

‘Speaking through the Mask’: Israeli Arabs and the Changing Faces of Israeli Citizenship

Leora Bilsky¹

Tel Aviv University, Tel Aviv

Abstract

On May 14, 2006 The Israeli Supreme Court issued its decision in a case known as the ‘family unification case’ that dealt with the constitutionality of an amendment to the Citizenship and Entry to Israel Law. The temporary amendment prevents Palestinian residents of the occupied territories (of certain age) from entering the territory of Israel and gaining citizenship or residence status through family unification. A divided court upheld the amendment, against a very strong dissent written by former chief Justice Aharon Barak. This article takes to explore the origins of this crisis, by positing the Israeli model of citizenship (Jewish and democratic) against an alternative ideal of ‘citizenship as mask’, one that was articulated by Hannah Arendt. This ideal positions the citizen between two figures the ‘imposter’ and the ‘refugee’. The article begins with three seemingly marginal criminal prosecutions of imposters, and connects them back to a rich body of literary writings by Arab citizens of Israel who took to challenge the limits of Israeli citizenship through the figure of the Arab who ‘passes’ as a Jew. With this juxtaposition of literary works with current court decisions the article takes to expose blind spots in Israeli public discourse of citizenship, and to argue that the current citizenship crisis should not be understood as temporary but rather as bringing to the fore contradictions that accompanied Israeli citizenship law from its inception.

Keywords

Israel; family unification; citizenship; Sayed Kashua; Anton Shammas

¹ I would like to thank Michal Saliternik for her devoted research and insightful comments. This article was made possible thanks to a grant from the Cegla Center for Interdisciplinary Research of the Law. The title is partly inspired by Norma Claire Moruzzi, *Speaking through the Mask: Hannah Arendt and the Politics of Social Identity* (Ithaca: Cornell University Press, 2000). In this article I elaborate on the question of citizenship through the lens of the experience of Arab Israelis. I elaborate the more general theory of *citizenship as mask* on the basis of Hannah Arendt’s theory in my forthcoming article, “Citizenship as Mask: Hannah Arendt between the Imposter and the Refugee,” which will be published in *Constellations*.

Buli, the minute a man like you does not understand the basic difference between the Pakistani who comes to England and the Galilean who has been in Fasuta for untold generations, then what do you want us to talk about?²

I. Introduction

On April 27, 2007 the front page of the *Tel Aviv Haaretz* announced a proposal by a member of Israel's ruling party, Kadima, for a "land swap" with the Palestinian Authority. According to the plan, Israel would secede from the Triangle (an area densely populated with Arabs located in the Sharon Plain among the Samarian foothills) and in return annex Ariel, a Jewish settlement in the occupied territories. The Arab residents of the Triangle would be given dual citizenship but their movement and work in Israel would be limited. "We will not ask them to move. We will only move the borders . . . We need to tell the Palestinian Israelis that they are Palestinian," said Otniel Schneller, the Knesset (legislature) member who proposed this plan. The plan echoes a previous proposal by member of the Knesset (MK), Avigdor Liberman, who advocated a more radical land swap plan, including revoking the Israeli citizenship of the Triangle residents.³ Schneller's proposal was announced in the aftermath of a controversial Supreme Court decision⁴ about the constitutionality of a (temporary) amendment to Israel's citizenship law that terminated the state policy of allowing Palestinians from the occupied territories to acquire citizenship or residency status in Israel through family unification. While the court affirmed the amendment to the law because of the "security threat" posed by some Palestinians who have gained citizenship rights through marriage to

² Anton Shammas to A.B. Yehoshua, in David Grossman, *Sleeping on a Wire: Conversations with Palestinians in Israel*, trans. Haim Watzman (New York: Farrar, Straus and Gioux, 1993), 254.

³ This plan was in the forefront of the political platform of Liberman's party, Israel Beytenu, in the seventeenth Knesset elections in 2006, according to the party's Web site: <http://beytenu.org/107/625/article.html>. It replaced a previous more radical transfer plan, which had been included in the party's platform in the elections to the sixteenth Knesset three years earlier. Liberman's transfer proposal is akin to earlier proposals by former MK Meir Kahane, which ensured the Jewishness of Israel through an organized expulsion of the Arab population. See Kahane's controversial book, *They Must Go* (New York: Grosset & Dunlap, 1981). For a recent analysis of these proposals, see Yoav Peled, "Citizenship Betrayed: Israel's Emerging Immigration and Citizenship Regime," *Theoretical Inquiries in Law* 8 (2007): 617–20.

⁴ HCJ 7052/03 *Adalah —the Legal Center for Arab Minority Rights in Israel v. Minister of Interior* [in Hebrew] (hereafter *Adalah*, or simply, the family unification case).

Israeli citizens, in contrast the current political proposals explicitly deal with the demographic problem of ensuring a Jewish majority in Israel.

Twenty years earlier, in a newspaper interview, A.B. Yehoshua, a leading Israeli writer who is identified with the moderate liberal left, suggested the following:

I say to Anton Shammas [an Arab Israeli writer, polemicist, and journalist, now living in Ann Arbor, Michigan]—“if you want your full identity, if you want to live in a country that has an independent Palestinian personality, that possesses an original Palestinian culture, rise up, take your belongings, and move 100 meters to the east, to the independent Palestinian state that will lie beside Israel.” Shammas responded by equating Yehoshua’s position with the radical right-wing MK Meir Kahane’s proposals to ensure the Jewish character of Israel by expelling the Arab population. He added, “I do not wish to leave my country and my kindred and my father’s house for the land that he, in this case, A.B. Yehoshua will show me.”⁵

The words, plans, and proposals have changed over the years, but the content and aspiration remain the same. The Arab minority within Israel is perceived as a threat to the stability and continuity of a Jewish nation-state, which is understood to be undermined by a large national minority.⁶ Yehoshua, torn between seemingly contradictory commitments to individual human rights and to the national Zionist aspirations of a Jewish homeland, reacted to this crisis by upholding the nation over the state (and proposing a future Palestinian state modeled after the Israeli nation-state). His underlying presupposition is that the Israeli public space should be unitary, devoid of hybridization and multiplicity of identities, which the Arab Israeli represents. As an alternative, Anton Shammas upholds a political vision of Israel where the state is given priority, being separated from its identification as a Jewish nation-state. Shammas offers to ameliorate the deficiencies of Israeli citizenship by carving a neutral public space (called Israeli nationality) to which both Jewish and Arab citizens can relate equally. In today’s terms his proposal has been taken up by Arab political parties as a plan to transform Israel into a “state of all its citizens”.⁷

⁵ Quoted in David Grossman, in *Sleeping on a Wire: Conversations with Palestinians in Israel*, trans. Haim Watzman (New York: Farrar, Straus and Gioux, 1993), 250.

⁶ In the last few years there has been a subtle change in the right-wing discourse, from a territorial to a demographic emphasis. This change should be read against the background of the geopolitical changes in the area, such as the Israeli disengagement from Gaza, the planned convergence in the West Bank, and the construction of the separation wall.

⁷ See Elie Rekhess, “The Arabs of Israel after Oslo: Localization of the National Struggle,” *Israel Studies* 7, no. 3 (2002): 11–12.

Both Yehoshua's and Shamma's solutions are attempts at choosing sides when confronted with the dual identity of the state of Israel as Jewish and democratic. Neither considers the possibility of upholding the *hybrid* as an ideal for the Israeli citizen. I propose to think of the problem of the hybrid by invoking the concept of *citizenship as mask* taken from Hannah Arendt's fragmentary discussion of citizenship. I use the concept of the mask to highlight the failures of Israeli citizenship but also to offer an alternative way of thinking about political belonging. In articulating the ideal of citizenship as mask, I contrast the *refugee*, who is exposed, with the *imposter*, who is compelled to hide his/her identity in order to enjoy the "right to have rights," *i.e.*, to belong to a political community. Arendt's theory serves as the basis for a critique of a limited understanding of citizenship as a set of rights, without awareness of the prerequisite of inclusion in a political community. The article exposes the tension inherent between the concept of national rights—collective sovereignty, and individual human rights.

The article uses these concepts to analyze the status of citizenship in Israeli political culture. It points to the tension between the Jewish and the democratic dimensions of the Israeli state by showing how the state on the one hand endorses the mask of universal citizenship, but, on the other hand allows only one voice (identity) to be heard from behind the mask—that of the Jewish nation. Thus, the article underscores the precarious status of the Arab citizens of Israel as well as the noncitizens under the new amendment to Israeli citizenship law. These points are developed through a close reading and a combined interpretation of judicial and literary discourses on and by Arab citizens of Israel.

II. Criminal Imposters

The history of racial categories is often the history of sexuality as well, for it is partly as a result of the taboos against boundary crossing that such categories are invented.⁸

In recent years three cases of "imposters" have found their way to the Israeli courts. All three involved criminal charges by the state and were adjudicated by the lower courts. In all three cases the defendants were found guilty. This phenomenon of criminalizing imposters has not gained much attention

⁸) Martha Hodes, ed., *Sex, Love, Race: Crossing Boundaries in North American History* (New York: New York University Press, 1999), i.

outside legal circles. But a closer look at the cases shows how they all provide mirror to the ongoing debate about collective identity and the theme of citizenship in Israel.

The first imposter case dealt with a man called Eran Ben Avraham⁹ who presented himself as a pilot and a medical doctor. The second imposter case, dealt with a woman, Chen Alkobi,¹⁰ who presented herself as a man. Both imposters assumed identities that involved privileged aspects of the ideal Israeli citizen.¹¹ Air force pilots of the Israeli defense forces are highly idealized within Israel—as a popular saying goes, “The best men become pilots.” Medical doctors, on the other hand, are considered to be the preferred choice of Jewish mothers as husbands for their daughters. The combination of a pilot and a medical doctor symbolizes the ideal Israeli citizen—a soldier and a gentleman, a humanist militarism. Both figures, needless to say, were assumed for many years to be masculine, as the image of the New Jew advanced by much of the Zionist writing was masculine.¹² From the two constitutive aspects of citizenship, identity and rights, our imposters try to partake in the first. But by doing so, they arouse anxiety as reflected in the state’s reaction to their impersonations. The state tries to use criminal law to police the identity boundaries of its idealized citizen that it saw as being transgressed. From a legal perspective, the occasion for criminal prosecution arises when a sexual interaction occurs on the basis of the false self-representation, and the imposters are accused of fraudulent or nonconsensual sexual transactions.¹³ From a social perspective,

⁹ CC 3049/97 (Tel Aviv) *The State of Israel v. Eran Ben Avraham* [in Hebrew] and CA 157/98 (Tel Aviv) *Eran Ben Avraham v. The State of Israel* [in Hebrew] (hereafter, *Ben Avraham*).

¹⁰ CC 387/02 (Haifa) *The State of Israel v. Chen Alkobi* [in Hebrew] (hereafter, *Alkobi*).

¹¹ Elaine K. Ginsberg, ed., *Passing and the Fictions of Identity* (Durham: Duke University Press, 1996), 1–18. Ginsberg explains that passing is mostly undertaken by members of underprivileged groups assuming more privileged social or legal identities. For elaboration on the problems of passing and “covering” by gays, racial minorities, and women in the United States, see Kenji Yoshino, *Covering: The Hidden Assault on Our Civil Rights* (New York: Random House, 2006).

¹² For more on the masculine ideal in Zionist writing and its realization in the mythical figure of the *Sabra* (The New Jew born in Israel), see Daniel Boyarin, “Outing Freud’s Zionism; or, The Bitextuality of the Diaspora Jew,” in ed. Cindy Patton and Benigno Sánchez-Eppler, *Queer Diasporas* (Durham: Duke University Press, 2000); Daniel Boyarin, *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Man*, 71–104 (Berkeley: University of California Press, 1997); Oz Almog, *The Sabra: The Creation of the New Jew*, trans. Haim Watzman (Berkeley: University of California Press, 2000); and David Biale, *Eros and the Jews: From Biblical Israel to Contemporary America* (Berkeley: University of California Press, 1997), chap. 8.

¹³ Compare to the legal treatment of impersonation and fraud as constituting rape in the US. In Massachusetts, the court has recently rejected the legal construction that the fraud of

both *Ben Avraham* and *Alkobi* seem to undermine or disrupt the image of the ideal Israeli citizen, exposing its fictive or artificial nature, its social construction. The two cases reveal an anxiety by the Israeli authorities about *crossing* or *passing*, and the importance (and possibility) of distinguishing what they consider to be real identities from fictional ones.

The third imposter case to reach the Israeli court involved both physical and psychological passing.¹⁴ Unlike the first two cases, which raised sensitive gender issues, this one involved a racial/ethnic/national transgression. The case dealt with a Palestinian resident of the occupied territories, *Walid Said*,¹⁵ who ran away from his family and village when he was about fourteen years old. Said's flight was the result of his refusal to kill his sister for allegedly dishonoring her family. As a Palestinian resident of the territories, he was not entitled to residency or citizenship rights in Israel. Neither was he entitled to the status of a refugee.¹⁶ He therefore assumed the false identity of a Jew, calling himself Eyal Halabi. Passing as a Jew in Israel, he found a job, rented an apartment, and entered into an intimate relationship with an Israeli Jewish woman. The state pressed criminal charges against him for entering and staying in Israel

impersonation can supplant the factor of force in the legal definition of rape. However, in other US states, where the legal definition of rape does not include requirements of force, impersonation can satisfy the legal requirement of rape. See *Alvin Sulivers vs. Commonwealth*, 449 Mass 112 (2007) at 117, n. 9.

