THE CHAIM HERZOG CENTER
FOR MIDDLE EAST STUDIES & DIPLOMACY
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The Transformation in the Middle East and its Challenges

Prof. Yoram Meital
Chair, The Chaim Herzog Center

The civil uprising that erupted in the beginning of 2011 marks a turning point in the history of the modern Middle East. The slogan "The people want the fall of the regime" continues to reverberate throughout the Middle East, and in some of its centers the uprising is already generating a variety of changes in various areas. The establishment of post-authoritarian regimes is the most complex challenge that the revolutionaries are currently facing. This historical process poses also a complex challenge for scholars studying the Middle East.

Arab civil protest 2012

The dynamics of the protest that turned into an uprising have taken different forms since the vendor Mohamed Bouazizi set himself on fire, but have also important distinctive features. In Tunisia and Egypt the mass protests managed to overcome the repressive measures taken by the regimes of Zine al-Abidine Ben Ali and Hosni Mubarak. In Libya, Muammar Gaddafi's regime was defeated only after months of bloody armed conflict. Massive public pressure brought Ali Abdullah Saleh's presidency in Yemen to an end. In Syria the Assad regime employs particularly brutal measures to repress the civil uprising. The protest against the regime in Bahrain was suppressed, but its causes are still topical. Calls for significant change in leadership

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and policy are also heard in Sudan, Jordan and in the West Bank.

One of the distinctive features of the dramatic and profound change affecting these Arab societies is the crucial role played by "power of the masses". Wherever a significant uprising occurred, it was clearly not associated merely with a single sector or party. The absence of a single "address" during the critical phase of the difficult confrontation strengthened the camp of the uprising, allowing various social sectors to identify with its main goals and to join its ranks. The banner of the uprising was raised by the men and women of the younger generation. They were able to utilize the new media in various ways in their struggle. Online social networks, email, blogs, text messaging and mobile phone cameras were not only used to establish vital contacts and to recruit activists and supporters, but also functioned as a framework for creating solidarity in the Internet age. Satellite TV channels (in particular, al-Jazeera) provided a sympathetic platform for the civil uprising.

Yet, the oung people's protest would not have developed into a popular uprising, if it had not been joined by other social sectors, including many who are not connected to Facebook, do not read emails, and do not have mobile phones. Millions participating in the uprising expressed their dissent by "traditional" means: They marched on foot; shouted with hoarse throats: "The people want the fall of the regime"; thousands were killed; and huge sums of money are required to fix the damage caused to infrastructure and property. The brutal repression turned in a horrifying manner into a major factor that widened the resistance camp. In the eyes of the general public, the repressive measures employed by the security forces proved above all that the regime and its leaders lost their legitimacy.

Tahrir Square (Cairo), May 2011

The more brutal the repression became, the wider became the resistance camp, rallying support from all social strata. The "power of the masses" emerged in this context; they could rightly carry the banner of the uprising as "the people" and demand "the fall of the regime".

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Living for decades under authoritarian regimes turned most of the population in many Arab societies into a "silent majority". Various silencing mechanisms were put in place, from the imposition of the hegemonic narrative and the censorship of opinions and creativity, to the persecution, imprisonment and torture of dissidents. Expressions of dissent were apparent, especially in the works of writers, poets, playwrights, film makers and artists. The Egyptians' well-known sense of humor provided an everyday venue to criticize "the situation". Zakaria Tamer's short stories revealed the brutality of the Assad regime. Intellectuals in exile wrote endlessly about the tyranny of the regimes in Tunisia, Libya, Algeria and Morocco. "Prison literature" became a popular genre. The leaders of various regimes set ground rules that effectively thwarted the option of changing the government by legal means. Political, security and economic interests provided the authoritarian regimes throughout the Middle East with broad international support. The preservation of the status quo was top priority for these oppressive regimes and their partners in the international arena. The "stability" that they aimed to preserve collapsed like a house of cards in the civil uprising.

Two tools were dominant in the early days of the uprising: the truncheons of the internal security forces and the police; and the determination of the first wave of protesters, most of whom were youngsters, male and female (who proudly carried the title "shabab" [youth]). The more brutal the means of repression employed by the regime became, the more numerous became the citizens from among the "masses" who supported the demonstrators and gradually joined their ranks. Surmounting the "fear barrier" brought a dramatic change in the power relations in the public sphere. In the confrontation with the security forces, and at times the army, a feeling of solidarity emerged among the protesters that became the source of infinite energy to continue their struggle. The solidarity was formed without intermediaries and became one of the prominent features of this unique "moment". The fury was the external expression of the awareness that the just struggle has a chance this time. The "submissive" Arab citizen claimed his rights and was ready to fight for his voice to be heard. As the uprising gathered strength, the tables turned. Now there was an atmosphere of fear in the chambers of the traditional power centers, and in the public sphere there were spectacles characteristic of large-scale uprisings. The power of the Arab civil society was revealed in a totally unanticipated manner, and the entire world watched, be it in amazement and admiration, or in fear and panic.

The actions of the "masses" charged terms like "freedom", "change" and "social justice" with new, concrete meanings. Indeed, the euphoria and expectations for rapid change were soon replaced by fierce debates on crucial issues and serious concerns mainly for the social implications of the dramatic change. Alongside expressions of continuity, changes in the system of government and in policy are also clearly visible. A new political discourse is being created in everyday social practices and activities in urban public spaces and in the discussions in the media, be it new or traditional. Institutions of civil society began to operate in a range of fields. At the same time, the transitional phase is characterized by the collapse of the internal security systems (which were a pillar of the repressive regimes) and by severe economic problems. Crucial struggles between the new and old political forces are fought over positions of influence, the future character of the regime and its policies and of society. This extensive process of change has significant implications for the regional policies of the leading states in the international community.

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The dramatic changes in the Middle East pose a considerable challenge to scholars. The overthrow of the authoritarian regimes (mostly presidential republics) and the new role played by civil society have been addressed in countless conferences and academic publications. Researchers from various disciplines have examined the events and shared their insights. Different answers have been offered to the question how one should deal with the current transformation in the Middle East. The Chaim Herzog Center intends to give this issue priority in the next five years. In addition to symposia in which prominent researchers will present their work in their respective fields of expertise, we intend to hold a conference at the beginning of the academic year 2012-13, that will focus on how the Israeli government and society experience the historical changes in the Middle East, and the political, social and economic implications for Israel.

CONFERENCES & WORKSHOPS

In Search for Peace in Middle East Turmoil

The Chaim Herzog Center held its annual international conference on June 1-2, 2011. The conference focused on the Israeli reaction to the Arab peace initiative against the background of the wave of dramatic developments that already then were called 'the Arab Spring.' By June 2011 President Mubarak had already resigned, and the civil war in Libya had reached a climax, before Gaddafi was captured. The uprising in Syria was still in its initial stage; in Yemen an ever growing number of voices called for the resignation of President Saleh; and demonstrations of various sizes were seen in all Arab states from North Africa to the Gulf Emirates. Taking these events into consideration as well as the initiative launched by Israeli public figures, prior to the Arab Spring, in response to the Arab peace initiative of 2002, the Chaim Herzog Center perceived the need for a conference combining these two burning issues. The changes that begin to emerge

Juan Cole, Yoram Meital, Sufian Abu-Zaida

in the Middle East seem to have the potential to renew the political process and – in conjunction with the Israeli initiative – to provide a basis for creating further options for a solution. As in the previous conferences of the Chaim Herzog Center, senior researchers from Israel and from abroad, journalists, as well as Israeli and Palestinian public figures participated in the 2011 conference. Among them were Ziad Abu Zayyad, Sufian Abu-Zaida, Juan Cole from Michigan University, Ilai Alon from Tel Aviv University, David Kretchmer from the Hebrew University of Jerusalem, Tamar Hermann from the Open University, Walid Salem from al-Quds University; Kobi Huberman and Colette Avital, both members of the group that launched the Israeli initiative; senior journalists, including Avi Issacharoff, Ronen Bergman and Amnon Lord; as well as Brigadier General (Res.) Mike Herzog, son of Chaim Herzog, who is a research fellow at the Washington Institute for Near East Policy and a senior fellow at the Jewish People Policy Institute. Mike Herzog participated also in the annual award ceremony of the Center's scholarships to graduate students for their research that took place at the end of the conference.

The Israeli initiative was first published at the beginning of April 2011; following the Arab peace initiative of 2002, it aims at ending all claims and disputes in the region in order to achieve peace, prosperity and normalization between Israel and its Arab and Palestinian neighbors. The Israeli initiative sees the Arab initiative as a framework for negotiations over regional peace and seeks to specify the Israeli vision of a permanent settlement between Israel and the Palestinians. It offers an initial formula for solving the refugee problem and issue of Jerusalem, as well as for the borders of the Palestinian state and a basic outline for a regulation of Israel's borders with Syria and Lebanon. Formulated by Israelis from different walks of life, including ordinary citizens, public figures, politicians, former members of the military and security forces, the Israeli initiative seeks to put the Arab initiative back on the political and public agenda and to provide an Israeli response acceptable to wide sectors of the Israeli public.

