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A decade of dreams down the drain

By Tom Segev

As a small boy, Adel Kaadan sometimes traveled with his father from their home in Baka al-Garbiyeh to the Tel Aviv area, for gardening work. One of the gardens his father tended was that of Moshe Dayan. The boy was awestruck by Dayan's house and promised himself that one day he, too, would have one like it.

In the meantime, he had much to cope with. As an Arab, he found it difficult to be admitted to the nursing school at Sheba Medical Center, Tel Hashomer, which also serves the army. He had to prove his excellence. It was not easy for him to rent an apartment in Bat Yam. The neighbors didn't want an Arab. But he covered the walls of the house with Jerusalem stone and, as he excelled in mathematics, he helped the neighbors' children with their homework. Kaadan was a good cook, and everyone came over to his place to eat; he was also elected to the house committee. In the end, one of the neighbors wanted to make a match for him with her daughter.

But he returned to his village, married and fathered four daughters. He works as a nurse in the surgical department of Hillel Yaffeh Medical Center in Hadera; his wife, Iman, a teacher, gives private lessons. They are now marking the 10th anniversary of the big change that occurred in their lives, when they suddenly became celebrities. Indeed, there is probably no major newspaper anywhere that did not report their story: The Kaadans wanted to buy a house in a new communal settlement called Katzir, which is located about 10 kilometers from their village and situated on land that the Jewish Agency received from the state in order to establish the community. Katzir, a cooperative association, replied to the Kaadans that they would not be able to build their home in the community because they are Arabs and the community is intended exclusively for Jews. The couple petitioned the High Court of Justice through attorney Neta Ziv, from the Association for Civil Rights in Israel (ACRI), and thus confronted the state with the need to reexamine one of the cornerstones of Zionist existence.

The president of the Supreme Court, Justice Aharon Barak, asked the sides to reach a settlement that would spare him the need to decide. When they failed to do so, he said he was facing one of the most difficult decisions in his life. The judgment was interpreted as a victory for the petitioners:

Being a democratic Jewish state, as the Basic Law on Human Dignity and Freedom asserts, Israel must act in accordance with the principle of equality, Barak wrote.

In the ruling, Barak drew heavily on court decisions in the United States barring discrimination against blacks. Aware of the saliently post-Zionist implications of the judgment, he made a major effort to remain within the state's ideological consensus: After all he had said about the principle of equality, he demanded no more than that the state "reconsider" the request by Adel and Iman Kaadan.

The thick folders that have accumulated on the case over the years that have passed led attorney Ziv to say this week that politics has defeated the law. The method? Bureaucratic foot-dragging. Attorney Dan Yakir, from ACRI, who is currently waging this war of attrition, has been compelled to write more and more letters and also went back to the High Court.

This is a quite complex legal, political and also financial story. Its essence is that the authorities have continued to do almost everything to ensure that the Kaadans would not be able to build a home in Katzir. The method included the use of all kinds of tricks regarding the fine print in the contract. On one occasion, when Yakir asked that a discriminatory clause be removed from it, he was told that this was impossible because of the way the computer of the Israel Lands Administration was programmed. Finally the sides agreed to deleting the clause with a black marker, and this week may mark the final stage before the signing of the agreement.

Ten years after first petitioning the High Court of Justice, five years after the first ruling, the Kaadans are still living in their village, which in the meantime has been declared a city. The girls have grown up; two more have been born. Adel Kaadan did not launch his struggle in order to challenge the Zionist ideology or to reform the Israeli society. All he wanted was a standard of living commensurate with his expectations and his economic status.

He is among those Israeli Arabs who want to integrate into Israeli society; once he even voted for Benjamin Netanyahu. There are many like him, he said this week, but the majority of the Arabs do not know what they want. They are confused. The state discriminates against them. Most of his neighbors are indifferent to his struggle, he says. The reactions he gets come mostly from Jews and are overwhelmingly supportive and empathetic. He learned once again that an Arab has to try a lot harder in order to reach something that a Jew achieves with a smaller effort.

Neta Ziv, an incorrigible optimist who is now teaching in the faculty of law at Tel Aviv University, believes that over the years many Israelis have become receptive to the possibility of living together with Arabs. There are Arab minorities in the big cities Haifa, Tel Aviv, Jerusalem, Be'er Sheva as well as in Acre, Ramla and Lod. Life with Arabs has become part of the routine. According to Ziv, there is also a growing number of initiatives for Jewish-Arab cooperation, including joint schools.

But the demographic fear, the withdrawal from Gaza and the building of the separation wall do not justify Ziv's optimism. Racism has come out of the closet, the discussion of the expulsion of the Arabs within one "transfer" framework or another has received legitimacy. Arabs still suffer from discrimination and, among other problems, find it difficult to buy land.

The issue is still awaiting a decision of principle in a petition to the High Court that ACRI filed against the Jewish National Fund.

Adel Kaadan, too, thinks that the Jewish tendency to insularity and discrimination against Arabs has not diminished. He is now 50 and still has his mind set on building his home in Katzir; he has a few friends there. He says he will open his home to joint Jewish-Arab activity. Based on his experience as a member of the house committee back in Bat Yam, he even thinks that maybe it will not be many years before Katzir elects him its council head.

Nekuda and the state

Nekuda, a monthly put out by the settlers, is an interesting journal because it reflects the culture war that is being waged in Israel. The first issue since the disengagement embodies political and ideological stocktaking as well as much hate and calls of revenge toward the left and the government. The writers also debate their attitude toward the state; many of them want to disengage from it.

Rabbi Dan Be'eri calls on his colleagues to take over the country from within, instead of disengaging from it. "There is no need to be angry with the state," he writes, and suggests that the settlers infiltrate the country's elites. "Just as our public sent its sons to the army and to the officer corps and brought about a quantitative change in the army landscape, so we as a strategy internalized in the heart of each of us, young people and parents alike, have to prepare our finest youth to reach the true centers of power."

Here and there one finds self-criticism: "We continued to be part of the