¹⁴ Ginsberg traces the genealogy of the term *passing* in American history to the assumption of a fraudulent white identity by an individual culturally and legally defined as Negro or black by virtue of a percentage of African ancestry. The term metaphorically implies that "such an individual crossed or passed through a racial line or boundary . . . to assume a new identity, escaping the subordination and oppression accompanying one identity and accessing the privileges and status of the other." *Passing and the Fictions of Identity*, 3.

¹⁵ CC 4054/05 (Nazeret) *The State of Israel v. Walid Said* [in Hebrew] (hereafter, *Walid Said*).

¹⁶ Personal requests for asylum in Israel are decided according to the United Nations Convention relating to the Status of Refugees. As interpreted by the Office of the United Nations High Commissioner for Human Rights (UNHCR), this convention does not apply to Palestinians from the Occupied Territories, who are the responsibility of the United Nation Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). However, even if Walid Said had not been Palestinian, he would probably not be entitled to the status of a refugee in Israel—so far, the Israeli authorities have only granted this status to persons persecuted by their governments and never to persons like Said, who are persecuted by their own communities or families. Thus, for example, a request for a refugee status in Israel by a resident of the Palestinian Authority who had been persecuted for his sexual orientation was denied. For more information on case see in The Association for Civil Rights in Israel <http://www.acri.org.il/hebrew-acri/engine/story.asp?id=871> [title of report- "Giving a permanent status for a Palestinian youth persecuted for his sexual orientation"].

illegally, as well as for fraud. In this case, unlike the two previous criminal prosecutions of imposters, the court found it very difficult to convict given the sensitive racial issues it touched. Indeed, the judge, Carmela Rotfeld-Haft, wrote that she did not believe that all the people who formed relationships with Walid over the years did it solely upon his false representation of himself as Eyal. She therefore convicted him only for entering and staying in Israel illegally and imposed a very light sentence. In her reasoning, the judge elaborated her critique of the criminal charges, by invoking an essay by Jean Amery, an Austrian Jew who had fled Nazi persecution.¹⁷ The judge wrote:

This situation in which the accused has found himself reminds me of the question raised by Jean Amery . . . “How much home-land does a person need?” His answer, “All the more, the less of it one can carry with him,” is relevant to our case. A homeland is security, it is the place in which we understand the dialectics of knowing and recognizing, of trust and faith, *the place in which we can trust in being recognized, and the place in which we have enough faith in ourselves in order to express our opinions and to debate with others*. To live in one’s homeland, according to Amery, is to experience the familiar as something that recurs again and again in different variations. Alas, if you are expelled from your homeland, then you are doomed to experience chaos and absentmindedness . . . It is for this reason that Amery answers that a person needs a lot of homeland, more than can be imagined by those people who live in their homeland and take pride in their cosmopolitan vacations.¹⁸

With this powerful paragraph the judge rejected the state’s response. In doing so, the judge courageously made an analogy between the Jewish and Palestinian experiences of exile, and drew the legal consequences entailed by her analogy.¹⁹ Interestingly, writer Anton Shammas invokes similar experiences of homelessness when he tells of his attempt to live in the Palestinian occupied territories:

Not that I have a trace of feeling superior to the people in the territories. It’s only a sense that it’s not my geography there. Not my cognitive, spiritual, or mental map. I work according to other codes, my head, my imagination, my emotions . . . What bothered me

¹⁷) Jean Amery, “How Much Home Does a Person Need?” in Amery, *At the Mind’s Limits: Contemplations by a Survivor on Auschwitz and its Realities*, trans. Sidney Rosenfeld and Stella P. Rosenfeld (Bloomington: Indiana University Press, 1980), 41–61.

¹⁸) *Walid Said*, 6 (emphasis added).

¹⁹) What enabled the judge to take a courageous act of recognition and empathy towards Said as a Palestinian refugee might have been the particularity of his plight. In contrast, the collective experience of Palestinian refugees of 1948 is hardly ever mentioned emphatically by Israeli courts, since the disaster of the Palestinians was at the same time the occasion for the establishment of the state of Israel.

more than anything else in Beit Jalla was the gradual discovery that my neighbor spoke Arabic but not the same Arabic I did. An invisible but most palpable semantic Green Line ran between us.²⁰

The judge in *Walid Said* reminds her readers that the more restricted our life opportunities, the more public space we need. Indeed, she rejects the idea that our identity is solely a private matter, since the public sphere where we are recognized by others constitutes an important aspect of forming our identity. By referring to the Jewish collective memory of statelessness and exile, the judge manages to shift the responsibility from the individual imposter to society at large. Private identity is revealed to be the product of social expectations and legal norms rather than simply biological or psychological facts. When a person is not permitted to present his true identity in public and to conduct a normal life, his only option might be to assume a fictive identity.²¹

III. Theory—Citizenship as Mask

Our three cases of imposters did not deal with the issue of taking up another person's specific identity, but with the more general attempt of passing between group identities. Elaine K. Ginsberg explains the importance of focusing our attention on the seemingly marginal phenomenon of passing by identifying three features of identity politics that it helps illuminate:

Passing is about identities: their creation or imposition, their adoption or rejection, their accompanying rewards or penalties. Passing is also about the boundaries established

²⁰ Grossman, *Sleeping on a Wire*, 263. Both Amery and Shammas resort to the *home* metaphor in trying to explain the identity crisis felt by the refugee (and also, and more powerfully) by those who become refugees in their own homeland. Also, both try to construct the boundaries of *homeness* with linguistic lines of shared local dialect.

²¹ Similarly, Kennedy explains that all passing involves deception, the question is how to assess the deception (Randall Kennedy, "Racial Passing," *Ohio State Law Journal* 62 (2001), 1145). It can be inferred from the *Said* judgment that the more restricted one's life opportunities, and the less willing the state to ameliorate this situation, the more lenient the legal system should be to the deception. From this perspective Said's passing is more justified than Ben Avraham's. However, this understanding makes passing look like a rational (sometimes opportunist) choice by the individual. If we focus, however, on the individual's subjective sense of identity, it might well be that Alkobi, and possibly Ben Avraham, should be viewed as less responsible for their "deception" than Said, since it conveyed their inner sense of identity. I will return to these issues below in my discussion of the trials.

between identity categories and about the individual and cultural anxieties induced by boundary crossing. Finally, passing is about specularity: the visible and the invisible, the seen and the unseen.²²

Our three imposters cases raise important questions about identity (private and public), the role of law in policing the boundaries of identities, the popular belief in the naturalness of identity categories thus delineated, and the resulting denial of political responsibility for their delimitations.

Before elaborating on the passing phenomenon and on the figure of the imposter, I want to return to another famous Jewish refugee, to one of the less-discussed essays by political philosopher Hannah Arendt, “We Refugees.” In this essay Arendt describes what happens when one loses one’s home, occupation, family, and the everyday lifeworld of one’s language. Unexpectedly she brings into her discussion of the refugee, the experience of assimilation. She draws a sarcastic portrait of an assimilated German Jew who, having just arrived in France, organizes:

One of these societies of adjustment in which German Jews asserted to each other that they were already Frenchmen. In his first speech he said: ‘We have been good Germans in Germany and therefore we shall be good Frenchmen in France.’ The public applauded enthusiastically and nobody laughed; we were happy to have learnt how to prove our loyalty.²³

The hyperassimilation of Jews, thus detected by Arendt, represents the optimistic side of the problem. Arendt writes that the dark side of this existence is the seemingly unexplained suicides that plagued the society of Jewish refugees after the Second World War and marked the depths of their despair. She explains that the false assumption, underlying both the optimistic and the pessimistic dispositions, is that one should understand the “Jewish question” in individual terms of psychological adjustment or of personal success in social assimilation. Arendt argues, in contrast, that the problem should be understood in political terms, as the result of the exclusion of Jews *as Jews* from the public sphere of the European nation-state. In this short essay Arendt calls us to reflect on the pathologies of hyperassimilation under the nation-state, and of the stateless person together, as pointing to deficiencies in the modern concept of citizenship.

²²) Ginsberg, *Passing and the Fictions of Identity*, 2.

²³) Hannah Arendt, “We Refugees,” 1949; repr., *The Jew as Pariah: Jewish Identity and Politics in the Modern Age*, ed. Ronald H. Feldman, 55–66 (New York: Grove Press, 1978), 63–64.

Let us try to look more closely at the two figures that set the drama of the decline of the nation-state in Arendt's narrative. In contemporary discussions of citizenship, the problem is often described in a binary way, contrasting the citizen with those who do not enjoy citizenship rights—the stateless, the displaced, and the refugee. For Arendt, the political map is drawn by positing the citizen between two poles of pressure: the refugee and the imposter (the “parvenu”). Against this background she introduces the idea of citizenship as mask. This idea complicates the picture, because citizenship status can no longer be explained as an either/or question of exposure or protection, rights, and the lack of rights. Instead, we are called to reflect on the degrees of disclosure and concealment that different concepts of citizenship offer.

The clearest expression of the ideal of citizenship as mask can be found in Arendt's book, *On Revolution*. Here Arendt borrows from the original literal meaning of the mask as a persona, explaining that it functions both to cover the face while allowing the voice of the speaker to be heard.²⁴ The ideal of citizenship as mask helps Arendt give a metaphorical expression to the two conditions that must be met for to construct a viable political sphere of citizenship—equality and plurality.²⁵ In her book *The Human Condition* Arendt provides the fullest account of these conditions.

The figure of the stateless and the refugee appears in the *Origins of Totalitarianism* as embodying the completely exposed human being—the one to whom the high rhetoric of inalienable rights should have been fully applied, but who, in the absence of citizenship status, enjoys no rights at all. He

²⁴ See also George Kateb, *Hannah Arendt: Politics, Conscience, Evil* (Totowa, NJ: Rowman & Allanheld, 1983): “Arendt presents the political actor as one who hides much in order to reveal more. He wears a mask. But the mask in the ancient theater hid the face yet allowed the actor's true voice to come through . . . To wear a mask is to sustain a persona, a role, a position, an identifiable character. It is not a distortion of Arendt's meaning to say that she believes that it is the highest responsibility of the citizen to protect his mask so that in the artificial composure of his appearance the truth of his words may sound” (10).

²⁵ This is different from modern writings on citizenship that focus on the equalizing effect of national closure that condition citizenship on a process of political assimilation. See, for example, Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, MA: Harvard University Press, 1992). For Arendt the ideal of political equality granted to citizens is accompanied by an ideal of plurality (and not assimilation). It is for this reason that she is critical of assimilation as the cornerstone of national citizenship. For elaboration on the relation between equality and assimilation under the French idea of national citizenship, see Brubaker. For further problematization of the ideal of assimilation as unequally burdening members of minority groups thus raising concerns under American antidiscrimination law, see Yoshino, *Covering*.

becomes seen as superfluous. Arendt traces the stages of the destruction of the political sphere as stages of tearing away more and more masks from the individual. What is most revealing in this discussion is that for her, the natural man, without any protective masks, is a self that can no longer be called human since both the conditions for natality (initiation of action) and for plurality (opinions, perspectives) are completely eliminated.

Later, in her book *The Origins of Totalitarianism*, Arendt explains the mistake of thinking of individual rights to equality and justice as the most basic rights of citizenship, and of ignoring the more basic right to have rights, to belong to a political community where one's opinions are heard and one's actions recognized:

The fundamental deprivation of human rights is manifested first and above all in the deprivation of a *place in the world* which makes opinions significant and actions effective. Something much more fundamental than *freedom and justice, which are rights of citizens*, is at stake when belonging to the community into which one is born is no longer a matter of course and not belonging no longer a matter of choice . . . This extremity . . . is the situation of people deprived of human rights. *They are deprived, not of the right to freedom, but of the right to action; not of the right to think whatever they please, but of the right of opinion.*²⁶

In this paragraph we can find a similar understanding to the one expressed by Jean Ameri, Anton Shammas, and Judge Carmela Rotfed-Haft in Walid Said's case—a shift from thinking about citizenship in terms of individual rights and instead seeing the more fundamental right to belong to a political community as an equal.

Arendt traces this problem back to the larger political framework of protecting human rights under the nation-state system. In the chapter “The Decline of the Nation-state and the End of the Rights of Man”,²⁷ she identifies a paradox at the heart of the concept of human rights. This paradox reflects a tension between two contradictory obligations that seem to originate in the same idea of human rights. In the name of human rights the international community recognizes the right of ‘self-determination’ and upholds the right of all societies to govern themselves. On the other hand, applying unlimited sovereignty against one's citizens creates an acute need to protect minority national groups against the power of their own state.: Arendt writes:

²⁶) Hannah Arendt, *The Origins of Totalitarianism* (1951; repr., New York: Harcourt Brace Jovanovich, 1973), 296 (emphasis added).

²⁷) Arendt, *The Origins of Totalitarianism*, chap. 9.