Before the opening of the conference a message arrived from Ahmed Qurei (Abu Alaa), the former prime minister of the Palestinian Authority, who was unable to attend the conference due to last-minute changes in his schedule. Abu Alaa's message elaborates his political philosophy regarding a solution in light of the impasse in the Israeli-Palestinian negotiations and the changing regional context. For the full text of Abu Alaa's message, please see below.

It is also available on the website of the Chaim Herzog Center: http://humweb2.bgu.ac.il/herzog/he/events/conferences

Ronen Bergman, Yoram Meital, Walid Salem, Tamar Hermann, Juan Cole

Making a New Peace Process

Ahmed Qurie (Abu Ala)

A member of PLO executive committee heading the Jerusalem Affairs Department

A written statement for the conference

In Search for Peace in Middle East Turmoil

Ladies and gentlemen

Allow me first to thank Chaim Hertzog Center for Middle East Studies and Diplomacy of Ben-Gurion University of the Negev, which I was honored by taking part in its inauguration in 1996, for their invitation and giving me the opportunity to address this distinguished students, thinkers, and scholars, about the current events and developments that tackle the present and future of the two nations who share living on this sanctified part of the world.

I have had similar opportunities where I addressed Israeli intellectuals and media people. I had the chance to debate issues with officials and leaders of the Israeli governments and the opposition. I was also involved in countless negotiations with many successive Israeli governments.

The debates and negotiations had limited outcomes and humble results; however, I have never had any doubts that dialogue is the best way to escape the trap we had fallen into; hence, I have always responded positively to Israeli invitations.

Let me be honest with you. The marathon of speeches of last week at Washington DC show that we are now closer than ever to the dead end, that we are one step away from this dead end, and that we are minutes away from a violent collision with a wall of chaos, which the frustration and despair of the Israeli policies have built.

We have come together to this dead end, to square one, as if the endless negotiations and huge legacy of working papers, accords, initiatives, and understandings had gone with the wind. Mr. Benjamin Netanyahu's bragging and nihilist speech before the U.S. Congress has given this impression. Mr. Netanyahu's series of coordinated speeches starting from his speech at Bar-Ilan University, the Knesset, the White House, the Congress, and before AIPAC in Washington, has been sufficient to arrive to this painful diagnosis of the status quo.

It is fortunate that this important ideological meeting has shown interest in the changing political scenes of the region and has assigned time for exploring them. There are unprecedented uprisings in Arab countries. The outcomes of these uprisings will bring about a new more democratic Middle East, which will be more effective and perhaps more responsive to old challenges. The new Middle East will have new spirit and new will to deal with the old challenges, including those of peace and of war.

The Arab young at heart democratic uprisings have and will change the face of the Middle East. They have changed the lists of priorities of the nations of the Middle East. Such nations are no longer marginalized and beleaguered. The difficult labor and birth of the freedom and democracy uprisings have disturbed the stagnant situation and gave a new lease of life to the Palestinian cause, which is the mutual cause of all Arab nations.

Time has changed: the old ways of dealing with issues that used to be valid before the Arab uprisings are no longer valid. The people have taken control of their destinies. They are the key players of a new play, which they have written and showed through it how much they longed for freedom, independence, democracy, and dignity.

It may be too early to address the issue of new balance of power relations in the Middle East. It could also be too early to arrive to conclusion concerning the labor and birth of the internally interactive events; however, we can rest assured that there is a new Arab era made by young powers. This era is a mixture of democratic and liberal developments on the one hand and patriotic and Islamic on the other. There is no going back now for the uprisings, which have worked with modern means of telecommunications that did not exist before to topple the very structure of the ruling regimes, their laws, their constitutions, their social and cultural rhetoric, and their age-old political system.

Since these developments have come from the heart of the Arab communities and reflect the legitimate yearnings of these communities for democracy, including participation, accountability, and peaceful transition of power, the external impact on these historic developments has been too little or nil. The external impact includes that of the western countries mainly the United States of America. Israel was flabbergasted and was unable to influence the uprisings especially

the uprising in Egypt. Israel is also deeply confused about the outcome of the uprising in Syria.

Today we face transitional situation on the Arab and Palestinian levels. It is a promising situation with positive outcomes that are becoming more and more realistic. This includes the fact that Arab people are more concerned and more involved in the Palestinian issue, which was pushed back temporarily before. This was made obvious by the marches made on the Nakba Day in south Lebanon, in the Golan Heights, and in Al Areesh as well as the reopening of Rafah border crossing. Some of the events' positive outcome have also affected the Palestinian scene where a reconciliation paper was signed ending the Palestinian division.

It would be useful if we reassess the positive impact on the Arab and Palestinian levels, including the Palestinian reconciliation, in a more comprehensive framework that goes beyond what one can see on the surface. The reconciliation, which constituted an obstacle to any progress, can be seen as an objective moving force of progress of any serious diplomatic move towards the achievement of peace. The division led to weak structure and caused severe damage and would have undermined the achievement of peace and would have stood in the way of any progress in the long road to peace.

Hence, this reconciliation, which Israel had gone berserk about, boosts the Palestinians' confidence as they knock with bare hands on the Israeli tightly locked door of peace and makes them readier and more responsive to the requirements of a just peace.

* * *

This takes us to the purpose of the above argument; it is necessary to move fast towards benefiting from this moment in history. This moment must be exploited by all stakeholders to look back on past agreements, end disputes, move closer, end tit-for-tat policies, end exaggerated obsessions, and end pretending. We may then get back on peace tracks and realize mutual peace, mutual security, good neighbors' relations, and mutual respect.

I am not saying that we need to retell opposing events of history, exchange accusations, sell outdated political products, or retry what has been tested over and over again and failed. We need to learn from the past. We need to objectively review past experiences in order to arrive to a sound ideological approach that shows us that the tangible facts on the ground say that the two-decade long bilateral negotiations approach has expired and is definitely futile.

Arriving to this conclusion is not a baseless theory. Let me pinpoint a number of facts that cannot be disputed at all:

First: The time the peace process has consumed is a foolproof evidence of the futility of the negotiations approach and the restricted efficiency of the mechanisms of this approach. There has been no respect for deadlines, including the deadline for the interim period. None on the deadlines has revived this failing approach.

Second: The Declaration of Principles contains commitments followed by agreements, texts, and understandings. These were not voluntary adhered to by the powerful party that holds the trump card. They were not even respected as a result of international arbitration.

Third: Almost all eight Israeli successive governments – right from the start of the peace process in Madrid in 1991 – opted for going back to square one of the peace process. They would reopen old files and come up with new ideas and proposals that fitted their vision. Such ideas and proposals had never reached the level of threats, challenges, and historic opportunities made available by the Oslo Accords of 1993. Moreover, the new ideas and proposal would eventually disappear.

Fourth: The international "protectors" of the peace process headed by the United States of America, have failed to establish the necessary regional and international links, including the Quartet. They have also failed to set forth practical solutions to the key issues, including the two-state solution and the Roadmap. This has taken us over and over again to severe predicaments.

Fifth: The negotiations approach, which has been a mixture of joint suspicions right from the start, has lack of trust and has been eroding gradually and continuously. It eroded every time a violation was committed in occupied Jerusalem, every time new settlements' expansion occurred, every time Israel said no, and every time commitments were avoided and attempts to impose were made.

Therefore, and in light of the developing events in the surrounding Arab world that may have direct impact on the Palestinian and Israeli situation, I call for a new approach; making a new credible and real peace process based on lessons learnt from the long years of negotiations and be inspired by the joint aspirations, interests, and fears. The new approach invites new regional and international players. It uses international references and previous bilateral agreements and benefit from the accumulative legacy of negotiations that is stored in collective drawers and memories.

It pleases me to reiterate an initiative that I had recently proposed to a number of regional and international parties and discussed with many political and government officials as well as thinkers. The initiative is based on a more solid negotiations foundation, discussed more openly, and within a framework that ensures more necessary dynamism and more trust.

My initiative contains mechanism, term of reference, suitable international "protector", and a timetable of new serious negotiations leading to enduring just peace; a viable peace.

The outlines of the initiative:

Hold an international conference similar to the one held in Madrid and Annapolis. The conference will launch the peace process anew in accordance with specific references based on the Arab Peace Initiative. The peace process has a specific timeframe. The conference shall be held twice; first to launch a peace process between the Palestinians, the Syrians, and the Lebanese and the Israelis. And the second time to be held once an agreement is reached and outcomes are announced.

