APPLYING INTERNATIONAL HUMAN RIGHTS STANDARDS TO NATIONAL CURRICULA: INSIGHTS FROM LITERATURE EDUCATION AT JEWISH AND ARAB HIGH SCHOOLS

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The paper presents an innovative way of exploring curricula by using a legal framework, based on one feature of the right to education in international human rights law – the adaptability of education to children’s circles of cultural affiliations. It examines the ways in which the right to adaptable education is realized by high school literature curricula designed for the Jewish and Arabic sectors of the Israeli National-Education Stream. The methodology used is two-layered: First, elements of adaptability in each of the texts are traced, and then a critical examination of aspects of adaptability in the curriculum is conducted. The main findings indicate that the curriculum designed for Jewish students is much more adaptable than the curriculum designed for Arabic students. The conclusions specify the importance of practices that contribute to the realization of the right to adaptable education: allowing wide choice between a variety of options, performing constant updates, designing a canonical corpus, referring to constitutive historical events, and exposing all pupils to the culture of other groups. These conclusions do not presume that curricula should be subjected to legal scrutiny. They offer, however, an additional tool that could help in the complicated process of shaping education policy.

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“In reading great literature I become a thousand men and yet remain myself... and am never more myself than when I do.”

- C.S. Lewis, Writing in *An Experiment in Criticism* in 1965

**INTRODUCTION**

How can international human rights standards hone education policy design? How can these norms be pertinent to curriculum evaluation and classroom practices in multicultural societies? Those timely issues are addressed in this research, which offers a multidisciplinary perspective that explores literature curricula through the lenses of the right to adaptable education – one of the features of the right to education, defined by the UN Committee on Economic, Social and Cultural Rights.

Israel, as a culturally fragmented society in which most national minority pupils study in public schools, provides the opportunity to explore how the state can ensure the realization of the right to education that is adapted to the children’s cultural affiliations. The Israeli education system is constituted of diverse subsystems and individual schools, based on national and religious differences. The National Education Law, 1953, divides Israeli public schools into three streams. The first is the National-Education Stream - a general education stream that serves three sectors: Jewish, Arab and Druze. The second is the National-Religious Education Stream, which serves national-religious orthodox Jews. The third is the newly established National-Incorporating Education Stream, which serves secular Jews who prefer curricula that incorporate intensive Jewish studies and put emphasize on Jewish identity. Alongside the public schools, there are several kinds of non-public schools, which receive state funds.

The current structure of the Israeli education system enables certain cultural groups to shape the education of their children according to their preferences. For example, the National-Religious and the National-Incorporating public streams receive a certain control over their curriculum since they are run as separate streams within the public system and are represented by councils that advise the minister of

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1 C.S. LEWIS, AN EXPERIMENT IN CRITICISM 141 (1965).
3 National Education Act 1953, Article 1. The education laws that regulate the structure of the education system and the funding of schools were enacted as sporadic amendments to an old legal framework.
education on different matters. The Haredi (i.e. Ultra-Orthodox) non-public schools receive a wide pedagogical autonomy and funding that allows them to establish several separate subsystems. Furthermore, groups of parents interested in providing their children with an elitist education can relatively easily set up non-public schools, and receive considerable funding from the state and from municipal authorities.

Jewish and Arabic public schools that belong to the National Education Stream do not receive pedagogic and administrative autonomy as other cultural communities in Israel do. The lack of autonomy is especially obvious in the case of the Arabic public schools, which serve a national minority within the Jewish state. The National Education Regulations (Advisory Council on Arabic Education) from 1996 ordered the creation of an advisory council on Arabic education. One role of the council is to advise the Minister of Education on matters relating to the formation of an educational policy that would insure the equal status of Arabic citizens of Israel while recognizing their lingual and cultural uniqueness and their heritage. However, since the resignation of the last advisory council over ten years ago, following the rejection of its recommendations, the policy has been never reformed.

This state of affairs raises the question whether and how Jewish and Arabic public schools that belong to the National Education Stream realize the students’ right to receive adaptable education, which responds to their social and cultural needs; education that can shape their identity and build their self-esteem. We have chosen to start the examination of this complex question at a specific educational arena – high schools – and in a specific field – literature studies.