The Rights of Man, after all, had been defined as ‘inalienable’ because they were supposed to be independent of all governments; but it turned out that the moment human beings lacked their own government and had to fall back upon their minimum rights, no authority was left to protect them and no institution was willing to guarantee them.²⁸

The inalienable rights of man prove to be completely unprotected at the very moment in which it is no longer possible to characterize them as the rights of the citizen of the state. The figure of the refugee embodies this failure by being completely exposed without the protection of the citizen’s mask.

The mask equalizes by covering the face of the actor, hiding those attributes (ethnicity, race, sex, etc.) that should not be considered relevant when they speak and act as citizens. Arendt’s idea of political equality is an inversion of the modern understanding of equality as a natural condition of human beings.²⁹ For Arendt, the equalizing power of the mask allows for political action, but one is never the author of his or her own actions. The meaning is always provided by the spectators who locate the action in a communal web of stories, narrating one’s actions. The theatrical metaphor of a mask allows Arendt to emphasize the relational aspects of action and identity. However, the ideal of the mask also introduces a tension into Arendt’s theory of citizenship. This is revealed in her discussion of the hypocrite in *On Revolution*. Since Arendt upholds the mask as her ideal of a citizen, it is perplexing when she explains that hypocrisy is the sin most threatening to the integrity of the political sphere. Arendt writes that “[i]t must seem strange that hypocrisy—one of the minor vices, we are inclined to think—should have been hated more than any other vices taken together”.³⁰

In order to explain why hypocrisy should be considered the vice of vices, Arendt invokes the Socratic conception of the self. She says that Socrates’ most “extraordinary discovery” about the self is “that the agent and the onlooker, the one who does and the one to whom the deed must appear in order to

²⁸) Arendt traces the roots of the paradox to the faulty conception of the human underlying the universal declaration of human rights. “From the beginning the paradox involved in the declaration of inalienable human rights was that it reckoned with an ‘abstract’ human being who seemed to exist nowhere, for even savages lived in some kind of social order.” (*Ibid.*, 291). Benhabib explains that this paradox reflects the tension between the two poles of legitimacy for democratic politics: respect for universalistic rights principles and collective self-determination, which values often push in opposite directions. Seyla Benhabib, *The Rights of Others: Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004), chap. 1.

²⁹) Arendt, *The Origins of Totalitarianism*, 301.

³⁰) Hannah Arendt, *On Revolution* (London: Faber & Faber, 1963), 96.

become real . . . were contained in the selfsame person”.³¹ The self, under this understanding, is not single, but dual, constituted by an internal dialogue between each person and herself (as actor and spectator). Arendt draws a parallel between this conception of the self and the Greek understanding of the polis. Like the individual, the political realm is a space of plurality, composed of actors and spectators. This political sphere is unique in that the *real* does not precede it, but is rather created by it. It is precisely because of the fragile status of political truths, of their dependency on the integrity of the interplay between actor and spectator, that hypocrisy is so dangerous.

Hypocrisy, as Arendt notes, literally means playacting. However, the hypocrite is not the ideal actor that Arendt upholds. Rather, his acting takes up the whole space of the self, not leaving any space for duality, for the internal dialogue of actor and spectator. In order for the mask to help constitute the political realm of equality and plurality, it has to both conceal and reveal. The mask of the hypocrite, in contrast, consumes his whole identity. As a result, it reveals nothing but mirror images of social roles the hypocrite undertakes.³² Arendt explains that:

[p]sychologically speaking, one may say that the hypocrite is too ambitious; not only does he want to appear virtuous before others, he wants to convince himself. By the same token, he eliminates from the world, which he has populated with illusions and lying phantoms, the *only core of integrity from which true appearances could arise again, his own incorruptible self*.³³

Thus, Arendt arrives at the conclusion that what makes hypocrisy the vice of vices is that it threatens the integrity of the political realm.

The reaction of the people in the French Revolution to the problem of hypocrisy was to try to eliminate the mask altogether. Arendt warns against this simplistic solution, which may have accounted for the deterioration of the Revolution into the Reign of Terror. Such a response is forgetful of the important role of the mask in constituting a political realm of equality and plurality. “The Reign of Terror eventually spelled the exact opposite of true liberation and true equality; it equalized because it left all inhabitants equally without the protecting mask of a legal personality”.³⁴

³¹ *Ibid.*, 98.

³² “[T]he unmasking of the hypocrite would leave nothing behind the mask, because the hypocrite is the actor himself insofar as he wears no mask. He pretends to *be* the assumed role, and when he enters the game of society it is without any play-acting whatsoever.” (*Ibid.*, 103).

³³ *Ibid.*, 99 (emphasis added).

³⁴ *Ibid.*, 104.

These highly theoretical reflections were translated in Arendt's writings into practical observations about Jewish politics. She identified two attitudes among the Jews under the European nation-state: the "pariah" and the "parvenu".³⁵ Very few Jews chose to become pariahs—to affirm their right to be accepted by the nation-state as legitimate members of their minority group. Most Jews chose the apolitical route, that of the parvenu, engaging in cultural passing and of roleplay [the imposter way in my terms]. Arendt upholds the ideal of the conscious pariah, explaining that in the political realm one "can resist only in terms of the identity that is under attack".³⁶ In the aftermath of the Holocaust, Arendt supported the need for Jews to have a homeland. She was critical, however, of Zionist strands that depicted Jewish nationhood in organic terms and also warned that self-determination for the Jews, if it took the form of a Jewish state, would reproduce the problem for the Palestinian people. For this reason she recommended a binational state that could offer the disguising virtues of the mask (equalizing the citizens) while allowing the distinctive national voices of the two groups to be articulated and formed. This idea did not become a reality, but many of Arendt's observations reflect problems that continue to haunt Israeli citizenship today.

III. Israeli Citizenship: The Family Unification Case

The most recent case on citizenship rights in Israel that has gained immense public attention was decided on May 14, 2006.³⁷ It concerned the constitutionality of an amendment to the Citizenship and Entry into Israel Law (Temporary Order), 5763-2003. The temporary law prevents Palestinian residents of the occupied territories from entering the territory of Israel and gaining citizenship or residence status. Thus, it makes it almost impossible for an Arab Israeli and his/her Palestinian spouse to live as a family within Israel.³⁸ The law was legislated against the background of the terrorist offensive Israel

³⁵ Arendt borrows these terms from French journalist Bernard Lazare.

³⁶ Hannah Arendt, "On Humanity in Dark Times: Thoughts about Lessing," in Arendt, *Men in Dark Times*, 3–31 (1955; repr., London: Jonathan Cape, 1970), 18. Cited in Seyla Benhabib, *The Reluctant Modernism of Hannah Arendt* (Thousand Oaks, CA: Sage Publications, 1996), 38.

³⁷ *Adalah*.

³⁸ Before the temporary law, marriage to an Israeli citizen was recognized by Israeli law as an entrance ticket for the foreign spouse into the Israeli collective. Article 7 of the Citizenship Law, 5712–1952 states that "a husband and a wife that one of them is an Israeli citizen . . . the spouse

faced during the second intifada (Palestinian uprising). Terrorist organizations have received assistance in a number of cases from Palestinians who received status in Israel through family unification proceedings.³⁹ For example, in March 2002, a terrorist blast took place in the Matza restaurant in the city of Haifa. Shortly afterwards, the minister of the interior revealed that the bomb was placed by a Palestinian from the territories who had been granted Israeli citizenship and as such enjoyed freedom of movement within Israel. Soon after that the legislator took a drastic measure to prevent this security risk, setting an en bloc prohibition on granting residency or citizenship rights to any Palestinian territories (subject to age exceptions). The state explained that such a measure was necessary given the difficulty (or impossibility) of individually examining the security risk presented by each person seeking family unification.

The petitioners' main argument was that the law violated the constitutional rights of Arab citizens of Israel to family life and equality (both protected under the basic law of human dignity). The law violated the right to family life in that it prevented family unification of Arab Israeli spouses with their Palestinian spouses from the territories. The law violated the right to equality in that its injury targeted Arab citizens of Israel, since they are the ones most likely to have Palestinian spouses.

The Israeli Supreme Court, in an expanded panel of eleven justices, rejected the petition by a small majority (6:5). On the substantive matter of the constitutionality of the law, the court was split. For my purposes, I want to focus on the two main opinions for the majority and the minority, since they reflect opposite sides of the human rights discourse of self-determination and human rights that constitutes the democratic paradox discussed above.

Deputy Chief Justice Cheshin, writing the main decision of the majority, upheld the constitutionality of the law. He based his decision on the notion of state sovereignty in matters of immigration. The State of Israel, he wrote, like any other state, is entitled to limit by law the immigration of foreign nationals into Israel, including the spouses of Israeli citizens. A state is not obligated to allow foreigners to enter its domain; it is even less obligated to allow foreigners

can receive Israeli citizenship upon naturalization even if he or she were not in fulfillment of conditions in article 5(a).” HCJ 3648/97 *Stamka v. The Minister of Interior*, P.D 53(2), 728 [in Hebrew].

³⁹⁾ The state claimed that twenty-six of the Palestinians who received status in Israel through family unification proceedings were involved in terrorist activity, either directly or by assisting the direct perpetrators (See *Adalah*, 3, 12 of Chief Justice Barak’s judgment).

to settle there. In particular, in times of war, a state has the right to limit the immigration of those considered to be enemy subjects, as Palestinians have been considered to be since the eruption of the second intifada in 2000. Consequently, Israel is entitled to enact a law that forbids their entrance into its borders.⁴⁰

Justice Cheshin's judgment betrays the logic of state sovereignty, as it makes use of the right of self-determination, which includes the right to control the external borders of the nation state, most importantly, in order to provide the basic right of security for its citizens. He emphasized the security rationale stemming from the "state of war" situation. However, one can discern in his argument another implicit justification based on demography. The justice views the right of self-governance in cultural terms, that is, as giving the state (in the name of the majority of its citizens) the right to retain its "character." Sovereignty means the prerogative of the state to decide from time to time on immigration policies that have the power to shape its character. According to this logic, if he were to recognize a constitutional right of Arab citizens, he would have had to recognize a corresponding constitutional duty of the state to permit foreign nationals who have married citizens of the state to enter Israel. This would mean *de facto* privatizing the control of immigration, which would entail the loss of any means for the majority to control the character of the state through immigration policy.⁴¹

Chief Justice Aharon Barak, writing the main decision of the minority, takes the opposite course. At the center of his ruling stands the *Israeli* rather than

⁴⁰ By focusing on the Palestinian spouse, and depicting him as "foreigner" and "enemy subject" Cheshin is able to move the discussion from rights to politics. Literary critic Rachel Feldhay Brenner explains the ethical implications of such a move (as captured in Shamma's Arabesques): "In the realm of the 'third party' the masks of enemies turn the relations into a well-defined and, above all, well-rehearsed and long standing script of political conflict and militant hostility between Jews and Arabs. In this way he avoids the encounter with an Israeli Arab as a citizen who defies the definition of an enemy and whose presence evokes a sense of affinity." *Inextricably Bonded: Israeli Arab and Jewish Writers Re-Visioning Culture* (Madison, WI: Wisconsin University Press, 2003), 276–7.

⁴¹ Cheshin's view can be connected to what Seyla Benhabib has called the decline of citizenship school (consisting of communitarians, civic republicans, and liberal nationalists). These thinkers express concern about the devaluation of citizenship as institution and practice under conditions of globalization. They maintain that the right to the determination of the boundaries as well as the identity of the community are fundamental to democracy. Benhabib, *The Rights of Others*, 114–28. Benhabib who is sympathetic to the concerns of this school is nevertheless critical of their overemphasizing the degree of internal cohesion within the political community.

the *Palestinian* spouse. Chief Justice Barak does not deal with the rights of the foreign spouse (*i.e.*, the “enemy subject”). He considers the law to be unconstitutional because it infringes the basic rights of Arab citizens of Israel: to family life (including the right to live together as a family in Israel) and to equality. He writes that notwithstanding the security concerns human rights should be protected even during wartime. Chief Justice Barak balances the legitimate security interests of the state with the constitutional rights of Arab citizens, determining that the absolute prohibition on entry and settlement of Palestinians from the territories is a constitutional abridgement of the rights of the Israeli spouses. Chief Justice Barak’s judgment betrays the logic of human rights—the need to guarantee the equal rights of all citizens within a nation state.⁴² Beginning with the Arab citizen, he invokes the other side of the democratic paradox, the rights of minorities within a nation state. These rights set limits on the sovereignty of the state, even when the state is trying to protect the security of the larger population.

It is interesting to note that both justices Cheshin and Barak were able to anchor their decisions in the discourse of human rights. This is in accordance with Ruth Gavison’s contention that “the real tension is not between Israel’s ‘Jewish’ and ‘democratic’ aspects, but between competing ideas within democracy, which is forced to find a balance between complete civic equality and freedom for the majority to chart the country’s course”.⁴³ However, framing their arguments within human rights discourse did not help the justices dissolve the democratic paradox between the collective right of self-determination and human rights of individual citizens.

The inability of both justices Cheshin and Barak to escape the either/or logic is striking: either the figure of the Arab citizen (Barak) / or the figure of the foreign (enemy) national (Cheshin).⁴⁴ Neither justice was able to maintain a double perspective, seeing the external and internal and connecting the citizen with the stateless.

