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CAUSE OF DEATH -
A FILM SCREENING AND PANEL DISCUSSION

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PARTICIPANTS:

Introduction and moderator:

NATAN SACHS
Director, Center for Middle East Policy
The Brookings Institution

Panel Discussion:

RAMY A. KATZ
Director
Cause of Death

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P R O C E E D I N G S

MR. SACHS: Good afternoon everyone. Thank you for the brave souls who prefer art and policy to some impeachment I hear is going on. But we are delighted you're here.

We will have, first the film screening and then a not-too-long panel discussion with the director and two distinguished panelists, and I'll introduce them when we do that.

Let me first just say a few words about the director and about the film, and we're honored that he's here with us, Ramy A. Katz. He's right here. He said he's going to hide in the back during the film because he's an artsy director.

This screening and panel is part of our program on Imagining Israel's Future, which is a wonderful program we're very proud of, one of the few places in town where we try to look at domestic internal affairs as well as external affairs, of course many people do excellent work on internal dynamics as well, but we've had a very robust programming over the last, this will conclude four years now of this programming, coming up in December.

We're delighted. This will probably be the last event of the year, last public event, and we're delighted that this is the one we have. We're going to watch an excellent movie today, *Cause of Death*, the Director as I mentioned, is here with us.

He's a native of Jerusalem Ramy A. Katz. He was born in 1976, and he graduated from the Steve Tisch School for Screen Arts in Israel. He had a very successful first film released called *Freeflow* that dealt with domestic violence, told through the prism of a teenager who practiced Parkour. You may know Parkour, it's basically street acrobatics with a high risk level. But that was really just a pretext. It was really a story about the family in a small town in Israel, and a mother who was facing enormous difficulties.

I had the privilege of attending a screening in Israel with the mother present, and it was extremely moving. That film is still shown regularly in Israel, especially in the context of those issues.

The film we're going to see today, *Cause of Death,* has a very different tack. It looks at an attack, a terrorist attack that happened in Israel, a very famous one, in which a police officer who was not on duty was killed. And Salim Barakat, this police officer, the circumstances of his death are the ones we're going to explore in this film.

A few words about this, Salim Barakat, himself a police officer, was of the Druze Israeli community, which many of you probably already know, but I think it's important for the context of the film. The Druze Israeli community are Arabic speakers, and in that sense considered by some, Arabs. But they are also -- they also serve in the Israeli military by and large, and in many respects see themselves as quite different from our other Arab speakers who constitute about 20 percent of Israel.

And in this sense they are in a liminal position, sort of, in Israeli society, and a very interesting test case for majority-minority relations in Israel.

It so happens that this movie of 2018, came out just when the Nation-State Law was passed in Israel, and so we, in our panel, we'll talk somewhat about that as well, and this question of where the Druze stand, where other Arabic speakers, Israelis, those that define themselves as Palestinians Israelis, those that define themselves in other ways, how they see themselves in the country since then, we will discuss later.

So, without ado, Ramy can escape to the back, and we will watch the film, and then we'll head to the panel. Thanks again.

(Film shown)

MR. SACHS: Good evening, again, everyone. Thank you very much for coming. At this time I'd like to invite the panelists and the director to join me. And feel free to come forward if you're so inclined.

So, I'd like to start now the formal part of this for what will be a relatively short panel discussion. And first some thanks are in order.

First, this event is a joint event of the Brookings Institution Center for Middle East Policy; -- my name is Natan Sachs, I'm director of that Center; along with the George Washington University including Arie Dubnov over here, who is the Max Ticktin Chair at George Washington University. So we're extremely grateful for that partnership, and hope to have more in the future.

This project also is very generously supported, has been supported over the past couple of years both by the Israel Institute, and we're extremely grateful for their help, and by the Morning Star Foundation who have been a longtime partner, and we're very grateful to them.

So, now without further ado, while everyone catches their breath; how on earth did you

get to this story? Well, how did you know you would start a journey and find all this evidence?

MR. KATZ: Well, the truth is -- the truth is that I didn't know. I was researching this terror attack because a friend of mine was there, and I wanted to make a film about the trauma he had, but after two months into the research, and into the process my friend understood that he cannot go through this, and he quit.

But I was already into the archives, and actually I saw that there were four different versions that went out to the public in the first hours after the terror attack. And actually I was intrigued by the fact that the -- like I wanted to know how a story is built from the moment of truth, if there is one, till we, as consumers, at home, media consumers get it. Like how -- what are the stages that it goes through.

So, the first thing that I did is to give Jamal Barakat, the protagonists, a phone call and tell him who I was and what I'm going to do. And then he told me, listen, I've been waiting for this phone call for 10 years. So then I knew that I'm going on this journey.

MR. SACHS: And going along I mean you got -- you seem to get a lot of -- a lot of people eager to tell the story, but at the center of it all is Jamal Barakat, he's told actually by willing that you are suffering, which seems to be true. He really does seem to be going through a tremendous amount of difficulty.

I should note, his Hebrew is excellent, he seems to be very Israeli in many respects. He works for the Israeli Government, his brother was a policeman, but here he's lied to, and his lied to related to his identity. How is he today? What's happened with Jamal?

MR. KATZ: Well, actually Jamal thinks that this film is only a stage, only a tool on the way to the truth for him. The process is not finished yet. And he likes the film, just before the broadcast of the film there were several articles that went out, and there was publicity. And following that one of the paramedics that were on the scene approached me, and immediately what happened is that during the research I've reached to 150 people, but the paramedics they wouldn't speak with me.

But this specific paramedic, two years before the film was accomplished, he quit the Force so he could speak. So immediately I put him on the radio, in a primetime national broadcast, you know, and he told everyone what he saw. He was the first paramedic on the scene, he knew Salim, there

was an era of terror attacks, the Black March 2002. He knew him from work, he immediately identified him on the scene, and then he saw that he had the wound of a gun in his neck, he even showed it to his friends, that they would know how a wound like this look like.