The conference will have an offshoot permanent international conference or regional and international steering committee that meets bimonthly or whenever necessary to assess the negotiations between the parties. The offshoot permanent international conference comprises the following parties:

Relevant parties: Palestine, Syria, Lebanon, and Israel

Regional parties: Egypt, Saudi Arabia, Jordan, United Arab Emirates, Qatar, Turkey, and Iran (if Iran consents to this)

The Quartet: The United Nations, the United States of America, Russia, and the European Union

International Gavel-Holders of the multilateral negotiations working groups: Canada (for the refugees), Europe (for the regional economic development), Japan (for the environment), Russia and the United States of America for (for arms control and regional security), and China.

Three tracks of bilateral negotiations will be launched for a comprehensive peace:

Palestinian – Israeli track

Syrian – Israeli track

Lebanese – Israeli track

If the negotiations succeed and agreements were reached, the expanded second international conference would be held to endorse the agreements and host the official signing ceremony.

This initiative is expected to overcome the stalemate of the current situation of joint conditions and preconditions. It is also expected to be consistent with the proposal made by the American President Barak Obama with respect to the 1967 borders as basis for the borders of the two states. The initiative does not require any of the parties to relinquish their demands beforehand.

I am sure that there is only a tiny minority of Israeli people who still think that Israel could live forever protected by arms. However, this tiny minority, as one can see, is the one that is calling the shots especially with the latest developments in Arab occupied Jerusalem. On the other hand, the majority of Israelis, who believe in the peace alternative, seem to have given up and left this minority of fanatics in control.

Once again, the escalation of settlements activities in the Palestinian territories and specifically in Jerusalem and the political stalemate are pulling the Israelis and the Palestinians into the abyss, into a hellish circle, and to no real partnership with any Palestinians today or tomorrow.

We want just and enduring peace where rights are given back to their rightful owners and a new era of tolerance and cooperation in the region and an end to hatred and aggression.

Celebration of Naguib Mahfouz's Centennial Birthday

In 2011 was the centenary of the birth of the Egyptian writer Naguib Mahfouz. To mark the occasion the Chaim Herzog Center held a three-day conference, in cooperation with the Literature Department at BGU. The conference was made possible by the unique and unusual cooperation with three other academic institutions: the Arabic Language Academy, headed by Prof. Mahmud Ghanayim; Haifa University; and Tel Aviv University. During the three days, the conference was held every day at another university. It was a huge success. Among the participants were writers, including Sami Michael and the Iraqi writer in exile Najem Wali; senior scholars of literature and Arabic literature,

Naguib Mahfouz's Conference

led by Sasson Somekh, Menahem Milson, Mahmud Ghanayim, Nabih al-Qasim, Irit Getreuer, Mahmoud Kayyal, Alon Fragman and Yigal Schwartz, as well as young scholars, including Clara Srouji-Shajrawi, Kawthar Jabir and Mas'ud Hamdan. Among the participants were also translators and researchers focusing on translation, such as Rafi Weichert and Ran HaCohen, who dealt with the basic issues of the meaning and interpretation of culture arising in the context of the translation of literary works. Among the actively participating audience were Reuven Snir, Ibrahim Taha, Aharon Geva-Kleinberger, Eyal Zisser, Yishai Peled, Jeries Khoury, Yossi Yonah, Tamar Alexander, Daniella Talmon-Heller and Nissim Calderon.

The rationale informing the program was quite innovative. The goal was to place Naguib Mahfouz and his work not only within the Egyptian and Arab cultural-literary field, but also within a wider spectrum, given that his works dealing with Egyptian history, culture, society and politics address also universal issues. The individual facing the government, the bureaucracy and the justice system; corruption in the state apparatus and the individual's righteousness; social and political criticism; issues of tradition and modernity; identity and the place of the past in the experience of the collective – all these are only some of the issues addressed by Mahfouz in his writings that are relevant to any person living in a modern state and society. A special panel was dedicated to translation. Though not dealing with Mahfouz or Arabic literature, the participating translation experts aimed in their presentations at providing general basic insights allowing to deduce, for example, the implications for the translation to Hebrew of Mahfouz' works. Similarly, another panel focused on the writer's place in society which developed into a discussion on the basic issues regarding the use of literary texts for historical research and for recovering the experience of a given society. A discussion of such perspectives with regard to Mahfouz and his writings allows placing him within the wider context of the literary field and of world literature and thus freeing him and the research on him from an exclusive Arab-Egyptian contextualization – an Orientalist tendency prevalent in research for a long time. The conference aimed at strengthening the innovative universalistic trend.

On the first day, the conference was held at Haifa University. The proceedings were well attended by an audience, mainly from Haifa and the surrounding area. Following greetings by Reuven Snir, Dean of the Faculty of Humanities at Haifa University, and by Ibrahim Taha, Head of the Department of Arabic Language and Literature, Menahem Milson and Mahmud Ghanayim, two senior scholars on Mahfouz in Israel, presented an overview of his literary work. Sami Michael, the notable translator of Mahfouz' works to Hebrew, gave a talk on Mahfouz as secular writer. Graduate students were the prominent participants from the audience in the discussion, that focused entirely on an analysis of the artistic nature of such motifs as Pharaonism or 'dream' and of the dialogues in Mahfouz' writings.

On the second day, the conference was held at Tel Aviv University and opened with greetings by Eyal Zisser, Dean of the Faculty of Humanities, and by Yishai Peled, Head of the Department for Arabic and Islamic Studies. Then Sasson Somekh, a leading scholar specializing in Mahfouz' work, who was awarded the Israel Prize for Middle East Studies in 2005, gave a talk on the city of Cairo in Mahfouz' writings. Nabih al-Qasim and Irit Getreuer focused on the novel as genre in Mahfouz' works; al-Qasim dealt with his historical novels, while Getreuer discussed various models of that genre in his writings. In a panel on translation, Mahmoud Kayyal considered Mahfouz' reception in the Hebrew culture, not least due to the fact that so many of his works were translated to Hebrew. Ran HaCohen and Rafi Weichert, who both translate, publish and research

Najem Wali

literature, dealt with translation as facilitating encounters and contact between cultures, even if they are linguistically or geographically distant from each other, or if they represent minor cultures; as well as with the factors influencing the degree of "presencing" of one culture in another and the problems arising when editing translations from unfamiliar languages. Although most of its deliberations did not directly relate to Mahfouz, the panel received most enthusiastic responses from the audience.

The last day of the conference was held in Beer Sheva and opened with greetings by David Newman, Dean of the Faculty of Humanities and Social Science, by Tamar Alexander, Head of the Literature Department, and by Daniella Talmon-Heller, Head of the Department of Middle East Studies. The opening lecture was give by the Iraqi writer in exile Najem Wali. He has been living in Germany for many years, since he left Iraq after refusing military service during the Iraq-Iran war under the regime of Saddam Hussein. He teaches literature in Germany and was – from exile – involved in organizing the first elections in Iraq in 2005. In his opening lecture, Wali stressed Mahfouz' commitment to democracy and the ways it finds expression in his writings, in particular, in his tendency and ability to present a multitude of voices reflecting diverse social strata, and to express – through his characters – his own inner dilemmas and conflicts. Especially in a society that lacks a democratic political tradition and a civil society, where a single voice takes force, namely that of the dictator, the writer has the task to give voice to those who are silenced. Wali declared that Mahfouz was his model in this respect.

In the next panel two case studies were presented that reflect writers' ties to the society and the historical context in which they operated and wrote, that are also represented in their works. Yigal Schwartz, Head of Heksherim: The Research Center for Jewish and Israeli Culture at BGU, spoke in his lecture about the conflicting identities and narratives that the establishment of State of Israel in 1948 created among writers of the generation of Independence War and the generation that followed. Although the establishment of the state was a formative event, it also caused crises, as exposed by the dialectic between the political and the cultural situation, between the local and the national, as well as by the ensuing lack of synchronization in their writings.

Alon Fragman, Head of the Arabic Language and Literature Department at Beit Berl College, talked about the Syrian writer Zakaria Tamer and the way he consciously uses literature to express opposition in covert and overt ways to Hafez al-Assad's regime in Syria. His talk also addressed the writer's experience of alienation stemming from life in exile. Tamer left Syria out of his own volition, due the existing political and social conditions, and mainly due to the false illusion, created by the Syrian dictatorship, of living a seemingly normal life in the country, while actually death, violence and silencing are part of a daily routine to which everyone is exposed.

Based on the lectures by Schwartz and Fragman, Esmail Nashef conducted a lively debate in which the audience, BGU students and faculty, participated. Nashef aimed at challenging the tendency to switch from the literary sphere to reality and back, which is to his mind too simplistic and obvious. In particular, he questioned the assumption that literature has to be understood through the historical context, and not in and by itself, or through an internal organizing order that cannot be reduced to the political reality. This gave rise to a discussion on the ways historians can use literary texts and on the extent to which reality is reflected in literary texts.