⁴² Notice, however, that although the discourse of individual rights allows Chief Justice Barak to focus on the Arab Israeli spouse, it entails its own evasions. Most importantly, rights discourse can be used as a shield against the ethics of a heightened responsibility for the plight of Arab Israelis as “present absentees” in Israel.

⁴³ Ruth Gavison, “The Jews’ Right to Statehood: A Defense,” *Azure* 15 (2003), 94–95.

⁴⁴ However, in Chief Justice Barak’s response to Justice Cheshin he tries to dissolve the either/or logic within Cheshin’s judgment, explaining that to acknowledge the human rights of Arab citizens does not necessarily mean to privatize immigration policy and to give up the right of collective self-determination. It only means that the court curtails the state’s power by marking some drastic measures as unconstitutional.

I believe that the family unification case illuminates the difficulty of retaining the strict distinction between the public and the private spheres. In this case, the public collapses into the private. The contradiction inherent in the hybrid identity of an Arab citizen of Israel (torn between conflicting Israeli and Palestinian identities) is played out on a national level. In order for the state of Israel to exercise its most basic sovereignty rights—that is, to provide security and control immigration (controlling the character of the state)—it has to impinge upon the most basic rights of Arab citizens. On the other hand, protecting the most basic rights of Arab citizens, to family life and equality, means a severe limitation on national immigration policy. As we saw in Cheshin's judgment, the recognition of individual rights to family life and equality in matters of family unification can mean that the Jewish majority will have to give up its control over the determination of the national character of the state as Jewish. Put differently, if citizenship means excluding the outside (foreigners), recognizing the civil rights of Arab citizens will severely limit the possibility of attaining such a goal.⁴⁵

The tension between the two poles of legitimacy for the democratic state (self-determination and human rights) can be reduced in legal ways, as some of the justices do. For my purposes it is more important to notice how, under the framework of a Jewish and democratic state, the Arab citizen of Israel presents a threat, representing a hybrid identity that constantly undermines the possibility and stability of a Jewish nation-state.

Arendt's ideal of citizenship as mask entails a membership right in a political entity and not just formal legal rights. Under this view, granting or refusing citizenship has an impact on both the individual and the collective identity of the nation-state. The family unification case betrays a deep anxiety about the Jewish identity of the state of Israel. In almost all of the opinions, the Judges avoided the demographic issue that informed the legislative debate over the amendment.⁴⁶ The State of Israel grants every Jew a 'right of return', which provides him with automatic citizenship. On the other hand, it denies any right of return to Palestinians refugees of the war in 1948. However, in the Political debate over demographic balance between Jews and Palestinians in

⁴⁵ For discussion of citizenship as closure, see Brubaker, *Citizenship and Nationhood*, 21–34.

⁴⁶ Only Justice Procaccia and Justice Joubran are willing to discuss this issue. The other justices either deny that this case is about demography or just think it is irrelevant since the state's formal arguments were about national security. See *Adalah*, paragraphs 1 and 79–81 of Chief Justice Barak's opinion; paragraphs 19, 27, and 134–5 of Justice Cheshin's opinion; paragraphs 13–14 of Justice Procaccia's opinion; and paragraph 24 of Justice Joubran's opinion.

Israel, some considered the marriage between Arab citizens of Israel and Palestinians from the territories to be a practical exercise of a Palestinian right of return.⁴⁷ This practice arouses anxieties about the possibility of maintaining the demographic balance between Jews and Arabs in Israel which from a liberal perspective is a precondition for the justification of a Jewish state. Relying on the security rationale for limiting this practice functioned as a fig leaf for the political authorities, allowing the court to avoid discussing the issue of demography directly.⁴⁸

IV. Citizenship as Mask—The Missing Voices of Arab Israelis

What limits does liberalism put on a policy of immigration meant to secure a Jewish majority? Can Israel remain Jewish under these limitations? Can it maintain its commitment to democracy? In Arendtian terms, the deeper issue that the family unification case raises is how to strike the proper balance between the nation and the state? These general questions are not discussed by the court. However, I maintain that they lie at the root of the difficulties of the concept of citizenship in Israel and that they surface in the political debate about the amendment to the citizenship law. In order to address these questions with the theoretical perspective offered by the concept of citizenship as mask, I want to introduce the missing voices from the court's judgment. In doing so, I propose to change the direction of inquiry: to turn to the private domain of citizenship and to focus on those deemed to occupy its margins—the Arab citizens of Israel.⁴⁹

The individual petitioners in case no. 7052/03, who are Arab citizens of Israel, appear before the court through their legal masks, their legal persona as citizens. I suggest that these legal masks, unlike the Greek masks, conceal their

⁴⁷ Since 1994 about 130,000 residents of the occupied territories have received status in Israel. See paragraph 13 of Justice Procaccia's opinion, citing the Attorney General's report and protocols of Knesset discussions.

⁴⁸ The security rationale also allows the court to frame the legal question in accordance with the liberal requirement of focusing on the actions of individuals as the only legitimate source of legal prohibitions. A direct endorsement of the demography rationale as the basis for denying citizenship rights would have meant abandoning this liberal discourse and viewing the very identity of the Arab citizen as a threat to the Jewish character of the state.

⁴⁹ In "Citizenship, Public and Private", Knop suggests a similar move by focusing on the conception of citizenship that is reflected in private international law. See *Law and Contemporary Problems*, Vol. 71 (2008), 309.

faces without allowing their voices to reverberate.⁵⁰ On the other hand, the Palestinian spouses are left completely exposed, without any legal mask available to them, and thus, their claims for membership cannot reach the court at all.⁵¹ Throughout the judgment, the court describes the Arab Israeli petitioners as “Israeli citizens,” and the Palestinians who were denied the status of residency or citizenship in Israel according to the temporary law as “foreign spouses.” The request for family unification is portrayed as the legal bridge that could connect the distinct legal personae of the citizen and the foreigner. This description is missing a view from inside—the view of the petitioners and their spouses. How would these missing voices describe the problem? What counternarrative could have been told? Since the legal discussion is too confined to a formal view of legal rights, I propose to contrast it with a literary depiction of Israeli citizenship written from the point of view of Arab Israelis. I demonstrate such a view with the semi-autobiographical novel *Dancing Arabs*, by Sayed Kashua, an Arab citizen of Israel. I discuss the figure of the Arab as an imposter as it appears in the novel and trace its roots back to the first Hebrew novel by an Arab writer, *In a New Light*, by Atallah Mansour (1966). Thereafter I introduce the “fictitious autobiography” by Anton Shammas, *Arabesques* (1986), that further develops and complicates the view of citizenship as mask through the literary figure of the imposter.

Dancing Arabs

The first petitioner in the family unification case is described as “an Arab Israeli citizen, residing in Beit Safafa, in Jerusalem, who was married (on December 21, 2002) to a Palestinian woman from neighboring Beit Sahor . . . Thereafter the law was changed”.⁵² The unnamed protagonist in Kashua’s novel *Dancing*

⁵⁰ With the metaphor of voice I mean to point to the complexity of the experience of citizenship of Arab Israelis who are offered “liberal rights” but excluded from the republican core of Israeli citizenship (such as the duty of army service). For elaboration on the parallel concepts of citizenship (liberal and republican) in Israel in respect to Arabs and Jews, see Yoav Peled, “Strangers in Utopia” *Teoria u-Bikoret* 3 (1993), 21–35 [in Hebrew].

⁵¹ In other words, their right to have rights is not acknowledged directly. For a discussion of several recent decisions of Chief Justice Barak that create a possibility for recognizing such a right to have rights by guaranteeing access to the court for Palestinians, see Leora Bilsky, “The Right to Have Rights—Comments on Benhabib” (unpublished manuscript, on file with author). Bilsky discusses cases of civil compensation for intifada injuries, target killing, and family unification).

⁵² See *Adalah*, paragraph 7 of Chief Justice Barak’s opinion.

Arabs is an Arab Israeli from the village Tira who moves with his wife into Beit Safafa and rents an apartment from an Arab landlady. She explains to him the legal and political difference between Arab Israelis and Palestinians in the context of living in Beit Safafa:

Our house is in an area that was occupied in 1967. Its Hebrew name is Givat Ha-Matos (Hill of the Plane), because an Israeli plane was downed there in the war. From 1948 to 1967 there'd been a barbed wire fence running through the village, splitting it in two. For nineteen years, brothers, relatives, and families living on either side of the fence couldn't visit each other. Our landlady says that the only time the Israelis and the Jordanians would allow families to approach the fence and shake hands with two fingers was on holidays or wedding days . . . Half the family lived in Jordan and the other half in Israel, she said, and laughed. Now both halves are occupied by Israel, except that people in the part occupied in '67 have residents' passes and those in the part occupied in '48 have citizens' passes, so they're considered superior and more loyal. At least their homes are higher. It figures—they've always had more work on the Israeli side.⁵³

It is interesting to notice the way in which this narrative inverts the order of things presented by the Israeli Supreme Court. The story begins with families united in the land of one village. One war (in 1948) divides them. Another war (in 1967) reunites them. These political experiences do not change the traditional custom of intermarriage between the two parts of the village. However, they do introduce differences in their legal and social status. One half of the villagers are designated as “Israeli citizens,” and the other half as “residents.”

The mask of legal persona put on the petitioners allows the judges to see them as equal citizens of Israel. But the lack of any legal mask for the Palestinian does not allow the justices and the readers to notice prior and more significant connections of the “foreign spouse” to land, family, village and ethnic community, thus excluding them from any discussion of the special responsibility Israel might owe them. This legal blindness is connected to the court's refusal to acknowledge the underlying current of demography that informed much of the legislation debate. The threatening figure of the Palestinian refugee is expelled and abjected⁵⁴ from the judgment. It is at

⁵³ Sayed Kashua, *Dancing Arabs*, trans. Miriam Shlesinger (New York: Grove Press, 2004), 147–8.

⁵⁴ For elaboration on the category of the Abject, see Julia Kristeva, *Powers of Horror: An Essay on Abjection*, trans. Leon S. Roudiez (New York: Columbia University Press, 1982). Kristeva distinguishes Abject from Subject and Object. Norma Claire Moruzzi explains, “For Kristeva the abject is that which, although intimately a part of early experience, must be rejected so that the

this point in the story that Sayed Kashua introduces the figure of the Palestinian refugee into his narrative:

Our landlady is a refugee from the village of Malcha. Sometimes she climbs up on the roof and looks down at her home. It's still there, two meters away from the mosque. In 1948 she escaped to the southern part of Beit Safafa, which had become Jordanian, and since 1967 she's been working at the Hebrew University. She's head of a department, which means she's in charge of the toilets on the school campus.⁵⁵

The landlady is a refugee, though she is still living within eyesight of her old home in Israel. She is however not eligible to citizenship status in Israel. Kashua's irony is transmitted through the use of words, intentionally subverting the ordinary meaning of *head of department* in the university to expose the status of Palestinians as occupying the bottom of the social ladder as cleaning personnel in the university. If his landlady was to marry an Israeli citizen, following the amendment to the law, she would not be entitled to even residency status in Israel. It is indeed the specter of the refugee that can explain a common thread in the judgments of justices Barak and Cheshin: their strong denial that the law has anything to do with the demographic question and with the underlying anxiety about boundary crossing, in the form of the exercise of a *de facto* right of return by these Palestinian refugees of 1948 to their villages, communities, and families in Israel by way of marriage to Israeli citizens.

One might object that the lack of any legal mask for the Palestinian spouse is compensated with the availability of the legal mask of citizenship to the Arab petitioners. However this legal mask, as employed by the court, does not allow the voice of the Arab citizen to come through. Kashua's novel provides us with this missing voice. It exposes the gap between the promise of equality of formal citizenship and the impossibility of belonging by Arab citizens.

self can establish the borders of its unified subjectivity. This rejection (abjection) of certain aspects of physical immediacy is the act that establishes subjective identity, but this act also establishes that identity as a prohibition, and as lacking an earlier bodily continuity. The Subjective Self is haunted by the possible return of the abject that was part of the presubjective experience." *Speaking through the Mask: Hannah Arendt and the Politics of Social Identity* (Ithaca, NY: Cornell University Press, 2000), 21. This psychological description can explain in part the place of the Palestinian refugee in Israeli political discourse—the Palestinian refugee is excluded from rights of citizenship. But he is also the Abject, whose exclusion allows for a distinct Israeli identity to emerge, while constantly fearing its (right of?) return.

⁵⁵ Kashua, *Dancing Arabs*, 149.

The Arab protagonist caught in the gap tries to achieve Israeli citizenship by conforming to the only national identity that is presupposed by such citizenship—to be a Jew. Thus the protagonist chooses the role of the imposter, using the mask as a way to hide rather than reveal.

