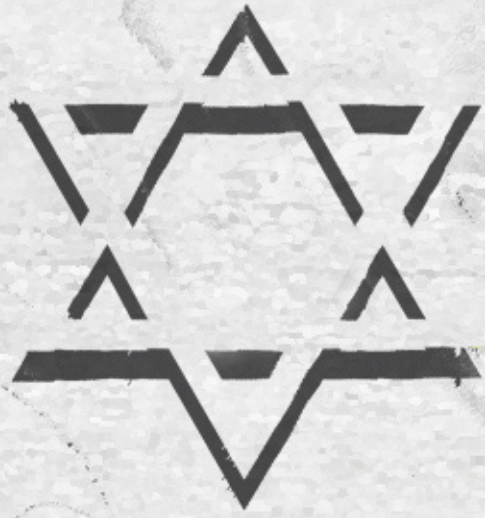
VIF Brief | September 2021

Understanding Israel as Jewish Democratic State



Hirak Jyoti Das

Vivekananda International Foundation

© Vivekananda International Foundation

Published in 2021 by

Vivekananda International Foundation

3, San Martin Marg | Chanakyapuri | New Delhi - 110021

Tel: 011-24121764 | Fax: 011-66173415

E-mail: info@vifindia.org

Website: www.vifindia.org

Follow us on

Twitter | @vifindia

Facebook | /vifindia

Disclaimer: The paper is the author's individual scholastic articulation. The author certifies that the article/paper is original in content, unpublished and it has not been submitted for publication/web upload elsewhere, and that the facts and figures quoted are duly referenced, as needed, and are believed to be correct

All Rights Reserved.

No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form, or by any means electronic, mechanical, photocopying, recording or otherwise without the prior permission of the publisher.

Hirak Jyoti Das is a Research Associate at Vivekananda International Foundation and a doctoral candidate in Centre for West Asian Studies, Jawaharlal Nehru University, New Delhi. His doctoral research is titled, "Israel's Security Predicaments since the fall of Hosni Mubarak regime in Egypt". His research interests are India's relations with Persian Gulf states, Domestic and foreign policies of Qatar and Kuwait, Israel's security and arms policy, Israel's domestic politics, Post-Arab Spring domestic and foreign policy of Egypt and the role of Islamic movements i.e. Hezbollah, Hamas and Islamic Movement in Israel.

Understanding Israel as Jewish Democratic State

Abstract

Israel since its formation in 1948 continues to remain as one of the few democratic states in West Asian region. The state of Israel officially calls itself as a Jewish democratic state. The research seeks to explore the stated dual objectives i.e. Jewish and democratic and attempt to uncover if the aforementioned two facets of Israeli state are indeed complimentary or contradictory. It would study specific state policies and legislations to the examine nature of Israeli democracy and evaluate the repercussions on Jewish and non-Jewish section of population.

Zionism and the Waves of Jewish Migration to Palestine

The formation of the state of Israel is rooted in the political ideology of Zionism that can be traced to the Jewish migration to Palestine since 1880s. The term, Zionism coined by Nathan Birnbaum in 1890 refers to the political movement for return of Jewish people to their historic homeland in Palestine and establishing Jewish sovereignty. Zion is the traditional synonym for Jerusalem.

The modern Zionist political movement inspired by the ideas of Theodor Herzl who was disillusioned with the ideals of emancipation and the political, social and cultural persecution of Jews in the European states (Israel Ministry of Foreign Affairs 2002; Green 2014). Herzl in 1894 published "The Jewish State" arguing that the essence of Jewish problem was not individual but national. He opined that the problem could be solved by establishing a Jewish state that would be based on ideas of enlightenment, neutrality, peace and secularism. Herzl chaired the First Zionist Congress in Basel between 29 and 31 August 1897 that established the Zionist Organisation, the political arm of the Jewish people. The Jewish delegates concurred with the need of building a national home for Jewish people in Palestine secured under public law (Israel Ministry of Foreign Affairs 2004).

There were five significant waves of migration or Aliya prior to the formation of the state in 1948. The first Aliya occurred between 1882 and 1903 mostly from Russia in response to the pogroms against the Jewish community. There were around 35,000 people that migrated to Palestine during this phase, out of which, nearly half of them returned due to disease, harsh climate, high taxation by the ruling Ottoman Turk authorities and local Arab opposition (Israel Ministry of Foreign Affairs 2002).

The Second Aliya between 1904-1914 brought in around 40,000 Jews to Palestine mostly from Russia. The agricultural commune or kibbutz; Jewish self-defence groups; Jewish political parties; workers' agricultural organisations; Hebrew printing press etc. developed during this period (Israel Ministry of Foreign Affairs 2002).

During the course of the First World War, British diplomat, Mark Sykes and French diplomat, Francois Georges-Picot negotiated to determine the agreed sphere of influence over the Ottoman territories after its defeat and eventual partition. The agreement ratified in May 1916 allocated Palestine,

Jordan and southern Iraq to Britain and Lebanon, Syria, northern Iraq and south-eastern Turkey to France (UN 2021; Al Jazeera 2016; Wright 2016; Muir 2016). Britain therefore gained control over Palestine in the aftermath of the First World War.

Notably, on 2 November 1917, British Foreign Secretary, Arthur James Balfour in order to seek support from British Zionists in war efforts wrote a letter to Lord Lionel Walter Rothschild affirming support for the establishment of a national home for Jewish people in Palestine while protecting the civil and religious rights of existing non-Jewish communities (Israel Ministry of Foreign Affairs 2013; Tahhan 2018).

The British consent for eventual establishment of Jewish state; 1917 Bolshevik revolution and pogroms in Poland and Hungary propelled large scale migration of Jews. According to Israel Ministry of Foreign Affairs, around 40,000 Jews migrated to Palestine during the third Aliya between 1919 and 1923 increasing the size of the community to 90,000. Histadrut or the General Federation of Labour; representative institutions such as Elected Assembly and National Council for the *yishuv* or Jewish community; Haganah, the clandestine Jewish defence organisation and the first industrial enterprises were developed during this period (Israel Ministry of Foreign Affairs 2021).

The League of Nations on 24 July 1922 approved the Mandate for Palestine recognising the historical connection of Jewish people with Palestine. The responsibility for creating the political, administrative, economic conditions and self-governing institutions for establishing a Jewish state was placed on the British mandate (UN 2021).

The economic crisis in Europe as well as anti-Jewish policies in Poland brought around 82,000 immigrants during the fourth Aliya between 1924 and 1929. The fifth Aliya coincided with the rise of Adolf Hitler in 1933

and implementation of anti-Semitic policies between 1933 and 1936 bringing around 174,000 Jews and contributing to expansion of Jewish towns and settlements in Palestine. The fifth Aliya by 1940 brought around 250,000 Jews into Palestine enlarging the Jewish population to 450,000 (Israel Ministry of Foreign Affairs 2021). The Zionist organisations during the Second World War tried to rescue Jews from Nazi controlled Europe largely through illegal migration since the British authorities had set up a yearly quota of 18,000 (Israel Ministry of Foreign Affairs 2021).

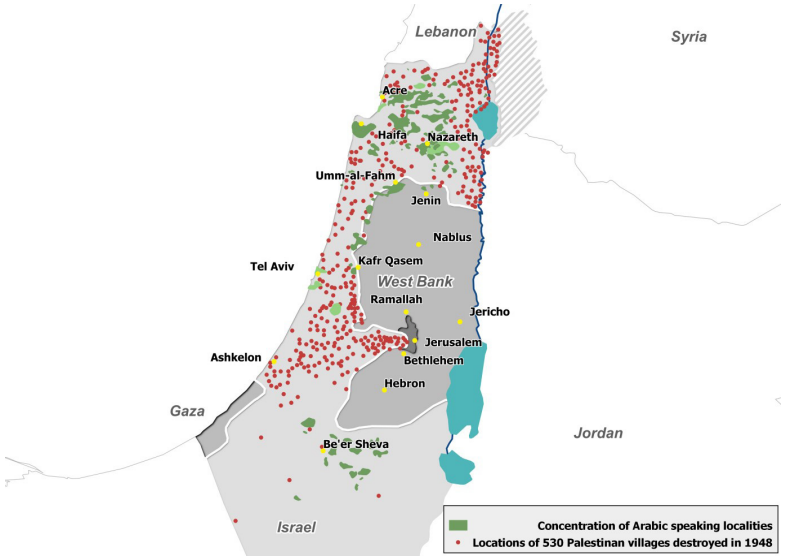
In the post Second World War period, the United Nations (UN) in order to find a permanent solution proposed the partition of Palestine into an Arab state and a Jewish state under UNSC Resolution 181 on 29 November 1947. Crucially, Jerusalem and Bethlehem were placed under an international regime supervised by the UN (UN 2021). The Jews in Palestine comprising of one third of the population and owning six percent of the total land area were allotted 55 percent of the total territory in order to accommodate Jewish people from around the world after the formation of the state (Al Jazeera 2020; UN 2021).