And another thing he told on radio was that was a panic, a man just standing beside the body and shouting, I shot someone accidentally, I shot someone accidentally. All this was not in the file. So I'm telling you all that because Jamal was very satisfied with that, concerning his investigation.

And the next thing that happened was that there was a Parliament Member wrote a letter to the Chief Police and the General Attorney demanding that we open the file, and then to prosecute the people that covered up this file. You probably guess that there's no answer till now, but now it's going to the Supreme Court, and Jamal has to decide whether he's going to the next step.

MR. SACHS: Okay one last question before I open to our two Panelists. This came out in a very special time, you dealt with the Druze community when you had been working on this film for a long time, for years, but it happened to come out exactly when the Nation-State Law passed. Did you have conversations with Jamal about it? Or was this present when things came out? Was this part of the atmosphere for the movie?

MR. KATZ: Thank you. It's a good question. And the thing is that Jamal -- well, I didn't have to -- we didn't speak about that. Jamal, you know, he's due to two systems, he works like in two systems, on the one hand he's a loyal Israeli that serves the government, and on the other system he's a Druze that has his own beliefs.

But I think from the place where he was telling he couldn't see this conflict that was so very interesting for me. And when we just got to this journey together I couldn't understand -- he couldn't believe that the government will lie to him. But I think that we can see that through the film he's going through a process, and now he's in a different place. We didn't have to speak about it, you know, we are quite tuned together about this thing.

Just two days before I had the premiere in Jerusalem, the Film Festival, there was the biggest protest ever of the Druze community in Tel Aviv, in Rabin Square 50,000 people, so it's amazing how sometimes art predict the reality. You know, I've been working on this film for seven years.

MR. SACHS: Great. Thank you very much. Let me briefly introduce our two Panelists.

And thank you, again, both for joining us.

So, immediately to Ramy's left is a good friend from literally next door, Zaha Hassan is a Visiting Fellow here at the Carnegie Endowment for International Peace. She's also a Human Rights Lawyer. And you can see also in the material you've got, research focuses on Palestine-Israeli peace and the use of international legal mechanisms by political -- by political movements.

She was also, herself, a Coordinator and Senior Legal Advisor to the Palestinian Negotiating Team during their bid for U.N. membership and a member of the Palestinian Delegation to the Quartet-sponsored exploratory talks in 2011 and '12. And she is, I can tell you as well, she's regularly featured in many publications and, a very central participant in many efforts here in Washington. So, Zaha, thank you very much for joining.

To her left is Arie Dubnov. Ari Dubnov is the Max Ticktin Chair for Israel Studies at the George Washington University. He was trained in Israel. He's previously taught at Stanford, and at Haifa University in Israel, and was also a Mosse Fellow for a while, for quite a while at the University Wisconsin-Madison, where I think his son was born.

He has written extensively in a variety of different issues including nationalism, decolonization, and partition politics. And I'll just mention a couple of his publications. One is a historic intellectual history of Isaiah Berlin; and another, an edited volume, *Zionism -- A View from the Outside*.

Arie, I'm going to start with you. You were in Israel at the time when this movie came out, I believe. You actually saw some of the debates over the Nation-State Law. Where do the Druze sit in this? What do they mean for this debate?

MR. DUBNOV: Well, thank you, Ramy. And first I would really like to congratulate you, Ramy, for an outstanding movie and an important -- you know, story about the importance of stories, and gap between stories and truth.

So interestingly, while Ramy was in Tel Aviv in the Premiere -- in Jerusalem, excuse me, for the Premiere, I was in Tel Aviv in that -- and that summer mass rally at Rabin Square in Central Tel Aviv. And I think that was very interesting to see how the mass demonstration in a way captured the duality in the Israeli, let's call it center left at the moment.

There were two messages that coincided sometimes in some conflict, one message that

came very much from the organizers, that were not only members of the Druze community, but predominantly ex-officers in the Police Force and in the Military, was a feeling that the Nation-State Bill created a new type of set of hierarchies, and that would challenge what was, in their view, I think the main message, was a sort of a bond of blood and sacrifice that the Druze have, vis-à-vis the Jewish-Israeli community.

While many of the other people in the mass rally came with a slightly different message that said equality. It's not necessarily about Druze, non-Druze, it's about what was missing in the Nation-State Bill. It was never accompanied, but any type of a bill of rights that states clearly, black and white, all citizens are equal, and then from there we will continue.

It's not that these two messages were completely incompatible, but there was definitely a tension, or a duality in even the immediate reaction. So it's very interesting actually that the movie indirectly talks exactly, kind of puts the finger on that duality.

MR. SACHS: How so? What do you think about the movie captures this?

MR. DUBNOV: Well I think that the movie, and really, I mean Jamal with his piercing eyes, and his deep inner conflict, you know, embodies it so beautifully, and tragically. I think that even through the non-spoken parts, you know, you really see the Druze community as they're rooted in the deepest sense you can, in the geography, in the place. I mentioned on purpose those things that are not spoken. The flowers, and the diet, you know, they are the natives of the land, and at the same time the really deep patriotism.

Now, in a sense for those of us who are familiar with Israeli history, this is an extreme case, but it's not the only, you know, study or it's the only case. Similar incidents happened in earlier cases.

For those of you who are well versed in Israeli popular culture maybe they're familiar with the name of Yehonatan Geffen. so we had a song called *Ballad a la Druze*, *Ballad for the Druze*, and it also tells a story about elite commando unit, kind of the officer that under the -- you know, the typical Military winter coat and his Uzi, and it rhymes in Hebrew, no one knew that he is a Druzi, right.

So through military conscription and volunteering, you know, the Druze community bought itself as best -- a sort of a privilege or a special position in Israel where most of the Jewish Israelis

tend to look at things in a very binary Jew versus Arab, black-and-white pictures.