The conference concluded with a fascinating conversation led by Nissim Calderon with Sasson Somekh about his personal acquaintance and meetings with Naguib Mahfouz over the years. Somekh peppered the conversation with a wealth of examples and insights regarding Mahfouz' personality and his views, that only someone so deeply and thoroughly acquainted with his writings could express. Somekh talked also about his early years as a scholar of literature and as a writer, and about his experience as an Iraqi Jew in Israel during his early years in the country.

A recording of the conference sessions held in Beer Sheva is available on the website of the Chaim Herzog Center:
http://humweb2.bgu.ac.il/herzog/he

Islam in Israel: A Reappraisal

Islam is the religion of the majority of the Arab citizens in Israel. According to the latest reports of the Israeli Central Bureau of Statistics, there are 1.2 million Muslim Israeli citizens, about 80 percent of the Arab population. Over the past four decades, Islam has become an important factor in the political and socio-cultural identity of the Arab minority in Israel; the number of Muslims in Israel who define their identity, first and foremost, in relation to their religious affiliation has steadily grown.

In light of these facts, a conference on Islam in Israel was held at BGU on May 25-26, 2012, under the auspices of the Chaim Herzog Center and the Nehemia Levtzion Center for Islamic Studies, the Hebrew University of Jerusalem. The conference provided a forum for renowned experts as well as young scholars from various disciplines who discussed a wide array of topics including the evolving religious and legal theology, religious authority, popular Islam, Islam and gender, as well as Islamic political movements.

The discussion focused on several research questions: What is the theological and legal nature of Islam in Israel? What is the primary religious authority for Muslims in Israel? To what extent has Islam shaped the identity of the Arab minority in the State of Israel? How does this affect the socio-cultural aspects of Muslim life in Israel? The conference also provided a comparative perspective from the Jewish Haredi community in Israel, and from Muslim immigrant communities in Europe.

Some of the presentations were based on fieldwork and personal interviews, and explored relatively marginalized voices also involved in religious discourses and activities, such as women and Bedouin notables – thus providing a social dimension and a "bottom up" perspective on the topic under discussion. Other presentations focused on discerning the nuances in the dynamic interrelations between various religious actors: ulama, Sufis, and Islamists. The contributions were able to show that these interrelations are marked by dissonance, but also by rapprochement and even shared agendas.

By approaching a wide range of aspects and themes from the perspectives of various disciplines and combining the discussion with comparative insights, the conference made a distinctive contribution to a better understanding of the Islamic phenomenon in Israel. The conference proceedings are scheduled for publication.

The Authority of Legal Texts — Jewish and Islamic Perspectives

Jewish and Islamic legal cultures share a common feature – both are based on legal texts that have been authored and interpreted by jurists. The authority of such texts rose and declined over the centuries. When they were at their peak, these texts were considered by jurists as expressing the definitive legal doctrine of their day. In a workshop on "The Authority of Legal Texts – Jewish and Islamic Perspectives," held on May 31 and June 1, 2011, that was convened by Dr. Ted Fram, Dr. Eric Chaumont and Dr. Nimrod Hurvitz, with the support of the Chaim Herzog Center, CNRS and CRFJ, the participating scholars explored how the textual authority of specific texts was constructed, sustained, challenged and lost. The deliberations also dealt with views of Jewish and Muslim scholars who were critical of the literary tradition and rejected the authority of legal texts in principal. Lastly, the scholars asked what happened to the status of these texts and legal traditions when they ran into state generated statutory law.

The workshop included papers that examined the authority of texts by looking at social factors, such as the authors' reputation among the scholars of their day, or the commitment of their disciples to disseminate and advocate the text's doctrine. Another set of papers examined cases in which scholars disparaged or promoted texts, particularly in the context of competition between several respected texts. Other papers examined Jewish and Muslim criticism of the textual tradition as a whole. The last panel examined the impact of modern states, in particular the challenge posed by statutory legislation to the authority of the textual tradition.

The comparative perspective aims at enabling scholars of both

legal cultures to discern which of the factors influencing the authority of Jewish and Islamic texts are culturally specific and which are common to both legal cultures. Moreover, the exposure of scholars specializing in Jewish and Islamic legal cultures to each others' scholarly tradition may improve their analytic tools and lead to a fruitful cross-fertilization of ideas.

It is also available on the website of the Chaim Herzog Center: http://humweb2.bgu.ac.il/herzog/he/events/conferences

EVENTS

A Public Panel: The Arab Spring

In December 2010, after Mohamed Bouazizi set himself on fire in protest of the economic situation in Tunisia, a wave of protests swept through the Middle East that today can already be defined as an earthquake, as a real revolution, that was initially called "the Arab Spring". In January 2011, the wave of protests reached Egypt, and in early February President Mubarak was ousted. A few months later the regimes of Muammar al-Gaddafi in Libya and of Ali Abdullah Saleh in Yemen were toppled. That drama that continues to unfold in these days with great violence in Syria, and in constitutional ways in Egypt, was still in its beginnings when the Chaim Herzog Center organized two panels in February and May 2011 in order to try and understand at least some of the implications. At that time, nobody could foresee the fate of Gaddafi or of the regime in Yemen, the intensity of the violence in Syria, or the outcome of the uprising in Bahrain. At this early stage of the civil uprising nobody anticipated that a candidate of the Muslim Brotherhood will be elected as president in Egypt or that social protests will sweep Israel in a scale unseen since the time of the "Black Panthers".

The panels were open to students and university staff who filled the Senate Hall well beyond capacity. Senior scholars from the Department of Middle East Studies at BGU participated in the two panels, including Yoram Meital, Chairman of the Chaim Herzog Center, and Yossi Amitai, both addressing mainly the developments in Egypt; Muhammad al-Atawneh, who focused on the Gulf states and especially on Saudi Arabia; and guests like Judith Ronen from Tel Aviv University, who presented the developments in Libya; David Ricci from the Hebrew University, who discussed the role of the media in the decision-making process determining the US position; and the journalist Avi Issacharoff, who address the implications of the events with regard to the Palestinians and the Israeli-Palestinian conflict. The two panels were held in the midst of the unfolding events, and despite the speakers' attempts to understand them properly, it was clear to everybody that the Middle East is opening a new dramatic chapter in the history of the societies and nations in the regions – a chapter that will attract the attention of researchers and of the general public for many years to come. The huge audience attracted by the panels testifies not only to the great interest that the Israeli public takes in the Arab Spring, but also to an intuitive understanding of the events' intensity.

The Arab Spring Panel

'Middle East Transformation': A Panel at BGU Board of Governors

The annual BGU Board of Governors Meeting is held in May. In the framework of this year's 42nd Board of Governors Meeting, the Chaim Herzog Center organized a special panel on the Arab Spring, with the participation of such renowned experts as Prof. Emeritus Emmanuel Sivan, Prof. Yoram Meital and Prof. Haggai Ram, three scholars of Middle East Studies, and Dr. Ronen Bergman, a senior journalist at Yedioth Ahronoth newspaper. The panel was held at the Joya Claire Sonnenfeld Auditorium that was filled to capacity by participants of the Board of Governors Meeting and invited BGU faculty and students. Dr. Iris Agmon from the Department of Middle East Studies gracefully chaired the panel. The speakers briefly presented their assessments of the events of the Arab Spring in order to allow for time to answer questions from the audience. Prof. Emmanuel Sivan, the first speaker, defined the events of the Arab Spring as a structural change transforming the entire system of power relations in the Arab states, the outcome of which is still unclear. In intensity he even compared the events to the French Revolution. In his talk, Prof. Sivan emphasized the concepts of citizenship and authority that, in his opinion, are at the center of the discourse and the developments taking place in Arab countries, especially Egypt. These concepts give expression to the currently occurring change as a change "from below" attesting to the existence of public opinion as the central force that also raises high expectations.

Prof. Yoram Meital agreed with the assessment regarding the centrality of the concepts of authority and citizenship that, in his view, indicates the emergence of a new political game in Egypt with three main players. One is the parliament that will in all probability have much more authority under the expected new constitution. Despite their heterogeneity, the masses are another central factor that will not only be decisive during the elections but also in the political game in future. The third very important factor in the political game is the army that will play an influential central role also after the presidential elections, behind the scenes though. Egypt is currently in the stage of revising its constitution; these deliberations center on the character of the state and the authority of its institutions, including the presidency. This is a process of debate in which the three factors mentioned participate. Prof. Meital said that although it is impossible to predict who will win the presidential elections, it is clear that Egypt will be entirely different from what we have known until now. After the elections the institution of the president will become the fourth power center affecting the formation of the second Egyptian republic. During this formative phase Egypt will primarily be preoccupied with internal matters, but its positions regarding regional issues and the Israeli-Palestinian conflict will be totally different from what they used to be in the past.