The Zionist militias shortly after the announcement of the partition plan conducted attacks on Arab villages and towns in areas designated for the new Jewish state. It is estimated that Zionist militias expelled around 440,000 Palestinians from 220 villages between December 1947 and mid-May 1948 (Tahhan 2018).

The large scale displacement of Palestinians and systematic erasure of Palestinian history served as one of the casus belli for Arab states to launch war against the nascent Jewish state on 15 May 1948. Israel during the course of the war managed to thwart the military advances by Egypt, Transjordan and Syria and captured 78 percent of historic Palestine (US State Department 2021; Deccan Herald 2021; Krishnankutty 2019). Notably, around 6,000 Jewish lives were lost during the 1948 Arab-

Israel war which was nearly one percent of the new state's total Jewish population (Israel Ministry of Foreign Affairs 2021).

Figure 1: Concentration of Arab localities in Israel



Map adapted from: Al Jazeera 2021

The Zionist and later the Israeli forces killed around 15,000 Palestinians and displaced 750,000 people of the total Palestinian population of 1.9 million. Israeli forces uprooted around 530 villages and town from Israel proper through looting, bombings, destruction of crops and property (Al Jazeera 2017).

After the end of the 1948-1949 war, around 150,000 Palestinians stayed within Israel out of which, 30,000 to 40,000 were internally displaced. The Israeli authorities prohibited the return of internally displaced people and 750,000 Palestinian refugees living in other parts of the world to their former homes (AFSC 2021; Al Jazeera 2017). Notably, the Jewish population during the establishment of the state was at 650,000 out of

total population of 806,000.

Israel on legal level introduced the Absentees' Property Law in 1950. The law defined persons that were expelled, fled or left British controlled Palestine after 29 November 1947 due to the conflict as well as their land, properties and bank accounts as absentee. The absentee properties were therefore placed under the control of Custodian for Absentee Property. The Israeli government utilised the law to acquire the properties of internal and external Palestinian refugees and Muslim Waqf properties (UN 2021; Knesset 2021).

Subsequently, the Knesset in 1953 enacted the Land Acquisition Law under which 1.2 to 1.3 dunams of land under Arab population were expropriated by the government. The Israeli authorities expropriated lands from 349 villages and towns. In 1948, Palestinian citizens of Israel controlled 48 percent of land which had reduced to 3-3.5 percent in 2016 (UN 1980; Adalah 2021). The subsequent section would evaluate Israel's efforts after its formation to balance itself as a Jewish Democratic State.

Israel as Jewish-Democratic state

The Declaration of Independence was announced by the first Prime Minister David Ben-Gurion on 14May 1948 that guides Israel's political, social, domestic and foreign policy objectives. Israel as a Jewish State is well elaborated in the Declaration of Independence which called for immigration and the in-gathering of exiles. The Charter on repeated occasions emphasised on the Jewish nature of Israeli state.

The Charter calls Israel as the birthplace of Jewish people and during their exile from home, they continued to hope for return and achieve political freedom. It also talks about nation-building efforts by Jews in re-establishment of the ancient homeland through preservation of Hebrew

language, immigration, building towns and villages etc (Knesset 2021). It validates the Jewish nature of the state on the basis of Balfour Declaration of 2November 1917 and the 1922 Mandate for Palestine by the League of Nations which talked about the historical connection of Jewish people with Eretz-Israel and their attempt to re-create their homeland. Moreover, the Charter also mentions that according to the UNSC Resolution 181 signed on 29 November 1947, the right of Jewish people to re-establish a state is irrevocable (Knesset 2021; Center for Israel Education 2021).

The Jewish character of the state is well evidenced by the fact that it says nothing about the rights of Palestinian people and their attachment with the homeland. On 5 July 1950, the Israeli government passed the Law of Return granting every Jew the automatic right to immigrate and attain citizenship bringing around 687,000 Jews from all over the world. In the post 1948 period, the immigration has continued from Soviet Union in 1970s-90s and from Ethiopia between 1984 and 1991 (Israel Ministry of Foreign Affairs 2021). The Charter validates the policy of immigration or Aliya of only the Jewish people from across the world to Israel which is not applicable to non-Jews. The Right to Return did not apply for Palestinian refugees that fled the territory during the attacks by Zionist militias and later by Israeli forces.

On 1 April 1952, the Knesset passed the Nationality Law emphasising that every Jewish emigrant under the Law of Return would become the citizen of Israel. For Palestinians, there is no comparable law to guarantee immigration and citizenship (Knesset 2021; ILO 2014; Jewish Voice for Peace 2016). Article 3 of the Nationality law notes that Palestinians that were residents of Palestine prior to 1948 are deprived the right to gain citizenship or residence status in Israel. The law under Article 11 allows revoking citizenship in case the individuals have lived abroad for seven consecutive years or committed an act of disloyalty towards the state. The

law essentially targets Palestinian citizens living abroad as well as political activists questioning Israel's discriminatory policies (Knesset 2021; ILO 2014; Jewish Voice for Peace 2016; Margalith 1953).

The institutions, symbols, emblem, flag, official holidays, state calendar and national heroes are explicitly Jewish. Hebrew language as the Official language is prioritised over Arabic and English. Jewish customs are enmeshed in a number of facets in both personal and public life. The Zionist ideology therefore seeks to unify Jewishness in ethnicity, religion and nation (Smooha 1997: 199-201; Smooha 2013: 2-5).

The State Education Law was passed in 1953 to establish separate secular and religious schools that codified the objectives of the education system i.e. advancing Jewish culture and Zionist ideology (Knesset 2021). The 1980 Foundations of Law Act states that in case of inability to find answers within the existing legal sources, the courts shall rule according to Jewish heritage thereby granting Jewish law or Halakha, official status within the Israeli legal system (Israel Ministry of Foreign Affairs 2000; Lifshitz 2016). The 1981 Interpretation law further reiterates that in case of confusion, the Hebrew versions of the laws would be the guiding basis of law. Moreover, the 1998 Use of Hebrew Date Law entails compulsory usage of the Hebrew calendar in all correspondence and publications issued by the government (Adalah 2021). Jewish Religious Law is applied by default in case of personal status such as marriage, divorce, wills, child custody and burial.

The democratic nature of Israeli polity at the same time is well expressed in the Declaration of Independence Charter itself which guarantees full equality in terms of social and political rights to all its inhabitants irrespective of religion, race and sex and safeguard freedom of religion, conscience, language, education and culture and protection of holy places of all religions. The Charter also appealed that Palestinian citizens of Israel

should help in preservation of peace and building the state as full and equal citizens with due representation in the political process (Knesset 2021; Center for Israel Education 2021).

The permanent population including the Palestinian citizens of Israel are guaranteed civil, political and social rights. Due to multi-party political system, the Palestinian cities comprising of Muslim and Christian Arabs across the state have constituted their own political parties that contest in elections and provide representation in the Knesset. National elections occur regularly and democratic procedures are followed (Israel Ministry of Foreign Affairs 2021). The vested interests of Arab population are largely represented. Arab parties such as Ta'al, Balad and United Arab List (UAL) collectively have managed to maintain a constant presence in the Knesset and voice its opinions and concerns during legislations. In fact, UAL, an Islamic and socially conservative party is a crucial partner contributing four seats in the current government under Naftali Bennet and Mansour Abbas has been appointed as the Deputy Minister of Arab Affairs in the Prime Minister's Office (Haaretz 2021).

The media enjoys substantial freedom of expression. Despite the absence of written constitution, there is elaborate separation of power amongst the executive, legislative and judiciary as specified under the Basic Law. The Basic Law also provides a framework of the rule of law providing assurance for the protection of rights of all sections of population. In order to safeguard the rule of law, the Judiciary is largely independent and impartial (Israel Ministry of Foreign Affairs 2021; Smooha 2013).

Ethnic Democracy Model in Israel

Israeli democracy can be classified as defensive democracy which is threatened by both external as well as internal factors (Smooha 2002; Smooha 2013; Margalit & Kemp 2019). In this context, it has taken

recourse to several protective measures which at times contradicts the democratic credentials such as press censorship; restricting Arab citizens from military service; implementing emergency regulations; overseeing education among Arab population; restricting people that questions the Jewish nature of the state and application of advanced surveillance methods over Palestinian citizens.

The analogy regarding the Jewish and democratic nature of Israel tilts heavily towards the Jewish component. Sammy Smooha in the essay, "Ethnic Democracy: Israel as an Archetype" elaborates about four kinds of democracy and attempted to situate Israel within multiple typology of democratic states. The different types of democratic states are liberal democracies, consociational democracies, Herrenvolk democracy and ethnic democracy (Smooha 1997: 199-201).

In liberal democracies, ethnicity is privatised and homogeneity is prioritised in defining the characteristics of the nation state in terms of uniform language, identity, nationalism and national institutions for its citizens (Neuberger 1990; Dowty 1998). In consociational democracies such as Lebanon and Iraq, ethnicity can be one of the core principles in organisation of the state. Ethnicity is institutionalised and ethnic identities and institutions are kept separate and ethnic communities are guaranteed certain political and civil rights. In case of Herrenvolk democracy, the political power is consolidated by the majority ethnic group and minority groups are disenfranchised (Dowty 1998).

