The Palestinian Citizens of Israel: Nationality and Identity of Arabs in the Jewish State

# Introduction

Despite clearly defining itself as a Jewish state, Israel’s presents a very variegated demographic: the largest minority is composed by the Palestinian citizens of Israel, are also sometimes referred to as the “Arabs of the 48” or the “Arabs of Israel”. This minority lives a very critical situation where their kin state is engaged in an ongoing conflict with the state of their citizenship, making the group feel “trapped”. This condition raises questions about actual the recognition of minority rights in Israel. The purpose of this paper is to analyse the status of the Palestinian citizens of Israel both under a legal perspective – focusing on the norms regarding the definition of minority in the Israeli state-, and under a social and political perspective.

# Which Minority? The Fragmentation of the Israeli Society

## 1.2. Identifying Israeli Minorities

Israel’s population is quite heterogenous: in addition to the Jewish people, being them native, *Aliyah Bet*’s descendants, or the new arrivals from Europe and America, there are numerous minorities living within the state boundaries, being them Arab Palestinians, Bedouins and other smaller religious and ethnic groups. In such a diverse demographic landscape, it might be difficult to define who is a minority and who is not. Hence, the question that this section will address focuses on the parameters to discern the minority from the majority.

First, looking at the majority, Jews constitute the dominant group in Israeli society. But should that be considered a religious or ethnic parameter? Judaism is indeed a faith but also, an ethnic feature, inherited through the female line -meaning that a child born from a Jewish mother would be automatically considered Jewish. Hence, in case of the Jewry, religion and ethnicity overlap; but this is not true for most of the minorities living in the territory of Israel. For example, if religion is adopted as parameter, Israel’s population appears divided between Jews, Muslims, Christians in various denomination, Druze, Baha’i, and other smaller groups, like the Ahmadiyya or the Samaritans[[1]](#footnote-1); conversely, when looking at ethnicity, there are the Arab minority -which encompasses people of different faiths, namely Muslims, Christians, Copts and Druzes-, as well as the Circassian, and Aramenians, and Assyrians. In addition to that, the Jewish people in Israel are not a homogenous group; the first distinction is between *sabras* (people born in Israel) and the *olim* (people who moved to Israel thanks to the Law of Return). But also looking at the ancestry, Jewish people might be Ashkenazi, Mizrakhi or Ethiopian. And even among these groups, there are groups coming from different countries who have hold on to their cultural heritage. For instance, Jew coming from the former Soviet Union, especially Russia, created a very closed group amongst the Jewish population: they have Russian-Hebrew bilingual schools, they preserve traditions of their homeland, and they even have specific shops where they can find imported foodstuff and other daily items from Russia or Belarus.

From this discussion, it emerges that finding a clear-cut parameter to distinguish the majority from the minorities seems like an arduous challenge. The Israeli government has taken different approaches during the years; until 2005 the Ministry of Interior took the view of an ethnic interpretation of “Jewishness”, excluding from the majority all people who did not fulfil that definition. This resulted in display of the ethnic group on the Israeli identity card. The words used in the document to indicate ethnicity were indeed *le’om* (לאום)in Hebrew and *qawmīya* (قومية) in Arabic, both translatable in English as “Nation” but leaving aside the meaning of citizenship, closer to the German word “Volk” or the Greek “Ethnos” (from which the word ethnicity comes from). The *le’om* attributions were mainly Jewish, Arab, Druze and Circassian. Since 2005 this specification has been abolished but still members of these groups are identified as part of a minority in the Registry for residents, where they need to indicate the grandfather’s name.

In the World Conference Against Racism in Durban, on the 20 of August 2001, the Israeli representative referred to the Arab minority as such:

Although defined collectively as Arab citizens of Israel, the Arab Israeli sector includes a number of different groups - primarily Arabic-speaking - each with its distinct identity.

Muslim Arabs, the largest group, constitute three-quarters of the Arab Israeli sector and most are Sunni Muslims. Nearly one-tenth of Israel's Muslim Arabs are Bedouins, formerly nomadic shepherds. Christian Arabs form the second largest group in the Arab Israeli sector. Although many denominations are nominally represented, the majority of the Christian Arabs are affiliated with the Greek Catholic, Greek Orthodox and Roman Catholic churches. The Druze, some 100,000 Arabic-speakers living in 22 villages in northern Israel, are a separate cultural, social and religious community. The Circassians, comprising some 3,000 people, are Sunni Muslims, although they share neither the Arab origin nor the cultural background of the larger Islamic community. While maintaining a distinct ethnic identity, they participate in Israel's economic and national affairs without assimilating either into Jewish society or into the general Muslim community.

The parameters used are both language (Arabic) and religion, thus including also the Circassians in the group, even they constitute a different ethnic entity. Hence, in an attempt to conceal religious and ethnic parameters, the Israeli government indicates as the main minority communities Druzes, Arab Muslims, Arab Christians, Bedouins, and Circassians.

This approach mirrors the one of Arab intellectuals who, since the 1990s, have tried to disregard all distinctions and claimed to be considered as a unique entity, an *aqalliyya qawmiyya,* a national minority (Rekhess, 2014, p.194).

For the purpose of this research, Arabic language will be considering the main identifier of the Arab-Palestinian minority in Israel, including both Muslims and Christian Arabs, which have similar attitudes with regard to the integration within the Israeli society and the preservation of their identity[[2]](#footnote-2).