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4 Id., at Articles 13, 13A, 15A, 16.
5 See Lotem Perry-Hazan, The Ultra-Orthodox Education in Israel: Law, Culture and Politics (forthcoming) [Hebrew].
7 National Education Regulations (Advisory Council on Arabic Education) 1996, Article 5(1).
We will begin by introducing the concept of adaptable education, its normative sources and its justifications. We will continue by explaining the special role of literature studies in the realization of the right to adaptable education. The next two sections will explain the methodology and present findings. In the following section we will discuss the findings and offer recommendations, which may assist in shaping literature curricula that respect the right to adaptable education in public schools. The last section will offer concluding remarks and suggestions.

I. THE RIGHT TO ADAPTABLE EDUCATION

International human rights law guarantees four features of the right to education, which were defined by the UN Committee on Economic, Social and Cultural Rights: 9 availability of functioning educational institutions and programs; accessibility of educational institutions and programs to all, without discrimination; acceptability of the form and substance of education; and adaptability of education to the needs of changing societies and communities, and to the needs of students within their diverse social and cultural settings.

The UN Committee on Economic, Social and Cultural Rights did not delineate these features in detail. Here we explore one aspect of the right of children to adaptable education – the adaptability of education to the children's circles of cultural affiliations. 10 The Convention on the Rights of the Child 11 provides that education shall be directed towards "the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own." 12 The Convention on the Rights of the Child thus formulates the substance of the adaptability feature by mentioning several circles of belonging; some of them denote the children's family and community and others are national and international. Indeed, human beings belong to various cultural groups. The boundaries between the groups are often blurred and

9 The Committee on Economic, Social and Cultural Rights, supra note 2.
10 For a theoretical conceptualization of the right to adaptable education, see Shulamit Almog & Lotem Perry-Hazan, Conceptualizing the Right of Children to Adaptable Education, 20 THE INTERNATIONAL JOURNAL OF CHILDREN'S RIGHTS 486 (2012).
12 Id. at Article 29(1)(c).
fluid.\textsuperscript{13} Yet, cultural groups have different roles in the lives of individuals who are affiliated to them. With some groups people identify more than with others.\textsuperscript{14} The Convention on the Right of the Child ensures respect for those circles of cultural affiliations that are more significant for the children by protecting the right of a child who belongs to ethnic, religious or linguistic minorities or persons of indigenous origin “to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language”, in community with other members of his or her group.\textsuperscript{15}

The World Declaration on Education for All adds another dimension to the right of children to culturally adaptable education by stating that "[e]very person - child, youth and adult - shall be able to benefit from educational opportunities designed to meet their basic learning needs" and that "the scope of basic learning needs and how they should be met varies with individual countries and cultures, and inevitably, changes with the passage of time".\textsuperscript{16} The Declaration thus expresses the perception that the right to adaptable education demands an awareness to the various ways in which cultures evolve. Human beings continuously produce cultural contents and import cultural contents from other cultures.\textsuperscript{17} To be deemed adaptable, education thus requires an unremitting attention to the changing cultural contents.

The importance of the right to adaptable education is recognized by the Israeli National Education Act, 1953, which determines, inter alia, that the goals of public education are to instill the pupils with respect for their parents and family, their heritage, their cultural identity and their language,\textsuperscript{18} and also to introduce them to the unique language, culture, history, heritage and tradition of the Arab population and other groups in the State of Israel.\textsuperscript{19} These goals were added to the National Education Act, 1953, as amendments in the years 2000 and 2003. In the past, the goals of public education were based on an aspiration towards the future establishment of a uniform culture for all, founded on a Jewish-Zionist

\textsuperscript{13} Menachem Mautner, \textit{From "Honor" to "Dignity": How Should a Liberal State Treat Non-Liberal Cultural Groups?}, 9(2) THEORETICAL INQUIRIES IN LAW 609 (2008).

\textsuperscript{14} Id.

\textsuperscript{15} Article 30.

\textsuperscript{16} World Declaration on Education for All, Article I(1) (UNESCO, Jomtien, Thailand, 1990), www.unesco.org/education/pdf/JOMTIE_E.PDF.

\textsuperscript{17} Mautner, \textit{supra} note 13, at 617-618.

\textsuperscript{18} National Education Act, 1953, Article 2(1).

\textsuperscript{19} \textit{Id.}, at Article 2(11).
narrative and ethos. The amendments mentioned above indicate a wider perception, which is based on recognition of the importance that the development of a national identity and sense of belonging holds for Arab citizens of Israel.