And they don't really -- the Jewish Israelis often don't know how to swallow it. You know, they preferred the Druze wearing the Israeli uniform, whether it's a police officer or a military officer. But only when the Druze is in his quote/unquote "natural habitat" there's that moment of uncanniness, in a sense.

MR. SACHS: So, if I may about the Nation-State Law, I mean if we think of what happened there, the demonstration even against it. To play devil's advocate here for a moment, Israel was a Jewish State before that law was passed. Israel is not remotely the only Nation-State Law -- nation state in the world. Europe is replete with nation states, official nation states. What's the big deal?

MR. DUBNOV: That's a good question. I mean, as a historian, I'm approaching it as a history -- from a historical perspective and I want -- I mean and there's the long history and the short history. And I don't want to go into the long history that has to do with, you know, the history of why Israel, historically, never had in the Constitution, though those of you who are familiar with Israeli Declaration of Independence will, if you read it carefully, it states very clearly that the state should have had a Constitution.

There were negotiation about constitution that's, if you like, the quote/unquote "long history". The short history is I called it, I think very much is connected to the topic of -- or at least the period that the face that movie is connected to, I think it's the late 1990s and the 2000s.

Basic laws, is a very awkward mechanism, legal mechanism that Israeli developed in the absence of a constitution to create something which is sort of abysmal work towards Constitution. Historically of course, you know, you're absolutely correct, in the time that the nation state, as Israel was established as a nation state, it was established at a time that nation state was seen as the clear way of redesigning global order after World War II.

But the constitution gave -- a lack of constitution meant that, how exactly you balance the democratic versus Jewish components in Israel was kept vague, and purposely so; it was -- there were a series of other, you know, basic laws that we tend to forget about. For instance it was -- it was interesting to see that a lot of the attention about the latest Nation-State Bill focused around the special status of Jerusalem which was definitely one of the clauses in the bill, though there was a Nation-State Law -- a

basic law, excuse me, passed by Menachem Begin, that already stated that Jerusalem is a Israeli Capital, and so on.

Some part of what happened in Israeli history in this way or the other, is that often basic laws were sometimes seen as bargaining chips of different political parties. And I think that part of what we see recently and then the -- I would read in the recent -- in the last basic law as a bit -- as a reaction to developments of the 1990s.

During the previous nation -- basic law that was passed under, you know, at the time that Justice Aharon Barak was the President of the Israeli Supreme Court was moving Israel in a more liberal democratic --

MR. SACHS: This is the basic law for human dignity?

MR. DUBNOV: Absolutely. And this is more about perception slogans and discourse than legal hard facts. But the perception the public was that that was very much connected to the mood of the 1990s, to the Oslo Accord, to the feeling that Israel is moving towards a more liberal, hopefully a peace process.

And part of what we see I think, this is at least my analysis is Israeli -- the Jewish Israeli public is deeply scarred after the atrocious attacks of the Second Intifada, the narrative of "no partner on the other side" very much captured.

And also sort of a look at the 1990s as those wild years in which a liberal, deep state was running the show, and part of what you see in this second -- in the latest Basic Law is a bit as an attempt to block some developments that you saw in the 1990s. Attempts to greater cause for equality, Arab -- you know, the politically correct way of saying it, is Palestinians are residents -- citizens of Israel that are asking for more equality, to be accepted to Jewish neighborhoods, and settlements, and inside the pre-1967 Green Light borders, and so on, will make -- the recent law will make it much harder for them to look for equality, which is exactly the opposite from the developments of the 1990s.

MR. SACHS: Thank you. Zaha, I'd like to turn to you. So, first just any reaction you have to the movie. We actually participated, the two of us on a panel after a movie, and so it's interesting. They're quite different movies, but reactions on the movie.

But also, if I may, this movie centers quite a bit about a dilemma of someone who's sort

of liminal of a small community, the Druze community is small, in between most Arabic speakers in Israel, who are Palestinian citizens of Israel, or Arab Israelis, depending on how they define themselves, and the Jewish community.

For the majority of the Arabic speakers for Palestinian citizens of Israel, really, is anything new? Did they think Israel was not? I mean did they have any aspirations that were sort of broken by this? Or do they just think this exposes reality.

MS. HASSAN: First, I just want to thank Ramy for this film because it -- you know, beyond the content of it, I just can't believe how you were able to take us on a journey of discovery with, you know -- I'm forgetting his name now --

MR. SACHS: Jamal.

MS. HASSAN: Jamal, taking on this -- because I'm thinking of Salim -- taking on this -- taking us on this journey with Jamal, and we are discovering this with him, and we're feeling -- I mean it's just -- it's hard, it was hard to watch, because you felt everything he was feeling, and of course he's got a whole different sense to it, but you really felt what he was going through.

I don't know how you did that. I don't know how you set this movie up and got everyone to allow you to put them on film, so on that level, I'm just amazed. And I congratulate you on that.

MR. KATZ: Thank you.

MS. HASSAN: You know, the first thought that I had, it was before we even saw any visuals, and a description of, you know, the Druze community as, you know, an Arab community. As if Druze are a nationality, or something separate than Palestinian citizens of Israel, in general, or Palestinians --the Palestinian people as a whole.

I mean Druze are, you know, people have a particular faith community, just like Palestinian Christians are a particular faith community, and similarly for Muslims. There are Circassian Palestinians that live in Israel, there are, you know, Bedouins, it's a lifestyle, it's not a separate identity, they are all Palestinians.

And I think, you know, that's a really important point that was brought home in your movie, that regardless of your status, citizenship, whether you're living under occupation or as a citizen of Israel, I mean, the Palestinian identity is there. And you're not going to -- you're not going to escape it just

because you carry a passport, you know, an Israeli passport so, I mean, that really hit me.