* 1. Le’om *and* Ezrahut*: The Question of the “Israeli nationality”*

Israel has a multi-ethnic society, but identifies as Jewish state, which might hint at a hierarchical structure between ethnic groups. From a legal perspective, Israel does ensure a certain level of autonomy in given matters, such as language, military service and religion; however, it lacks provisions aimed at preserving the ethnic, cultural and religious heritage of the minorities as distinct national communities. The *rationale* of this absence might be merely pragmatical, although it is more likely linked unwillingness to compromise the Jewish character of the country. The latter is reinforced by the official the position of the Israeli government towards minorities is very clear: “Israel is not a melting pot society, but rather more of a mosaic made up of different population groups coexisting in the framework of a democratic state”[[3]](#footnote-3). Already in 1948, Ernst Frankenstein noted that the term used to define the new-born state, “National Home for the Jewish People”, was a strong statement, since the term “Jewish people” did not embrace just the Jews in Palestine, but a whole new entity never recognised by international law (Frankenstein, 1948, p. 39). Thus, under a legal perspective the definition of “Jewish State” or “National Home for all the Jews” is not quite clear. In an Israeli Supreme Court case in 2003[[4]](#footnote-4), Judge Aharon Barak provided a picture of Jewish characteristics of the country, which stands in the right of every Jew to make *Aliyah* to the State of Israel, in the fact that Israel Jews constitutes the majority of the population, that Hebrew is the main official language of the state, and that its main holidays and symbols reflects the national emergence of the Jewish people. All these elements suggest that “the heritage of Israel is a central component of the state’s religious and cultural heritage”. The case, actually, was brought to Court by the AG and the right-wing party MK: MK disqualified MK Azmi Bishara and his lists from running for Knesset elections. The claim was indeed that the slogan “A state for all citizens”, proposed by the mentioned list, was a negation of the nature of Israel as a Jewish state. On the case, the Attorney General Elyakim Rubinstein wrote that “The Israeli Arabs are full citizens of the state as a fundamental right […] at the same time we have to struggle against every attempt to remove from Israel its character as Jewish and democratic states. […] Whoever calls to turn the character of the state into ‘the state for all its citizens’ intends to remove the Jewish identity of Israel” (Rubeinstein, 2002[[5]](#footnote-5)). This intent was then clearly expressed in the Nation State Bill which states under article 1.b “The State of Israel is the nation state of the Jewish People in which it realizes its natural, cultural, religious and historical right to self-determination”.

Despite establishing its Jewishness, Israeli fundamental law claims to protect all citizens and residents, while still preserving a distinction between two elements: *le’om* (לאום)and *ezrahut* (אזרחות). According to Avishai (2008)’s definition, *ezrahut* is commonly understood as “citizenship” (the term indicates belonging to modern post-Westphalian nation state), while *le’om* can be translated as “peoplehood”, “nationality”. In practice, both Jews and Arabs living in Israel are entitled to *ezrahut*, and thus are subject to the same rights and obligations, but they are part of two distinct *le’om*, the Jewish and the Arab-Christian or Arab-Muslim ones. Under the 1965 Population Registry Law, the *le’om* was indeed the nationality required to be stated in the Israeli identification cards mentioned before: Israeli Jews were classified with “Jewish nationality,” Israeli Arabs as Israeli citizens with “Arab nationality,” and Israeli-Druze were classified as Israeli citizens with “Druze nationality.”

The notion of “Israeli citizenship” emerges quite clearly, but this distinction poses several issues when considering instead the “Israeli nationality”. Firstly, Israeli nationality suffers from a paradox: in fact, even if Israel is considered a Jewish state, being Jewish is not the unique requirement for obtaining the Israeli citizenship. People born in the territory of Israel to Arab, Circassian or Druze families are indeed entitled to citizenship without the need to convert to Judaism. Secondly, Israeli citizenship is potentially granted to every Jew in the world: the identity of “Jewish national” is extended to every Jew living in Israel and to every descendent of the Diaspora Jewry. Pretty much like religion and ethnicity, “Jewish citizenship” and “Israeli citizenship” overlap[[6]](#footnote-6). But “Jewish nationality” and “Israeli nationality” not always do.

It is the case of Dr. Georges Tamarin[[7]](#footnote-7), a Yugoslav immigrant of Jewish descendant, refused to be indicated as Jewish *le’om* in his identity card since he defined himself as an atheist. He asked, indeed, the term “Jewish” to be replaced by the term “Israeli”, but the Ministry of Interior declined his request. Later, his claim went then before the Supreme Court of Israel where the judge ruled that there is not such a thing as “Israeli nationality”, since the acceptance of such would create a fracture among Jewish people, forcing them to choose between their Israeli and Jewish identity. The Israeli Supreme Court quoted a lower court’s reasoning: “One cannot belong to two nationalities. If an Israeli nationality is recognized, members of the Jewish nationality in Israel will have to choose between the two: Are they Israelis, in which case they would not be Jewish; or are they Jewish, in which case they would not be Israeli; the same would apply to members of minority groups [in Israel]. Recognition of such nationality may bring about the national and social disintegration of the entire nation […]. A separatist trend of splitting the Jewish nations must not be accepted”[[8]](#footnote-8). The verdict of the *Tamarin vs State of Israel* sentence proved that the “Israeli nationality” does not exist. This same judgment was later reaffirmed in 2013 with the case *Uzzi Ornan et al. v. State of Israel*: again, Professor Uzzi Ornan, head of the organisation Ani-Israeli” (I am Israeli), and its 21 members requested a change of the *le’om* on their ID, asking for the indication of “Israeli”. The appeal had been hobbled in the courts’ hierarchy for over ten years before, in 2013, it was ultimately rejected by panel of three Supreme Court Justices. The verdict decreed that “there is not and cannot be one nationality for all Israeli citizens”[[9]](#footnote-9). Before such strong rejection for a more laic definition of citizens of the State of Israel, the reaction of Uzzi Ornan’s upon the publication of the verdict is worth to be quoted:

*“In its ruling, the court, in effect, agrees to totally ignore the obligations included in the Declaration of Independence, which promises full equality among all the state’s citizens, regardless of religion, race or gender. The government consensus that has developed ignores the existence of an Israeli people that was created with the Declaration of Independence. This consensus enables the Jewish majority to have full control over the country and to operate not for the benefit of Israeli citizens but for the benefit of the current political majority among the Jews.”*[[10]](#footnote-10)

Thus, even if nowadays there is no more an indication of the *le’om* of a person on his ID, the definition of “Israeli citizenship” is still strongly linked to a religious and ethnic connotation. The Nation State Bill of 2018 reinforced this understanding even more, literally putting on paper the words “The Land of Israel is the historical homeland of the Jewish People (article 1.a). Although, whilst still preserving the Jewish character and the distinction between *le’om* and *ezrahut*, Israel could still have the space to welcome its minority who are granted full equality and specific rights aimed at protecting their heritage. In fact, compliance with the principle of non-discrimination and promotion of minority rights can be ensured even if the country has a very strong specific ethnic, religious and linguistic identity. In 1989 Sammy created a definition for the State of Israel which became iconic: he called it an “ethnic democracy”, which he identified as a “political system that combines a structured ethnic dominance with democratic, political and civil rights for all” (Smooha, 2002, p. 475). Hence, Smooha claimed that, in this context, both dominant ethnic group and minorities are fully engaged in the democratic process. This democratic spirit was indeed what sets an “ethnic democracy” away from an “ethnocracy”, which is instead characterised by autocracy and hierarchy of ethnicities. Smooha’s classification of Israel as an ethnic democracy provoked the reactions of numerous scholars; among the others, Ghanem (1998), Rouhana (1998) and Yiftachel (2000, 2009) challenged the definition with regard to the democratic part, and suggested instead the label of ethnocracy. Shafir and Peled argue that “Israel’s constitutional definition as a Jewish state precluded the possibility of adopting one of the key identifying features of a liberal state – the separation of state and religion” (Shafir and Peled, 1998, p.413). Whilst Gavison (1999) took a different point of view, focusing on explicit terms instead that normative ones. She concluded her analysis claiming that there was no conceptual inconsistency between being Jewish and being a democracy. In more recent times, Danel (2009) affirmed that ethnic democracy is a product of the tensions between the two contradictory principles of inclusive and egalitarian democracy, on the one hand, and a preference for a majority ethnic group on the other. He goes even further and defines Smooha’s argumentation *circulus in probando*, meaning that, since the term “ethnic democracy” was tailored-made for Israel, it is undoubtable that Israel will fulfil all requirements of such definition.

Although, even accepting Smooha’s definition of Israel as a democracy, the issue of actually ensuring political and civil rights for *all* still stands. In particular, how does this definition affect the Arab minority?

In order to analyse Israel’s perception of a Jewish nation state affects minorities, the next section will address the state’s attitudes towards one group in particular, arguably the most problematic given the ongoing conflict with its kin state: the Palestinians citizens of Israel.

1. **The Oxymoron of “Israeli Palestinians”: Being Arab in a Jewish State**
   1. *Definition of the Arab Minority within an Ethnic Democracy*

The Arab minority in Israel consists in the so-called Arabs of 48, the Arab population who did not leave the territory conquered by Israel in 1947-8. The complexity of this group arises already from the definition of the group itself: the idea of “Arab Israelis” does not match the self-definition of the group, nor the perspective of the majority of population of Israel, or of the Palestinians living across the former Green Line. Conversely, the definition of “Arabs of 48” puts too much attention on the differences between the Palestinians living in Israel and the Palestinians of the West Bank; whereas the three major Arab political parties have taken the position that “Palestinian people as one indivisible whole even though the bulk of its members live outside the State of Israel either under the Palestinian Authority or in Arab states and even more far-flung areas of the globe where these sentiments are reciprocated by Palestinians living there.” (Frisch, 2005, p.207). Given this idea of the Palestinian people as a unique entity, using the concept of “minority” for the ones living in Israel might be problematic; at the same time, it is undoubtable that they present some very different features than the ones living in the West Bank and Gaza, among the others their citizenship and their legal status. According to Smooha (2010), there are at least six distinct features of the Arab minority that can help to understand its relationship with the Jewish citizens of Israel, and the reasons why the Israeli society seems so helplessly divided:

1. The minority is a homeland minority, meaning that they pertain to a certain group of people that was living in the Palestinian land for centuries, in contrast with the majority of the Jewish people who are immigrants of the first to the third generation. Smooha uses the term “homeland” instead of “indigenous” (used instead by many other scholars such as Gebler, Suleiman, Rekhess, *et al.*) in order to refrain from any claim deriving from the UN Convention on Indigenous People, although the essence of the concept is the same.
2. The minority is large. The Arabs constitute almost 20% of the overall population. This implies, among the other things, that they could have a significant electoral potential. The use of the conditional, though, is a duty since the Arab minority never manage to create a united front in the Knesset, thus dispersing their political power.
3. The minority is a low-status minority. The work of several NGOs such as B’Tselem, Adash, ACRI, Mossawa and Sikkuy is focused on underling the inequalities between the Jewish and the Arab population in the state of Israel. Inequalities are indeed not only economics -even if that is still a relevant part- but they also embrace a superiority of the Jewish “power, prestige and dominant culture” (Smooha, 2010, p.5). Thus, the struggle of the Arabs in Israel is not only for better opportunities, but also in order to preserve their cultural and historical heritage.
4. The minority is distinct. Smooha’s choice of wording is again peculiar. What he intends with “distinct” means indeed different from the majority, which is an intrinsic characteristic of a minority itself. The main distinction from the majority is indeed religion, even if of course also language and culture play an important role. In a country that defines itself as a “Jewish state”,
5. Arabs are considered a unique group, despite they confess three different religion (Islam, Christianity, Druze) but the common denominator is being non-Judaic. Another important distinction consists in the language: Arabic is the mother-tongue of the minority who is surrounded by Hebrew, *i.e.* the language of the majority. Smooha pushes the reasoning forward arguing that there are intrinsic differences also in physiognomy and in traditions. This, though, is true just in part: first of all because not all the Israeli Jews are *Ashkenazi*, but a large part of the society consists of *Mizrakhi* or *Sephardi,* the Jews coming from Arabic countries. The latter have of course a very similar appearance to their former co-nationals, even though they abandoned the definition “Arab Jews” quite soon in order to easier mix with the *Ashkenazi* Jews. Also for what concerns traditions, many practices of Judaism can be found also in Islam (for instance, the fast during certain holidays: the Jewish Yom Kippur and the Muslim Ramadan), plus years of coexistence have created a cultural melting pot, at least for what concerns music, lifestyle, food, and language. Sure, this exchange may seem irrisory, but tearing down barriers, of any kind, is the basis for integration practices.
6. The minority is national. The Arabs “are integral part of the Palestinian people and the Arab nation that lives across the pre-1967 borders” (Smooha, *idem,* p.6). They are strongly connected to the Palestinians living in the West Bank and they fell tied to them for “language, culture, identity, history, collective memory, narratives, and loyalty to Palestinian nationalism and pan-Arabism” (Smooha, *ibidem*). This connection, although still present, has slightly faded during the years. Indeed, as it will be further discussed in Chapter 2, the very fact of holding the Israeli ID has created an identity crisis within the Arab minority.
7. The minority is dissident. They reject Zionism and the product of the Zionism itself, meaning the state of Israel. In this sense, the dissent is strictly related to the national element of the minority. Also in this case, though, the rhetoric over the minority tend to predominate its actual self-perception, and flatten the problematics of identification of the Palestinian citizens of Israel.

Ultimately, the conclusion of Smooha postulates that, taking all these features together, the Arab

minority seems “inassimilable”, and positively separated from the Jews. Which does not

necessarily imply that the relationships between majority should be conflictual: separation

between communities and preservation of their own identity could be one path for a peaceful

coexistence. Smooha indeed analyses the amount and the nature of interactions between the two

roups, focusing on the issue of the behaviour of the Arab minority in a “Jewish state”, considered

n ethnic democracy, *i.e.* a democratic state constructed for and on a single ethnicity, which

ecomes the majority (Smooha, 2002).

