self-explanatory in 1917, 1937 before the Peel Commission, at the UN General Assembly in 1947, and in 1948. It was these facts, together with the events of those years, including the Holocaust, that induced the world to agree to the idea of a Jewish state. These same facts also continue to explain why the solution to the issue of political organization of the area between the Mediterranean Sea and the Jordan River cannot take the form of a unitary Arab state, as the Arabs have always argued. Rather, Jews (and Arabs, respectively) should have a place in which Jews will constitute a majority, they will control immigration and security, and they will maintain a public culture that is both Jewish and Hebrew. It will be the only place in the world where they can feel at home, and not be a minority to be either accepted cheerfully or persecuted and menaced with an array of threats.

To begin to understand the degree of erosion to which this understanding has been subject, it is useful to recall a number of the reasons and justifications that supported the Jewish claim to statehood in the past, justifications which remain valid today. If this endeavor is successful, the Israeli public, in its entirety, could be asked to accept the legitimacy of Israel as a Jewish state, and it could be demanded that the international community stand by the obligation derived from the principles of the United Nations Charter, the declarations of human rights, and the conventions; it should stop lending a hand to an erosion of the legitimacy of the Jewish people's right to a state of its own.

The principle of self-determination is a principle that has long been recognized by the international community. It was not a principle invented by the Jews. In the wake of the First World War, a deeper understanding of the immense political danger posed by the differentiation between ethnic, national, and political communities began to emerge. The principle of self-determination postulated that one important ingredient of international stability was strong states with a deep-rooted (although not complete) convergence between the political community of all the citizens and the cultural, ethnic, and national majority community. This principle was applied to Europe, and subsequently it was also applied to the movements of post-colonialism and post-imperialism, ensuring the right of nations formerly under colonial rule to redefine themselves. The Jews' right to statehood depends on this claim to national self-determination. However, the denial of that right is based, among other things, on the claims of Palestinians that they – and not the Jews – should be given that same right in Palestine.

A major element of the Jews' claim is that Jews are a people (and not only a religion, as many opponents claim). Indeed, relations in Judaism between religion and peoplehood are complex and unique. Although Judaism is clearly a religion, the Jews have also always seen themselves, and were always seen by others, as a nation. As a result of the natural process of secularization, a reality emerged in which Jews who wished to remain Jewish could do so without religious observance, a relatively new phenomenon in the history of many religions, as well as in the history of the Jewish people. Thus membership in the Jewish people became distinct from membership in the group of Jews observing Jewish law. However, the internal debate among Jews concerning the long-term viability of non-observant Judaism persists.

The Jewish national movement, which mainly consisted of non-observant Jews, followed in the footsteps of national movements in Europe and elsewhere, seeking revival in the form of the possibility of a “total” or a “comprehensive” national existence, one in which it is not necessary to privatize any element of such national existence, or to force anyone into hiding. According to this vision, Jews should be able to live as Jews both in their homes and in their civic lives. This is an option that Jews did not have in Europe. Indeed, Jews in Europe suffered from two kinds of threats: (a) physical threats – the threat of exile, pogroms, and extermination, and (b) cultural threats – the threat of assimilation, partially under duress and partially as the result of emancipation, and the threat of denial, the threat telling the Jew that he could never

belong, that he would always be alien. The combination of these produced a reality in which the Zionist national movement, despite its limited power and popularity, grew strong. It was this movement that first claimed that if the Jews were to enjoy a “total existence” they must have a territory where they would constitute a majority; Jewish majority in a territory was seen as a necessary condition for a Jewish national renaissance. The Zionists soon realized that the only place that could serve as this Jewish homeland was the Jews’ historic homeland, *Eretz Yisrael*.