But I have to say that even among Palestinians there was a reluctance after 1948 to identify as Palestinians. There were many Palestinians that wanted to identify as Israeli Arab, because they thought that will enable them to assimilate into Israeli culture rather than be seen as the other -- as their counterparts inside the occupied territories are seen by the Israeli Government, the Israeli Military.

So it was around October 2000, after 13 Palestinians, 12 of whom were citizens of Israel, were killed and not -- you know, they were unarmed, and in a protest in solidarity with Palestinians that were protesting in the occupied territories in Jerusalem.

They were killed by Israeli Police, and there was no accountability for those killings, and it was after that time that Palestinian citizens of Israel started thinking about, you know, identifying with the Palestinian Nation because they really felt otherized by the way the Israeli Police treated them, just as Palestinians are treated by the Israeli Military in the occupied territory.

So that sort of change in the -- in the identification of Palestinian citizens of Israel as Palestinians happened just around this time, that you're talking about this particular story of Jamal and his brother Salim. So I think -- so that kind of jumped out at me too.

But I want to -- I want to go back to the Jewish Nation-State Law, because it really brings full circle the whole presence of Palestinians in their historic homeland, because it isn't just focused on Palestinian citizens and denying them equality inside Israel, there's three provisions of the law that I think are really important, because of how they operate separately and together.

The first provision basically says that only Jewish people have a right to self-determination, or they have an exclusive right to self-determination in the State of Israel. Now, the State of Israel is not -- there's no -- we don't know what the borders of the State of Israel are, but within the State of Israel Jewish people have an exclusive right to self-determination.

Then there's a second provision that says that Jewish people have a historic homeland in the Land of Israel. Now, the Land of Israel, what is the Land of Israel? It's the biblical Israel. It's Judea and Samaria it's -- and beyond. So it's the occupied territories and beyond.

And then the third provision says that it's a national priority for Israel to expand and consolidate settlements. So if you read those three things together what you're -- what's being said is that

only Jewish people will have a right to self-determination anywhere Israel extends its sovereignty.

So when Israel declares its border and extends its sovereignty into the occupied territories in various places, we don't know how that's going to come out, but Israeli settlers are going to have priority over Palestinians living in the occupied territories because they don't have that historic right -- you know, national home the way Jewish people have. So they're going to be denied their right to live in their -- in their indigenous homeland.

Similarly, Palestinian citizens of Israel, they don't have equal rights to self-determination in that same territory, so they can be actually -- they can actually have their citizenship revoked if there was ever a reason to do that. And if the Israeli Government ever, you know, found a reason why they would want to revoke.

And we know that they've talked about that actually. In negotiations in 2007 Tzipi Livni, the Israeli Foreign Minister at the time, who headed negotiations, actually talked about forced population transfer as part of a peace agreement between the Palestinians and Israeli.

So up to 300,000 Palestinian citizens of Israel would be denaturalized and become part of a Palestinian State, and this was something that was raised during negotiations. So when we when we look at the Jewish Nation-State Law we have to take in this context, you know.

And also understand that it's not -- it wasn't -- it's not just a product of a particular moment in time when we have an Israeli society that's veering very much towards the right, the idea of a Jewish State and Palestinian recognition of Israel as a Jewish State, was not something that was ever proposed to them early on in negotiations, or early on when Israel was founded, there was never a demand.

It only became a demand after October 2000 and those events happened, and Palestinian citizens of Israel started to say, we want equality. And they issued a vision statement in which they envisioned an Israel in which everyone lived with equal rights, where Palestinian indigeneity was recognized, where, you know, there wasn't (phonetic) end of occupation, but a two-state solution.

That they wanted equality, and they wanted a constitution that guaranteed them equality, and it was that moment where we started seeing Ariel Sharon talk about Palestinians, you know, recognition of the Jewish State, Israel as a Jewish State, and then we saw Ehud Olmert in 2007, during

Annapolis Talks demanding that Abu Mazen, as a precondition to negotiations, recognize Israel as a Jewish State.

And now we have Netanyahu who's expanding it further saying, no, it's a recognition of a Jewish national home in Israel. So it's -- I don't know what the effect of that difference is, but it's changing, but the idea is that the only people that have a right to live between the Mediterranean Sea, and that strip of land between the Mediterranean Sea and the Jordan River, are Jewish people.

And so this is -- this is the dilemma that was so wonderfully put on film for us, because you saw that, that wrenchingness from Jamal in trying to, you know, negotiate between his feeling of connectedness to the -- to Israel as a State, but also, you know, to his own community, and it was really painful thing to watch.

MR. SACHS: So I want to push back a bit on the interpretation of the Nation-State Law, because certainly as proponents in the main would disagree with the characterization. And particularly, the argument would be there at least for those of them who would support a two-state solution, that the idea that Israel as a State there, there would be exclusive national rights for the Jewish people, and is fully consistent with the idea that there would be a Palestinian State, Palestine in which Palestinians would have national rights, and Druze would not.

Those who would want a one-state, that's a different question, that probably will fall into how you describe it, but one to nation-state, I mean what you're describing couldn't you, by extension, say that about any nation-state in Europe? What is it about this law that makes it different?

MS. HASSAN: Well, first of all Israel was never an ethnically pure State. You know, Israel came into being because it colonized the historic Palestine, and there wasn't -- there (inaudible) indigenous people there. So to all of a sudden say now we're going to recognize it as a Jewish State denies that history, denies that indigeneity, and that's the problem.

But the other issue with the Nation-State Law is like I said, you know, Israel hasn't even declared its borders yet, and there's -- and the other provision that makes a national priority expansion and consolidation of settlements, and the provision that-- that describes the area -- the Land of Israel as the historic homeland of the Jewish people, it doesn't leave room for Palestinians anywhere, you know, anywhere within that historic Palestine.