As said before, this definition is challenged by Yiftachel (1999), who defines Israel as an “ethnocracy”, or better a “*Jewish ethnocracy*, where nearly all state resources, energy and programmes—with significant assistance from world Jewry—were aimed at furthering Jewish control.” (Yiftachel, 1999, p.291). This justifies the hierarchy between ethnicity and the predominance of the Jewish one over the Arab Palestinian within the Israeli state. Yiftachel also points out how Zionism and Jewish nation-state building have contributed to dismiss the claims of the minority. Even though Zionism was born as a response to the European persecution towards Jewish people, according to Yiftachel, this struggle for the “Jewish survival” and the return to historical homeland, ended up endorsing “vigour and intransigence” (Yiftachel, *ibidem*). From a project of resilience and rebirth, Zionism got harder and more nationalistic. Thus, the clash between nationalisms fuelled the conflict between Palestinian and Israelis but also fostered and a harsher attitude towards the Arab minority. Dowty shares Yiftachel ‘s viewpoint, and he argues that “Israeli Jews wish to remain Jewish: that, after all, was the basic idea of Zionism. By the same token, Israeli Arabs are a non-assimilating minority with their own culture, language, and identity” (Dowty, 1999, p.11). Following the same line of thoughts, Jabareen extends the analysis to a more general attitude of majority towards the minority: “human history shows that the minority group is often exposed to significant pressure from the majority with respect to assimilation and cultural erosion, which gnaws away over time at the cultural-national identity of the minority, endangering its unique collective identity and the rights of its members” (Jabareen Y., 2008, p.355). A different approach is pursued by Rabinowitz (2001), who criticises the definition of Israel as an ethnic democracy debated hereabove, with respect to the “democratic” part of the phrase. He introduces a new element in the analysis of minorities in general: he urges the need of considering transnationalism when trying to evaluate the relation of the minority with the majority. He further claims that “minorities must not be seen in terms of a simplistic arithmetic equation whereby one collective is outnumbered by another in a bounded territory. Minorities, like all human collectives, are continuous, elastic, given to diffusion. They stretch across boundaries in ways that often predate states and the nations that begot them.” (Rabinowitz, 2001, p. 65). In this sense, the Arab minority must be considered in its relations not only with Israel, but also with the neighbouring Arab countries, with which it shares a common heritage. Hence, Rabinowitz describes the Palestinian citizens of Israel as *trapped minority*, namely a share of the population of a mother nation that found itself within the borders of another state. Trapped minorities, as a general definition, are “segments of this mother nation[that] may find themselves entrapped as minorities within recently formed states dominated by other groups”. This definition also entails the presence of inequalities within the society, especially for what concerns the political power and the political debate.

Notwithstanding the different definitions that scholars might give to the Palestinian minority in Israel, the main issue lies in Israel’s attitude towards its minorities. As a matter of fact, the acceptance or rejection of the definition of ethnic democracy does not change the obligation under which Israel is bound to preserve its minorities’ identity. For what concerns the integration of diverse ethnic groups in an almost homogeneous environment, John McGarry and Richard Simeon[[11]](#footnote-11) present two alternative strategies a state can apply when dealing with minoritarian groups, i.e. “integration” versus “accommodation”. The first calls for specific instruments aimed at treating all citizens in an equal way via colour-blind shared national institutions, whereas the second uses a diversified approach on the basis of the special needs of some parts of the population through institutions specifically designed for the minorities. McGarry, and Simeon also state that integration “is the dominant strategy for regulating diversity[[12]](#footnote-12)” used by Western states and by the officials of intergovernmental organizations such as the United Nations. Following this distinction, Israel has a mixed approach, even if more leaning towards the integration side: on the one hand, it attempts to hegemonize the society (though the predominance of Jewish symbols and of the Hebrew language), but on the other side it preserves some shares of cultural independence for the Arab minority, f.i. its government has Cabinets dedicated only to the Arab issues. A different view is taken instead by Yonah (2005), who applies Kymlicka’s model for multicultural democracy (Kymlicka, 1995). In particular, Yonah collocates Israel in the category of MSPS model, i.e. multiculturalism in separate public spaces, due to Jewish/Palestinian divide within the Israeli society. He then calls for a number of measures specifically designed for this specific contest in order to change Israel’s society structure to a MCPS model, i.e. multiculturalism in common public spaces, throughout the elimination of all informal and formal discriminations and ensuring a full enjoyment of the minority’s culture and tradition.

Despite the different definitions, the key element that emerges from this analysis is the failure to ensure minority protection. Even if accepting the ethnic connotation of Israel while still acknowledging its democratic nature, the absence of a clear-cut legal framework to protect and promote minority rights marks a clear deficit of democratic values. In this sense, the tendency seems to be going towards the opposite direction, with the Nation State Bill downgrading the status of Arabic language from official to minority language of the country. The adoption of this law, which clearly endorses the Jewish nature of the state, has not be followed by a set of guidelines to implement the non-discrimination principle stated under article 27[[13]](#footnote-13) of the International Covenant of Civil and Political Rights, which Israel has ratified in 1991. Hence the “democratic” part of Smooha’s definition seems to be shaking, at least when looking at the country under a merely legal perspective. But laws do not necessarily reflect the practice of a country. Hence, in the following section, the position of the Palestinian citizens in the Israeli society will be address under a political-psychology perspective.

* 1. *The Identity Dilemma*

Identity itself is a very complex concept and it plays a crucial role in inter-groups relations, where there is a mismatch between the identity of one group and the identity another one. The situation gets even more challenging when those groups present demographic and/or political imbalances, such as in the case of majority and minorities. These issues might already generate quite serious political and social turmoil in peaceful environments; then, when looking at conflict ridden societies, different identities might contribute to an escalation of hostilities. This section will try to address the complex identity dilemma suffered by the Palestinian minority, applying concepts from inter-group conflict theory, as theorised by Tajfel and Turner (1979).