Prof. Haggai Ram spoke about Iran and especially about the similarities and differences between the events of the Arab Spring and the Green Movement in Iran. The conditions that gave rise to these two types of protest movements were identical: both stem from a crisis of the nation state, in particular a lack of democracy and the fact that a tiny elite controls the wealth at the expense of the people. Prof. Ram even argued that the protests against the election results in Iran in 2009 that occurred long before

Panel at the Board of Governors Meeting (May 2012)

the events in Tunis were inspiration and theme for what is happening now in the Middle East. Prof. Ram also sustained his claim from a historical perspective showing how throughout the twentieth century Iran served as exemplary model for anti-colonial struggles in the Middle East: the constitutional revolution in 1905, the nationalization of the oil industry during the Mosaddegh era which had a profound impact on the nationalization of the Suez Canal in 1956; and as mentioned, the events of 2009. It is also often forgotten that until the take-over by the Islamists, the 1979 revolution was primarily inspired by democratic and anti-colonial messages. Against this background Prof. Ram argues that Iran is part of the Arab Spring and that the Iranian issue that is today on the international agenda is an integral part of the current developments in the region. He concluded his talk saying that people are able to liberate themselves, but this can only be achieved if sanctions and bombs do not threaten their very existence.

Ronen Bergman, the last speaker, dealt with the Israeli perspective. He opened his talk arguing that one of the factors that sparked the events in Tunis was WikiLeaks' publication of documents concerning US-Tunisian relations according to which the US would not support the president and his family in case of a revolution. Another factor was, of course, Facebook which enabled integrating different forces. Bergman considered the assessments of most senior Israeli intelligence officials, primarily the Mossad, that on the eve of the Arab Spring had noted the stability of Mubarak's regime and stated emphatically that his son Gamal will succeed him. The events of the Arab Spring illustrates Israel's "siege mentality"; it sees these events as proof that there is no point in pursuing the political process, given that political instability in the region may call agreements into question. Bergman regretted that contrary to Europe, Israel does not perceive the events of the Arab Spring as an opportunity and a chance to reach an agreement, and that the negotiations held with Egypt concerning the release of Gilad Shalit were not used for advancing the political process with the Palestinians and strengthening relations with Egypt.

After the short presentations the discussion was opened to questions from the audience. The great number of questions was indicative of the great interest that the audience takes in the dramatic events in the Middle East.

The Ambassadors Forum

Talks by H.R. Andreas Michaelis & H.R. Dan Shapiro, Germany and US Ambassadors to Israel

In the framework of the 'Ambassadors Forum', the Chaim Herzog Center in cooperation with the Center for the Study of European Politics and Society hosts foreign ambassadors resident in Israel. This year's guests at the Forum were the German Ambassador Andreas Michaelis in January; and the US Ambassador Dan Shapiro in March. Both events met with great interest from among the students and faculty, which is partly due to the fact that the Forum has become well established by now, but mainly due to the dramatic events and developments in the region

H.R. Andreas Michaelis, David Newman, Sharon Pardo

in the last year: the civil uprisings by various Arab societies and the international tensions over Iran's nuclear program. Both issues were at the center of the talks given by the two ambassadors. Yet, each event had also unique features stemming from the specific relations between Israel and each of the two states: Germany playing a central role in the European Union; and the USA, being Israel's strongest ally.

In the course of his impressive diplomatic career, the German Ambassador Michaelis got very well acquainted with the region's economic and strategic problems and with Israel. He presented himself as a fluent speaker, with a sense of mission in his diplomatic role, yet at the same time with a deep sense of commitment and responsibility toward Israel. His talk had a personal note; and the meeting with him was quite informal. Before addressing the German position on the burning regional issues, he opened his talk by stressing time and again the special relations between Israel and Germany in light of the burdens of the past, before and after German unification. Ambassador Michaelis emphasized the difference between the Israeli-German relations in the 1950s, a period dominated by the reparation agreements, and the warm and open relations that exist today. In his view, it was the fact that Germany, both on the collective and on the individual levels, deeply engaged in a process of dealing with its past, that made the normalization in Israeli-German relations possible, and the open atmosphere between them. As Israeli identity is undeniably shaped by the trauma of the Holocaust, so play issues of crime and guilt a central role in the construction of identity in postwar Germany, which has a significant impact on the empathy that Germany has for Israel and its commitment to ensure Israel's existence and security. That commitment is translated into a ramifying network of close cooperation and a range of partnerships in economic, technological and cultural projects, and even cooperation in intelligence and security matters.

Rivka Carmi, Dan Shapiro, David Newman

Official Israeli representatives who explain the Israeli position in Germany are under the impression that the average German citizen fails to agree with Israel's policy in the conflict with the Palestinians and cannot to understand it, especially given Israel's advantaged position in economic, military, and political terms over the Palestinians. The challenge that Germans face in this context is the need to integrate the discursive fields, the political discourse with the historical and emotional ones, for only such integration will allow Germans to understand better Israel's position in the conflict. Ambassador Michaelis pointed out, however, that Israel should adopt a policy that will enable a solution.

In his comments on the situation in the region, Ambassador Michaelis emphasized that the changes currently taking place in the Middle East are to be seen as a revolution. The developments in the region might be quite dangerous, but for that very reason Israel has to try now more than ever to resolve the conflict, in order to stabilize its position in the region, even if that means taking risks. With regard to Iran, Ambassador Michaelis said that Iran seeks regional hegemony. Though Iran is dangerous, one has to differentiate between the Iranian issue and the events of the Arab Spring. In this context Israel has an important role to play in the emerging tendency in Europe and the USA to improve the relations with Sunni regimes in the region. The central question is how Israel will deal politically and strategically with the situation in the region; but it has currently no clear policy.

In the question-and-answer session, Michaelis focused his comments on the German and EU policy toward the Palestinian territories and stressed that there is no contradiction between the close German-Israeli relations and the European Union's concerted effort to assist an improvement in the infrastructure and the living conditions of Palestinians in the PA administered territories. He also expressed reservations about the steps taken by the Palestinians at the United Nations in order to be admitted as a member state,

and voiced his concern that these steps might aggravate the conflict. Ambassador Michaelis emphasized that in the conflict Germany is walking between the rain drops and taking ad hoc decisions within the framework of its general positions regarding the two-state solution. With regard to Iran, Ambassador Michaelis stressed that the window of opportunity is closing, and if an embargo is imposed on Iran, Germany will support it.

Some two months after Ambassador Michaelis' visit, the US Ambassador to Israel, Dan Shapiro, visited the Forum within the framework of the 'America Day' held on campus, which added a festive atmosphere. Music and dance performances were presenting contemporary American culture. The festivity was overshadowed by the fact that the city Beer Sheva was hit by a Grad rocket on the previous evening which cast doubt on whether the event could actually take place. The meeting with Ambassador Shapiro was held at the Senate hall, which was filled with dozens of students and faculty. He opened his talk in Hebrew sketching his impressions from his short campus tour on this colorful 'America Day.' Ambassador Shapiro spoke at some length about how he was feeling and sympathizing with Israelis facing the atmosphere and difficulties that the rocket threat creates for their daily life, especially as father of small children. His talk naturally centered on the situation and on the fact that rocket attacks on Israel are not acceptable to the United States. Its support for the Iron Dome air-defense system is one expression of the United States' firm commitment to Israel's security, and so is also its financial assistance in the acquisition of advanced American technology, such as the F-35 fighter jet. The unique close cooperation, in all areas and on all levels, between the two countries and their alliance are unshakable. The benefits that the US derives from these relations are by no means smaller than Israel's benefits; as, for example, illustrated in the successful use made by the US in Iraq and Afghanistan of devises developed by the Israeli Hi-tech industry, that actually saved human lives. In addition to their close cooperation, the two countries have also common rivals and enemies. Currently, this is Iran and its capability to attain nuclear weapons. The US and Israel have a common understanding of the nature of that threat, and they work together in the field of intelligence and cooperate in strategic matters such as the imposition of economic sanctions against Iran, given that nuclear weapons in Iran pose a strategic threat also to the United States. Therefore, President Obama is determined to prevent Iran from realizing its nuclear potential, believing in the effectiveness of economic sanctions including the fields of energy, finances and transportation, alongside diplomatic efforts. Ambassador Shapiro expressed his belief that a combination of sanctions and international political pressure will bring Iran to consider a diplomatic solution, especially in light of the fact that Iran is increasingly isolated; but he stressed that the window of opportunity is closing.