The adaptability of education to the children's cultural affiliations is part of the children's right to culture, which is perceived by some scholars as linked to other human rights such as the freedom of association, freedom of religion, freedom of consciousness and freedom of expression. Realizing the right to culture is essential for developing the children's identity, and provides them with a sense of belonging and emotional security. It also enables children to express themselves meaningfully, in ways fashioned by social practices, and choose their own path in life from a range of valuable options. The realization of the right to an education adapted to the students' social and cultural background may also serve significant social goals. Persons with a rich sense of self, who have been exposed during their years in the public education system to contents expressing respect to their group identity, will be more tolerant and open to narratives of other cultural groups.

II. LITERATURE STUDIES AND ADAPTABILITY

For the purpose of this primary research, we have chosen to focus on the study of literature, out of a belief in that it is especially significant in the realization of the right to adaptable education. As mentioned, the main justification for the right to adaptable education is that adaptable education is crucial for the development of the pupils' personality and identity. The literary text plays a special role in the formation of a rich perception of the self, combining self-cognizance and constant interest in


21 Id.


other people.\textsuperscript{27} Two dimensions characterize this function of literature: Firstly, literature presents the uniqueness of every self; it may offer the richest, most precise and most accessible representation of the essence of human consciousness.\textsuperscript{28} In this sense, literature may serve as a gateway to various worlds unknown to the reader. While the literary text opens up windows to allow a glimpse into other people's consciousness, it widens and deepens the reader's own consciousness.\textsuperscript{29} We quoted above C. S. Lewis who observed that "[i]n reading great literature I become a thousand men and yet remain myself... and am never more myself than when I do."\textsuperscript{30} Additionally, the literary text helps the formation of a sense of self by appealing to various levels in the personality, the personal history and the specific experiences of each reader.\textsuperscript{31} The more the set of affiliations between the reader's cultural, social and literary background and the contents of the text expands, the more likely it is for the creation of a richer and more intense "connection" with the text. These two dimensions do not contradict each other. Literature can shape the self by exposure to different worlds as well as by connecting to the children's familial, communal, or national affiliations. This intricate process is in affinity with the full meaning of the right to adaptable education.

III. RESEARCH

In this research we sought to explore the ways in which the right to adaptable education is realized in literature curricula that are part of the mandatory "Bagrut" program (matriculations exams) in the Israeli National-Education Stream. These were examined in high schools of both the Jewish and the Arab sectors. Our research included two layers. The first was tracing elements of adaptability in each of the texts that appear in the curricula. The second was a general examination of aspects of adaptability in the curricula.

\textsuperscript{27} SHULAMIT ALMOG, LAW AND LITERATURE IN A DIGITAL AGE 175 (2007) [Hebrew].
\textsuperscript{28} Id.
\textsuperscript{30} LEWIS, supra note 1, at 141
\textsuperscript{31} ALMOG, supra note 27, at 174.
A. The Curricula That Were Explored

The subject of literature in the Jewish sector of the National-Education Stream is studied as two mandatory units for Bagrut. The current curriculum was officially initiated in the year 2000 and is occasionally revised. An essential revision took place in 2007. The right to an education adapted to the pupils' social and cultural background is recognized in the program's goals, one of which is to deepen the students' affinity to the Jewish-Israeli identity and cultural heritage, as they are expressed through Hebrew literature in all its’ different forms, styles and historical periods. The curriculum is published in the website of the department for the planning and development of pedagogical programs in the ministry of education. We relied on the curriculum updated to the month of January 2010, which includes a total of 335 literary pieces, some written in Hebrew and some translated.

The field of literature in the Arab sector of the National-Education Stream is studied as one mandatory unit for the Bagrut. The current curriculum was published in 1981 and it includes only texts that were written in Arabic. Three anthologies have been published in accordance with the curriculum, called "Almukhater min Aladab Al'arabi" (i.e. "a selection from Arabic literature"), which include 258 literary pieces. The mandatory material for the Bagrut unit is published in a document that is delivered to schools from the Arabic unit in the department for the planning and development of pedagogical programs in the ministry of education. This document includes a selection of sixty eight pieces out of those that form the anthologies.