In its most common definition, identity indicates the qualities, beliefs, personality, looks and/or expressions that define a person (self-identity) or group (collective identity). Identity is related to the self-image of an individual and may be influenced by group pressure, cultural heritage, prejudice, and other social positive or negative factors. The focus here is on group identity and its powerful social and psychological unifying factor. Group identity entails a set of characteristics shared by the group itself, like common history, religion, language. When referring to a collective identity, the individual does not define him/herself for his/her inherent characteristics but with the matching of his/her own features to the one of a defined group. In addition to that, are numerous internal processes within a certain group that are driven by interactions with members of other groups: for instance, Turner and Tajfel (1979) point out that the process of self-identification is strengthen by looking at the differences with members of another group. Moreover, the construction of social identity is not only guided by peaceful processes, but it is mostly “an act of power” (Hall, 1996, p.7). Hall argues that what appears as a coherent identity is the “result, not of a natural and inevitable or primordial totality but the naturalized, over-determined process of “closure” (*idem,* p. 19). Defining identity construction compels us to accept that groups will define themselves and be defined in terms of dominance and subordination. Theseinter-groupsinteractions of course are reflected also in relations between the majoritarian group and the minorities, which therefore might be very troublesome. Exercising an act of power, the majority will attempt to hegemonize and to impose its identity as a model for the entire population; at the same time, minorities will struggle to preserve their own identity. In the case of Israel, the inter-group conflict between the Jewish majority (the outgroup) and the Palestinian minority (the ingroup) is quite clear.

Furthermore, there is another layer be added this analysis identity and inter-group conflict, and that is language. In fact, among the different determinants of group identity, language is one of the most crucial and visible one: Suleiman argues that indeed “language is a site where the identity is constructed” (Suleiman C., 2011, p.50), implying that language and identity share a two-sided relation where one helps shaping the other. Indeed, language is not just an instrument tool, is the emblem of groupness. Usually, it is understood to embrace two main dimensions, the communicative one (related therefore to linguistic, semantic and grammar), and the symbolic one where the latter embraces also historical and cultural associations, or better the *natural semantics of remembrance* (Steiner, 1992, p. 494). When it comes to inter-group relations, language can help to promote internal cohesion and providing an ethnic or national identity; at the same time, though different languages spoken between different groups can create or foster divisions. This is especially crucial if the groups are already struggling with power imbalances. Since, as Chomsky argued, “questions of language are basically questions of power” (Chomsky et al. 1979, p. 191), language can exacerbate the conflict between minority and majority and mark the predominance of the latter on the former. In practice, the majority can impose a linguistic shift to the minorities, forcing to use the dominant language in public communication. Although, in this case, language can lose the communicative aspect (since it is not widely spoken), but can reinforce its symbolic element, serving it as a preservation of the identity, the cultural heritage, the traditions of the minority itself. In particular, even if the state does not grant legal protection to the language of the minority, the preservation of the language is carried out as an act of protest by the minority (or even in a more peaceful way, as a token to the culture of the minority: it is the case of immigrants to the United States, or, more recently, Russian Jews in Israel who keep the language alive in private settings). Yasir Suleiman addressed precisely the interaction between language and national/ethnic identities in situations of inter- and intra-state conflict. In *A War of Words: Language and Conflict in the Middle East* (2004) he states that language is indeed part of the conflict, even though never the cause, nor the purpose itself. In the case of the state of Israel, language has been a very strong part of the struggle for recognition by the Palestinian minority.

While language is a divisive factor for outgroup and ingroup relations, it is a common element of the Palestinians living both in Israel and in the West Bank and Gaza. Sharing the same language facilitates the interactions between these two groups, although such relation is much more complex than one could imagine: identity struggles, indeed, are even more complicated when looking inside this broader Palestinian ingroup. Despite speaking the same language, the two Arabic population are separated by a barrier which is not only physical but also cultural; this separation becomes even more striking when considering the neighbouring Arab countries, from most of which the minority is banned due to their Israeli passport. That blue document indeed creates a wall that encloses the Arab minority within the borders of a Jewish state and hinders the exploration of the outside Arab world. This “trapped” status of the Palestinian minority is perfectly pictured by Saban’s analysis: “The Arab-Palestinian minority shares the Palestinian nationality, but yet carries Israeli citizenship. It has special features that distinguish it from both the rest of the Palestinian people and from the majority Jewish community in Israel”. This sort of in-between positionality is reflected also in their engagement in the conflict: “the Jewish and Arab-Palestinian communities are currently engaged in one of the most violent and deadly episodes of warfare between them since 1948; yet, the Arab-Palestinian minority, collectively, is not participating in this war and has not done so since the establishment of Israel” (Saban, 2004, p.898-890). As Amara (2016) notes, Israel is a dichotomic society, in which civil and national identities are usually designed excluding each other, pushing Arabs in Israel either to Israelisation or nationalisation as Palestinians or Arabs (See Peres and Yuval-Davis 1969; Hoffman 1977; Rekhess, 1989). In the words of Yonah, “identity politics may encourage mutual alienation and resentment among social groups which face similar oppressive practices. […] Multiculturalism can offer a viable a legitimate political agenda only when it meets this challenge successfully” (Yonah, 2005, p. 113). This is true, but it reflects only a part of the complexity of the Israeli society. With no doubt, the rhetoric of Israel as an ethnic Jewish state hinders the enjoyment the Arab minority’s identity, but the sense of alienation of the minority is also due to a broader identity crisis. Their own self-perception is ambivalent: they are Israeli citizens, but they are Palestinian descendants: the Arab minority find itself in a situation where it represents the enemy on the Israeli side and the traitor on the Palestinian side. The Arab minority is indeed trapped between the will to integrate in the society and to fit in among the Jewish population, and the desire to preserve their Palestinian heritage. Those claims, though, are often excluded from the political arena, which is dominated by the Ashkenazi Jews (although with the support of the Mizrakhi and the Russian immigrants, as it is easily assessed looking at the Likud supporters).

