

Education for a Shared Society and Prevention of Racism

“A day will come...
It’s near and almost here
When no man will be degraded
For his race or color
The day will come...¹

Introduction

The unity of Israeli society, given its diversity and resolute, uncompromising battle against racism and hatred of the other just for being so, is the essential basis for the continuation and prosperity of the State of Israel as a Jewish and democratic state. This audit report deals with the activities of the Ministry of Education in promoting education for a shared society and prevention of racism. Unfortunately, the findings of this report paint a disturbing picture regarding the minimal activities of the education system in support of the unity of Israeli society and toward eradication of the major problems of racism and xenophobia. The report teaches us that the State of Israel is doing very little to purge the severe phenomena of racism and hatred among youth and to promote a shared society.

The fundamental values of the State of Israel from the beginning were founded on fighting racism, striving for equality among all its citizens and the safeguarding of human dignity whoever the person may be. The origins of this way of thinking come from the Jewish heritage: “So G-d created Mankind in his own image, in the image of G-d he created him; male and female he created” (Genesis chapter 1, verse 27²). An unequivocal expression of these fundamental values appears in the Scroll of Independence, which resolves that “the State of Israel...will foster the

1 From the song by Dan Almagor, “A Day Will Come”.

2 Translation taken from the Koren Bible, English text revised and edited by Harold Fisch, 2008.

development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture”.³ Basic Law: Human Dignity and Liberty, which was enacted in 1992, changed the normative status of the right “to dignity” to that of a constitutional basic law.⁴ The obligation of the State to fight the phenomena of racism and hatred is now a constitutional obligation. The former President of the Supreme Court Aharon Barak, in one of his legal decisions, wrote: “Racism harms the dignity of man and the equality between men. Racism undermines social order, social tolerance and public peace. It contradicts the essence and foundation of the State of Israel as a Jewish and democratic state.”⁵

The history of the Jewish people commands them to remember, each and every day, the horrific results of racism and xenophobia. Supreme Court Judge Tzvi Berenson expressed it well: “When we were exiled from our land and banished from our country, we became the victims of the nations of the world amongst which we sat and throughout all the generations, we tasted the bitter flavor of persecution, maliciousness and prejudice only because we were Jews ‘whose religion is different than every other nation’. Having this bitter and miserable experience, etched deeply into our national and human unconscious and awareness, it is to be expected that we do not follow the aberrant ways of other nations, and as we recommence our independence in the State of Israel, we must be vigilant to avoid any discrimination or custom of double standard...hatred of the other is a double curse: it corrupts the image of G-d of the hater and causes evil to the innocent who is hated. We must act humanely and with tolerance toward everyone created in the image

3 Accessed from the website of the Israel Ministry of Foreign Affairs, September 20, 2016.

<http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx>

4 See Aharon Barak, “Protected Rights of Man: Scope and Limitations”, Law and Government A (1992), 253-273.

5 According to 2831/95 Alba vs. the State of Israel, 50(5) 221, 286-287 (1996).

of G-d and fulfil the great rule of equality of rights and obligations among all people.”⁶

We must commit to memory the lessons of the past and the dangers inherent in the seeds of racism, which can spread in any human society, take root and proliferate like weeds, destroying every good thing in their path. Human society, wherever and whenever it is, has no guarantee that the underbrush of racism will not turn into a dense forest. We must not take for granted our democratic government, which honors the dignity of man whoever and wherever he is. The misleading perception that “it won’t happen to us” will not pass the test of history.⁷ As Professor Barak rightfully noted, “if it happened in the Germany of Kant, Beethoven and Goethe, it can happen anywhere, even if it does not have such horrifying intensity.”⁸ We must do everything in our power so that the seeds of hatred and racism are eradicated from our society. The State must act using all means available to it to inculcate Jewish–democratic values of acceptance of the other and emphasize what unites us and what is common to all members of Israeli society.

These issues are doubly validated in the reality of our lives in our homeland. Our society is multicolored, multicultural with different religious and world perspectives. This variety has many benefits and advantages but it also has drawbacks. The dissimilarities among sections of society lead to social disagreements and rifts between groups such as Arabs and Jews; Ashkenazi and Sephardi Jews; observant and non-observant Jews; left-wingers and right-wingers; new immigrants and veterans; residents of the periphery of Israel and residents of the center of the country; rich and poor. These divisions have changed the face of Israeli society and created within it different and segregated groups. The President of Israel, Reuven Rivlin, pointed this out: “The demographic processes that are reshaping the face of Israeli society have created, in practice, a ‘new Israeli order’. This order no longer has a clear majority or a clear minority. In this order, Israeli society comprises four sectors, and if you will—four central “tribes”, fundamentally

6 Supreme Court of Israel 72/392 Berger vs. The District Planning and Building Committee, Haifa District, Decision 27(2) 764, 771 (1973).

7 See Aharon Barak, A Judge in a Democratic Society 86 (2004).

8 Aharon Barak, “Rights of Man and National Security”, Law 38(1), 29 (2007).

different each from the other, which are growing to be the same size; in which, whether or not you want it, ‘the structure of ownership’ of Israeli society and the State of Israel is changing in front of us.⁹

Within this complex reality, recently we have been experiencing the harsh phenomena of hatred, racism, violence, factionalism and intolerance. The splits between groups in Israeli society overshadow what unites and connects its different parts. Tolerance and accepting a different outlook have become, in certain places, “an indecent act”. Expressions of racism and violence, bigotry, persecution and even crimes of hatred have become not-quite-so rare occurrences. “Extremist groups” —or, as they are conveniently called, “a handful”—are raising their heads, with social media constituting a fertile field for disseminating xenophobia and showing that shame has ceased to exist in the country. Too quick a hand on the keyboard has become too quick a hand on a box of matches, a knife and a gun. It is maddening to see the hatred and racism blinding people’s eyes and gnawing away at the foundations of Israeli society and its Jewish and democratic values.