B. Methodology

The methodology we used was a qualitative research of text analysis. In any research that is based on content-analysis there is, by definition, a subjective aspect. This aspect is enhanced in this research, which deals with intricate literary texts and their interpretation. The categorizations of literary texts, the location and emphasis on certain components in their content, their association with certain literary movements or style - all of these complex questions and others, which aim to characterize and diagnose artistic expressions and to offer an interpretation of them, usually do not allow clear-cut judgments. The main categorization offered in this research, the one distinguishing between texts that have an element of adaptability and those that do not, is no exception. In order to reduce the subjective element from the research as much as possible, we have created detailed definitions of the criteria we were basing it on, as will be described later.

i. Classifying the Adaptable Features in Each Work

Jean-Paul Sartre, addressing the question "what is literature?" writes that although authors are presumably writing for the universal reader, whether they want to or not, speak to their contemporaries and peers of their class and race.\textsuperscript{36} Notwithstanding, literary works can induce a meaning relevant to a specific group - associated with the author, and at the same time it can affect distant audiences. In the words of T.S. Eliot, "I think that in poetry people of different countries and different languages... acquire an understanding of each other which, however partial, is still essential."\textsuperscript{37} This perception formulates the potential of many pieces of art to "speak of the world" and carry a universally meaningful truths.

Many pieces of art indeed "speak of the world" but what exactly is this "speaking of the world" in an artistic piece and under what conditions does it occur?\textsuperscript{38} Menachem Brinker exemplifies the difficulty using Tolstoy's "Anna Karenina." Does the text offer a universal insight about the dangers awaiting a woman who disregards societal conventions, or is it mainly about the condition of a woman who is a part

\textsuperscript{36} \textsc{Jean Paul Sartre, What is Literature?} 67-68 (Bernard Frechtman trans., 1949).
\textsuperscript{38} Menachem Brinker, \textit{The Place of the Book 'What is Literature?' in Theory and Critique, in Jean Paul Sartre, What is Literature?} 7, 13 (Elia Gildin trans., 2007) [Hebrew].
of nineteenth-century Russian aristocracy? We must be careful not to read into the text what is not there, or to disregard what is, Brinker warns.39

Equipped with this warning and the careful consideration it demands, we approached the texts that appear in the curricula with an aim to characterize them as belonging to one of three categories: texts that have dominant elements of adaptability, texts that have non-dominant elements of adaptability, and texts that lack an element of adaptability.

This kind of categorization inherently forces on the texts a certain reduction. An artistic text has different, sometimes contradictory layers of meaning; they are evoked in different contexts and in different periods. Beyond the different layers of content in each piece, there are also myriad and complex layers of interpretation. Cinema and culture critic David Bordwell describes four different layers of meaning that characterize a text:40 the first, concrete meaning, is an examination of the text in terms of the specific time and place in which the writer chose to locate her piece. The second, explicit meaning, is the association between the concrete meaning and a conceptual meaning. In other words, searching for what the text is saying on the surface; how the text speaks directly. The third, implicit meaning, is searching for a covert or symbolic meaning that the text expresses in an indirect way. The fourth, symptomatic meaning, is a meaning that can be created without the intention of the writer and even in opposition to it. Bordwell writes about cinema, and demonstrates the ways in which the different layers of meaning function through movies, but his model is applicable on any other artistic text, as Bordwell himself suggests.41

Following Bordwell's descriptions of the layers of meaning, we focused our research on the attempt to locate within every text the concrete meaning and explicit meaning. This approach demanded developing a two-fold hypothesis. First, it is possible to identify a narrative or narrative-like structure in almost any literary piece.42 Second, this structure is significantly associated with the elements of

39 Id. at 14.
40 DAVID BORDWELL, MAKING MEANING: INFERENCE AND RHETORIC IN THE INTERPRETATION OF CINEMA (1989). There are numerous methods for interpreting all kinds of texts and articulations. We believe that Bordwell’s approach is useful for our purposes, since it treats the interpreted text as relating to a wide multi-leveled interpretational space, that includes not only what is perceived as the subjective meaning or the originating meaning of the text’s creator, but also wider layers of social, cultural and even political meanings, as is the case in the texts we examine here.
41 Id. at 254.
adaptability we were seeking out. We are supported in this context by insights formed in the field of literary study, which indicate that the ability of readers to relate the narrative to their own lives is crucial for making the text meaningful to them. This practice of readers to adapt the text to their familiar view of the world was named by Jonathan Culler "naturalization". Literature hence creates a sensitive mechanism which relates to the construction of identity and the formation of a world view, which includes the reader's position in regards to their peers, their community and wider social circles.