MR. SACHS: Okay. We can get back to that, and there might be questions. So I want to turn to slightly a more formative question. You described how Palestinian citizens of Israel see themselves in this transformation towards identification with -- as Palestinians, there seem to be two contradictory processes going on.

On the one hand the process that you described, but on the other hand also growing tendencies among many of them viewing themselves as wanting to be part of Israeli society, certainly socioeconomically there's been dramatic improvement in actually recent years. And now we've seen leadership among them most notably, Ayman Odeh, who was the Head of the Joint List which is predominantly Arab, sounding very different, speaking about participating in the Israeli political system, going really on a limb with some of his own party members even.

So, I wonder (a) if, I mean, the two things can of course coexist, you don't have to resolve them. But I wonder how this relates to relations of Arabs or Palestinians inside Israel, and those in the territories. Have relations changed recently because of this law, or because of the rise of leaders like Ayman Odeh, or others? What is his position on the territories?

MS. HASSAN: Yeah, you know, I mean it's a great question. You know, most Palestinian citizens of Israel actually support a two-state solution and they -- it's not that they want -- you know, it's not that they're talking about a one-state solution, they're talking about a two-state solution, but they're talking about a two-state solution in the context of equality for Palestinian citizens of Israel, the right to return for Palestinian refugees, and the recognition of Palestinian indigeneity in Israel, and they're asking for an end of occupation.

In fact, this was their vision document, that's what their vision document described. You know, there are Palestinians that live in the occupied territory, you know, little less than half don't support a two-state -- or support a two-state solution, 50 percent don't support a two-state solution.

There's a lot of disagreement between Palestinians and among Palestinians about a political solution, but one thing all of them agree about, is that rights need to be respected. That the Palestinian citizens of Israel need equality, that refugees have the right to return and should have the choice of whether to return, and they're entitled to reparations, and they want to see an end of occupation.

So, on that there's no -- there's no conflict but your question about the Joint List, Ayman Odeh, when he -- it was a very strategic move on his part because it's true, Palestinians really want to be a part of the Israeli Government inside of Israel. They think that they'll have more power over their lives, and they'll be able to make decisions in this -- at least in the social and economic sphere, if they can be part of the government.

And Ayman Odeh, the Head of the Joint List, picked up on this idea and wanted to get the vote out, and this was a way for him to really get the vote out by saying, you know -- by sending signals to say, yeah, I would be -- I would be in favor of joining the Israeli Government but what wasn't highlighted in his remarks was these requirements that, you know, that he wants to see the Jewish Nation State bill repealed, he wants to see full equality for Palestinians, and all the other tasks that are part of the Palestinian.

But he was very successful, because he increased a Palestinian voter turnout for the elections by indicating that he would be in favor of joining a coalition government.

MR. SACHS: Okay. I'm going to let the others also respond, but I first want to open up to some questions from the audience, if anyone wants to jump in now. I request that, first you wait for the microphone, secondly identify yourself, and third, if you would ask a question, a short question with a question mark at the end please? Any hands? Don't be shy. Then I'll go first.

Ramy, any response to what you heard? Can you tell us a bit more about how it looks to you, how do you think this relates to what you --

MR. KATZ: Well, it was so interesting to hear both of you. Well, the thing is that, you know, it's black and white, okay. He was discriminated because he's a Druze, and I think that goes out in the film. And another thing is that, it's the confidence. On the one hand, in his own -- for in his own eyes he's like an Israeli but -- and if you would ask Jamal if he's Palestinian, in front of you, you telling that he's Palestinian, you know, Arab, he will say, no, I'm not a Palestinian of -- I'm Israeli.

But on the one -- but on the second hand he speaks Arabic, so once he doesn't, you know, wear his uniform that's the way he's being treated, as Arab, and as all of you, all of us probably know, speaking Arabic in Israel is not --doesn't bring you -- well, you could elaborate, but yeah.

MR. SACHS: Arie, would you -- do you think the Nation-State Bill, I mean, how do you

respond to Zaha's point about the Nation-State Law, and the possibility of a two-state solution. And does it preclude it? Is it fundamental? I mean, you've done a lot of comparative history also on this. Does this stand out compared to other nation states?

MR. DUBNOV: I mean, I think that a lot of the -- you know, a part of the challenge here is that we will be able to measure the real impact of the Nation-State Bill. On the future ones we will have specific dilemmas that the court will have to judge, vis-à-vis that law, and how it will be interpreted by specific judges.

There's a lot -- many clauses that are really open to interpretation, and they are vague -- described in Arabic. Again, the question of language is very interesting and, again, the dedicated entire clause to the two languages, and Arabic before the law -- was one of the official languages, now it has a special status.

The law doesn't recognize this word "special status", what is the meaning of "special status" will have to be determined on the ground. Most people will say that that this automatically discriminates Arabic. There were a few, minority, but including in the Palestinian-Israeli community, it says, oh, maybe that's actually an opportunity to make now a law that will say that Israeli pupils in elementary school will start learning Arabic. That will be a huge advantage.

I think that from a very dry legal perspective, part of the problem is of course we don't know what's the future of the entire region between the River Jordan and the Mediterranean, and now at that moment -- at this moment of course it -- the initial state law applies only to the Israel in the -- in its Green Light line borders and the (inaudible) were next in the Golan Heights.

Part of the -- I think that, you know, to respond to your comment, one of the real points I think that even if we will, so to speak, think about what in often for liberal Israelis would be a good future, a two-state solution, if the Nation-State Bill remains as is even within the Jewish State, and the law has too many potential discriminatory implications.

So even if we will have this two-state solution that a larger number of people, you're saying, is no longer workable, it may be a utopia, it may be a dream. Even if we will establish it, if within that Israeli-Jewish State, the Nation-State Law is enacted in a very literal sense, we're in a problem, because we do create a discrimination. And, of course Ayman Odeh, of course one of his demands was

of course to check that this will be called into -- you know, there will be a legislative action to alter it, if not cancel it altogether.