Kashua's novel is devoted to the failure of citizenship as mask in relation to Arabs, to the experience of an Arab citizen of Israel passing as a Jew. Kashua's unnamed narrator spends enormous energy trying to pass as a Jew within Israel's dominant Jewish culture. He writes about himself:

I look more Israeli than the average Israeli. I'm always pleased when Jews tell me this. 'You don't look like an Arab at all,' they say. Some people claim it's a racist thing to say, but I've always taken it as a compliment, a sign of success. That's what I've always wanted to be, after all: a Jew. I've worked hard at it, and I've finally pulled it off.⁵⁶

The decision to pass as a Jew is connected in the novel to the humiliation of being recognized as an Arab—the derisive laughter of school kids, the searches of soldiers in buses, the break up with a Jewish girlfriend. “There was one time when they picked up on the fact that I was an Arab and recognized me. So right after that I became an expert on assuming false identities”.⁵⁷

What it means to be an Arab citizen in the state of Israel is revealed through the subversive Zionist lexicon that the author offers, which juxtaposes familiar expressions with unfamiliar connotations. For example, Ben Gurion, the first prime minister of Israel, is the namesake of the title of a chapter in which the protagonist undergoes the humiliating experience of being searched at the Ben-Gurion airport after being pointed out as an Arab on the bus. Thus, the readers are introduced to the split reality of an Arab in a Jewish state, celebrating Jewish holidays, having a Jewish army, commemorating Jewish wars. The whole experience of an Arab citizen, negotiating competing histories, loyalties, and languages, comes together for the protagonist at the age of eighteen, just before graduation, when the Jewish kids are drafted to the Israeli army and the protagonist, whose childhood dream was to become a pilot in the Israeli airforce, is excluded. The life of an imposter, passing as a Jew, is the result of hyperassimilation, producing some social benefits but resulting in alienation from family and community, in chronic depression, in a drinking problem. Instead of becoming free, the protagonist becomes the prisoner of his own lies.

⁵⁶) *Ibid.*, 91.

⁵⁷) *Ibid.*, 91.

Kashua's novel presents us with the narratives of those excluded from the debate on Israeli citizenship: the Palestinian refugee who is abject from legal discussion, and the Arab citizen who feels compelled to pass as a Jew. These figures represent the two poles of complete exposure and total disguise that fall short of the ideal of citizenship as mask, a mask that is supposed to conceal in order to reveal and that should allow for a critical distance to open between filial identities (family, ethnicity, etc.) and the legal identity of the citizen. Under the court's discourse, either the mask of citizenship is not available at all (to the Palestinian spouse) or the mask of formal citizenship is invoked without seeing its systematic failure to equalize (as in the case of the Arab spouse).

In a New Light

In a New Light, by Atallah Mansour, takes aim at the institution of the kibbutz, the quintessential representation of the Zionist socialist ideal, exposing the hypocrisy of kibbutz members through the figure of the Arab imposter. This 1966 novel, the first written in Hebrew by an Arab Israeli, begins with a taunting disclosure about the protagonist's life: that is has "undergone a complete, irrevocable change".⁵⁸ This language is reminiscent of the one used today to describe sex transformation. And indeed, the next sentence introduces the readers to the "lie" that constituted the narrator's life: "My heart cries out when I recall my lie. It's terrible, it's shameful, but am I wholly to blame? Doesn't a small part of the fault lie with the world? I find this hard to believe. No, the world must be at fault, too".⁵⁹ This opening invites the readers to read the following confessional autobiography about the life of an imposter, an Arab passing as a Jew, through the moral lens of the question who to blame, the individual or society?

We can recall Judge Rotfeld-Haft's answer to this question in *Walid Said*—that the main moral responsibility for the deception should be placed on society. This is also the conclusion the novel tries to instill in the readers.⁶⁰

⁵⁸ Atallah Mansour, *In a New Light*, trans. Abraham Birman (London: Vallentine-Mitchell, 1969), 11.

⁵⁹ *Ibid.*

⁶⁰ Compare to a more recent moral evaluation of racial passing in the US context by Randall Kennedy:

The real issue, though, is not whether a passer deceives . . . deception is an essential part of the enterprise. The issue is how to assess the deception . . . In my own view, passing to escape these stultifications was and remains morally permissible so long as it can be

In A New Light portrays the life story of an imposter, Yusuf Mohamad who assumes the false identity of Yossi Mizrahi in order to escape a family tragedy. As a child, his father was murdered and he was sheltered in the house of a Jewish acquaintance, Old Mizrahi.⁶¹ The narrative is set in a kibbutz where Yossi has been living for a year, at the time when he is applying to be accepted as a full-fledged kibbutz member.⁶² Alongside the process of tearing off the mask of the imposter (finding out Yossi's true identity), the hypocrisy and the false mask of the kibbutz as committed to the principles of

accomplished by means that do not impose morally prohibitive costs on innocent parties . . . An observer . . . who is willing to excuse a passer's deception of racist enemies might nonetheless feel differently about the deception of others, particularly those to who the passer owes special obligations of trust. In the literature of passing, the question whether to reveal racial secrets to a loved one of a different race arises repeatedly (Kennedy, "Racial Passing," 1182).

⁶¹ It is interesting to note that the Mizrahi Jew (another hybrid identity of Jew and Arab) functions in the novel as the bridge between life as an Arab and life as a (Jewish) *kibbutznik*. Indeed, Yossi is passing as a Yemenite Jew in the novel (Mansour, *In A New Light*, 27). Both Arab Jews and Arab Israelis are depicted in the novel as backward people, though the Jews score higher on the social ladder (*ibid.*, 128), a source of shame for the protagonist who believes the socialist "progressive" world view. For elaboration on the citizenship status of Arab Jews, see Yoav Peled and Gershon Shafir, *Being Israeli: The Dynamics of Multiple Citizenship* (Cambridge, MA: Cambridge University Press, 2002), chap. 3 and Ella Shohat, *Taboo Memories, Diasporic Voices* (Durham, NC: Duke University Press, 2006), 330–58.

⁶² Compare to the more contemporary legal case of *Ka'adan*, in which an Arab family contested the decision of Katzir, a communal settlement, not to admit them as members. The lands of Katzir were allocated to it by the state, not directly through the Jewish Agency for Israel. The petition thus served to expose the hypocrisy of the state, declaring commitment to equality while delegating powers to the Jewish Agency for Israel to achieve its discriminatory policy of land distribution. For a critique of this discriminatory practice, see David Kretzmer, *The Legal Status of the Arabs in Israel* (Boulder: Westview Press, 1990). At the same time that the *Ka'adan* petition was deliberated in the Supreme Court, another Arab citizen of Israel, Fathi Mahamid, was already building his house in Katzir. In order to purchase the land, Mahamid had used the services of a Jewish intermediary, who had bought the land for him. The *covert agency contract* was employed as a counterstrategy to the covert discrimination by the state. About this affair, see Neta Ziv and Ronen Shamir, "State-Oriented and Community-Oriented Lawyering for a Cause: A Tale of Two Strategies," in ed. Austin Sarat and Stuart Scheingold, *Cause Lawyering and the State in a Global Era*, 287–305 (Oxford: Oxford University Press, 2001). On March 2000, in a landmark decision, the Supreme Court ruled that the state's practice of allocating lands for the exclusive use of Jews was illegal. In its decision, the court abandoned one of the basic values of Zionism—exclusive land distribution for Jews, since it was not compatible with the values of a democratic state. H.C.J. 6698/95 *Ka'adan v. Israel Land Administration*, P.D. 54(1) 258 [in Hebrew].

nondiscrimination and equality among the nations is also revealed.⁶³ Yossi comments on this:

I would like to hear him say it. I would like to hear, plainly and briefly, what the members of this *kibbutz* thought of me. Why should I go on giving them the pleasure of regarding themselves as good-hearted, progressive benevolent? Shlomo can help me tear their false mask. I was fed up with polite falsehoods, with sugar-coated sycophancies. By all means let Shlomo tell me point blank, 'WE HATE THE ARABS'.⁶⁴

As with the criminal cases of imposters previously described, the novel compounds one lie with another—Yossi Mizrahi is engaged in an illicit love affair with a (Jewish) married woman, Rivka.⁶⁵ When he is exposed as an imposter he also finds out about Rivka's pregnancy and her initial choice to remain with her husband, Yehuda. We can read the novel as supplementing the missing voice of the defendant (Walid/Eyal) in the criminal case. Rather than feeling guilty about his deception, the protagonist (Yossi/Yusuf) feels betrayed and deceived by Rivka.⁶⁶ He obsessively repeats to himself that he "did not take Rivka by force," that he did not rape her but that she chose to be with him. We know from our legal decisions that this is a disputed fact from the point of view of law, since Yossi obtained Rivka's consent through falsely representing

⁶³ Indeed, the minute the mask of the Jew is torn and he is exposed as an Arab, Yossi is treated as a security threat (investigations are made at the Ministry of Defence). He is viewed as an unreliable alien and therefore blocked from entering a meeting in the armory. Moreover, he is instrumentally exploited to be a delegate of the party in the Arab neighboring village, since he can be a better bridge between "his people" and the kibbutz. Mansour, *In a New Light*, 137. This role, however, appears to be quite frustrating. Referring to the potential of Israeli Arabs to constitute a bridge between Israel and the Arab world, one Israeli Arab remarked that "a bridge is something everybody walks over." Cited in Uri Avnery, "Israelization and Palestinization," *Jerusalem Post*, May 23, 2003.

⁶⁴ Mansour, *In a New Light*, 119.

⁶⁵ Interestingly, real life followed fiction and the first criminal case of impersonation to be tried in an Israeli court was of a married Israeli Druze who presented himself to a Jewish Israeli woman as a bachelor Jew, promised to marry her, and, on that basis, entered a sexual relation and impregnated her. Al Shaabi presented himself as Avi Mizrahi, an immigrant from Irak who lives in Kfar Ata. See CA 499/72 *Al Sha'abi v. The State of Israel*, PD 27(1) 602 [in Hebrew]. For a legal discussion of the case, see Miriam Gur-Arye, "Representation as a Fictive Figure: Impersonation or Fraud?" *Mishpatim* 5 (1973–4), 673–84 [in Hebrew].

⁶⁶ As an aside, it is interesting to recall the Jewish connotation of the name Rivka. Rivka was the mother who advised her beloved son, Jacob, to impersonate his older brother, Esau, in order to gain the blessing of their father, Isaac, and inherit his spiritual leadership. Jacob/Israel, became the founding father of the Israelites. *Genesis* 27.

himself as a Jew. Indeed, having convinced himself that Rivka wronged and deceived him, the protagonist is shocked to learn that she accuses him of his own deceit. The following dialogue ensues:

[Rivka] “I am sorry for having trusted you.”

[Yossi/Yusuf] “Am I the one who has broken faith?”

“*Aren’t you?*” she shrieked. “Haven’t you lied to us for a whole year? How could you go on lying throughout your life?”

“I?”

“Who else? You have been standing on the stage playing a magnificent part and making fool of all of us.”

I finally understood.

“But you must realize my position,” I argued. “I was put on the stage from the day I was born and must go on acting if I don’t want to fall off”.⁶⁷

This exchange makes the parallel between the imposter’s lies about his identity and the lover’s lies about the illicit love affair more palpable, making us wonder about society’s double standard of making the former a punishable crime, while considering the latter as part of life, a private affair. The comparison between the two deceptions is made all the more problematic when the issue of self-identity is developed in the novel through various encounters between Yossi and kibbutz members who interrogate him about his true identity. Thus for example, in response to the kibbutz secretary’s interrogation—“You are not Jewish . . . Who are you, then?”—Yossi responds, “I don’t know. I grew up in *Beth-Or* [a neighboring kibbutz.]” When asked more directly by another member, “Are you a Jew or an Arab?”, Yossi answers, “My parents must have been Moslems. I never knew them.” And when this answer is proved unsatisfactory he is asked about the objective (legal) and subjective (psychological) definition of his identity: “My papers say I’m a Jew.” “And how do you feel about it?” “Like *anybody else!*”⁶⁸ These frustrating interrogations suggest several tests that can fill up a personal void about identity—place of residence, legal papers, subjective feelings—none prove satisfactory, but all raise doubts about our ability to depict Yossi as engaged in a deliberate lie. Instead of the simplistic understanding of identity (something you are born with) and choice to defraud, the novel offers a competing understanding of identity formation, based on an analogy to language acquisition. This happens when Yossi, who has been uprooted for years from his cultural and linguistic origins, confuses

⁶⁷ Mansour, *In a New Light*, 135.

⁶⁸ *Ibid.*, 171–2.

the two Arabic titles *Effendi* and *Hawadja*: “I remember now . . . *Hawadja* was reserved for Jews and Christians. *Hawadja* and *Effendi* were two different things, just as a Jew and a goy were different. From early childhood we learned to be different, and everybody repeated this fact to us a thousand times”.⁶⁹

With these sentences a subtle inversion is made between identity (as similarity) and difference (as essence). The difference (between words and between identities) does not inhere in the nature of things, but is rather the result of repetition, through learning. The irony is revealed when we remember that this admonition about the seemingly obvious difference between a Jew and a goy, is made by someone whose whole life is made up of repetitive transgressions of religious, national, and linguistic boundaries.⁷⁰ There is an underlying affinity between Arabic and Hebrew, which accounts for the ease with which a transition between the two languages can be made. Thus, for example, when daydreaming about his unborn son, Yossi decides to “name him Shalom, which means peace. But I’ll use the Arabic form. The word was Salaam. Strange how similar the two languages could be”.⁷¹ This affinity between the languages is depicted in the Arab Hebrew novels as a source of anxiety for the dominant Israeli culture, and makes the figure of the imposter a fearful reminder of it.⁷²

Upon disclosure of Yossi’s true identity as an Arab, the kibbutz is called upon to make “a historic decision” to grant membership to an Arab. The theme of citizenship is played out in the novel by juxtaposing the general election to the Knesset (the attempt of the kibbutz to win the votes of the neighboring Arab village) with the vote over Yossi’s membership in the kibbutz. It is at this point that the figure of the imposter unravels the mask of hypocrisy of the kibbutz (and of Israel by implication)—the false commitment to equality of Arab citizens. One of the kibbutz members defines the decision as “fundamental”—concerning the kibbutz’s competing commitments to equality and nation: “It is true that we were brought up on the ideals of full equality between nations, but our primary duty is to serve as an *avant garde* to our own

⁶⁹ *Ibid.*, 106.