In our research, we marked a text as adaptable if we found its concrete and explicit meanings, usually associated with its basic narrative, to be significantly adapted to the pupils' social and cultural background. For this purpose, we re-read all the texts, while focusing our reading on trying to characterize the text as belonging to one of the three categories. The process of reading and subsequent categorization was accompanied with consultations among us, and cases that were highly ambivalent gained special consideration.

As noted above, the right to adaptable education is defined in international human rights law by several circles of affiliations, some of which are global. Theoretically, almost everything can be interpreted as adaptable to the children’s multiple circles of affiliations. Yet, the right to adaptable education does not imply that people are "cosmopolitan". As mentioned, with some cultural affiliations people identify more than with others. Adaptability to the children's various circles of affiliations requires thus more attentiveness to certain circles of affiliations - a limit should be set in order to narrow the resolution to the more meaningful circles of adaptability. This is especially essential in research that aims to compare the curricula of Jewish and Arabic schools, in which the focus should be on the adaptability components that are unique to each group.

Following these insights we defined the elements of adaptability. Elements of adaptability in the Jewish sector were defined as follows: Jewish religion, the Bible, Jewish history, the state of Israel, Zionism, and Israeli society. Elements of adaptability in the Arabic sector were defined as follows: Arabness, the Quran and Hadith and their interpretations, the history of the Arab and Islamic nation, the state of Israel, Arabic countries, areas where sons of the Palestinian nation reside (وأماكن تواجد أبناء الشعب الفلسطيني), Israeli society, and Palestinian society. Texts taken from the Quran and the Hadith were classified as texts with dominant elements of adaptability because of their religious significance.

44 Hadith is the body of sayings and legends ascribed to the Islamic prophet Muhammad, and used as basics of Islamic law.
so that the examination of their adaptability did not reach the layers of meaning arising from them. It should be emphasized that our intention is not to offer our opinions on questions of Jewish or Arabic identity, and that we are aware of the complexity of these questions. The examination of the adaptability of the texts and the curricula was performed using general characteristics that aim towards the wide spectrum of cultural groups the students in each of the educational sectors we examined belong to.\(^{45}\) We would also like to stress that there is no necessary correlation between the existence of any ideological component and that of an adaptability component in the text. Ramon-Keynan defined the ideological component as frequently defined by the "norms" of the text and by a general system of worldviews according to which the narrative and the characters are judged.\(^{46}\) The ideological component is maintained in a complex way, and could lead towards a polyphonic reading of the text.\(^{47}\) Even a text in which a normative message is hard to locate can have a dominant element of adaptability, due to the concrete and explicit meaning of the narrative.

We mentioned above several difficulties - the immanent difficulty that arises whenever works of art are categorized, the difficulty having to do with the complexity of recognizing the "speak of the world" arising from the text, and the difficulty connected with multiple layers of meaning. In spite of these difficulties, in most of the texts it was relatively easy to characterize the concrete and explicit meaning, and therefore to categorize the texts as having or lacking elements of adaptability. Hopefully, the discussions formed in literature classes are much more profound, and can often reach the layers of implicit and in certain cases even symptomatic meaning, and offer the pupils a creative and enriching reading of the texts. Our interest here, however, is the primal layers of meaning, the concrete and explicit meaning, which are relatively easy to identify and less dependent on a personal or sophisticated work of interpretation.

Yet, as might be expected, there were quite a few pieces that their categorization raised special difficulties. One kind of difficult decisions was the categorization of pieces in which the elements of adaptability had a very minor presence. Examples for such pieces in the curriculum for Jewish public high-schools are a medieval poem using biblical phrases to describe natural phenomena ("Kotnot Pasim" by Rabi Eban Ezra) and a novel revolving around two non-Jewish characters during World War II ("The Kites" by Romain Gary). Examples for such pieces

\(^{45}\) Given these complexities, we were aware to the impossibility of developing a "right" definition of elements of adaptability.

\(^{46}\) RAMON-KEYNAN, supra note 42, at 80.

\(^{47}\) Id. at 81.
in the curriculum for the Arabic public high-schools are a story taking place in an unnamed location, but describing village life reminiscent of those in an Arab village ("The Village Market" by Abed Al-Wahab Al-Bayati) and a poem in which the narrator likens his loved one to the city of Haifa and to the Carmel mountain, the landscape of his childhood ("She and My Land" by Rashid Hussein). These pieces were put into intermediate category, which was defined as texts with non-dominant elements of adaptability.