I think that -- and I think this is also a very interesting moment in Israeli history, it's often was argued -- it's partly a cliché, but partly true, that historically the Palestinian-Israelis did not come and vote in masses in the national elections, though they were extremely well -- you know, participated extremely well when it came to municipal electorates.

Because they felt that this is what will really impact their lives, and knowing how the Israeli coalition system, they will be always marginalized, the Druze will always find some sort of a coalition that would not include them. They will always find a bypass. So there is something very interesting, I'm not saying encouraging, because I'm not an optimist, but there is something very interesting at the moment we're witnessing now, that that maybe is signifying a change.

Whether this means that all Arab-speaking communities in Israel automatically subscribe to a larger Palestinian nationalist cause, and yes or no, we need to do the polling. I won't be surprised, I mean, you know, Jamal Barakat personally, so I can't speak for him, but you will find members of the Druze community, and sometimes even Bedouins who are serving in the Israeli Army and Police, that somehow, and this is part of the toxic elements of the occupation.

Sometimes it can be very ruthless in confrontational situations, that they won't subscribe so easily to see themselves as Palestinians. You will have a very -- a serious pushback. They will say that you're confusing my religious identity and faith, but nothing is fixed. And the Bedouins are also feeling increasingly marginalized, so it changes their traditional political standing. So things are not fixed, I agree with that.

MR. SACHS: Yes, sir.

MR. HORN: Robin Horn. I wanted to ask a question about the access that you had as the director and the creator of the film. Access that started with a certain perspective and a certain understanding, and a way in which you saw how the film was going to develop, the story was going to evolve.

And over time that you learned more, and as Jamal learned more, and your -- kind of the ability that you had to have interviews with people who many of -- a number of whom said they don't want

to be interviewed, but they still somehow allowed the sound engineer to be there recording what they were saying.

How did that evolve over time? And how did you maintain that ability towards the end to show the film to the Police, to the Israeli Police and get that reaction and get that understanding? And again, a different point in time the information that you had was very different than where you started? So, that was a long and winding question.

MR. KATZ: It was a long question but in very -- and a lot of questions. But I can summarize it like if -- so actually you're asking how did I get the access, and how could I show it afterwards in the end? So, about the police, I've started like the first scene that you saw in the police station, I came to shoot as the photographer of the family. I was documenting the ceremony. It was very easy.

But the moment the officer stood up and said that there was no way (inaudible) citizen on the scene, so I immediately understand that there is a cover-up. Then I started to shake, you know. And I did know how I'm going to get out of the police station, but what that was -- it was amazing to see how easy it was to get into the -- and out with the camera, you know.

So this was with the police. So I was -- the thing is that these guys in the police, and I think it's something that categorizes it like -- that, well, it's in a lot way a security system like this, that they have this narrative of heroism, and meets -- and they cannot even imagine a different narrative, you know. So, like showing proof that they lie in a ceremony of -- in a memorial ceremony, it's like putting a bomb in a police station.

You know, and so that it was a knockout, they were, you know, the people that covered up, and some of the --

MR. SACHS: It's not that you support putting bombs in any police --

MR. KATZ: No. No, no. No, the thing is that the people that covered up, they understand that they -- if they will -- or if they will -- that's for the second question -- if they'll try to resist the movie the Pandora Box that is going to open, and I know that, is much bigger than what you saw in the film.

So, it's better for them to keep quiet. You know, if they could -- and you saw it in the

disclaimer -- they would have knocked me down, but they can't. And as for Willy, I think in a way, all of us say keep secrets, and it's not easy to keep secrets, people they want -- it's a burden, you know, they want to let go of this burden.

And Willy is an interesting character because he holds two characters within him, on the one hand, as he says, he really wants to speak, but on the other hand he's really frightened to speak, because somebody told him not to speak.

Did that answer the question?

MR. HORN: Yes, (off mic)

MR. SACHS: Yes sir, in the back, and then we'll come here.

QUESTIONER: My name is Jeff Benick. Two questions, a two-part question. Is this the first time you've shown the film in the U.S.?

MR. KATZ: No.

QUESTIONER: Okay, that leads to the second question. How much blowback are you getting from right-wing Zionists who refuse to allow an alternative picture of the way the Israeli Government treats non-Jewish citizens in Israel. We've had problems here in Washington with exactly that kind of situation?

MR. KATZ: Well, there were three -- four screenings in the U.S. till now, in Long Island, Boston and Chicago, and this is the fourth. And then I think that maybe right-wing people don't go to festivals. (Laughter)

Everybody liked the film but, you know, I would love to speak with someone that wouldn't like the film, because in Israel it happens to me a lot, that people don't like the film. And I like to argue with them, and then if somebody wants to argue with now, I will be happy to do that.

MR. SACHS: Has anyone ever restricted showing the movie in Israel?

MR. KATZ: No. No, no.

MR. SACHS: Has the police tried to come after you afterwards in any way?

MR. KATZ: No. No, no.

MR. SACHS: So, actually changing a moment to an interesting question about Jamal. You know, he wants to uncover the truth, it seems like almost an obsession, and I don't mean that in a

bad way, but it's an obsession he's obviously suffering. Are there others who don't from his family, his community? Are there others who say, look, however he died, you know, let it be?

MR. KATZ: Yes. That's a good question. Yes, many people, you know, it is -- it's like a status quo, and people are sometimes afraid to touch a status quo because it could be burning, it's like touching a wound in a way. And Jamal, in a way you're right, it's an obsession for him. On the one hand it was really difficult to touch the wound, and sometimes we had to wait for six months from -- so we can meet again after he would recover from a shooting day like that.

But many people are saying, especially in the Druze community, don't touch our relationship with Israel because it might be worse, you know. We're happy where we are, and I have to admit that till now most of my screenings are not in the Druze section of Israel, it's for Jewish people. And when I come back I will have a screening in a high school in a Druze village, and I'm really looking forward for this screening, to see how it is going to -- how they're going to react to this.