⁷⁰ In the novel, the question of identity is further complicated through its connection to questions of memory. Yossi’s struggle to acquire a new identity is connected with a need to forget his personal history (the murder of his father) and his national history (of defeat and the demolition of his Arab village by the Zionist bulldozer). For a discussion of the interplay between identity and memory in the novel, see Brenner, *Inextricably Bonded*, 193–205.

⁷¹ Mansour, *In a New Light*, 127.

⁷² On the use of Hebrew/Arabic in the writings of Emile Habiby, see Lital Levy, “Exchanging Words: Thematizations of Translation in Arabic Writing from Israel,” *Comparative Studies of South Asia, Africa and the Middle East* 23 (2003): 106–27.

people in the struggle for socialism. Yossi's place is not amongst us. He should live and fight with his own countrymen".⁷³

This speech puts the old slogans about equality in perspective, when considering to whom membership will be granted by the kibbutz, the nation seems to enjoy the upper hand. And as the debate unfolds and the issue of the future (family and children) is raised, nationalism is quickly replaced with racial consideration (whether the kibbutz should serve as an experimental center for racial integration).

Some members claim that Yossi belongs with "his people"—the Arabs. At this point, one of the kibbutz members (Shlomo) rises to his defense saying:

Yossi is not an Arab. Perhaps he is not a Jew either, but then what kind of Jews are we? Does any of you, Comrades, know that tonight is the eve of the Ninth of *Ab*? [day commemorating destruction of the Jewish temple.] . . . Are we Jews? Well, I'll leave it at that. But you all know it isn't exactly true, and it's certainly even less true that Yossi is an Arab . . . If we don't [admit him as a member] we shall not be able to go out of this room and look people in the eye.⁷⁴

This commitment to Zionism, to the construction of a New Jew, turns the vote around by underlining the affinity with the figure of the Arab imposter. The rhetorical question posed by Shlomo, what kind of Jews are *we*? echoes back to Yossi's self-representation of his personal history in the opening of the kibbutz meeting:

It is true that my parents did not fast on *Yom Kippur* [Jewish Day of Atonement] or light candles on *Chanukah* [Jewish festival of lights]. I don't know what rituals they did observe. When I was five years old my father was killed. I don't know who killed him—it might have been the English, the Arabs or the Jews.⁷⁵

The novel depicts Yossi, who was cut unwillingly from his own traditions as having strong affinity with the kibbutz members, the New Jews, most of them new immigrants, who willingly broke with the Jewish tradition and with their families in order to become a socialist avant-garde.⁷⁶ It is ironic that these

⁷³ Mansour, *In a New Light*, 172.

⁷⁴ *Ibid.*, 172.

⁷⁵ *Ibid.*, 170.

⁷⁶ Even the change of names is implied. For example, Rivka's husband, Yehuda, who is portrayed as the ideal New Jew is Joe from Brookline. In fact, the protagonist's decision to move into *Har Or* was motivated by the fact that the kibbutz's constituents were mainly immigrant Jews.

people, who are committed to the project of social reconstruction, will deny membership from someone whose life is motivated by the same desire.⁷⁷ Moreover, in trying to deny Yossi membership, these New Jews are led to rely on the very traditions that they self-consciously rejected, in order to define a difference, to re-inscribe the boundary.⁷⁸ Faced with its own contradictions, the kibbutz is led to a compromise: “Yossi [will] be accepted as a fully-fledged member, provided that nothing which has been said here will be put on record. The *kibbutz* will simply admit one more member, neither Jew nor Arab, and that’s that”.⁷⁹

Does this resolution amount to the desired mask of the citizen? Is this the ideal to which we should aspire of being neither Jew nor Arab? The emphasis on secrecy and confidentiality leads the readers to believe that this is just another false mask the kibbutz is adopting, in order to look good before the general elections. Indeed, the resolution makes Yossi see everything in a ‘new light.’ “I have won my fight, but this kind of victory left a bitter taste in my mouth.” He will be allowed to stay but only like “a thief in the night”.⁸⁰ The kibbutz does not send Yossi back to “his people” but still strips him of any national/ethnic identity by declaring him “neither Jew nor Arab.” That is, the kibbutz returns Yossi, against his will, to the position of an actor—of continued denial of his minority group identity. Instead of constructing a neutral public sphere, the individual himself is required to become neutral, or to be neutralized from his national/ethnic origins. The individual cannot voice his opinion as one who belongs to a national minority, since this voice is silenced by the mask of neutrality. The same is not true, however, for the Jewish

⁷⁷ Kennedy develops this metaphor in the American context of racial passing by comparing the experience of passing to immigration. “Just as immigrants leave their homelands for what they perceive as better opportunities abroad, sometimes casting away names and languages in the process, so, too, passers leave their racial homeland for what they perceive as better opportunities elsewhere. While the immigrant is widely hailed for his initiative, however, the passer is widely cursed as a self-seeking opportunist.” Kennedy, “Racial Passing,” 1176.

⁷⁸ Earlier in the novel Yossi rejects the suggestion of Old Mizrahi that he convert to Judaism as unacceptable to the kibbutz’s socialist ideology. “He [Old Mizrahi] was willing to talk it over with the local rabbi, who could convert me to Judaism right away. If I was so inclined. “But why should I go to the Rabbi? At our kibbutz they made fun of rabbis . . . The kibbutz did not believe in being religious, therefore it wasn’t done to go to a rabbi.” Mansour, *In a New Light*, 100–101. As it turns out, by rejecting the religious line of difference, it becomes even more impossible for Yossi to cross the invisible boundary, since the difference becomes one of race (even though this is always denied, under the hypocritical mask of commitment to nondiscrimination).

⁷⁹ *Ibid.*, 175.

⁸⁰ *Ibid.*, 176.

members of the kibbutz, who can identify publicly with their national and ethnic affiliations. Parvenus like Yossi dearly pay the cost of social acceptance, as Arendt explains. And like Arendt before him, Mansour attributes the moral blame to the kibbutz rather than to the individual, who had no real choice but to adopt a false identity and, after being exposed, is forced to adopt just another mask. As a metaphor for the kind of citizenship granted to Arabs in Israel, the novel shows how the European nation-state's failure to grant Jews membership as Jews is replicated by the Jewish nation-state in relation to the Arab minority.⁸¹

V. The Subversive Potential of the Mask

We can now attempt a second reading of Sayed Kashua's novel, this time noticing how he tries to negotiate the terms of Israeli citizenship while challenging its assumptions. In contrast to Mansour who introduces a note of hope when his protagonist, Yossi, decides in his fantasy to name his son Salaam-Shalom, Kashua's protagonist is resigned to a growing despair. By the end of the story he recounts his brother's decision to name his newborn infant Danny: "Mahmoud said the name would save the kid lots of problems. Maybe he'd be laughed at in Tira, but he'd have it easier at the university and at work and on the bus in Tel Aviv, Danny was better".⁸² Thus the novel ends on a note of despair. However, from the perspective of the effect the novel has on its readers, the novel can be read as an act of transgression by the narrator, of putting on the Jewish mask but indicating that it does not quite fit. The novel offers a kind of linguistic resistance. By writing in Hebrew and subverting the Hebrew language from within, Kashua is able to carve a space in between the all-encompassing Zionist and Palestinian national ideologies, both of which he rejects. It is this use of language that admits irony and satire into the story. This is, for example, how he recounts his understanding of what Zionism is:

In twelfth grade I understood for the first time what '48 was. That it's called the War of Independence. In twelfth grade I understood that a Zionist was what we called a Sahyuni,

⁸¹ See Judith Butler, "I merely belong to them," review of *The Jewish Writings*, by Hannah Arendt, *London Review of Books* 2, no. 9 (10 May 2007). Arendt warned that by not attending to the problematics of the nation-state model in relation to national minorities, Israel will not become the answer to the "Jewish question" but only replicate the problem with relation to the Palestinians.

⁸² Kashua, *Dancing Arabs*, 226.

and it wasn't a swearword . . . I'd been sure that a Sahyuni was a kind of fat guy like a bear. Suddenly I understood that Zionism was an ideology. In civics lessons and Jewish history classes, I started to understand that my aunt from Tulkarm is called a refugee, that the Arabs in Israel are called a minority. In twelfth grade I understood that the problem was serious.⁸³

Notwithstanding the seriousness of the problem, the novel works with irony and humor to destabilize known expressions and to dismantle stereotypes. For example, a *settler* in the novel is not a Jew who settles in the occupied territories, but rather is a label given by Arab students to students in the dormitories who move into a room already occupied by two tenants. Similar subversion is done to the terms *Ben Gurion*, *Independence Day* and *head of department*. This verbal resistance makes the readers stop and think about these daily expressions that usually pass unnoticed. Kashua also refuses to submit to the stereotypes of Arab and Jews, constantly calling on readers to examine the terrain of the Israeli citizen that is being reimagined and renegotiated by both Arabs and Jews in Israel. He asks us to abandon clichés and to see the complex reality of citizenship that is being created in Israel:

The situation is really pissing me off. I'd like to be an Arab college graduate who works as a garbage collector so I can badmouth the State. But I never did make it through college, and the truth is that my job isn't that bad. I'm not really suffering at work. I'd like to be a dishwasher at some restaurant, to pray in a mosque, to be poor. I'd like the sewage to overflow from the toilet into the kitchen, and I'd like for a donkey to be tied to the fig tree, and for little barefoot kids to be shouting all the time, and for my wife to wear a veil.⁸⁴

In this way the novel opens a critical space between the bearer of the mask and the mask. This is the space that the low-profile criminal prosecutions of the imposters tried to abolish. It is also the space that is lacking from the high-profile court decision on family unification. Caught between the individual and the state, the legal map does not leave a neutral space for renegotiating and reimagining the terms of Israeli citizenship.

Kashua is an Arab who writes in Hebrew. His novels have not been translated into Arabic. His book was a bestseller in Israel. Thus we become aware of language itself as a mask. But this mask unsettles old affinities (Arabs and Arabic, Jews and Hebrew). Laila Lalami explains the significance of Kashua's choice of language:

⁸³) *Ibid.*, 117.

⁸⁴) *Ibid.*, 194.

This is the larger theme of Kashua's work: how language and identity are intimately related, and how this narrow definition can serve to include or exclude portions of society. In both of Kashua's novels, the main character's sense of alienation from his world is tied to his use of language. Language is perhaps Kashua's way of exploring the no man's land that the writer himself inhabits.⁸⁵

Kashua's choice of Hebrew is telling in another way, since it is also the language connected to the Zionist nation-building project. The revival of Hebrew as a secular language and as the language of politics was one of the main achievements of Zionism. The ideal Israeli citizen (as opposed to the Jews of the Diaspora) was to speak Hebrew. By reoccupying the position of the New Jew who speaks Hebrew with an Arab citizen of Israel, Kashua offers an ambivalent message to his readers. Is this a fulfillment of the Zionist revolution or does it undermine its ability to delineate the national boundaries?

Does this change our understanding of the figure of the hypocrite? Does assuming the mask of the imposter necessarily undermine politics, as Arendt claims, or can it be viewed as politicization by other means? The criminally charged imposters in the legal cases I have discussed aspire to find a personal solution to a larger political problem.⁸⁶ However, once exposed, their trials become a public venue in which Israeli collective identity and the confining terms of Israeli citizenship are challenged.⁸⁷ A subversive impersonation becomes a critical political move in the literary works of Kashua and Mansour. It is as if these writers take Arendt's principle that one can only resist in terms of the identity that is under attack, and turn it on its head to mean that when attacked as a non-Jew one has to respond as a Jew. In other words, these literary works seem to suggest that under the confining conditions of Israeli citizenship tailored to allow only one collective voice to sound through the mask—that of Jewish nationality—the excluded Arab citizen can only respond by assuming the mask of the Jew in order to expose its distortions and

⁸⁵ "Native Speaker," *Boston Review*, September/October 2006.

⁸⁶ In the case of Walid Said it seems that impersonation was almost the only way for survival.