Another kind of text whose categorization created a special complexity were pieces written by canonical writers, who by their very name gave the pieces they wrote an element of adaptability. Examples for such writers in the curriculum for the Jewish sector are Haim Nachman Bialik and Rachel. Examples for such poets in the curriculum for the Arabic sector are Rashid Hussein, Samih Al-Qasim and Hanna Abu-Hanna. After deliberations, we decided to categorize pieces written by these writers according to their concrete and explicit meanings, both in an attempt to maintain consistency and because the element of the writer's identity was included in our research as part of the general examination of elements of adaptability in the curricula, which contained a section referring to the presence or lack of a canonical corpus in these curricula.

ii. A General Analysis of the Curricula's Adaptability

The examination of the curricula in literature goes beyond the elements of adaptability in each of the literary pieces alone. The adaptability of the curriculum to the pupils' social and cultural background may also be manifested in the general character of this curriculum. In order to examine the general adaptability of the curricula we raised the following interrelated questions: Does the curriculum include canonical writers? Does it contain historical diversity and wealth? Is it updated to include contemporary pieces? Does it allow a wide selection for teacher seeking to adapt the pieces that they teach to the social and cultural background of the pupils in their class? How is the selection in the curriculum shaped?

IV. FINDINGS

A. Jewish Sector

The curriculum in literature studies for public Jewish high-schools is comprised of four sections: poetry, short stories, novels, and drama. The curriculum includes both pieces originally in Hebrew and pieces translated into Hebrew.
We found that most of the Hebrew texts in the curriculum have dominant elements of adaptability. An exception is the group "poetry of the twentieth century", in which most of the pieces has no elements of adaptability. However, the diversity of the adaptable literary materials in the curriculum, including in the poetry section, creates a whole with a synergistic quality, which is bigger than the sum of its parts. Additionally, we have found that most of the translated pieces in the curriculum have no elements of adaptability. This finding is unsurprising and even predictable, since the literature curriculum is meant not only to fulfill the right to an education adapted to the pupils' social and cultural background, but other goals as well, one of whom is a establishing a familiarity with general cultural assets.

As a whole, the curriculum includes a corpus of canonical writers, but also offers a rich and diverse picture of Jewish and Israeli identity, including a wide reference to Arab citizens of Israel. The system of choice is designed in a way that allows the teachers to adapt the pieces to the pupils is their class, yet at the same time insures an exposure to canonical writers. The means for these ends are dedicating separate sections for Bialik and Agnon, as well as a subdivision of these sections that allows a choice of poems out of several by the same poet.

Furthermore, the curriculum includes a rich and intricate gradual historical structure, starting from medieval poetry and ending with contemporary pieces. It also includes significant references to identity-defining events such as the Holocaust and the wars of the state of Israel. The curriculum previous to the one in effect today required the reading of epic-scale nineteenth-century novels, and dedicated significant portions for medieval poetry. The current curriculum offers a free choice among a large number of adapted novels, some of which written in the past few years, and the obligation to teach medieval poetry was reduced to only five poems.

B. Arab Sector

The curriculum in literature studies for public Arab high-schools is comprised of nine sections: classic Arabic poetry, classic Arabic prose, modern poetry, essays, short stories, novels, plays, a reading of a novel outside of the curriculum (to be decided on by the teachers), and history of literature.

We have found that despite the fact that the curriculum includes only texts originally in Arabic, most of the texts appearing in it have either non-dominant elements of adaptability, or no elements of adaptability.

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The major themes in the curriculum are natural phenomena, interpersonal relationships and philosophy. Overall, the curriculum lacks affinities with the pupils' environment and social surroundings, as well as references to minority-majority dynamics and the Arab-Palestinian narrative. It appears therefore that the stated goals of the literature curriculum having to do with helping the formation of the pupils' personalities and with acquiring knowledge of their national heritage are insufficiently realized.

The curriculum includes a canonical corpus of writers from the Arab world, but it lacks local writers who have gained a canonical status, such as Mahmud Darwish, Taufiq Ziad and Muein Bsiso. The extremely narrow space left for personal choice by the teacher, although it guarantees an exposure to the canonical writers, inhibits the teacher from adapting the pieces to the cultural and social compound of pupils in each class. Moreover, the limited choice is most often shaped in a way that only allows choosing between alternative texts with similar levels of adaptability.