Israel does not fall under the category of either liberal democracy, consociational democracy or Herrenvolk democracy. Firstly, Israel does not qualify as a liberal democracy because it does recognise ethnic differences and there is no clear distinction between religion in this case, Judaism with Jewish ethnicity and between Judaism as religion and Israeli nationality. Secondly, the consociational principle does not apply because Israel is not

a binational state since the interests of Jewish community are prioritised over non-Jews. Thirdly, unlike Herrenvolk democracy, Palestinian citizens of Israel are extended citizenship and non-citizen Palestinian population that lives in West Bank and Gaza Strip have never sought citizenship (Smooha 2002; Smooha 2013; Dowty 1998).

Sammy Smooha has accorded Israel a special place and has called it as an 'ethnic democracy'. He has stated ethnic democracy as:

> Ethnic democracy is a system that combines the extension of civil and political rights to individuals and some collective rights to minorities, with institutionalization of majority control over the state. Driven by ethnic nationalism, the state is identified with a 'core ethnic nation,' not with its citizens. The state practises a policy of creating a homogeneous nation-state, a state of and for a particular ethnic nation, and acts to promote the language, culture, numerical majority, economic well-being and political interests of this group. Although enjoying citizenship and voting rights, the minorities are treated as second-class citizens, feared as a threat, excluded from the national power structure, and placed under some control. At the same time, the minorities are allowed to conduct a democratic and peaceful struggle that yields incremental improvement in their status (Smooha 1997: 199-200).

Therefore despite having citizenship, there is hierarchy of rights in which Jewish community enjoying wider variety of rights than its non-Jewish counterparts. Israel excluding West Bank and Gaza has passed the democracy test as the state guarantees universal voting rights, a multi-party system, free and fair elections, change in governments, civil rights, independent judiciary, free press, civilian political control over the military and support for democratic institutions.

However, the democratic credentials suffer from inherent flaws in terms of usage of Emergency Regulations that authorise the government to execute excessive use of power to suspend political and civil rights especially on non-Jews. Moreover, due to absence of written constitution, the laws concerning protection of minorities are insufficient (Smooha 2002; Smooha 2013; Dowty 1998).

Figure 2: Map of Israel and Occupied Palestinian Territories

Map adapted from: Al Jazeera 2021; PASSIA 2021

Figure 2 indicates the map of Israel, West Bank, Gaza and Golan Heights. Oslo II Accord signed on 24 September and 28 September 1995 demarcated West Bank into three areas of administrative and security control between Israel and the Palestinian Authority (PA). Area A (18

percent) under which most of the Palestinian cities are located, came under PA's civil and internal security control. Area B (22 percent) comprising of around 440 villages and surrounding areas was divided between civil control under PA and security control under Israel. Area C (60 percent) is under complete Israeli civil and security control (Beinin 1999). Illegal Jewish settlements are located within Area C and the usage of land is restricted for Palestinians.

Jewish Democratic State in Occupied Palestinian Territories

The three prime goals of Israeli state are firstly, the preservation of Jewish identity and statehood; secondly, preserving democratic political system and thirdly, upholding the territorial extent by continuing the occupation of West Bank, Gaza and East Jerusalem. The existential predicament lays in the fact that Israel has to give up one of these three goals in order to sustain the other two goals (DellaPergola 2010: 1-4; DellaPergola 2014; Fishman 2015).

Israel in order to maintain itself as a democratic state with the present territorial extent that includes the Occupied Palestinian Territories (OPT) must facilitate citizenship and voting rights to all its citizens including the non-citizen Palestinians living in East Jerusalem; West Bank and Gaza. It would invariably force the state to subdue its Jewish characteristics. The increase in political and civil rights of the enlarged Arab population would inevitably lead to liberal democratic or consociational state in Israel with possibly more secular national symbols and culture.

In case the state prioritises the political dominance of the Jewish identity while maintaining the occupation, containment of Palestinians within occupied territories and marginalisation and conditional application of political, social and civil rights over Arab citizens would continue. The democratic credentials would be diluted tilting towards the Herrenvolk

democratic model.

And finally, in order to sustain Jewish Democratic model, the present territorial boundary of Israel is not sustainable which could be solved through the two-state solution. It would require detaching the occupied territories from Israeli cartographic geography and facilitate the formation of an independent Palestinian state. The Jewish population under such formulation would remain well over 80 percent preserving their religious and ethnic dominance while maintaining democratic practise over the whole population.

Israel is currently seeking to balance among the three goals. However, in case of internal and external pressures, the democratic political processes are subverted to uphold the Jewish dominance and continue the occupation of Palestinian territories (DellaPergola 2010: 1-4; DellaPergola 2014).

Table 1: Population of Israel until 12 April 2021

Religious Groups	Population (in millions)	Share in population (in %)
Jews	6.894	73.9
Arabs	1.966	21.1
Others	0.467	5

Source: Times of Israel 2021

Table 1 indicates that out of the total population of 9,327,000 in Israel; 6,894,000 are Jews, 1,966,000 are Arabs and others including Baha'is and non-Arab Christian communities are 467,000. In terms of the Arab population, around 18 percent are Muslims, two percent are Christians and one percent is Druze (Times of Israel 2021).

Effects on Israel Society and Polity

One of the grave repercussions of Israel's dual stress on upholding Israel as a Jewish-democratic state while still keeping hold of territories in West Bank and Gaza has led to bunker mentality resulting in aggressive ethnic nationalism. This ethno-centric nationalism has caused distress in Israel's Jewish democratic model with a rightward tilt in Israeli state and society (Krebs 2011; Yashiv 2012; Stypinska 2007).

To be completely fair, certain level of ethnocentrism is expected in its political structure due to heavy stress on enmeshing Jewish identity with its idea of nationality and nationhood as mentioned repeatedly in the Declaration of Independence, Basic Law and several amendments. Historically, the occupation of East Jerusalem and West Bank from Jordan; Gaza from Egypt and Golan Heights from Syria after 1967 war rekindled the hope to expand its territories and re-ignited the feelings of ethnocentrism.

The ethno-centric feelings were further accelerated by the international condemnation of Israeli actions against the Palestinian population in form of different resolutions in the United Nations, Non Aligned Movement, Arab League etc. The First Intifada in late 1980s and early 1990s; the Second Intifada between 2000 and 2005; the failure of the 1993 Oslo Accords; removal of settlements from Gaza in 2005 and the continuing violence by Palestinian militants galvanised the feeling of ethnic nationalism in large section of Israeli Jewish population (Krebs 2011; Stypinska 2007).

The ethno-centric notions have manifested in terms of greater popularity of revisionist and conservative parties such as Likud and Yamina and nationalistic; hawkish but secular political parties such as Yisrael Beiteinu. Another related development is the nurturing and expansion of social and

political share of ultra-Orthodox and religious Jews such as United Torah Judaism, Shas and Religious Zionist Party that has benefitted from the growing cleavage among the right wing, centrist and left wing political parties (Krebs 2011; Yashiv 2012).

Ideological Orientation of Key Political Lists in Israel

Likud: Revisionist Zionism, National conservatism; Pro Annexation

Shas: Religious and social conservatism; Sephardi ultra-orthodox oriented; Opposes mandatory conscription

United Torah Judaism (UTJ): Religious and social conservatism; Ashkenazi ultra-orthodox oriented; Opposes mandatory conscription

Religious Zionist Party: Religious Zionism; Anti-Arab; Social conservatism

Yamina: National conservatism; Pro-annexation; Supports settlement in Occupied West Bank

Yisrael Beiteinu: Secularism; Pro-annexation; Supports settlement in Occupied West Bank; Supports mandatory conscription

Labor: Labour Zionism; Secularism; Pro-two state solution

Yesh Atid: Liberal Zionism; Secularism; Pro two-state solution

Kahol Lavan: Zionism; Secularism; Pro-Annexation

New Hope: National Liberalism

Meretz: Secularism; Pro two-state solution; Social Justice; Labour Zionism

United Arab List (UAL) or Ra'am: Islamism; Pro two-state solution

Hadash: Marxism-Leninism; Eco-socialism; Non-Zionist; Pro two-state solution

Ta'al: Secularism; Anti-Zionist; Arab Nationalism

Balad: Pan-Arabism; Anti-Zionist; Socialist nationalism

The high level of fragmentation in Israeli politics among political parties has intensified polarisation. Small parties with narrow agenda have started to occupy a substantial share causing unstable coalition governments with rampant incidents of infighting. Due to the prevalence of unstable coalition governments, there is absence of long term political and economic planning. This political division would invariably lead to down gradation of democracy in Israel and enhance attachment to conservatism in national and religious values (Krebs 2011; Yashiv 2012; Smooha 2002).