⁸⁷ For a critical discussion of the trial of Chen Alkobi, see Aeyal Gross, "Impersonation as Another Person: Imitation and Gender Insubordination in the Trial of Hen Alkobi," in *Trials of Love*, ed. Orna Ben Naftali and Hannah Naveh, 365–412 (Tel-Aviv: Ramot, 2005) [in Hebrew]. For a further elaboration of the concept of political trials as junctions of identity formation (and reformation), see Leora Bilsky, *Transformative Justice: Israeli Identity on Trial* (Ann Arbor: University of Michigan Press, 2004).

exclusions.⁸⁸ I would add that these literary impersonations allow our authors to use the mask as the rules of the political game demand, as a sounding board for the truth.⁸⁹ In order to examine the kind of political truth the mask of the imposter allows the Israeli reader to hear we should turn now to the third and last novel discussed in this essay, *Arabesques*, by Anton Shammas.⁹⁰

Arabesques

“For an Arab author to be writing in Hebrew at all is highly unusual . . . a phenomenon undoubtedly connected with a blurring of the traditional boundaries of Israeli national culture”.⁹¹ With these words, literary critics Hannan Hever and Orin Gensler introduce the novel *Arabesques*. In this section I would like to further investigate the relationship between the critique of Israeli citizenship, the figure of the imposter, and the use of the Hebrew language by Arab Israeli writers. What political message is conveyed by the choice of Arab Israelis to write fictional works that strongly criticize Israeli citizenship in Hebrew? Should the choice of Hebrew be understood as a parallel impersonation by the author, of wearing the Jewish mask? Should we understand it as a simple act of assimilation to the hegemonic Israeli culture? Or should we view it as a subversive act of criticism? How effective can it be? In short, how does the choice of language further our understanding of the role of the imposter in challenging the theme of citizenship in a nation-state?

⁸⁸ Indeed, we see the perversions of this situation in the simultaneous development of two opposite tendencies among Arab citizens of Israel, of *Israelization* (covering) and *Palestinization* (taking off the civic mask). Some writers believe that at present the Israelization tendency has the upper hand. See Uri Avnery, “Israelization and Palestinization,” *Jerusalem Post*, May 23, 2003 and Sammy Smooha, “Are the Palestinian Arabs in Israel Radicalizing?” *Middle East Window*, April 24, 2004. Others think that the Arab citizens of Israel have given up both tendencies in the last few years and are therefore standing at a serious crisis point or that they are developing a new pattern of internal national struggle. See Nadim Rouhana, “Outsiders’ Identity: Are the Realities of the ‘Inside Palestinians’ Reconcilable?” *Palestine-Israel Journal* 9 (2002), 70 and Elie Rekhess, “The Arabs of Israel after Oslo: Localization of the National Struggle,” *Israel Studies* 7, no. 3 (2002), 1–44, respectively.

⁸⁹ Arendt, *On Revolution*, 106–7.

⁹⁰ Shammas was born in the Arab-Christian village, Fasuta, in the Galilee. When he was twelve his family moved to Haifa, a Jewish town with a considerable Arab minority. After graduation he moved to Jerusalem, where he lived for twenty years. Since 1987 Shammas has been living in Michigan.

⁹¹ Hannan Hever and Orin D. Gensler, “Hebrew in an Israeli Arab Hand: Six Miniatures on Anton Shammas’s *Arabesques*,” *Cultural Critique* 7 (1987), 50.

On the simplest level, the choice of Hebrew language is meant to reach the Hebrew-speaking Jewish readers. It forces the Israeli reader to hear the voice of the Arab writer who criticizes the shortcomings and the failed promise of equal citizenship in Israel.⁹² However, it seems that this literature's ability to destabilize and to challenge widely held assumptions about Israeli citizenship lies at a deeper level. The subversive potential of this literature is connected to an ambiguity (maybe even contradiction) in the heart of the Zionist ethos upon which the state of Israel was established. What is this ambiguity? One writer suggests:

In its self-identification as a secular Hebrew nation reborn in the image of Western modernity, the Zionist mainstream culture could not envision the emergence of the phenomenon of Arab literature in *Hebrew* . . . [it] threatened to shed a critical light upon the Zionist self-image.⁹³

The Hebrew language is inextricably bonded with the Zionist vision of a national revival of the Jewish nation. It was self-consciously chosen by Zionist activists to replace the old Jewish language of the European diaspora (Yiddish), and to serve as a language of national inclusion, connecting Jews from the East and the West. When this language is used by an Arab author, the assumed identity between nation and language is put to question.⁹⁴ This transgression challenges a fundamental presupposition of the Zionist national-revival project—that the Hebrew language will be used by all New Jews and only by them. Language has a double function of inclusion and exclusion, similar to delimiting the boundaries of citizenship and membership. However, the Hebrew language proved to be a poor exclusionary tool in relation to the Palestinian Other, as its affinities to the Arabic language are pronounced and the Arab citizens of Israel learned the new language quickly.

Against this background the subversive message of *Arabesques* appears. Hever and Gensler explain:

⁹² But see discussions of strategies of naturalization of the political message of these novels by Israeli literary critics, described in Brenner, *Inextricably Bonded*, chap. 5. The naturalization effect is a danger connected more generally to the choice of subversion as the mode of criticism. See Judith Butler, *Bodies that Matter: On the Discursive Limits of "Sex"* (New York: Routledge, 1993), 121–40.

⁹³ Brenner, *Inextricably Bonded*, 110.

⁹⁴ Hever and Gensler suggest that the choice of Hebrew by an Arab writer challenges the long-standing total coincidence of the Hebrew language with the Jewish subject matter. "Hebrew in an Israeli Arab Hand," 73.

Shammas's *Arabesques* places Israeli Jews in an uneasy position. On the one hand, they cannot just dismiss him or ignore him as someone totally Other especially in light of his virtuosic command of Hebrew as a literary medium and his vigorous participation in the Israeli mass media as journalist, polemicist, and author. On the other hand, Shammas's violation of the accepted boundaries of Hebrew culture makes it difficult for Israeli Jews to identify easily with him or adopt him as one of their own.⁹⁵

This ambiguity in Zionism makes the political message of the novel powerful and troubling. It is conveyed not only through the medium of language, but also explicitly, through the fictional Hebrew writer Yehoshua Bar On (a thin literary disguise for A.B. Yehoshua), who is simultaneously empathetic to the Arab Israeli writer who participates with him in an international writers program and repelled by the ambiguity with which the Arab Israeli confronts him. At a certain point in the novel, Bar On, who is frustrated with the complications of the hybrid figure of the Arab Israeli, decides to replace him with the more authentic figure of the Palestinian. He explains: "My former hero [Shammas] does not define himself as my enemy, at least not in the accepted sense of the word. And that makes it hard for me. On the other hand, I feel much closer to the problems of this Palestinian".⁹⁶ Brenner interprets the shift of identification in terms of proximity and distance, ethics and politics:

The masks of enemies turn the relations into a well-defined and, above all, well-rehearsed and long-standing script of political conflict and militant hostility between Jews and Arabs. A Jew tries to evade a face-to-face encounter with an Arab who defies the definition of an enemy and whose presence evokes a sense of affinity that the Israeli victor is reluctant to acknowledge.⁹⁷

This ambiguity in the heart of Zionism is brought to the fore with the hybrid figure of the Arab Israeli. *Arabesques* externalizes and dramatizes the identity crisis of an Arab citizen of Israel by positing him between a Jewish woman lover and a Palestinian cousin. Like the Arab Israeli, the protagonist is torn between two competing loyalties—his lover Shlomit, an Israeli Jew married to an army officer, and his Palestinian cousin, Michael Abyad, who is a former member in an anti-Israeli terrorist organization. This literary depiction enhances the legal drama underlying the family unification case, by implying that the hybrid identity of an Arab Israeli threatens two fundamental taboos in Israel's exclusionary politics and mores—of ethnic purity and state security.

⁹⁵ *Ibid.*, 73.

⁹⁶ Anton Shammas, *Arabesques*, trans. Vivian Eden (New York: Harper & Row, 1998), 168.

⁹⁷ Brenner, *Inextricably Bonded*, 277.

“The impossibility of belonging to either endows the tale with an unbearable sense of displacement and alienation,” writes literary critic Rachel Feldhay Brenner.⁹⁸

The transgression or trespassing of national and ethnic boundaries by the figure of the imposter is repeated and intensified through the depiction of a sexual liaison between an Arab man and a Jewish woman. In all three novels discussed here, the Arab protagonist is engaged in a love affair with a Jewish woman (who is married to a Jewish Israeli in both Mansour’s and Shamma’s novels.) Likewise, in the criminal case, Walid Said (Eyal Halabi) is involved in an intimate relationship with a Jewish Israeli woman. Such sexual transgression should be read against the background of Israeli law that in effect disallows interreligious marriages in Israel by delegating the authority in some matters of personal status (including marriage and divorce) to religious communities, which in the case of Jewish law, prohibits interreligious marriages.⁹⁹ It also points to the demographic anxiety—about the possibility of retaining a Jewish majority in Israel.¹⁰⁰ Interestingly, in all cases discussed here, the transgression is unidirectional—it is the body of the Jewish woman that is infiltrated by the Arab man, thus representing the physical body of the woman as the metaphorical body of the nation.¹⁰¹ In literature, the depiction of an interracial/interreligious intimate relationship provides a

⁹⁸ *Ibid.*, 121.

⁹⁹ Although interreligious marriages can not be conducted in Israel, such marriages can be registered in the Israeli population registration (and thus be recognized *de facto*), if they were conducted legally in another country. This situation is the result of Supreme Court rulings that oblige the Israeli registration clerks to register the marriages of anyone who presents them with valid marriage certification, without considering their coherence with domestic law. HCJ 143/62 *Punk-Shlazinger v. Minister of Interior*, P.D. 17, 225 [in Hebrew]. For a more recent implication of the *Punk-Shlazinger* ruling, enabling the registration in Israel of same-sex marriages conducted in Canada, see: HCJ 3045/05 *Ben-Ari v. Director of the Population Administration in the Ministry of Interior*. However, the *de facto* acknowledgment does not undermine the status of the social taboo against such transgression, and intermarriages between Arabs and Jews are very rare. For further elaboration of the personal status law in Israel, see Menashe Shava, *The Personal Law in Israel* (Tel-Aviv: Modan, 2001) [in Hebrew].

¹⁰⁰ Yoav Peled argues that in light of the different reactions to non-Jewish Russian and Palestinian immigrants, the demographic threat should be understood not in terms of keeping a “Jewish majority” but rather of keeping a “non-Arab majority”. “Citizenship Betrayed: Israel’s Emerging Immigration and Citizenship Regime,” *Theoretical Inquiries in Law* 8 (2007): 603–28. In particular, see pages 619–20, referring to Ian Lustick, “Israel as a Non-Arab State: The Political Implications of Mass Immigration of Non-Jews,” *Middle East Journal* 53 (1999): 417.

¹⁰¹ According to the Halacha, the body of Jewish law supplementing the scriptural law, the religion of the mother determines that of the child. Thus, it could have been expected that for

dramatic background to the personal travail of the imposter. In law, it is the fraud or breaking of trust within the confines of an intimate sexual relation that opens the door to legal intervention. The liberal ideology is ambivalent about the crime of impersonation, since it is both fraud and a profound act of self-expression. Only when impersonation involves another innocent victim can the law more easily intervene in order to protect the liberty of another.¹⁰²

The transgression of social boundaries is achieved through impersonation and illicit sexual encounters. A third layer upon which the subversion of boundaries is expressed in the novel is represented in the choice of language. The medium of the Hebrew language used by an Arab Israeli writer, Shammas, coincides with his political message. The author uses the Hebrew to create a neutral space, that is devoid of identification with the Jewish subject. His novel redraws the national boundaries to connect equally with both Arab and Jewish citizens of Israel, while excluding both Palestinians and non-Israeli Jews.¹⁰³ This subversive message points to the deep revision of the political scheme that is needed in order for Israel to become a state of all its citizens. As Hever and Gensler explain:

purely religious considerations, the problem of intermarriage between a Jewish man and a non-Jewish woman would be the core concern. For example, as a Knesset Member, Meir Kahane introduced legislation that would prohibit marriages and sexual relations between Jews and non-Jews. The language of Kahane's proposed bill, which was disqualified by the Knesset presidium, is reproduced in Yair Kotler, *Heil Kahane* (Tel-Aviv: Modan, 1985), 412–5, was gender-blind. However, the rhetoric he used in the Knesset discussions betrayed his greater concern at policing women's bodies and in preventing relations between Jewish women and non-Jewish (*i.e.*, Arab) men. He focused on Jewish women's intermarriage, remarking that "three thousand and five hundred Jewish women are married to Arabs and have many children who are Jews *de jure*, but not *de facto*" (KD 103, 405 (12.11.1985). Kahane's remarks in the Knesset are recorded in the Knesset Debates 100, 777 (12.12.1984); KD 103, 58 (16.10.1985); KD 103, 405 (12.11.1985); and KD 104, 1849–1950 (25.2.1986) [in Hebrew].

¹⁰²⁾ According to Israeli law the criminality of impersonation depends on the behavior of the accused; the results of the impersonation are irrelevant. See Penal Law 5737–1977, art. 441. Unlike the English common law, for many years the Israeli courts criminalized only specific acts of impersonations (such as taking on the identity of another person), rather than general acts of impersonation (such as undertaking attributes of a group identity). See CA 499/72 *Al Sha'abi v. State of Israel*, PD 27(1) 602 [in Hebrew]. This limitation on the scope of the prohibition was overruled in the *Alkobi* ruling.