The events of the Arab Spring are another common challenge for Israel and the United States. The US sees them as an opportunity to strengthen and encourage the moderate forces in Arab societies, to honor treaties, like the Israeli-Egyptian peace treaty, to promote democracy as well as civil and human rights. The new forces in the Arab countries are to be evaluated by their deeds and not just by their declarations.

Like Ambassador Michaelis, Ambassador Shapiro expressed his support for the principle of a two-state solution for the Israeli-Palestinian conflict and emphasized that this can be achieved only by direct negotiations. Although the US opposes the steps taken by the PA at the UN, the United States supports economic and security cooperation with Salam Fayyad's government and considers this to be also in Israel's interest.

Ambassador Shapiro ascribed major importance to the economic relations between Israel and the US and stressed that Israel's stability and economic prosperity are in America's interest. As in security issues, the US supports Israel in civil and economic matters. The US purchases Israeli technologies, assists Israeli companies financially as well as American companies that invest in Israel and create jobs for Israelis. Moreover the two countries cooperate in educational, cultural, science and energy matters. In this context, Ambassador Shapiro noted in particular the alternative energy projects of the Arava Institute for Environmental Studies.

In the question-and-answer session, the Ambassador repeated the US position on the issue of the nuclear threat and the importance of the strategic cooperation between Israel and the US. He stressed again that President Obama ascribes high priority to the Israeli-Palestinian negotiations and appointed Special Envoy George Mitchell in order to facilitate the process in every possible way. Unfortunately, his efforts were in vein. The Israeli and Palestinian governments understand that the conflict can only be resolved by a two-state solution, but the problem lies in getting back to negotiations.

The Law in These Parts

The documentary The Law in These Parts ("Shilton haHoq"), by Ra'anan Alexandrowicz, deals with the Israeli legal system that operates in the occupied territories since 1967. The documentary received a special award at the Canadian International Documentary Festival – Hot Docs, in Toronto, in the beginning of May 2012; the World Cinema Jury Prize for 2012 in the category 'Documentary" at the Sundance Film Festival; and the best-documentary-movie award at the Jerusalem Film Festival in 2011.

The screening of the documentary and the following discussion, chaired by Iris Agmon, in which Adv. Talia Sasson, Udi Sommer, and the film's director Ra'anan Alexandrowicz participated, met with great interest among students and faculty, who filled the hall. The documentary (about 100 min. long) shows the development and functioning of the Israeli military legal system, especially in the West Bank since 1967. In particular, it focuses on the symbiotic relationship between this legal system and the security system; on the way it was open to security and political considerations and served them, be it in connection with the detention of Palestinians suspected of security offences, or be by legally sanctioning the expropriation of land from Palestinians as well as the entire settlement enterprise. The documentary shows how, despite the pretension to uphold law and a legal system in an objective manner as part of Israel's democracy, also the Supreme Court was dragged into the catch created by the political situation in occupied territories for the entire Israeli system, and how the Supreme Court itself took the lead and assisted in undermining Israeli democracy and civil rights, in the name of which it operates.

What distinguishes the documentary is the fact that it is entirely based on interviews with legal professionals, mostly judges, who worked in the military court system in the occupied territories; all those interviewed served also in the civic court system in Israel, including most senior justices, such as the former president of the Supreme Court, Justice Meir Shamgar; and Judge Amnon Straschnov. The documentary incorporates excerpts from existing film material, the most instructive of which were actually old black-and-white films, documenting Israeli presence in the territories since 1967. Whether intended or not, the interviews in the documentary recapture the legal situation itself in which the judges turned into the accused. It was clear that the interviewees felt at times uncomfortable, especially when exposed to the internal legal-ethical contradiction in which they operated as judges and the inherent presence of that contradiction in the Israeli legal system itself.

Adv. Talia Sasson was the first speaker in the discussion. Among other present and past positions, Adv. Sasson headed the department for special tasks at State Attorney's Office, and prepared a report on outposts for the Sharon government. She is a member of the Peace and Security Council, and heads the organization Yesh Din. In her talk she mainly addressed the functioning of the legal system in connection with the settlements, an issue with which she is well acquainted due to her past and present functions. She saw the importance of the film in the fact that it documents an era and the influence that the occupation and rule of the West Bank had on the existence of the State of Israel. The documentary shows the legal system as an instrument of the occupation and illustrates how it was used and instrumentalized to seize land for settlement purposes. It shows the problematic nature inherent to the part that judges play in the way this system operates, as well as the problematic nature of the legal situation itself arising from the political reality in the occupied territories. In their own view the judges represent a democratic system, whereas the Palestinian side sees this system as representative of Israeli rule and therefore as non-objective from the start. To this comes that the state sends the judges to uphold the law on its behalf while the state has clearly a vested interest; it wants the land of the occupied. She raised the question of how, given all this, the state copes with the internal conflict in the justice system. To Sasson's regret, the state deals with the problem by granting Palestinians the option of appealing to the Supreme Court that can review the activities in the territories and was forced to participate in the laundering of political terms that assists in ignoring what is in plain sight. In many cases, as for example with regard to the separation fence, the political

considerations are presented as security considerations, which the Supreme Court accepts as truth, given that it is based on the assumption that the truth be told. Or could there be a court of law if it were otherwise? Sasson raised another problem, one that the documentary does not address. The documentary shows the legal system as a tool of the occupation, but it does not deal with the other side of the coin – what the occupation does to the legal system. Though the latter opened the Supreme Court to petitions by Palestinians, but this creates situations where the army does not come out as being right, given that citizens do not distinguish between legal and political decisions. The Supreme Court placed itself into the political arena, to its own disadvantage, which the political establishment uses to fight off criticism by struggling endlessly against the Supreme Court and eventually weakening it. Occupation and democracy are incompatible, given that the former gnaws away at the latter. This is the result of a situation where in the same territory, the West Bank, there are two populations under two legal systems, the Israeli civic one that applies to the settlements and the military one that applies to the Palestinian population.

Udi Sommer, from the Department of Political Science at Tel Aviv University, specializes in research on political institutions, political methodology and public law. In his research Sommer studied the US Supreme Court and legal development in comparative perspective. In his talk that was largely of theoretical nature, he dealt mainly with the term 'rule of law' (Shilton haHoq) and its implications. Sommer distinguished between the rule of law and rule by (means of) law. The definition of the latter fits the situation depicted in the documentary. Rule by law is a situation where the law serves as a means for the authorities to implement the policy of an occupying power or a junta that changes the legal for its own convenience. The use of law as a means to rule implies that people loose the possibility to anticipate their future as well as everything granted by law until now. Such use of law means a change of the law in order to promote the interests of the government turning it into the ultimate goal. The documentary provides an illustration of such a situation where the legal system serves the state and its interests. The law used by Israel in the territories stems from three sources: Ottoman law, Mandatory law, and the laws of the State of Israel. All three are simultaneously valid in the territories and allow the system to move from one to another and to do as it pleases.

The rule of law in a democratic system stems from the sovereign, that is the people, and expresses that sovereign's will and voice. The documentary does not give voice to the Palestinians, which may not be its goals, but it shows that principles are not upheld; for example, the fact that the army that is also subject to the law and should uphold it, does not do so, and paradoxically, should at the same time also enforce it. In

the rest of his talk Sommer placed this situation into a comparative perspective.

In Sommer's view, the situation in colonial Algeria is similar to the Israeli case. With regard to everything related to land, employment and other aspects of daily life, the European settlers in Algeria were clearly privileged over local Algerians. Yet, this preference existed also in the legal system. In Algeria there was a legal system that resembled the legal system of a democratic state. In practice it applied to the European settlers, whereas the Algerians, the native population, were in various periods subject to another legal system called the 'debt regime' – a title embodying its essence. As in the Israeli case, there was a colonial situation in Algeria that necessitated a complex administration. It mainly included the presence of the interests of the occupier that pursued these interests by means of the legal system and ruled by means of law rather than by rule of law, whereas the local interests were totally different and could not be realized.

After the talks of Adv. Sasson and Sommer, the discussion was opened for questions that were mainly directed to Ra'anan Alexandrowicz, the director of the film. He was mostly asked about the way the documentary was made, which included many more hours of recorded interviews that could not be included in the documentary and raise issues not presented in the film. It was a fascinating discussion that raised many questions among the student audience with regard to the functioning of the legal system in the territories.

BOOK EVENTS

Threat: Palestinian Political Prisoners in Israel

On November 16, 2011 the Chaim Herzog Center held a panel dealing with the book Threat: Palestinian Political Prisoners in Israel (2011), edited by Anat Matar and Adv. Abeer Baker, an independent lawyer heading the Legal Clinic for Prisoners' Rights at Haifa University, who provides legal representation for political and other Palestinian prisoners.