During Benjamin Netanyahu's tenure as the Prime Minister in 2018, V-Dem Institute, Israel's position was downgraded from liberal democracy to electoral democracy (V-Dem Institute 2019). The Economist Intelligence Unit's Democracy Index in 2020 has ranked the state at 27th position and categorised it as flawed democracy (The Economist Intelligence Unit 2021).

In the recent past, Israel witnessed four elections between April 2019 and March 2021. Benjamin Netanyahu's right-wing government had collapsed after Yisrael Beiteinu pulled out support in November 2018 for reaching an early ceasefire with Hamas. Netanyahu failed to reconcile the contentions within the right-wing bloc comprising of Likud, Shas, United Torah Judaism (UTJ) Yamina and Yisrael Beiteinu over the application of mandatory conscription on the ultra-orthodox community. Netanyahu after September 2019 and March 2020 election sought alliance with centrist parties which failed indicating chronic political paralysis.

Table 2: Result of March 2021 Election for Knesset (120 members)

Political Parties	Seats
Government Bloc	
Yesh Atid	17
Kahol Lavan	8
Yisrael Beiteinu	7
Yamina	7
Labor	7
New Hope	6
Meretz	6
United Arab List (UAL)	4
Pro-Netanyahu Bloc	
Likud	30
Shas	9
United Torah Judaism (UTJ)	7
Religious Zionist Party	6
Independent	
Joint List	6

Source: Haaretz 2021

The current government formed on 2 June 2021 among eight political parties including United Arab List (UAL) represent diverse ideological spectrum within Israeli politics. Yamina led by Prime Minister Naftali Bennet, Kahol Lavan by Benny Gantz, Yisrael Beiteinu led by Avigdor Lieberman and New Hope led by Gideon Sa'ar are highly hawkish and project an aggressive posture towards the Palestinians. Labour, Meretz and Yesh Atid are largely in favour of two-state solution. The political parties are united in their effort to block Netanyahu from returning. However, the coalition exudes very little confidence about its smooth functioning.

The new government under Bennet and alternate Prime Minister Yair Lapid are trying to rebrand Israel as a liberal democracy. Both leaders have stressed on the fact that Israel is the only democracy in the region. Foreign Minister Lapid during his address at the EU Foreign Affairs Council in Brussels on 12 July 2021, has stated that while Israel will do whatever it takes to safeguard itself from security challenges, he believes in the power of liberal democracies (Israel Ministry of Foreign Affairs 2021). He called the new government as an exciting experiment in modern politics that has diluted the traditional division between right and left. The decision-making according to him would be based on dialogue by adhering to the core ideas of liberal democratic tradition.

Anders Persson, Political Scientist at Linnaeus University, Sweden has opined that the new government would continue to face hurdles to project the state as liberal democracy due to the continued occupation of the Palestinian territories. The new government may therefore seek to shrink the conflict without ending the occupation. Moreover the Pegasus spyware created by Israeli firm NSO has been used by foreign governments to spy on political opposition, journalists and dissidents. Israel has been seen as force for authoritarianism rather than liberalism for enabling human rights abuses and subverting democratic processes in several states (Persson 2021).

Repercussions on the Palestinian Citizens of Israel

Israel's security agency, Shin Bet in 2007 called Israel's Arab population as a strategic threat and the community is projected as an enemy-affiliated minority. Arabs are seen with distrust and suspected of potential disloyalty inciting tensions in mixed towns and villages (Stern 2007; Krebs 2011). During the April and May 2021 Sheikh Jarrah property dispute; clashes in the Al Aqsa Mosque and IDF-Hamas conflict, there were several

incidents of street violence including lynching, arson attacks on mosques and synagogues in mixed towns such as Acre, Haifa, Nazareth, Umm Al Fahm, Tiberias, Jaffa, Bat Yam, Lod, Ramla etc. The Palestinian citizens claimed that the counter-actions are not directed against Jews but religious nationalists and members of Zionist settler organisations (Beauchamp 2021).

Despite the huge strides in Arab population with greater access to education, social facilities and job opportunities, it continues to remain backward as compared to the Jewish population. Besides the Arab population, the ultra-Orthodox community due to their dogmatic beliefs that stresses on traditional personal and work ethics, receive only religious education and contribute little to the economy (Cornfeld & Danieli 2015; Bassok 2016; Krebs 2011).

In this context, the economic sphere has turned into a dual economy with one sphere of population being high skilled and educated, the other sphere continues to remain backward either due to political and social marginalisation in case of Arabs or religious orthodox beliefs in case of Ultra-Orthodox community (Katz 2019; Yashiv 2012). There is therefore a class gap as Arab working class is inferior in competitive resources as compared to Jewish workforce. In 2018-2019, Israeli Arabs earned on average 65.6 percent of average income of Jewish citizens. The Israeli Central Bureau of Statistics noted that the average gross monthly wage for Jews was 11,191 shekels and for Arabs was 7,338 shekels (Ashraq Al-Awsat 2019).

The gradual erosion of secular liberal values and reliance on traditional values, norms and religion would replace socio-political functioning and weaken democracy, national planning, law enforcement and decision making procedure. In case of slow economic growth and increasing socio-political anxieties, there is high chance of engaging in blame game by

targeting the Arabs and Israel's conflict with Palestine and other Arab states (Krebs 2011; Stypinska 2007). As a result of this blame game, Arabs suffer from greater victimisation leading to further alienation affecting the rate of inequality, life expectancy, education and employment opportunities.

Moreover, the Israeli state has taken recourse to legislations passed by the Knesset to enforce the Zionist political hegemony in shaping policies and societies which have contradicted the democratic credentials.

Land and Property Laws

In terms of land and property laws, the law of Return, Absentee Properties Act, Land Acquisition Law, Jewish Agency and Jewish National Fund (JNF) caters exclusively to the interests of Jewish community. The JNF was assigned by legislation in 1953, the power to collect funds for purchasing lands for the Jewish community (HRW 2008; UN 2006; Schechla 2010). In 1960, Israel Land Administration Law was passed further boosting the role of the JNF in formulating the land acquisition policy (ILO 2021; Adalah 2021).

Israel took control of East Jerusalem and the Temple Mount after 1967 Arab-Israel war. The Knesset on 27 June 1967 introduced Protection of Holy Places Law to designate 135 Jewish sites as holy places. The law offered protection from desecration to Jewish holy places (ECF 2021). Critics have questioned the lack of similar law to safeguard and maintain Muslim and Christian religious sites.

The Knesset's decision to arbitrarily pass the Basic Law: Jerusalem, Capital of Israel on 30 July 1980 was widely condemned by the international community (Israel Ministry of Foreign Affairs 2021). It legitimised the annexation of nearly 70,500 dunams of occupied territory to the north,

east and south of Jerusalem. The acquisition of territory by war and any changes on the ground are illegal and invalid under international law (Norwegian Refugee Council 2013: 8-9). The Basic Law concerning Jerusalem was further amended in 2000 to enable legal and constitutional for the application of Israeli law in East Jerusalem (Norwegian Refugee Council 2013: 10; Zank 2013). The Jewish state' position received a major boost after then US President Donald Trump formally recognised Jerusalem as the capital of Israel in December 2017.

In terms of land laws, legislations were introduced to benefit the Jewish groups. The Knesset approved new Land Reform Law on 3 August 2009 that permits broad land ownership and transfer of land in leased properties in the urban, rural and agricultural sectors as well as land exchanges between the government and JNF. The state and Israel Lands Administration until the enactment of the law managed 93 percent of the land (Adalah 2021). The land under JNF is reserved for Jewish people.

The law allows acquiring lands approved by Zionist institutions to private Jewish individuals. It discriminates against the constitutional rights of the Palestinian citizens of Israel and violates the property rights of Palestinian refugees. Privatisation of land would frustrate the possibility of internal refugees to return to their villages and reclaim their land and properties. The law has allowed privatisation of land by Jewish settlers in East Jerusalem and occupied Golan Heights. It therefore contravenes the international humanitarian law and their properties (Adalah 2009).

The Knesset while allowing privatisation introduced a new law on 23 March 2011 restricting transfer of private ownership rights from Palestinian citizens of Israel to members of the Palestinian diaspora. Amendment No. 3 i.e. Foreign Property Ownership under Israel Lands Law restricts Palestinians from selling land or renting property for over a period of five years or transferring private ownership rights to "foreigners"

(Human Rights Watch 2011).

Foreigners in this case can be interpreted as non-Jews who are not residents or citizens and not eligible to immigrate to Israel under the Right to Return. Therefore, the privatisation law was introduced only in the interest of the Jewish community. Israel through legal means sought to erase the geographical dispersion and civil status of Palestinian refugees initially as "absentees" and later as foreigners.

The Knesset earlier on 10 February 2010 passed an amendment to the Land Ordinance (Acquisition for Public Purposes) 1943 allowing state ownership of land confiscated from Palestinians for 'public purposes (OHCHR 2017). The law in conjunction with 1950 Absentees' Property Law and 1953 Land Acquisition Law have been used to confiscate lands owned by Palestinians.