The State has many means to eradicate these severe phenomena. Nevertheless, the most important and effective of these is education.

“Tell me dad...do you think I can turn into a racist?”

“It could happen; everything depends on the education that you get...one isn’t born a racist, you become one.”¹⁰

It is difficult to exaggerate the importance of education and its pivotal position in the education system in eradicating hatred and racism, aiming at a shared society in polarized Israel. Education has a central place in the State’s existence, given that its function is to ensure normal social life and realization of the individual’s rights. Indeed, “realization of the right to education is also intended to achieve social objectives. It constitutes a link connecting different social sectors, and creates a bridge that is essential for the existence of social harmony, without which the existence of nation and society would be unthinkable; education is an important means for the

9 Speech by the President, Mr. Reuven Rivlin, "Words of the President of the State at the Herzliya Conference on the Occasion of Nearly the End of his First Year in Office" on June 7, 2015.

10 Tahar Bin Jolan, Racism as I Explained It to My Daughter, 12-14, 18 (1998).

promotion of free democratic values, and for the existence of proper social life.”¹¹

The findings of the report lying in front of you show that the State is not making intelligent and sufficient use of the education system in order to create bridges between different sections of society. The Ministry of Education did not apply central components in the perception that guides the field of education in prevention of racism and the creation of a shared society, and systematic assessment of the phenomenon of racism in the education system is not done; programs for creating a shared society have not been implemented and appropriate resources for their implementation have not been allocated; activities on the subject, in all its various aspects, have not been coordinated by it through a single field unit charged with leading processes for the promotion of the subject in the education system; education for a shared society and prevention of racism has been only partially and inadequately integrated in the education system; teachers for this important area have not been trained and activities in cooperation with voluntary organizations have not been exhausted. These findings raise deep misgivings about whether the pretty and important words on the issue of elimination of racism and education for a shared society have been backed up by actions and whether the necessary content has been generated. Over the years, the administration of the Ministry of Education has avoided taking the necessary steps to create a sufficient organizational, budgetary, operative and pedagogical infrastructure, for effective organizational long-term actions for prevention of racism among students. Under these circumstances, the issue appears on the Ministry’s agenda randomly and at specific time points, and only following expressions of extreme racism and violence at times of annual peaks.

I will not gloss over the state of affairs; it shows a grim picture. The division into groups in Israeli society is expressed also in the education system, which includes three main, separate streams: Jewish–secular state education, Jewish–state religious education, and Arab–state education, alongside of

11 Supreme Court of Israel 7426/08 Tabeka Law and Justice for Ethiopian Immigrants vs. the Minister of Education, decision 14 of the judgment of Justice Procaccia (published in a computerized databank, 31.8.10). Further on the right to education and its democratic content, see Yoram Rabin, *The Right to Education* 137-145 (2002).

which there is also ultra-Orthodox education. Separation from the age of preschool through to the end of Grade 12 prevents the groups from getting acquainted with each other and strengthens the social alienation and suspicions toward the other or those that are different. As President Rivlin rightfully noted: “Every child that is born in the State of Israel is sent to one of four separate systems...the child from Bet-El, the child from Rahat, the child from Herzliya and the child from Betar Ilit—not only do they never meet, their education gives each of them an absolutely different outlook regarding fundamental values and the preferred character of the State of Israel.”¹² The challenge laid at the door of the Ministry of Education is hard and complex; even though, over the years the Ministry has attempted to cope with the differences within Israeli society, these attempts did achieve the expected appropriate results. Accordingly, the Ministry of Education must devise a “new path”.

As detailed in the report’s recommendations, the administration of the Ministry of Education must lead the education system without delay using messages and actions from preschool through to the end of Grade 12, to deal comprehensively, intensively, methodically, compellingly and structurally with the subject of education for prevention of racism and for a shared society. This is essential in order to change students’ behavior patterns. To build the necessary infrastructure for this, the education system must convey an unequivocal message to all its different streams and to everyone entering the system: “Israel is a democratic state that belongs to all its citizens and rests on values common to all the groups and individuals residing in it.” The Ministry of Education must act to mobilize additional government ministries and relevant bodies in local authorities, alongside organizing the activities of non-governmental organizations operating in the education system in this field.

The report shows that in order to bring about a real change, action must be taken, appropriate budgets for the different programs for combating racism and educating for a shared society must be ensured and it must be guaranteed that these programs are fully implemented. Once and for all, they must pass

12 Speech by Mr. Reuven Rivlin, "Words of the President of the State at the Herzliya Conference on the Occasion of Nearly the End of his First Year in Office" on June 7, 2015.

the test of reality: significant and visible reduction in stereotyping and anti-democratic attitudes and disturbing expressions of racism among youth. I am sure that implementing the recommendations of this report and determined action by the Ministry of Education will bring the day even a little bit closer as in the song by Dan Almagor, "When no man will be degraded for his race or color".



Josef Chaim Shapira, Judge (Ret.)
State Comptroller and Ombudsman

Jerusalem, September 2016