This unique book is a collection of articles written by jurists, researchers, actual and former Palestinian prisoners as well as human rights activists. The examination of various aspects of the issue of Palestinian prisoners in Israel testifies that the issue is much more complex than usually assumed by the Israeli public. The book deals with the prisoners themselves, with the conditions of their detention, as well as with various legal and discursive practices employed by the Israeli legal system and the military courts towards them; with their status in international law and in Palestinian society, and with their place as active factor in the conflict. The book aims at emphasizing the political nature of the prisoners' actions, especially given that in the Israeli public discourse they are perceived as a threat to state security and as potential suicide bombers. The book's main thesis is that the legal system employs various measures in order to classify and identify them as criminals, and thus to de-politicize their actions.

Among the participants in the panel were some of the authors of articles included in the book, such as Esmail Nashef from

the Sociology and Anthropology Department at BGU. Also Adv. Smadar Ben Natan participated in the panel, as well as Ofer Shiff from the Ben-Gurion Research Institute for the Study of Israel and Zionism in Sede Boker, who was the discussant in the panel. He raised a number of critical points regarding the book and responded to the presentations.

The entire subject and especially the meaning inherent in the book's title that defines Palestinian prisoners in Israel as 'political' prisoners is a sensitive issue for the Israeli public, which found also expression in the way the discussion was conducted. The audience, mostly students, was relatively big for that kind of event.

Anat Matar, one of the collection's editors and lecturer in the Philosophy Department at Tel Aviv University, presented the book as a whole and mainly elaborated on the term 'political prisoner' by placing it in historical perspective and in different political contexts such as Russia, Greece and South Africa. She referred to the Irish context in some detail mentioning the story of Bobby Sands, the IRA activist who died in prison after a lengthy hunger strike in demand for recognizing him and his follow inmates as political prisoners. Among other things, Matar argued that the definition of Palestinian prisoners as 'political' necessarily entails political punishment, which is currently not the case. She also pointed out the inherent discrimination against Palestinian security-related/political prisoners. Some of them have been imprisoned for their political activities for very long periods, at times between twenty and thirty years. By such long prison terms the system places them in the same category as murderers who committed terrible acts and were sentenced to prison terms of similar length. The discrimination finds expression also in other ways, including 'small things,' such as the way of detention, the conduct of the courts, the treatment in prison, the prison conditions, etc. The legal system does also not specify their punishment. The most conspicuous expression of the discrimination is the administrative detention, where the detention is carried out with the approval of a judge, but where the period of detention is unknown and may last for many years without the detainees knowing either the reason or the duration, which also does not allow them any recourse to legal action. The system's discrimination is also very obvious with regard to Jewish political prisoners, imprisoned for terror acts on political grounds; but none of what is applied to Palestinian prisoners is applied to them.

Esmail Nashef contributed an article to the book that is based on his dissertation. The latter is a study on Palestinian prisoners in Israel from 1967 until 1993, focusing in particular on their considerable role in the dynamics of the conflict between Israel and the Palestinians and of the political negotiations between the two parties. Also in his talk, Nashef dealt with complex aspects of the Palestinian prisoners issue, as for example the ways of coping with the incarceration and punishment practices, and their use as a platform for creating Palestinian identity. Drawing on the theoretical conceptions of the French philosopher Michel Foucault, Nashef approaches the phenomenon of the Palestinian prisoners as an embodiment of the characteristics of oppression and oppressive power relations in modern societies. The use of modern mechanisms of control and punishment is not unique to Israel, but in this case there is also the national dimension, where each party in the power relations represents an opposing ideological party in the Israeli-Palestinian conflict. Thus the prison system in Israel embodies one variation of the relations between the Palestinian and Israeli collectives. Nashef wanted to go beyond a discussion framework that simply sees the Israeli prisons as a microcosm of the conflict, and beyond the terminology of nationalism. He showed how the issue of food in the prisons is an arena for the struggle between the prison authorities, the human rights organizations and the Palestinian national movement.

Advocate Smadar Ben Natan, a lawyer specializing in human rights in Israeli and international law, who also deals with prisoners' rights and political trials, addressed the legal aspects of the term 'prisoner of war.' In her talk she questioned the definition of Palestinian prisoners as 'prisoners of war' and the relevancy of the laws of war and the conventions on prisoners of war to the Israeli-Palestinian conflict and to prisoners who are members of Palestinian organizations. Ben Natan's main thesis was that changes in international law since the 1960s give legitimate status to organizations fighting occupation, an oppressive regime or foreign rule, and that these rules do not only apply to conflicts between states but also to situations where a group seeks liberation from another, hostile group. While it is impossible to say that Palestinians are definitely entitled to the status of prisoners of war, but the existence of a Palestinian state is not a precondition for the recognition of Palestinian prisoners as 'prisoners of war.' The right to self-determination is recognized by international law, and it has to be checked if this applies also to the Palestinian context, for example, in the wake of the recognition of the PLO as the legitimate

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Ilai Alon, Ziad Abu Zayyad, Colette Avital, Koby Huberman

representative of the Palestinians or of the Oslo Accords. At present the issue is topical again, this time in the context of the steps pursued by the Palestinians at the UN.

Ofer Shiff from the Ben-Gurion Research Institute for the Study of Israel and Zionism was the only speaker on the panel who did not contribute a text to the book. He opened his talk on a personal note pointing out various levels of his own connection to the book and its main issue. For one his parents were political prisoners during the Mandate period; they were sentenced to long prison terms and were incarcerated in the Acre prison. Shiff mentioned that he could identify with the images of the excitement and joy of Palestinians meeting released family members, sons, brothers and parents, that were shown on television screens a few week earlier during the coverage of Gilad Shalit's release as part of the implementation of the deal reached.

Furthermore, Shiff stated that in his view, the main issue raised by the book is the tendency to label people, in this case the Palestinian prisoners, as a threat and to objectify them. Once they are labeled, there is a tendency to avoid seeing them as human beings and to ignore everything they have to say. Shiff aimed at criticizing the labeling mechanism and the inherent essentialism. Shiff sees the book's importance in the connection between the labeling mechanism and other mechanisms in Israeli society. In his view, the book does not remove labeling, but actually reproduces it. Shiff thought it necessary to get out of the swamps created by that mechanism, something that the book does not sufficiently do. The way to remove labeling is by breaking up the group into individuals in order to see the human beings in it, even if the group has a collective national message. The Israeli system uses different ways to validate and facilitate such labeling – for example, by emphasizing the large number of Palestinian prisoners which exacerbates the threat and shows that that the system sees every Palestinian as a security threat. Shiff criticized the book for reproducing these methods rather than abandoning them, and for copying such labeling while depriving the other side, the Israeli side, of the opportunity to listen. Moreover, Shiff argued that the labeling of Palestinian prisoners as threat cannot be understood unless the actual sense of threat that exists on the Israeli side is taken into consideration. He criticized the editors for a lack of balance in their approach. The required balance cannot be achieved by dealing with Jewish political prisoners, such as the prisoners belonging to the Jewish underground, but rather by giving due expression to the real sense of threat that exists on the Israeli side and is actually an integral part of the labeling of the Palestinian prisoners as threat. It should be remembered that also the Israeli party to the conflict falls victim to labeling. And also this aspect inherent to the relations between the two sides does not find expression in the book. Giving consideration of both the dialectic of the conflict and the humanist aspect is the political and civic challenge faced by Israeli society.

Following Shiff's talk, the discussion was opened to questions from the audience. From the beginning the panel's proceedings were extraordinarily heated and subject to recurring interruptions by comments of a political nature from the audience. The atmosphere changed gradually during the participants' presentations, and especially after Ofer Shiff had presented his comments in a cordial manner; and thus the question-and-answer part of the panel session could nonetheless be conducted in a dignified, factual and engaging fashion. The discussion on the issue itself that developed in this part demonstrated the importance of putting the issue on the agenda.

Jama'a Vol. 19 is Out

Jama'a is an inter-disciplinary journal for Middle East Studies, which serves as a stage for grad-students, young scholars as well as established researchers. The journal is sponsored by the Chaim Herzog Center for Middle East Studies and Diplomacy at Ben-Gurion University of the Negev. Published since 1998, Jamaa positioned itself as a leading Hebrew journal in Middle East Studies, enabling Hebrew readers (students and the general public alike) to encounter cutting-edge works in the History, Sociology, Anthropology, Language and Literature of the Middle East. The journal serves faculty members as a good indicator of what the younger generation of scholars is engaged with these days, and contributes to the creation of a vivid academic community studying the Middle East. Volume 19 was published last October.

This volume contains three main articles. Amir Ashur's article "Protecting the Wife's Rights in Marriage as Reflected in Pre-nuptials and Marriage Contracts from the Cairo Genizah and Parallel Arabic Sources," deals with prenuptial agreements found among the Genizah documents, which allow us to study measures taken by the Genizah society to protect women marital rights. The article particularly focuses on agreements that include distinct conditions aimed at protecting the rights of women within the nuclear family. The Genizah documents, Ashur shows, are also an important source for the study of the daily life of Muslims among whom Jews lived.