The law bypasses a Supreme Court decision to maintain state ownership even after the land has not been used for the purpose it was originally confiscated for. It insulates the state from any lawsuits by Palestinians to reclaim their confiscated lands. The state has legalised the confiscation of large tracts of land which are transferred to Zionist institutions including the JNF (Adalah 2021).

Moreover, Amendment No. 191 under Income Tax Ordinance passed in July 2012, grants a 35% tax exemption on donations to institutions and organisations that promote "Zionist settlement". It also applies to institutions promoting illegal settlements in the West Bank and East Jerusalem (Human Rights Watch 2021; Adalah 2021). The law violates the principle of equality between public institutions.

Civil and Political Sphere

The legislations in the civil and political sphere in Israel reflect the policy of political containment of the minority Arab community. In 2002, Amendment 12 of the Law of the Political Parties was passed restricting the registration of political parties that deny the existence of Israel as a Jewish and democratic state. The law was framed to block anti-Zionist Arab parties from participating in elections (Knesset 2003).

The citizenship laws have been transformed weakening the civil and political rights of non-Jews in Israel. In 2003, the Knesset introduced temporary order in the Citizenship and Entry Law that legitimised banning family unification wherein one spouse is an Israeli citizen and the other a resident of the Occupied Palestinian Territories (Israel Ministry of Foreign Affairs 2005). The law was targeted against Palestinians and it did not apply for Jewish settlers living inside the West Bank. The law has affected thousands of Palestinian families within Israel proper and East Jerusalem who have been forced to split apart or live in constant fear of deportation.

On 28 July 2008, Amendment No. 9 (Authority for Revoking Citizenship) was introduced to Article 11 of the Citizenship Law focussing on revoking citizenship due to "breach of trust or disloyalty to the state" (Library of Congress 2008). The amendment allows for the revocation of citizenship without requiring a criminal conviction.

The Knesset on 28 March 2011 enacted the Citizenship Law (Amendment No. 10) 5771 allowing the courts to revoke Israeli citizenship against those charged with acts of terror. The law would be applicable for those citizens who have dual citizenship. In case the person does not have dual citizenship or lives abroad, he/ she would be offered residency status instead of citizenship (BBC News 2011). Critics have pointed that the

legitimate path for dealing with such alleged crimes is the criminal law. The law was introduced to downgrade the political status of Palestinian citizens of Israel; make their political status conditional and curtail their civil rights and political participation (Adalah 2021). The law allowed the authorities to acquire the properties of Arabs citizens of Israel and Palestinians in East Jerusalem and conduct disproportionate punishment.

In 2011, Knesset introduced Foreign Government Funding Law requiring NGOs to submit reports on funding from foreign governments or publicly funded foreign donors. NGOS, prior to the introduction of the law, were already legally required to provide a list of donors including foreign sources (NGO Monitor 2011). The aforementioned law was introduced to discourage and restrict foreign funding for Palestinian rights groups. The discriminatory nature of the law is further reflected since it specifically exempts the World Zionist Organization, the Jewish Agency for Israel, the United Israel Appeal, the Jewish National Fund and their subsidiary corporations from its provisions (Adalah 2011).

The Knesset has approved several controversial legislations that contributed in undermining the democratic principles in the state and perpetuates the marginalisation of the non-Jewish minorities in the state and the occupied territories. Budget Foundations Law (Amendment 40), "Nakba Law" passed on 22 March 2011 seeks to punish individuals or groups that challenges the fact the Israel is a Jewish and democratic state and marks the day of Israel's creation as a catastrophe (ACRI 2011). The Knesset passed Admissions Committees on 23 March 2011 to test the social suitability of people which is aimed to prevent Arabs from settling in certain areas (Human Rights Watch 2011).

Israeli authorities through provisions within Basic Law such as the 1948 Prevention of Terrorism Ordinance; 1948 Emergency Regulations (Foreign Travel) Law and 1979 Emergency Powers (Detentions) Law

have suppressed political voices against the occupation as well as blocking political activists from travelling to the state (Israel Ministry of Foreign Affairs 2013; Rozin 2010; Adalah 2021; Btselem 2021).

The Bill for Prevention of Damage to the State of Israel Through Boycott was passed on 11 July 2011 to punish anyone who boycotts Israel and Israeli institutions etc. politically, culturally and academically (Sherwood 2011). Israel: the Nation-State of the Jewish People Bill introduced in 2011 reaffirms the fact that Israel is indeed a Jewish state and dilutes the democratic facets of Israeli politics (Green 2018). Anti-Defamation Law passed in November 2011 allows punishing anyone that defames Israel in media or other means and lastly, 2012 Declaration of Loyalty Bill requires individuals who want to seek documents such as passport, driving license etc. to prove their loyalty to Israel and its commitment as a Jewish and democratic state (Yashiv 2012; ACRI 2011; ACRI 2012).

In 2012, Amendment No. 8 i.e. Liability of the State under Civil Wrongs Laws was approved that exempts Israeli security forces from its liability for injuries and damages inflicted on civilian victims within Israel and occupied territories. The term, "act of war" was redefined by the amendment to incorporate the purpose, location and overall danger level. Moreover, the state could invoke non liability for an act of war as a preliminary argument in the court obstructing justice, and accountability (Hamoked 2012). The original law absolved the state from its responsibility for injuries and damages inflicted on residents of enemy states. The Israeli civil advocacy group, Adalah has noted that "the amendment adds exemption from damages to "persons who are not citizens or residents of Israel, and are residents of a territory outside Israel that has been declared an 'enemy territory' in a governmental decree." The provision has been widely utilised to justify destruction of civilian infrastructure and killing civilians in Gaza which has been assigned as enemy entity by Israel (Adalah 2021).

Israel has over the years weakened the procedural restraints available for the Arab minority. Amendment No. 40 i.e. Meeting with Lawyers under Israeli Prisons Ordinance was approved in 2011 restricting prisoners accused of security crimes from meeting their lawyers in case of suspicion that these meetings may lead to transfer of information to terror group. It has led to imprisonment of thousands of Palestinian political prisoners as security prisoners without legal counsels for months (Mezan 2012). Amendment No. 6 under Criminal Procedural Law was introduced in July 2012 approving the interrogations of security suspects not to be recorded (Adalah 2021).

Moreover, the Basic Law: The Government was amended in March 2014 increasing the threshold percentage of votes required by political parties to obtain seats in the Knesset from 2 percent to 3.25 percent (Lis 2014). Roy Isacowitz writing in the Israeli newspaper, Haaretz has argued that the increase in threshold has forced political uniformity on the Arab parties within Israel's proportional representative electoral system. The Arab parties represent a smaller population resulting in less number of seats in the Knesset (Isacowitz 2014). The increase in threshold has therefore restricted new Arab parties to participate in elections within multiple party lists. The amendment has undermined the parliamentary representation of the Palestinian citizens of Israel by discouraging broad range of political and ideological beliefs.

The Knesset further approved the Anti-Terror (Counter Terrorism Law) on 2 September 2015 enabling the usage of broad definitions of violence to carry out extensive use of secret evidence in court; to curb detainees' access to judicial review; compromising the evidentiary requirements for prosecution etc. The law included provisions to criminalise political, humanitarian and cultural activities that oppose Israeli occupation and intensify intimidation and harassment of protest activities (The Times of

Israel 2015). Moreover, the Public Security Law has been amended in 2016 to expand the powers of the police to stop and frisk individuals (Tahhan 2016). The laws have enabled the greater scope to misuse these sweeping powers to conduct arbitrary and invasive searches of Palestinians in East Jerusalem.

In 2016, Amendment No. 44 to Basic Law i.e. Expulsion of Members of Knesset (MK) were introduced allowing a majority of 90 MKs to oust a serving MK on three grounds, i.e. denying the existence of Israel as Jewish and democratic state; incitement to racism and supporting armed struggle of an enemy state or a terrorist organisation against Israel (Amnesty International 2019). Notably, prior to the introduction of the law, there were already available provisions to expel MKs for criminal offence. The law has only emboldened the Jewish majority in the Knesset to delegitimise and marginalise Palestinian political representatives on political and ideological grounds.

On 19 July 2018, Knesset passed the Jewish Nation State Basic Law constitutionally enshrining the identity of the state of Israel as the nation-state of the Jewish people and emphasising Jewish supremacy. The law emboldens the privileges enjoyed by Jewish citizens (Wootliff 2018). It has been called law of laws because it can override any ordinary legislation and change the constitutional framework of the state by legitimising exclusion, racism and systematic inequality against Palestinian citizens.

The law epitomizes the national priority to ascertain its Jewish dominance at the cost of appearing as a credible democratic state. The laws in terms of land and properties and civil and political sphere reiterate the conditional application of democratic principles.

Discussion

The objective of the research is aimed at deciphering how Israel balances itself as a Jewish Democratic state and determine whether the relationship is complimentary or conflictual. Israel while guaranteeing democratic values tilts towards its Jewish identity. It can be called as an ethnic democratic state because despite having citizenship, there is hierarchy of rights between Jews and non-Jews.