The Zionist project was a success because the Zionist national movement managed to create not only a continued longing for *Eretz Yisrael* and the international recognition of the Balfour Declaration and the Mandate, but a critical mass of Jews working the land and building cities and industries. At the beginning of the twentieth century the Jews did not have the right to national self-determination in any part of Palestine. This was not because they lacked historical rights, but because they lacked a critical mass of Jews living there. The Arabs in Palestine, as other nations freed from colonial rule, contended that the land was theirs and requested majority rights, a very serious argument. Indeed, had the Arabs managed to establish a state in Palestine or to control immigration, it is possible that the Jews would not have been able to establish a Jewish state in any part of the land. However, the Arabs did not succeed. Although the Turks and later the Mandatory government opposed and placed limitations on immigration, the Jews managed to create a critical mass in Palestine. From the mid-1930s, the problem of the international community was no longer whether to approve of the establishment of a Jewish state, but rather what to make of the fact that an active, Hebrew-speaking, creative, and modern Jewish collective existed in the Land of Israel.

All the committees examining this question (from the Peel Commission of 1937 to UNSCOP in 1947) stated that the Arabs were not prepared to accept a political Jewish existence in Palestine. Therefore it was impossible to preserve the rights of the Jews to self-determination and physical and cultural security without awarding them a state. This was the argument supporting a Jewish state in the mid-thirties and it was reinforced after the Second World War.

It could possibly be claimed that there was justification for a Jewish state when the decision was made, but that now, sixty years later, these reasons are no longer valid. This is either because the Jewish state has accomplished its goals and is now no longer necessary, or because it has not succeeded in achieving its goals. Thus some claim that Jews are now secure where they live and there

is no further need to protect them; alternatively, it is sometimes argued that the State of Israel is perhaps the least secure place for Jews today, that Israel dispossessed the Palestinians, and that the state is a focus of constant danger to world peace. It follows, according to these claims, that the continued existence of a Jewish state is unnecessary and possibly undesirable.

These claims should be rejected. The reasons for establishing a Jewish state sixty years ago are still valid today. The Jewish people have also managed to make first-rate use of their state. The State of Israel today is a strong, developed state with the strongest Jewish community in the world. True, the state still has to defend itself against its enemies, but it does provide Jews with the only place in the world where they are a majority, the public culture is theirs, and they can live a full national life.

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Nevertheless, the existential challenge, both physical and cultural, to the State of Israel has not disappeared. On the contrary, it has grown even greater. In the 1930s, the image of the Jews was one of a victim, a persecuted minority, a people that was helping itself and wanted to build a home of its own. It was easy to identify with this theme, an identification only reinforced by the Holocaust. In recent years a process has taken place, partially as a result of actions of Israel itself, and partially as the result of a concerted effort by Israel's enemies to demonize it, which has led to the depiction of the State of Israel (and of the Jews seeking self-determination within it) as something totally different. The Jews are no longer viewed as a people with no other place to which it can turn, but rather as a conquering, dispossessing, and militarized people, creating an apartheid state, deserving of the sacred war of liberation being fought against it. The resolution defining Zionism as racism may have been rescinded, but the argument, and especially the sentiments and powers that underpinned it, have not disappeared.

It is difficult to contend with these developments for a number of reasons. First, the dispute is also an internal one within the State of Israel and within the Jewish people. The most severe critics of the State of Israel and its national project are Jews and Israelis. Some are sincerely concerned about the ethical image of their country, but they are unfortunately unaware of, or perhaps ambivalent to, the manner in which their statements are exploited by Israel's enemies. We therefore must clearly distinguish between criticism of the *policies* of the State of Israel and criticism of the *existence and the legitimacy* of the state. The former is not only legitimate but obligatory and important. Criticism too should be fair, and should not reflect double standards. Israel should not be vehemently attacked for actions considered permissible when committed by other countries. But there is a great distance between such criticism and delegitimization. The latter does not negate a specific policy, but Israel's legitimate right to exist. It negates the right of the Jewish people to have a single country in which it forms the majority, where the language is Hebrew, the calendar is the Hebrew calendar, the weekly day of rest is the Sabbath and not any other day of the week. It negates the right of the ancient people, that provided the world with the eternal book of books, to live as all other nations – as a free people in its own country.