The historical structure of the curriculum is also problematic, especially because the curriculum is very outdated and lacks in contemporary pieces. Additionally, although the curriculum includes pieces that describe important historical periods, such as the first period following the "Khalifs" (the Ummaya family) and the second period following the "Khalifs" (the A’bbas family), it lacks pieces having to do with later periods.

Further deficiencies in the examined curriculum are translated texts and Hebrew texts, which are only included in the advanced, voluntary programs for Bagrut. In fact, the study of Hebrew literature has only recently been removed from the mandatory curriculum for Bagrut in Arabic public high-schools.

CONCLUSION

We shall now list a number of issues raised by the findings mentioned above. The discussion on these issues will incorporate policy recommendations for a fuller realization of the right to adaptable education in both Jewish and Arabic public education.

A. Variety of Adaptable Works, Wide Choice Options and the Role of Teachers

The examined curriculum for Jewish public high-schools includes a wide variety of texts with dominant elements of adaptability, and allows many opportunities for choice out of this variety. The examined curriculum for Arabic public high-schools includes a narrower variety of texts, a large portion of which does not include dominant elements of
adaptability. In addition, the opportunities for choice among the texts comprising the curriculum are limited. It should be noted that the general curriculum for Arabic literature, which serves as the source for materials in the mandatory program, is rich and diverse.

Choice and variety matter. They create a reservoir of building blocks. Out of the wealth presented to the students, they construct an identity for themselves, a self-understanding and meaningful relationships with other individuals, with their society and with their community. A diverse array of texts, and the option to pick and choose among them, allows teachers to adapt the studied pieces to the social and cultural compound of each class. In heterogeneous classes, it is advisable to choose the pieces to be taught in a way that would insure the adaptable elements in them would be aimed towards each of the social and cultural groups represented among the pupils. In other words, the teacher has to insure that every student would be exposed to pieces adapted especially for them rather than other students. In this way it would be possible to realize the right to adaptable education and at the same time to allow everyone in class to benefit from a more profound acquaintance with the social and cultural background of their peers.

One implication of this is the vital importance of developing an awareness of the importance of adaptable education among teachers of literature. The ministry of education cannot create a single curriculum that would fully realize the right to adaptable education because of the social and cultural diversity that exists within both the Jewish and the Arabic public education sectors. The curriculum mandated by the ministry of education may allow a wide array of choices between pieces adapted to the variety of social and cultural backgrounds to which children in Israel belong, but the ability to translate that into an actual realization of the right to adaptable education is in the hands of the teachers, who know the identities of those sitting in front of them. In fact, the wide array of choice makes the literature teachers the main mediators responsible for realizing the right to adaptable education.

B. Updates

The literature curriculum for Jewish public high-schools was published in 2000 and significantly updated in 2007. The literature curriculum for Arabic public high-schools has not been updated since its initial publication in 1981. An updated curriculum, including adapted pieces that are attentive to both the legacy of the past and to

contemporary developments, is an aspect of the right to an adaptable education. Its historical wealth contributes to the formation of a cultural identity and its innovativeness connects it with the contemporary world of the pupils. Occasional updates of the curriculum are not sufficient for the curriculum to be adapted to the pupils. Sometimes a new curriculum must be designed, that would express recent cultural trends and would better reflect current needs.

A report by the Israeli State Comptroller and Ombudsmen published in 2008 claims that the office for planning and development of curricula in the ministry of education virtually never maintains an ordered and systematic review of the curricula. The report also states that no standard procedures exist to guide the work of the curriculum committee, which leads to the development process taking a considerable amount of time, sometimes many years. It also mentions that most of the curricula are not reviewed once in a few years as required and therefore all sectors suffer from extremely out-dated curricula, some thirty years old and more.50 Hence the literature curriculum for Arabic public high-schools is not unusual in this context, and its character seems to be a part of a larger problem of dysfunctions in the field of planning and development of curricula in the Israeli ministry of education.51

C. Cananical Corpus

The curriculum examined for the Jewish public high-schools includes a canonical corpus, and shapes its range of choice in a way that insures an exposure to the core of this corpus, including pieces by Agnon, Bialik, Rabbi Yehuda Halevi, Lea Goldberg, Shaul Tchernichovsky, Rachel, Nathan Altermann, Yehuda Amichay and other writers. The curriculum examined for the Arabic public high-schools includes a canonical corpus of Arabic writers, but it lacks local canonical writers such as Mahmud Darwish, Tawfiq Zyad and Muein Bsiso.