Again, in terms of its three goals of maintaining itself as a Jewish democratic state while still holding West Bank and Gaza would lead to higher growth in Arab population and greater contestation that is presently manifested in the prevalent ethno-centrism facilitating inproactive and aggressive stand in political, social and defence issues.

In this context, Israel's future as a Jewish-democratic state depends on how it seeks to resolve this issue. While contested and unstable bi-national state seems to be the likely outcome due to Israel's inaction, the solution lies in giving up the present territorial extent and resorting to negotiations to arrive at a two state solution. It could initiate confidence building measures by halting settlement construction in the occupied territories; allow greater movement among Palestinians within Israel, West Bank and Gaza; alter legal sanctions affecting the land and properties rights, civil and political rights of the non-Jewish citizens and adopt new strategy for understanding the expectations of the minorities within Israel and Palestinians in occupied territories. The political apparatus especially the rule of law, judiciary, and administration needs to remodel its approach in dealing with the Arab population and self-restraint can be practised when too much force is not required.

Arab population especially in Israel proper needs to resort to measures that are political and participatory in nature rather than violence. Civil

societies from both communities are working on national and local level in non-conflictual areas of social and political importance. The grassroots level rapprochement may nurture mutual understanding of historic and religious attachment with the land for Jews and socio-cultural aspirations of Palestinian citizens and Palestinian nationalist aspirations.

References

A. Dowty, "The Shaping of Israeli Democracy," *The Jewish State: A Century Later*, University of California Press, Berkeley, 1998, at https://publishing.cdlib.org/ucpressebooks/view?docId=ft709nb49x;brand=ucpress (Accessed June 12, 2021).

A. Persson, "Can Bennett and Lapid Really Rebrand Israel as a Liberal Democracy?" *Haaretz*, August 9, 2021, at https://www.haaretz.com/israel-news/.premium-can-bennett-and-lapid-really-rebrand-israel-as-a-liberal-democracy-1.10100551 (Accessed August 12, 2021).

Adalah, "Land Acquisition Law (Actions and Compensation)," *Adalah*, 2021, at https://www.adalah.org/en/law/view/533 (Accessed June 4, 2021).

Adalah, "State Education Law," *Adalah*, 2021, at https://www.adalah.org/en/law/view/532 (Accessed June 12, 2021).

Adalah, "Interpretation Law, 5741- 1981," *Adalah*, 2021, at https://www.adalah.org/uploads/oldfiles/Public/files/Discriminatory-Laws-Database/English/02-Interpretation-Law-1981.pdf (Accessed June 12, 2021).

Adalah, "Use of Hebrew Date Law," *Adalah*, 2021, at https://www.adalah.org/en/law/view/513 (Accessed June 14, 2021).

Adalah, "Israel Lands Administration Law, 5720- 1960," *Adalah*, 2021, at https://www.adalah.org/uploads/oldfiles/Public/files/Discriminatory-Laws-Database/English/08-Israel-Land-Administration-Law-1960.pdf (Accessed June 23, 2021).

Adalah, "New Israel Land Reform Law Passed by Knesset," *Adalah*, 2021, at https://www.adalah.org/en/content/view/6991 (Accessed June 7, 2021).

Adalah, "The New Israeli Land Reform", *Adalah*, August 2009, at https://www.adalah.org/uploads/oldfiles/features/land/The_Israeli_Land_Reform_edited_english_26_8_09.pdf (Accessed June 7, 2021).

Adalah, "Knesset Enacts New Amendment to the Land Ordinance of 1943 to Block Palestinian Claims for Land Previously Confiscated by the State," *Adalah*, 2021, at https://www.adalah.org/en/content/view/7677 (Accessed June 13, 2021).

Adalah, "Income Tax Ordinance - Amendment No. 191," *Adalah*, 2021, at https://www.adalah.org/en/law/view/489 (Accessed June 14, 2021).

Adalah, "Citizenship Law - Amendment No. 10," *Adalah*, 2021, at https://www.adalah.org/en/law/view/495 (Accessed June 12, 2021).

Adalah, "Foreign Government Funding Law - Law on Disclosure Requirements for Recipients of Support from a Foreign State Entity," *Adalah*, 2021, at https://www.adalah.org/en/law/view/497 (Accessed June 14, 2021).

Adalah, "Emergency Regulations (Foreign Travel) Law, 5709-1948," *Adalah,* 2021, at https://www.adalah.org/uploads/oldfiles/eng/features/sheikhraed/laws.htm (Accessed June 15, 2021).

Adalah, "Civil Wrongs Law - Amendment No. 8 (Liability of the State)," *Adalah*, 2021, at https://www.adalah.org/en/law/view/487 (Accessed June 10, 2021).

Adalah, "Criminal Procedure Law - Interrogating Suspects - Amendment No. 6," *Adalah*, 2021, at https://www.adalah.org/en/law/view/488 (Accessed June 12, 2021).

ACRI, "The Nakba Law," *The Association for Civil Rights in Israel*, November 9, 2011, at https://law.acri.org.il/en/knesset/nakba-law/ (Accessed June 15, 2021).

ACRI, "Libel without Proof of Damages," *The Association for Civil Rights in Israel*, November 9, 2011, at https://law.acri.org.il/en/knesset/libel-without-proof-of-damages/ (Accessed June 14, 2021).

ACRI, "Declaration of Loyalty Bill," *The Association for Civil Rights in Israel*, January 24, 2012, at https://law.acri.org.il/en/knesset/declaration-of-loyalty-bill/ (Accessed June 12, 2021).

AFSC, "Palestinian refugees and the right of return," *American Friends Service Committee*, 2021, at https://www.afsc.org/resource/palestinian-refugees-and-right-return (Accessed June 4, 2021).

Al Jazeera, "A Century on: Why Arabs resent Sykes-Picot," *Al Jazeera*, 2016, at https://interactive.aljazeera.com/aje/2016/sykes-picot-100-years-middle-east-map/index.html (Accessed June 21, 2021).

Al Jazeera, "Israel's settlements: Over 50 years of land theft explained," *Al Jazeera*, January 27, 2020, at https://interactive.aljazeera.com/aje/2017/50-years-illegal-settlements/index.html (Accessed June 2, 2021).

Al Jazeera, "The Nakba did not start or end in 1948," *Al Jazeera*, May 23, 2017, at https://www.aljazeera.com/features/2017/5/23/the-nakba-did-not-start-or-end-in-1948 (Accessed June 1, 2021).

Al Jazeera, "Mapping Israeli Occupation," *Al Jazeera*, May 18, 2021, at https://www.aljazeera.com/news/2021/5/18/mapping-israeli-occupation-gaza-palestine (Accessed June 2, 2021).

Amnesty International, "Elected but Restricted," *Amnesty International*, 2019, at https://www.amnesty.org/download/Documents/MDE1508822019ENGLISH.PDF (Accessed June 17, 2021).

Ashraq Al-Awsat, "Large Pay Gap between Jews, Arabs in Israel," *Ashraq Al-Awsat*, December 11, 2019, at https://english.aawsat.com/home/article/2031246/large-pay-gap-between-jews-arabs-israel (Accessed June 12, 2021).

B. Lifshitz, "Israeli Law and Jewish Law — Interaction and Independence," *Israel Law Review*, Cambridge University Press, 24 (3-4), February 16, 2016, at https://www.cambridge.org/core/journals/israel-law-review/article/abs/israeli-law-and-jewish-law-interaction-and-independence/22B99977621F9D6F082899D05260FB6B (Accessed June 14, 2021).

B. Neuberger, "Does Israel have a Liberal-Democratic Tradition?" *Jewish Political Studies Review*, 2 (3/4), 1990, at www.jstor.org/stable/25834187 (Accessed June 10, 2021).

BBC News, "Israel passes law revoking citizenship for spying," *BBC News*, March 29, 2011, at https://www.bbc.com/news/world-middle-east-12897456 (Accessed June 11, 2021).

Btselem, "Emergency Powers (Detention) Law, 5739-1979," *Btselem*, 2021, at https://www.btselem.org/sites/default/files/1979_emergency_powers_law_detention.pdf (Accessed June 9, 2021).

Center for Israel Education, "Israel Declaration of Independence," *Center Declaration of Independence*, 2021, at https://israeled.org/resources/documents/israel-declaration-independence/ (Accessed June 5, 2021).

D. B. Green, "This Day in Jewish History/ The Man Nobody Remembers Who Coined 'Zionism' Dies," *Haaretz*, April 10, 2018, at https://www.haaretz.com/jewish/.premium-this-day-coiner-of-zionism-dies-1.5243631 (Accessed May 27, 2021).

Deccan Herald, "Explained: The significance of West Bank and Gaza strip," *Deccan Herald*, May 14, 2021, at https://www.deccanherald.com/international/explained-the-significance-of-west-bank-and-gaza-strip-985655.html (Accessed June 6, 2021).