MR. SACHS: Sir, please?

MR. RAVEN : For Zaha. David Raven. You speculated, or you trod a little bit about the feelings of Israeli Palestinians, about a two-state solution. I wonder if you can expand on that in terms of the different Palestinian groups, and the idea of a one-state solution. Particularly within the light now of a national law that raises a lot of unsettled questions.

MS. HASSAN: Yeah, I think this has become a really big issue after the Jewish Nation-State Law that Palestinians as fragmented as they are, you know, inside of, you know, even inside of the occupied territories between Gaza, the West Bank, and East Jerusalem, and inside Israel, and in the Diaspora, and Arab host countries that have refugee -- Palestinian refugee populations.

It's become an issue now to rethink, you know, what is -- what is the political solution that we should be fighting for, that we should be promoting, because the two-state solution looks so, you know, unlikely, a one-state solution also looks unlikely if you're talking about a state for all its citizens in Israel; right, especially after the Jewish Nation-State Law was passed.

So, this kind of debate and discussion is going on, and as you can imagine depending on your life experience as a Palestinian, you're going to have different ideas about this. I mean after Oslo in 1993 a lot of Palestinian refugees felt really dismissed and disregarded, and they weren't really supportive

of the two-state solution, because they understood that the likelihood of them returning to their homes inside of Israel, and to reparations, was going to be not in -- not in the offing.

If there was going to be a return it wasn't going to be in the numbers that they wanted, and so there was always that divide. Palestinian citizens of Israel, as I said, you know, the vision document that I was referring to earlier, that supported the two-state solution, that came out in 2007 and, you know, that was very much grounded in the idea that, you know, Palestinian State, State of Israel, but not a State of Israel that defines itself exclusively, for Druze obviously, because where would that leave the Palestinian citizens.

And it also couldn't be a state that didn't recognize in indigenous rights of Palestinians, and would exclude Palestinian refugees. Palestinian refugees have no other state to go to. I mean the ones that are living in the camp -- they don't -- they're stateless, and the only state they have a legal right to return to is the State of Israel because that's where they originated from.

No, Arab country is obligated to, you know, extend citizenship to them so that solution is not available to them, and it is the one that they prefer. So that's why the Palestinian citizens of Israel, their vision document looks at a comprehensive solution, but within a two-state framework.

So, you know, the Palestinian state does doesn't have to be an ethnically pure state either, but the idea is that people should live in equality. And as you can tell us from the, you know, your research on partition, even the Partition Plan back in 1947 it didn't envision an ethnically pure state. It described a Jewish State and an Arab State, but even in the Jewish state the Jewish population was only slightly -- a slight majority, compared to the Palestinian population that was going to be living among them.

And there was supposed to be a guarantee of democracy, and that there would be rights protected for the citizens of either state. So there wasn't going to be an ethnically pure state even under the Partition Plan. So, this idea of, you know, having to define the State of Israel as a Jewish State is really a new concept that came out, like I said, as a reaction to, you know, what was happening on the ground inside of Israel, with the Palestinian citizens of Israel starting to awaken to the fact that they weren't being treated as equal citizens and then talking about, you know, the need to respect refugee rights.

That became very threatening to Israel, and then we started hearing this idea of, no, you have to recognize Israel as a Jewish State, to Palestinians. Something that was never required of any other state in recognizing Israel and establishing diplomatic relations with Israel, no other state was required to recognize Israel as a Jewish State, but Palestinians they had to recognize Israel as a Jewish State.

MR. SACHS: If I can just -- if I could just push back for a moment. The way the Israelis usually describe the evolution of the demand for recognition of the Jewish State, was started not with Netanyahu, but actually on the left with Tzipi Livni as you said, was not at all in reaction to anything about Palestinians inside Israel, it was about the demand for a right of return into Israel.

And basically it was framed as if we are going to a two-state solution that necessitates one of them be Israel, not one be a Palestine, and one be also a Palestine, but rather that one be a Palestine, and one be Israel. And if that's the case they full right of return with 7- or 10 million refugees and their descendants returning is inconsistent with that.

So it would be consistent with a one-state solution, there you could have the right of return for everyone and anyone, but if it's a two-state solution it could not be, it would be based on two nation states, and therefore a demand for recognition. So, Tzipi Livni, who is on the left was the first actually to raise it as a big demand, as a response or as an argument for the right of return, hence not requiring either of Egypt or of Jordan, because Egypt did not demand that Egyptians move to Israel, but Palestinians did.

MS. HASSAN: Okay. So, Tzipi Livni, though, if you look at what she said, she said that the Jewish State and the Palestinians -- the Palestinian State would be the complete end of all claims for Palestinians everywhere, including Palestinians of other states, holding citizenship of other states. So, what was she referring to? She's referring to Palestinian citizens of Israel as well --

MR. SACHS: No. She meant as Palestinian living in Lebanon.

MS. HASSAN: Well, but then she also raised the idea that, you know, we could see territory --

MR. SACHS: I'm Sorry to push back, but I've asked her about this.

MS. HASSAN: Okay.

MR. SACHS: It's categorically not how she sees it, maybe interpreted differently, categorically not how she sees it.

MS. HASSAN: Maybe it's not how she will -- well, I mean, but it can be interpreted that way, and that's the problem because also the Jewish Nation-State Law you can also -- you can also see all of that unfolding in the language of the Jewish Nation-State Law, and those three provisions that I talked about. But the idea as I said of recognition of Israel as a Jewish State it came with Ariel Sharon following his provocative visit to the Al-Aqsa Mosque compound.

And the Second Intifada being launched following that, and those killings in October of Palestinian citizens of Israel, and then the demands that were made, and the accountability that was asked for, for those deaths, and they weren't forthcoming.