¹⁰³⁾ Hever and Gensler call this move a "re-territorialization of language" in the sense that territory rather than religious affiliation determines the boundaries of the use of language. Thus, in the novel, while the Arab Israeli (Anton) and the Palestinian (Pacco) speak Hebrew, the Egyptian Jew (Amira), does not. For her, Hebrew is a language of tradition and past.

As an Arab writer breaking into the linguistic and literary citadel of the Israeli Jews, Shammas calls into question their claim to exclusive possession of the language of traditional Zionism. For him Hebrew is simply the language of present-day Israelis. Acknowledging this revision in the canonical definition of Hebrew literature amounts to acknowledging the radical changes that the Zionist national subject must undergo to cope with the sharp contradictions besetting him . . . The immediate . . . expression of these changes is an admission of the need to force the values of the Jewish state to approximate better the concrete norms of a truly democratic society.¹⁰⁴

In *Arabesques*, the medium of language coincides with the political message. However, in order to understand the more radical message about identity politics conveyed by the novel, we must follow the way in which the author destabilizes the boundaries between fiction and truth, autobiography and history, with the help of the figure of the imposter. With *Arabesques* Shammas points to the missing voices of Arab Israelis from Israeli literature (and from court decisions). He does not attempt to remedy this absence by opposing truth to fiction or by adding the “authentic” voices of Arabs. Rather, he challenges these distinctions through the figure of the imposter. In the novel, Bar On, the Israeli Jewish writer, at work on a book about an Israeli Arab, requests permission to make use of the figure of Anton Shammas. He muses to himself, “It is essential this time to have an Arab, as an answer to silence. An Arab who speaks the language of grace [*i.e.*, Hebrew].” Indeed, Bar On is determined to portray the Arab in his story with empathy and not to reduce him to a stereotype.¹⁰⁵ However, Shammas (the narrator) resists this invasive/investigative mode by providing Bar On with misleading information about his life (a lie that later fulfills itself and become a reality).

Shammas, the author, further complicates the discourse of authenticity by replacing it with the imposter’s discourse of disguises and deferrals. Unlike the two previous novels discussed here, the figure of the imposter does not appear in *Arabesques* until the very last page. And unlike the general imposters (Arabs passing as Jews) that are the subject of the other two novels, *Arabesques* introduces a specific imposter, one that steals the life story and biography of Anton Shammas, the narrator. The novel opens with a motto—“[M]ost first novels are disguised autobiographies. This autobiography is a disguised novel.” On the last page of the novel this motto is revealed to be literally true. Anton’s lost

¹⁰⁴ Hever and Gensler, “Hebrew in an Israeli Arab Hand”, 74.

¹⁰⁵ *Ibid.*, 59. Hever and Gensler explain however that this empathy for the plight of an Arab Israeli (seeing the similarity with the minority status of Jews of the diaspora) is mixed with racist stereotypical stance (privately calling Anton “my Jew”).

cousin, Michael Abyad admits to writing a “fictitious autobiography,” impersonating Anton Shammas.¹⁰⁶ He asks the “real” Shammas to “[t]ake this file . . . Translate it, adapt it, add or subtract. But leave me in”.¹⁰⁷ Thus, Shammas is assigned the roles of translator and editor of his own autobiography. This newly assigned role functions as metaphor for the identity crisis of an Arab Israeli, no longer the author of his own life. He is relegated to the secondary role of translator, one that matches perfectly the hybrid character of an Arab Israeli, constantly moving between cultural and linguistic worlds. Feldhay-Brenner, attributes this shift to a deliberate move produced by the novel: “The autobiography of Anton turns out to be a fictitious autobiography by an imposter, leaving Anton Shammas with the role of ‘translator’ of his own biography”.¹⁰⁸ On a deeper philosophical level, it is this move from author to narrator that Arendt proposes to uphold as capturing the desired ethical relationship of the self to his or her life story. Arendt advocates a view of identity that is always mediated through the relations between actor and spectator. However, when we try to translate this relational understanding of identity into the legal discourse about the crime of impersonation, we run into difficulties of clearly distinguishing true identities from fictional ones. Indeed, this indeterminacy provides several subversive moments in the criminal trials of our imposters. The motto for the last chapter of *Arabesques* points to this circularity—“the narrator of the story is the story itself”.¹⁰⁹

¹⁰⁶ This impersonation is even more complicated, since Anton Shammas was named after his relative who died as a child. But in the tale part of the novel, the author indicates that the child did not die but was kidnapped from the hospital and adopted by a childless couple in Beirut who renamed the child Michael Abyad. Therefore, it might be that Abyad was actually the original Anton Shammas, but nevertheless, he adopts for himself the life story of the second Anton Shammas. Shammas, *Arabesques*, 54–59.

¹⁰⁷ *Ibid.*, 259.

¹⁰⁸ Brenner, *Inextricably Bonded*, 273.

¹⁰⁹ Shammas’s novel is organized like a detective story that fails to lead anywhere. Shammas the narrator is named after his cousin Michel Abyad, who himself had been named Anton Shammas but soon after birth was kidnapped from his natural mother, Almaza, to be raised by a childless couple in Beirut. Layla Khouri (previously Surraya Said), was the housemaid who raised him, telling stories of the dead child Anton Shammas. Later, after hearing about the second Anton Shammas, Abyad (the original Anton) impersonates as the second Anton and writes a fictitious autobiography. However, in the teller portion of the novel, the servant is identified as Shammas the narrator’s own aunt Almaza, creating a circle that undermines the reader’s ability to distinguish the “real” and “fictive” Antons. Hever and Gensler explain that “the notion of a causal link between the two portions of the novel has been so seriously undercut that it is impossible to tell who is the ‘authentic’ Shammas: the Shammas of the ‘narrative’ part or the Shammas of the

Where does this leave us? In a famous interview by Ginter Gaus, when Arendt was asked what remains from her relation to her German origins she answered—“language remains”.¹¹⁰ It seems that this is also the message of *Arabesques*. After successfully eradicating the distinction between true and fictive identities, the readers are left with language itself, and in particular, with the use of the Hebrew language and idiom by an Arab Israeli writer. It is with the Hebrew that the real author, Anton Shammas, is putting upon himself the mask of the imposter, and with this choice, he tries to destabilize the unquestioned assumption about Hebrew as an exclusive Jewish language.

Conclusion

Kashua's and Mansour's novels invite the readers to reflect upon the experience of an Arab passing as a Jew from the imposter's point of view (which is the point of view of the defendant, in the legal cases). Said's trial represents the missing part of the literary depictions of Arab imposters: the state's over-reaction to the crime of impersonation. Criminal prosecutions are presented by the court as public attempts to police the boundaries of the Israeli collective identity from subversive transgressions. As mentioned, all three criminal cases of imposters share in common the attempt to partake in some attributes of the ideal identity of an Israeli citizen: pilot and medical doctor, masculine and Jewish. The ease with which our imposters assumed this identity aroused anxiety in a society in which formal citizenship, which promises equal membership, is in conflict with social inequality based on various degrees of exclusion (Arabs, women, etc.).

The criminal cases betray an anxiety about the ability to continue the double function of Israeli citizenship of formal inclusion and informal exclusion. This anxiety is captured in the words of A.B. Yehoshua, in his debate over the terms of Israeli citizenship with Anton Shammas (reported and narrated by David Grossman). In response to Shammas' suggestion to neutralize the term

'narrator's' part . . . Each story line has its own claim to reality and the reader has no way of determining which reality is 'genuine.' There are in fact two Anton Shammases in the novel. Both appear in the book as protagonist-narrators; both are writers by profession; each calls the other's authority into question. It would be hard to overestimate the importance of this literary gesture. Here the very composition of the novel mirrors Shammas's ambivalent position vis-à-vis the question of his own personal and national identity." "Hebrew in an Israeli Arab Hand," 53.

¹¹⁰ Arendt relates this to mother tongue, the language in which we are most creative and at home.

Israeli, so as to create a single Israeli nationality common to Jews and Arabs living within the borders of the state, Yehoshua emotionally responds: “You’re pushing your way into the name, too?” Afterwards he adds a self-conscious reflection on his emotional over-reaction:

When it comes to the basis of formal citizenship . . . Do we still not understand Israel, in our hearts and in our consciousness, as such a fragile, almost naked, almost wondrous entity, an ‘essence’ or ‘spark’ forged in a fate so unique that *no stranger can be appended or taken in?* Even just a formal association of citizenship, of equal opportunities, of equal budgets?¹¹¹

The ideal of citizenship as mask allows us to see the failure to construct a stable civic mask, one that can allow all citizens in Israel a refuge from their given identities (family, ethnicity, religion, etc.). For Arendt, in contrast, the construction of a common polity requires the capacity to live with others precisely when there is no obvious mode of belonging. However, it is here that we can also notice the potential of the mask to destabilize, to question, and maybe to subvert a social and legal system of exclusions in Israel. It is this political role of the mask of the hypocrite that escapes Arendt’s analysis, but is put to use by the Arab Israeli novelists. The ease with which our three legal imposters assumed their new identity as the ideal citizen invites us to question some of the traits that are associated with this citizen and how they are distributed along ethnic, gender and national lines in Israel. It also alerts us to an important difference in the potential to subvert a collective identity by “real” imposters and by literary ones.

How much does the mask of the imposter (in law and in literature) allow one to subvert the taken-for-granted categories of identity?¹¹² Both the criminal prosecutions and their results can indicate a very narrow margin for subversion allowed by the state of Israel. However, the trials themselves often multiply the occasions for subversion by the inability of the prosecution to delimit the boundaries in an objective and uncontested manner.¹¹³ The more

¹¹¹ Grossman, *Sleeping on a Wire*, 258 (emphasis added).

¹¹² Butler, *Bodies that Matter*, 121–40.

¹¹³ For example, in the trial of Alkobi, a witness who presents himself as a “man” is asked about his formal designation in the state’s identity card. The witness answers that this should not be the determining factor, but rather the practice, the fact that the army treated “her” as a man. Another witness explains that the medical criteria for granting a permission for sex change involves a period of convincing impersonation under the desired gender. While the court’s verdict seems to assume a clear line between female and male, the legal process hardly supports such a sharp distinction between *truth* and *lie*, *essence* and *pretence*. *Alkobi*, 10, 12.

radical potential at subversion is revealed when we juxtapose the low-profile criminal cases against imposters, and the family unification case. The legal map that the Supreme Court draws in the family unification case is divided according to the availability of a legal mask between the citizen and the non-citizen. Once the Arab citizen masquerading as a Jew (in literature) and the Palestinian subject impersonating an Israeli citizen (in the legal case) are introduced, the clear boundaries are blurred. These marginal figures can challenge the court to see the prohibition on family unification as just another instance of unmasking the Arab Israeli, in places when the legal mask is most needed. And it can also raise questions about the ability of the judges themselves to hide behind legal masks the ethical question of what special duties Israel carries towards Palestinian (as opposed to its duties towards noncitizens in general).

Arab Israeli literature successfully uses the figure of the Arab imposter as a tool of political criticism over the dominant conception of citizenship in Israel. It challenges the assumption that equal citizenship can be granted to Jews and Arabs alike, on the basis of a mask that allows only one national voice to be heard in public. In particular, these novels expose the hypocrisy of the promise for equal citizenship and the need to undertake a deep revision in order to allow the mask of citizenship to become a real medium for equal membership and political participation. This critique is conveyed both through the form and content of the novels. In particular, the Arab authors use the Hebrew language in a subversive way that undermines and subverts the exclusionary function of the Hebrew language to police national boundaries. Through the figure of the imposter, a deep ambivalence is exposed in the heart of Zionist values. Impersonation is revealed as simultaneously a national ideal (assimilating to the New Jew) and an existential threat (undermining the ability to distinguish Jews from Arabs). In my view, this ambivalence towards the figure of the imposter that informs the Zionist ethos is not unique but is rather common for the nation-state system. This ambivalence can be detected, for example, in contemporary debates about the value of assimilation as the basis for citizenship.¹¹⁴

I have shown how the contemporary debates over the dilemmas of citizenship in Israel and over the legal response to impersonation are conducted in separate legal domains (criminal law, constitutional law). Moreover, while one

¹¹⁴) Assimilation can be viewed as a way of achieving equality, but at the same time threatens cultural plurality. See Yoshino, *Covering*.

debate occupies the center, the other is discussed only in the margins. My claim was that only by connecting the two debates and explaining the relations between them, that we can gain a deeper understanding of the internal contradictions in the nation-state system. I argued that a similar move was begun by Arendt in the 1950s when she connected the figure of the Jewish refugee with that of the Jewish parvenu. The Hebrew literature by Arab writers reviewed in the article facilitated a similar connection in the Israeli context by liberating the legal discourse on citizenship from its formalistic grip (discussing the problem in terms of rights and the lack of them). This literature can enable us to see connections between center and margin, between the refugee and the citizen by moving the figure of the imposter from the literary margins to the center of legal-political debate. The connection between imposter and hybrid identities (Arab Israeli, Arab Jew, etc.) points to an alternative conception of citizenship, one that is in a constant motion between refugee and imposter, one that takes the hybrid to be its ideal.