E. Green, "Israel's New Law Inflames the Core Tension in Its Identity," *The Atlantic*, July 21, 2018, at https://www.theatlantic.com/international/archive/2018/07/israel-nation-state-law/565712/ (Accessed June 12, 2021).

E. Yashiv, "Whither Israel? And the Jewish people", *Tel Aviv University*, 2012, at http://tau.ac.il/~yashiv/yashiv_israel_Sep2012.pdf (Accessed June

13, 2021)

ECF, "Israeli Protection of Holy Places Law (1967)," *Economic Cooperation Foundation*, 2021, at https://ecf.org.il/issues/issue/133 (Accessed June 7, 2021).

H. Margalith, "Enactment of a Nationality Law in Israel," *The American Journal of Comparative Law*, 2 (1), 1953, pp. 63-66, at www.jstor.org/stable/837997 (Accessed June 14, 2021).

H. Sherwood, "Israel passes law banning citizens from calling for boycotts," *The Guardian*, July 11, 2011, at https://www.theguardian.com/world/2011/jul/11/israel-passes-law-boycotts (Accessed June 15, 2021).

Haaretz, "Israel Election Results: Real-time Vote Count Updates," *Haaretz*, March 23, 2021, at https://www.haaretz.com/israel-news/elections/EXT-MAGAZINE-israel-election-results-exit-polls-and-live-vote-count-updates-1.9647405 (Accessed June 12, 2021).

Hamoked, "The Knesset approved Amendment No. 8 of Civil Wrongs (Liability of the State) Law: Israel continues to exempt itself from liability for damage caused by its soldiers in the OPT and raises additional obstacles on the way of Palestinians to sue compensation for the damage sustained by them," *Hamoked: Center for the Defence of the Individual*, July 22, 2012, at http://www.hamoked.org/Document.aspx?dID=Updates1460 (Accessed June 13, 2021).

Human Rights Watch, "Discrimination in Land Allocation and Access," *Human Rights Watch*, 2008, at https://www.hrw.org/reports/2008/iopt0308/4.htm (Accessed May 30, 2021).

Human Rights Watch, "Israel: New Laws Marginalize Palestinian Arab Citizens," *Human Rights Watch*, March 30, 2011, at https://www.hrw.org/news/2011/03/30/israel-new-laws-marginalize-palestinian-arab-citizens (Accessed June 8, 2021).

Human Rights Watch, "A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution," *Human Rights Watch*, April 27,

2021, at https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution (Accessed June 12, 2021).

Human Rights Watch, "Israel: New Laws Marginalize Palestinian Arab Citizens," *Human Rights Watch*, March 30, 2011, at https://www.hrw.org/news/2011/03/30/israel-new-laws-marginalize-palestinian-arab-citizens (Accessed June 11, 2021).

ILO, "Nationality Law, 5712-1952," *International Labour Organization*, 2014 at http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=86615&p_country=ISR&p_count=173 (Accessed June 11, 2021).

ILO, "Basic Law: Israel Lands as Basic Law: The People's Lands," *International Labour Organization*, 2021, at http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=86609&p_country=ISR&p_count=176 (Accessed June 10, 2021).

Israel Ministry of Foreign Affairs, "Zionism: Timeline of Events," *Israel Ministry of Foreign Affairs*, October 29, 2002, at https://mfa.gov.il/MFA/AboutIsrael/History/Zionism/Pages/ZIONISM-%20Timeline%20of%20Events.aspx (Accessed May 24, 2021).

Israel Ministry of Foreign Affairs, "Aliya and Absorption," *Israel Ministry of Foreign Affairs*, October 29, 2002, at https://www.mfa.gov.il/MFA/AboutIsrael/History/Zionism/Pages/Aliya%20and%20Absorption.aspx (Accessed May 24, 2021).

Israel Ministry of Foreign Affairs, "The Balfour Declaration," *Israel Ministry of Foreign Affairs*, 2013, at https://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20balfour%20declaration.aspx (Accessed May 29, 2021).

Israel Ministry of Foreign Affairs, "The Mandate of Palestine," *Israel Ministry of Foreign Affairs*, 2013, at https://mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20mandate%20for%20palestine.aspx (Accessed May 30, 2021).

Israel Ministry of Foreign Affairs, "Report on Palestine Administration 1922," *Israel Ministry of Foreign Affairs*, 2021, at https://unispal.un.org/UNISPAL.NSF/0/A682CABF739FEBAA052565E8006D907C (Accessed May 31, 2021).

Israel Ministry of Foreign Affairs, "History: The State of Israel," *Israel Ministry of Foreign Affairs*, 2021, at https://www.mfa.gov.il/mfa/aboutisrael/history/pages/history-%20the%20state%20of%20israel.aspx (Accessed June 5, 2021).

Israel Ministry of Foreign Affairs, "Herzl and Zionism," *Israel Ministry of Foreign Affairs*, July 20, 2004, at https://mfa.gov.il/MFA/AboutIsrael/History/Zionism/Pages/Herzl%20and%20Zionism.aspx (Accessed August 23, 2021).

Israel Ministry of Foreign Affairs, "Development of the Law in Israel- The First 50 Years," *Israel Ministry of Foreign Affairs*, September 25, 2000, at https://www.mfa.gov.il/mfa/aboutisrael/state/democracy/pages/development%20of%20the%20law%20in%20israel-%20the%20first%20 50%20yea.aspx (Accessed June 16, 2021).

Israel Ministry of Foreign Affairs, "Democracy in Israel," *Israel Ministry of Foreign Affairs*, 2021, at https://mfa.gov.il/MFA/AboutIsrael/Documents/Democracy.pdf (Accessed June 10, 2021).

Israel Ministry of Foreign Affairs, "Basic Law- Jerusalem- Knesset Resolution- 30 July 1980," *Israel Ministry of Foreign Affairs*, 2021, at https://www.mfa.gov.il/MFA/ForeignPolicy/MFADocuments/Yearbook4/Pages/113%20Basic%20Law-%20Jerusalem-%20Knesset%20 Resolution-%2030%20J.aspx (Accessed June 10, 2021).

Israel Ministry of Foreign Affairs, "The Citizenship and Entry Law (Temporary Order), 2003," *Israel Ministry of Foreign Affairs*, March 23, 2005, at https://www.mfa.gov.il/mfa/aboutisrael/state/law/pages/citizenship%20and%20entry%20law%20-temporary%20order-%202003.aspx (Accessed June 12, 2021).

Israel Ministry of Foreign Affairs, "Prevention of Terrorism Ordinance No 33 of 5708-1948," *Israel Ministry of Foreign Affairs*, 2013, at https://www.mfa.gov.il/mfa/mfa-archive/1900-1949/pages/prevention%20of%20terrorism%20ordinance%20no%2033%20of%205708-19.aspx (Accessed June 11, 2021).

Israel Ministry of Foreign Affairs, "FM Lapid addresses the meeting of the EU Foreign Affairs Council," *Israel Ministry of Foreign Affairs*, July 12, 2021, at https://mfa.gov.il/MFA/PressRoom/2021/Pages/FM-Lapid-addresses-the-meeting-of-the-EU-Foreign-Affairs-Council-12-July-2021.aspx (Accessed June 12 2021).

J. Beinin, "The Demise of the Oslo Process," *Middle East Research & Information Project*, March 26, 1999, at https://merip.org/1999/03/the-demise-of-the-oslo-process/ (Accessed June 14, 2021).

J. Fishman, "The Jewish Nation-State Bill: Is There a Contradiction between Judaism and Democracy?" *Jewish Political Studies Review*, 26 (1-2), March 1, 2015, at https://jcpa.org/article/nation-state-bill-judaism-democracy/ (Accessed June 9, 2021).

J. Lis, "Israel Raises Electoral Threshold to 3.25 Percent," *Haaretz*, March 12, 2014, at https://www.haaretz.com/israel-raises-electoral-threshold-1.5332503 (Accessed June 2, 2021).

J. Muir, "Sykes-Picot: The map that spawned a century of resentment," *BBC News*, May 16, 2016, at https://www.bbc.com/news/world-middle-east-36300224 (Accessed June 19, 2021).

J. Schechla, "The Consequences of Conflating Religion, Race, Nationality and Citizenship," Al-Majdal, *Badil Resource Center for Palestinian Residency & Refugee Rights*, 43, 2010, at https://www.badil.org/phocadownload/Badil_docs/publications/al-majdal-43.pdf (Accessed June 10, 2021).

J. Stypinska, "Jewish Majority and Arab Minority in Israel—Demographic Struggle", *Polish Sociological Review*, 157 (1), 2007, pp. 105-120, at http://polish-sociological-review.eu/Jewish-Majority-and-Arab-Minority-in-

Israel-Demographic-Struggle,127189,0,2.html (Accessed June 7, 2021).

Jewish Voice for Peace, "Israeli Nationality Law: 1952," *Jewish Voice for Peace*, June 30, 2016, at https://jewishvoiceforpeace.org/2016/06/israeli-nationality-law-1952/ (Accessed June 14, 2021).