Noga Rotem discusses the process of forgetting Palestine's Ottoman past in a piece titled "'With a Piano, Belly-Dancing is Impossible:' Representations of the Ottoman Empire in Israeli 'Realms of Memory.'" Rotem analyzes images and representations of Ottoman rule in the 'Land of Israel' as articulated in four major 'realms of memory': the preservation of Ottoman buildings, school textbooks, children's literature, and museums. The article suggests that omissions of Ottoman history from the collective memory are not the result of a 'natural' erosion of memory, but rather are the result of the consistent construction of Zionist identity.

The article by Reuven Snir, "'The More the Vision Increases, the More the Expression Decreases': Muslim Mysticism between Experience, Language and Translation," investigates Sufi mystical experience as an internal, personal, emotional, and irrational event which blurs the distinction between subject and object. It engages with issues such as the connections between mysticism and institutionalized religion, ascetic practices as a preparation for the mystical experience, the path toward unification with the divine essence, and the use of the symbols of human love and wine parties to describe the mystical union.

Each issue of Jamaa includes a translation into Hebrew of an article marking a milestone in the study of the Middle East. This year the editors decided to translate an article into Arabic instead, believing that it will be of interest to the journal's Arabic speaking readers. Originally published in Jamaa, this article by Haim Yaakobi deals with the city of Lod (al-Lidd in Arabic), and its unique social fabric, including Arabs and Jews.

In addition, the volume offers a book review section, and a section titled "Food for Thought," which allows researchers to share preliminary conclusions and ideas from on-going projects with the journal's readers.

Last, but not least, by launching Jamaa's Facebook account: Jamaa, the journal aims at intensifying its dialogue with its readers.

The Chaim Herzog Center Annual Scholarships Awards 2011

Every year the Chaim Herzog Center awards scholarships to outstanding graduate students based on the potential excellence of their research projects. The award ceremony was held at the beginning of June, during the annual international conference, that was this year titled In Search for Peace in Middle East Turmoil. The ceremony took place in the presence of Prof. Zvi Hacohen, Rector of BGU, Mr. Mike Herzog, representative of the Herzog family and the Chaim Herzog Memorial Fund, and Prof. Yoram Meital, the Chairman of the Chaim Herzog Center. Four students were awarded scholarships, including two students working on M.A. theses in Middle East Studies.

MA THESES

Liat Magid-Alon (Department of Middle East Studies at BGU)
"Feminine Identities and Gender in the Jewish Community in Cairo between the Two World Wars"

This thesis re-examines the basic premises regarding modernity in Middle Eastern societies. Specifically, it explores feminine identities that seem to integrate values and behavioral norms which tend to be seen as contradictory in the public discourse and academic research. With surprising flexibility, these identities seem to accommodate patriarchal gendered hierarchy with individualism, independence, and the growing importance given to education, professional development and employment. The study focuses on a group hitherto neglected in historical research, namely Jewish bourgeois women in Cairo between the World Wars. During that period Cairo underwent significant processes of political, economic, social and cultural change. Exploring these women's life experiences and patterns and their normative perceptions during that time of dynamic change from a gender-aware perspective allows to challenge some of the conventions regarding gender relations and feminine identities in a Middle Eastern space and its' 'passage' to modernity.

Dina Dayan (Department of Middle East Studies at BGU)
"Multi Players Online Role-Playing Games (MMORPG): The formation of a virtual space, and new types of social communities in the Middle-East today"

The research brings to light different aspects of the virtual world of multi-player online games. In this fast expanding phenomenon, physical and cultural borders are challenged by a technology and an emerging state-of-mind, creating one type among many types of new communities being built over the last two years.

The simulation of war in an online-game is creating a war zone, filled with real people, who bring into the game their identities using the possibilities created by this new media. These identities are the center of the research.

The study argues that, the way media technologies have developed over the last decade, aloud the MMOs games communities via the cyber synthetic experience to recreate reality and to change the way we perceive events.

The effect of virtual spaces and virtual communities that this research describes, on public opinion and on the way that the virtual media present events to the public is changing the way we understand the world around us. And the boundaries between reality and virtual reality become blurred.

In the research, the cyber language is been presented and analyzed in order to try and hear the way that the combination between visual representation (avatar) and

Liat Magid-Alon, Zvi Hacohen, Yoram Meital, Mike Herzog

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textual representation (Blog) is challenging Middle East traditional narratives and exploring the world of the new Virtual Middle East that is presented in this research.

Ph.D. DISSERTATIONS

Benny Nuriely (Department of Politics and Government at BGU)
"The Medical Management of the Immigration from North Africa, 1947-1960"

The dissertation deals with the Jewish immigration from North Africa to Israel in the years 1947-1960. The analysis focuses on the encounter of medical experts representing international organizations (such as JDC, OSE, WHO), the Israeli establishment, and Jewish immigrants from the French and Italian colonies. The encounter took place in three different venues: the immigration camps in the colonies, the immigration camps in Marseilles, and the "Immigration Gate" camp in Haifa. The main argument is that doctors played a key role in this process, in terms of the regulation and the medicalization of racial, gender and class differences between the immigrants and members of the absorbing society. The research is based on archival material from archives in the USA, France, Israel and Switzerland.

Nabih Bashir (Department of Jewish Thought, BGU)
"Angels in the Thought of Rabbi Saadia Gaon, Yaqub al-Qirqisani and Yefet ben Eli"

The study analyzes the status of angels in tenth-century Judaeo-Arabic thought by examining the writings of three prominent thinkers – Rabbi Saadia Gaon, head of the academy in Iraq, the Karaite Yaqub Qirqisani, Saadia's contemporary in Baghdad (both from first half of the tenth-century), and the late tenth-century Karaite Yefet ben Eli in the Land of Israel. Their doctrines of angels will be used as a test case to examine changes in Jewish thought caused by contact with the Islamic world and Greek philosophy.

NEWSLETTER 2012

Writers and Editors:
Prof. Yoram Meital
Haya Bambaji-Sasportas
Translation and English Editing:
Dr. Ursulla Wokoeck
Graphic Design:
Sefi Graphics Design, Beer-Sheva
Printing by: **BGU Print Unit**

For More Information

About the Chaim Herzog Center for Middle East Studies and Diplomacy, its activities and conferences, research funding, scholarships or publications, kindly contact Haya Bambaji-Sasportas at:

Chaim Herzog Center, Ben-Gurion University of the Negev
Beer-Sheva 84105, Israel
Tel: 972-8-6472538, Fax: 972-8-6472922
hercen@bgu.ac.il
http://humweb2.bgu.ac.il/herzog/he

Calendar 2011-2012 (Selected)

January, 4, 2011
Symposium: Moroccan Jews: History, Memory and the Reality in Israel

February, 14-17, 2011
International Conference at Sapir College: Gaza-Sderot Moving from Crisis to Sustainability

February, 23, 2011
Symposium: The Earthquake in Egypt and its Consequences

March, 13, 2011
Book Event to Mark the Hebrew version of *Formations of the Secular: Christianity, Islam, Modernity* by Talal Asad

March, 23, 2011
The Ambassadors Forum: "Britain, Israel and the Region", H.E. Matthew Gould, UK Ambassador to Israel

March, 27, 2011
Screening and a Discussion of the Documentary ***Back and Forth: Four Stories from the Negev,*** by Yusra Abu Kaff, Kamla Abu Zeila, May Alfrawna, Morad Alfrawna

May, 15, 2011
Symposium: The Middle East at The Eye of Storm: Trends and Challenges

May, 15, 2011
Symposium: Religion and Politics in Modern Egypt

May, 31-June, 2, 2011
An International Conference: In Search for Peace in Middle East Turmoil

November, 16, 2011
Book Event: *Threat: Palestinian Political Prisoners in Israel* by Anat Matar and Abeer Baker

December, 12-14, 2011
Conference at Haifa, Tel Aviv and Ben Gurion Universities: Celebration of Naguib Mahfouz's Hundreath Birthday

January, 18, 2012
The Ambassadors Forum: "German Policies in the Middle East and the German-Israeli Partnership"', H.E. Andreas Michaelis, German Ambassador to Israel

March, 19, 2012
The Ambassadors Forum: "Expanding the Israel-US Partnership in a Changing Middle East"', H.E. Daniel b. Shapiro, US Ambassador to Israel

March, 21, 2012
Screening and a Discussion of a Documentary ***The Law in These Parts*** by Ra'anan Alexandrowicz

May, 14, 2012
Panel at BGU Board of Governors Meeting: Middle East Transformation

June, 25-26, 2012
Conference: Islam in Israel – A Reappraisal

2011 2012

Who's Who at the Center