Indeed, there is a difficulty in establishing criteria for the selection of canonical writers to be included in a literature curriculum. This difficulty in distinguishing between "center" and "margins" does not justify avoiding the decision by relying on an old and out-dated curriculum. The realization of the right to adaptable education demands choosing a


51 In 2013, the literature curriculum that we examined was still taught in the 11th and 12th grades of Arabic public high-schools. The literature curriculum for the 10th grade is in a process of change.
canonical corpus that represents a spiritual-cultural foundation, upon which the identity of the pupils may be established.

D. Constitutive Historical Events

References to constitutive national-historical events in the curriculum are crucial for the realization of the right to adaptable education. The examined curriculum for the Jewish public high-schools references such events, among them the holocaust and the Israeli wars. The examined curriculum for the Arabic public high-schools includes pieces that directly references important historical periods – the first period following the Khalifs (the Ummaya family) and the second period following the Khalifs (the A’mman family) – but lacks in pieces that reference later periods. We recommend that the curriculum in literature for Arabic public schools include a wide reference to the period following the formation of the state of Israel, including the Nakba, which a recent study suggests is a central factor in Arab-Israeli identity.52

E. Exposure to Translated Works

The mandatory program for Bagrut in literature includes two units in Jewish public high-schools and one unit in Arabic public high-schools. One unit of Bagrut requires an estimate of 90 class periods.53 Students in the Jewish public high-schools therefore receive twice the extent of literature studies that students in the Arabic public high-schools receive. The limited extent of literature studies that form the mandatory material for Bagrut in Arabic public high-schools means that these studies focus only on Arabic literature and do not incorporate general cultural assets of translated literature. Additionally, students in Arabic public high-schools are no longer exposed to Hebrew literature, which as previously mentioned was excluded from the mandatory material for Bagrut.

The downsizing of literature studies into one unit comes at the expense of the imperative to include general assets of culture in the curriculum, assets that are also significant for the realization of the right to an education adapted for children living in a global world. This downsizing also comes at the expense of Arab pupils to be exposed to the Jewish-Israeli culture that surrounds them. Significantly, the curriculum for Jewish public school includes many pieces referring to Arab citizens

of Israel as well as pieces translated from Arabic. Learning about the social and cultural groups consisting Israeli society serves both the right to an adaptable education and the right to an acceptable education, which includes among other aspects the education for tolerance.

CONCLUDING REMARKS

The crucial role of literature in the establishment of consciousness, in developing one's personality and in the formation of identity, and the opportunity given to teachers to adapt the texts taught in class to that particular class, without the necessity of using uniform textbooks, mark the field of literature as an obvious vehicle for realizing the right to adaptable education. Furthermore, the importance of realizing the right to adaptable education in the different fields of the humanities, including literature, is reinforced by the fact that the state of Israel mandates a uniform program for citizenship studies in public high-schools. This program, designed to emphasize what is common to all citizens of Israel, demands to be supplemented by other programs, designed to form a sense of belonging to other cultural affiliations.

This research also suggests that the realization of the right to adaptable education has organizational aspects, having to do with the ways in which curricula are shaped. We believe that the establishment of advisory councils, which would have a diverse and representative compound, would benefit to the creation of curricula adapted to the pupils' social and cultural background. As mentioned, there has not been a functioning advisory council for Arabic education for over a decade.

Examining curricula from a perspective of human rights is important for any society where cultural minorities exist, and especially so in Israeli society, which is fraught with national, religious and class conflicts. Such an examination does not presume that curricula should be subjected to legal scrutiny. It does, however, offer an additional tool that could help in the complicated process of their formation. Our hope is that this research will illuminate those who shape education policy about the importance of the right to adaptable education and about some of the ways in which it could be realized in the complex realities of multicultural societies.\(^{54}\)

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\(^{54}\) The right to adaptable education may have substantial policy implications, which concern school admissions, allocation of funds to religious schools, and cultural exemptions from compulsory schooling or from certain parts of the curriculum. Further research is needed in order to explore the implications of the right to adaptable education in different contexts, as well as its adequate scope.