This detachment from both the Israeli state and the Arab world generates an identity crisis of the Palestinian minority which is exacerbated by the physical borders with the West Bank and Gaza. According to Jabareen (2008), this detachment is the result of a deliberate attempt to fragment the Palestinian identity, and to sharpen the differences among religious sects or tribes, following the most basic rule *divide et impera*. Sultan and Salama indicate the strategies adopted by the Israeli government to pursue this fragmentation:

1. “Enrolment of Druze into the Israeli Defence Forces and the Border Guards in accordance with the Compulsory Conscription Law.
2. Employment of Bedouins in civil defence and tracking units. They are still treated as a distinct social group, separate from the Arabs, as proven also by the recent creation of a special Bedouin section in the Ministry of Education and Culture (Luwir 2001).
3. Stressing the religious affiliation of Christian Palestinians, in order to detach them from their Muslim brethren, with the objective of depriving the Arab minority of its national character and to treat it as made up of sects, in accordance with the millet system inherited from the Ottoman and British regimes.
4. Disbanding most of the Islamic organisations such as the Supreme Muslim Council, and appropriation of most of the Islamic endowments, in addition to the establishment of Arab departments whose responsibility it is to solve the Arabs' problems and to supervise them.5One of the names in this group is ‘the quietest minority in the world’.”

(Sultan and Salama 2002; p. 158)

Israel’s intention was to create Palestinians loyal to the state, who could fit in the predominant Jewish environment. Nonetheless, the Palestinian minority was accused to have remained silent, which is a false and exploited statement since it “stretches too much the perception of Palestinians as mere victims and negates the importance of resistance movement, either peaceful or violent” (Jabareen, 2008, p.356). Here is what Jamal (2010, p. 7) commented to the ‘silent minority’:

The State's ideological instruments, the Office of the Prime Minister's Information Centre, the Government Information Bureau and the Government Information Agency, worked in coordination with the military government in an attempt to shape the awareness of the Arab society that remained within the borders of the Jewish state [after 1948] and developed what Shmuel Toledano, who held the post of Prime Minister's Advisor on Arab Affairs in the years 1965–1977, called ‘peaceful Arabs’. This policy was aimed at attempting to penetrate and dominate Palestinian society under the auspices of the military government that had been imposed on the Palestinian citizens after 1948.

Although, all this psychological pressure over the minority group has generated different reactions: some of the Arabs in Israel try to connect more with their Arab heritage, to the detriment of their relations with Jews, and others, instead, try to mingle in the Jewish society, giving away their cultural background. These opposite routes are observable mainly among the younger generations, especially the latter trend. Hence, we have on one side, the Palestinian minority who actively advocate for their Palestinian identity: it is the case of several organisations and associations whose purpose is to preserve the cultural identity of Arabs in Israel; just to mention a few: Al- Mashghal, The Arab Culture Association, and the Arab Israeli Salafis Association. The major goal of these political and cultural entities is indeed to find the best strategy to accommodate the Arab minority in Israel: their claims and protests are expressed in a peaceful way and within the institutions. Conversely, the other side of the coin is represented by the Arab Israelis who perceive themselves as Israelis and wish to get rid of their Palestinian identity. Amara and Schnell underline how this process of rapprochement was a product of an historical evolution of the Arab Israeli’s identity, in particular after a period of time, from 1973 to the 1990s, marked by the strengthening of the Palestinian component and the reawakening of Islam; then at the end of the 1990s, the decision of the PLO to strive for a Palestinian state instead of a Pan-Arabic state including also Arab Israeli and the *intifada*, almost destroyed the rise of the Palestinian component in their repertoire of identities. On the other side, the Oslo Agreement and Prime Minister Rabin’s positive attitude towards the Arabs in Israel changed their perception of Israeli and make them come to term with their belonging to the state of Israel (Amara and Schnell, 2016, p. 180-1). This share of the Arab Israeli, who look up to Israel, does not really wish to be accommodated or integrated in the Israeli society, whilst more to be assimilated to the Jewish Israeli people. Those are the ones who prefer to speak Hebrew, even among other Arabs, and that generally serve in the military even if they are not obliged to do so. Indeed, the military service has vastly helped in this assimilation process. Mohammed Kaabyia, a member of the organisation Reservists on Duty[[14]](#footnote-14), affirmed during a conference in Bologna[[15]](#footnote-15) that “The best way to integrate is through the military”, since it is the only place where differences do not count and what it counts is just to protect the country from the neighbouring enemies: in joining the military, Arabs abandon their heritage and find themselves in an environment where people speaking their language and praying their God are the enemies.

Nonetheless, a mid-way between these two contrasting sentiments has arisen in the past few years, which have been mirrored by some quite significant shifts, especially in the political arena: for instance, the Mansour Abbas’ United Arab List (Ra’am) made the history for being the first Arab party joining a coalition government, in 2021. With the goal to make changes from within the system, Ra’am managed to break the most unbreakable taboo in Israeli political arena: before that, the Arab representative were ostracised not only in ultra-orthodox and right-wing circles but also for secular left and liberal parties(O’ Falk, 2021). This decision has been received with mixed feelings by the Palestinians citizens of Israel, claiming that they do not sympathise enough with the Palestinian cause (Al Taher, 2021), but still applauding their stance on the ongoing conflict, such as in the cause of the temporary withdrawal from the coalition, following the heightened tensions on Jerusalem’s Temple Mount(Keller-Lynn, 2022; Kershner, 2022).