If you look at Ariel Sharon, where he included this, it was in the Quartet roadmap, and he put it -- it was included in his reservations to the Quartet roadmap in 2003. And what he wrote was that, you know, there had to be recognition of Israel as a Jewish State and Palestinian waiver of the right to return.

It was an -- there was an "and" there, and why the redundancy? It wasn't a redundancy. He was talking about Palestinian citizens of Israel that's why he wanted Israelis to be recognized as a Jewish State and a waiver of the Palestinian right to return.

Now, it was picked up again by Olmert, before the Annapolis Talks started, he started bringing up this issue of recognition as a Jewish State. And then Tzipi Livni brought it up as well during negotiations. But Ariel Sharon was reacting to what was going on during the Second Intifada.

MR. SACHS: I'll remain a Chair, and not -- resist the urges. Arie?

MR. DUBNOV: I just wanted to -- actually to bounce off, you know, you've mentioned Partition, and I think that this is maybe an indirect or convoluted way to go back to your question also, Natan, about a larger perspective. I think that part of -- you know, part of what would maybe help us make some sense of the -- in the current mess is really to see Israel, Palestine is a post-Partition space, and this is also very much similar, and this is part of what I'm arguing recently is, you know, if you want to look also at developments in India today. It's another post-Partition space.

Now, part of what you see, the developments you see under Narendra Modi in India

today relative, again, nothing is perfect in nation state in India after 1947, but there was still some sort of a clear minority status, and toleration, a Treaty of minority duration, special status for Kashmir.

Things that were still very clear that there was a Hindu majority, or a Hindu hegemony in India, but now they are challenged, suddenly things that are on -- would be considered unheard of, suddenly you have Indian troops moving into Kashmir after years.

I think that if you look at this, not simply as a similarity that comes from nowhere, and you compare it with a larger phenomenon that we call populism, you see suddenly the special relationship between leaders like Benjamin Netanyahu, and Narendra Modi.

You know, and those of you who are familiar when Narendra Modi came to Israel, you know, he didn't get only the written -- the regular kind of diplomatic treatment, when Netanyahu and Narendra Modi walked down the beach with an army of journalists taking photos of them, as if they're a couple in a honeymoon. I mean would be in with both, you know, standing with their -- up to their knees in the Mediterranean thinking about the future of their regions.

Look, I think that -- I mean I'm a historian, I'm not a policy thinker, I'm not at the position of so many people here at the Brookings to whisper in the ears of policymakers, but I think that my bet is if you want to have a larger perspective and see where things are coming, see these two countries, and two post-Partition spaces in tandem.

Developments you see in each one of those places sometimes foreshadow, or maybe is a precedent for the other. I think that this is -- and there you see also sort of a new, much less tolerant, much less inclusive discussion that is coming in the gaze of populism which is, India for the Hindus, like Israel for Jews.

MR. SACHS: So I can take one more question, if it's promised to be a very brief one. Is it? Yes, sir, go ahead.

QUESTIONER: Phil Duree. Mr. Katz, first of all this is a tremendous effort. Thank you very much. I just wanted your opinion. Had the correct narrative come out at the time, what do you think the local reaction would have been?

MR. KATZ: It happened many times, stories like this. There were many stories like that. And I think that -- are you asking on a personal level, or on the national level?

QUESTIONER: It would have been in an explosive type of situation.

MR. KATZ: No. I think that --

QUESTIONER: Was the rationale of the police -- this is a -- was the rationale of the police, this is a tragedy? These folks were heroes --

MR. KATZ: It is a tragedy --

QUESTIONER: -- we're trying to avoid a bigger local issue. Or is there a bigger conspiracy here? I mean it just -- it seemed to me that they were -- you could argue that this was a tragedy, and we're trying to avoid this becoming something bigger.

MR. KATZ: Well, if they would have told the truth when it happened first of all I couldn't make this movie. (Laughter)

QUESTIONER: A fair point. (Laughter)

MR. KATZ: I think that it's a lie that, you know, like a snowball. In the beginning like -- actually what you're asking if I'm correct, tell me if I'm correct, is what's the motive to the lie, in other words?

QUESTIONER: Yes.

MR. KATZ: Well, on the local level, Salim was undercover, he was wearing civilian -- he wasn't wearing a uniform. He was waiting for car thieves to catch, and he was the first to arrive to the scene, with no uniforms, and what he should have had in those days, and today also, is a hat in his pocket, saying police.

But what happened was that there was a lack of hats in the unit, and it was so obvious -- it was so obvious that even after the terror attack Jamal does remember it, and this is another interesting thing. I found out that he contributed 500 hats to this unit, so they won't have any lack.

And if someone in this unit -- if this thing would go out, so somebody in this unit, the Commander, maybe a Commander that you saw in the film, would have paid the price for this (Speaking in foreign language) --

MR. SACHS: Mistake.

MR. KATZ: Mistake, you know, so that's where it started. And then when it continues, so it was in the middle of -- if you take it on a (inaudible), it was in the middle of the Second Intifada. You

don't -- you don't want your policemen and soldiers that's speak Arabic to get to the other side against you, you know, you want to keep them with you. You can't say to the public that he was killed because he looked like an Arab, that was the -- that was the effect, you know, that we can argue for that.

But in a way I think that in their perspective, in their point of view, or maybe they thought that they were doing something good to the family. They were taking responsibility for the -- on the family, you know.

MR. SACHS: Ramy, any last words, what's a big takeaway for you? You're now on to other projects? What stays with you from this?

MR. KATZ: Life lessons.

MR. SACHS: The truth, always wear a hat?

MR. KATZ: Always wear a hat. I'll go with that.

MR. SACHS: So, please join me in thanking our panelists Arie Dubnov, and Zaha Hassan, and especially Director Ramy A. Katz. (Applause)

Thank you so much, all of you, for coming. And thank you all. Have a good night.

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