1. **Conclusions**

Overall, the Israeli legal framework marks the predominance of the Jewish majority over not only the Arab minority, but minorities living in the country in general. The State is significantly Jewish-oriented, from its definition contained in the Declaration of Independence and the Nation-State Bill, to the laws regulating every aspect of daily political and social life of the citizens. Although the differences among the Jewish people (namely between *Ashkenazim* and *Mizrakhim*) are present at a societal level, they are not ratified by law: as a matter of fact, *Mizrakhim* and Ethiopian Jews have been suffering discriminations and inequalities in political representation and education and job opportunities, but from a legal perspective they are entitled to the same rights as the *Ashkenazim*. This clearly emerges from the general formulation of the Right to Return, which states that every Jew in the world has the right to be granted Israeli citizenship.

A different narrative is followed for the minorities, especially the Palestinian citizens of Israel. It is true that the Arabs living in the State of Israel are entitled to full Israeli citizenship, hence enjoying the civil and political rights deriving from it. Nonetheless, there is a void in Israeli legislation for what concerns specific rights due to their status of national and historical minority living within the territory. The Arab Palestinian citizens of Israel have been granted some special provisions -such as the exemption from compulsory military service or the possibility to use Arabic to deal with bureaucratic issue-, but a formal regulation ensuring not only the protection, but the promotion of the minority’s identity is lacking. Even the provisions already in place cannot fully guarantee the protection of the minority, and the trend of the Israeli government seems to be going towards less accommodation: the downgrading of the Arabic language from official one to language with special status in the 2018 Nation State Law.

In conclusion, the overall legal framework endorses the understanding of Israel as a Jewish state, marking a clear bias towards the Jewish majority. And this strong ethnic and nationalist connotation is not accompanied with adequate provision to protect the Palestinian minority. These blanks in the legislation and the ongoing conflict with Palestine foster the prejudice towards the Arab citizens, which are perceived as enemies, despite their participation in the political arena. This hostile environment of course foster inequalities and discriminations towards the Arab minority living in Israel, while their Israeli citizenship alienates the support from other neighbouring Arabic countries. These elements contribute to the identity crisis that this minority is suffering within what Smooha defines as an “ethnic democracy”.

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1. Data regarding the composition of the Israeli population have been obtained from the OECD Database, the

   Israeli Central Bureau of Statistics, and the Jewish Virtual Library. [↑](#footnote-ref-1)
2. This article will not address the identity and sense of belonging of the Druze people. The reasons behind this choice lie in the different perception of their Arab identity and their relationship with the Israeli state. The author believes that those features would require a separate analysis that goes beyond the scope of the article. [↑](#footnote-ref-2)
3. This quote was taken from the website of the Ministry of Foreign Affairs of Israel, under the section “Minority People”. [↑](#footnote-ref-3)
4. Supreme Court sitting as the High Court of Justice (HCJ), EC 11280/02, *Central Elections Committee for the Sixteenth Knesset v MK Ahmad Tibi*, 2003 [↑](#footnote-ref-4)
5. See: extract from the English translation in Kymlicka and Pföstl, 2014. Full Hebrew version at: Elyakim Rubeinsten, “Government Adivsory Opinion and the Rule of Law: Assignments and Complication in a Jewish, Democratic and Polarized State”, *Mahkare Mishpat* 17/1, 2002, p. 14 [↑](#footnote-ref-5)
6. Following the principles of the Law on Return and the general rules indicated by the Rabbi community on who is a Jew. [↑](#footnote-ref-6)
7. Supreme Court of Israel sitting as the Court for Civil Appeal, C.A. 630/70, Tamarin v. State of Israel, 20 January 1972 [↑](#footnote-ref-7)
8. Extract of the sentence taken from “Readings on Citizenship and Nationality in Israel/Palestine: Structures of Identity, Difference and Democracy”, a curriculum from the Open University Project at Columbia University. [↑](#footnote-ref-8)
9. Supreme Court of Israel sitting as the Court for Civil Appeal, C.A. 8573/08, Ornan et al. v .Ministry of Interior, 2 October 2013 [↑](#footnote-ref-9)
10. Quoted by Ofra Yeshua-Lyth on an issue of MondoWeiss, 3 June 2014 [↑](#footnote-ref-10)
11. Quoted by Kymlicka, 2007 [↑](#footnote-ref-11)
12. *ibidem* [↑](#footnote-ref-12)
13. Article 27 of the ICCPR states that in state parties where “ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language”. [↑](#footnote-ref-13)
14. Reservists on Duty is an organisation, founded by former combat soldiers, whose aims is “fighting the new anti-Semitism, fuelled by the spread of misconceptions about Israel”. In particular, they are engaged in a battle against the BDS movement and the organisation Breaking the Silence. RoD indeed counts numerous Arabs and Druzes who served in the military. [↑](#footnote-ref-14)
15. Seminar on Israeli minorities: “I popoli di Israele: Minoranze e appartenenze culturali”, at the Hebrew Museum of Bologna, 21 March 2018. [↑](#footnote-ref-15)