Knesset, "Absentees' Property Law, 5710-1950," *Knesset*, 2021, https://www.knesset.gov.il/review/data/eng/law/kns1_property_eng.pdf (Accessed June 6, 2021).

Knesset, "Declaration of Independence," *Knesset*, 2021, at https://main.knesset.gov.il/en/about/pages/declaration.aspx (Accessed June 13, 2021).

Knesset, "The Law of Return 5710 (1950)," *Knesset*, 2021, at https://www.knesset.gov.il/laws/special/eng/return.htm (Accessed June 5, 2021).

Knesset, "Nationality Law, 5712-1952," *Knesset*, 2021, at https://www.knesset.gov.il/review/data/eng/law/kns2_nationality_eng.pdf (Accessed June 12, 2021).

Knesset, "State Education Law, 5713-1953," *Knesset*, at https://www.knesset.gov.il/review/data/eng/law/kns2_education_eng.pdf (Accessed June 14, 2021).

Knesset, "Party Financing and Elections Financing in Israel," *Knesset*, July 21, 2003, at https://m.knesset.gov.il/EN/activity/mmm/me00636.pdf (Accessed June 13, 2021).

Library of Congress, "Israel: Revocation of Citizenship," *Library of Congress*, September 8, 2008, at https://www.loc.gov/item/global-legal-monitor/2008-09-08/israel-revocation-of-citizenship/ (Accessed June 12, 2021).

M. Bassok, "Wage Gap Between Israeli Jews and Arab Counterparts Widens," *Haaretz*, November 23, 2016, at https://www.haaretz.com/israel-news/.premium-wage-gap-between-israeli-jews-arabs-widens-1.5465521 (Accessed June 13, 2021).

M. Zank, "The Jerusalem Basic Law (1980) and the Jerusalem Embassy Act (1995): A Comparative Investigation of Israeli and US Legislation on the Status of Jerusalem," *Israel Studies*, 21 (3), 2016, pp. 20-35, at doi: https://doi.org/10.2979/israelstudies.21.3.02 (Accessed June 9, 2021).

Mezan, "Inhumane Conditions of Imprisonment of Palestinian Security-Classified Prisoners in Israeli Prisons," *Al-Mezan Center for Human Rights*, July 2012, at http://mezan.org/en/uploads/files/14833.pdf (Accessed June 8, 2012).

NGO Monitor, "NGOs in Israel 101: Background to the Debate and FAQs," *NGO Monitor*, November 15, 2011, at https://www.ngo-monitor.org/reports/ngos_in_israel_background_to_the_debate_and_faqs/ (Accessed June 11, 2021).

NGO Monitor, "Israeli NGOs: Foreign Funding, Transparency, and Knesset Legislation," *NGO Monitor*, August 11, 2011, at https://www.ngo-monitor.org/reports/ngo_transparency_boycotts_and_knesset_legislation/ (Accessed June 9, 2021).

Norwegian Refugee Council, "The Legal Case of East Jerusalem," *Norwegian Refugee Council*, December 2013, at https://www.nrc.no/globalassets/pdf/reports/the-legal-status-of-east-jerusalem.pdf (Accessed June 9, 2021).

O. Cornfeld & O. Danieli, "The Origins of Income Equality in Israel: Trends and Policy," *Israel Economic Review*, 12 (2), 2015, pp. 51-95.

O. Rozin, "Israel and the Right to Travel Abroad, 1948–1961," *Israel Studies*, 15 (1), 2010, pp. 147–176, at doi:10.2979/isr.2010.15.1.147 (Accessed June 14, 2021).

OHCHR, "Forced Population Transfer: The Case of Palestine", *Office of the United Nations High Commissioner for Human Rights*, October 2017, at https://www.ohchr.org/Documents/Issues/Housing/SubmissionsCFIhousingdiscrimin/BADIL-LandConfiscation.pdf (Accessed June 17, 2021).

P. Krishnankutty, "What Israel-Palestine conflict is all about and why both want West Bank & Gaza Strip," *The Print*, November 21, 2019, at https://theprint.in/theprint-essential/what-israel-palestine-conflict-is-all-about-and-why-both-want-west-bank-gaza-strip/323825/ (Accessed June 12, 2021).

PASSIA, "Map Details," *Palestinian Academic Society for the Study of International Affairs*, 2021, at http://www.passia.org/maps/view/75 (Accessed June 14, 2021).

R. Isacowitz, "Who's Afraid of Raising the Electoral Threshold in Israel - and Why?" *Haaretz*, March 11, 2014, at https://www.haaretz.com/.premium-the-knesset-threshold-debate-1.5331602?v=1629780049494 (Accessed June 12, 2021).

R. R. Krebs, R. R. (2011), "Israel's Bunker Mentality: How the Occupation is Destroying the Nation", *Foreign Affairs*, 90 (6), 2011, pp. 1-9, at https://www.foreignaffairs.com/articles/middle-east/2011-11-01/israels-bunker-mentality (Accessed June 11, 2021).

R. Wootliff, "Final text of Jewish nation-state law, approved by the Knesset early on July 19," *The Times of Israel*, July 18, 2018, at https://www.timesofisrael.com/final-text-of-jewish-nation-state-bill-set-to-become-law/ (Accessed June 16, 2021).

R. Wright, "How The Curse of Sykes-Picot Still Haunts The Middle East," *The New Yorker*, April 30, 2016, at https://www.newyorker.com/news/news-desk/how-the-curse-of-sykes-picot-still-haunts-the-middle-east (Accessed June 17, 2021).

S. DellaPergola, "Israel's Existential Predicament: Population, Territory, and Identity", *Current History*, 109 (731), 2010, pp. 383-389, at doi: 10.1525/curh.2010.109.731.383 (Accessed June 12, 2021).

S. DellaPergola, "Jewish Democracy: Fundamentals of the Research Field", in Uzi Rebhun (ed.), *The Social Scientific Study of Jewry: Sources, Approaches, Debates*, Oxford University Press, May 2014, pp. 3-36, at doi: 10.1093/acpr

of:osobl/9780199363490.003.0001 (Accessed June 10, 2021).

S. Smooha, "Ethnic Democracy: Israel as an Archetype", *Israel Studies,* Indiana University Press, 2 (2), 1997, pp. 198-241 at www.jstor.org/stable/30246820 (Accessed June 13, 2021).

S. Smooha, "The Model of Ethnic Democracy: Israel as a Jewish and Democratic State", *Nations and Nationalisms*, 8 (4), 2002, pp. 475-503 at doi: 10.1111/1469-8219.00062 (Accessed June 12, 2021).

S. Smooha, "A Zionist State, a Binational State and an In-Between Jewish and Democratic State", *The Israel Democratic Institute*, March 12, 2013 athttp://en.idi.org.il/analysis/articles/a-zionist-state,-a-binational-state-and-an-in-between-jewish-and-democratic-state/ (Accessed June 11, 2021).

T. Margalit & A. Kemp, "Stratified and Defensive Democracy: A Study of Israeli Planning Hearings," *Urban Studies*, 2019, at https://people.socsci.tau.ac.il/mu/adrianakemp/pubs/stratified-and-defensive-democracy-a-study-of-israeli-planning-hearings/ (Accessed June 18, 2021).

The Economist Intelligence Unit, "Democracy Index 2020: In Sickness and in Health?", *The Economist Intelligence Unit*, 2021, at https://pages.eiu.com/rs/753-RIQ-438/images/democracy-index-2020.pdf?mkt_tok=NzUzLVJJUS00MzgAAAF-2PoMwjcBHk87nEfVnGs0wHdNFv8lUocGYJ4QAED9AWRkVumEuCFxW4vWypd5g_TCz5l6GHo-ho8W7nvEJOCpREp1c_RfxLQifvfB_yaVFyhFFQ (Accessed August 10, 2021).

The Times of Israel, "Knesset advances controversial anti-terror bill," *The Times of Israel*, September 3, 2015, at https://www.timesofisrael.com/knesset-advances-controversial-anti-terror-bill/ (Accessed June 14, 2021).

The Times of Israel, "Ahead of its 73rd Independence Day, Israel's population stands at 9.3 million," *The Times of Israel*, April 12, 2021, at https://www.timesofisrael.com/before-its-73rd-independence-day-israels-population-stands-at-9-3-million/ (Accessed June 12, 2021).

UN, "Sykes-Picot Agreement Text," *United Nations*, 2021, at https://unispal.un.org/UNISPAL.NSF/0/232358BACBEB7B55852571100078477C (Accessed May 28, 2021).

UN, "Resolution 181 (II). Future government of Palestine," *United Nations*, 2021, at https://unispal.un.org/DPA/DPR/unispal.nsf/0/7F0AF2BD897689B785256C330061D253 (Accessed June 1, 2021).

UN, "The Question of Palestine," *United Nations*, 2021, at https://www.un.org/unispal/history/ (Accessed June 3, 2021).

UN, "Acquisition of Land in Palestine," *United Nations*, January 1, 1980, at https://www.un.org/unispal/document/auto-insert-208638/ (Accessed June 7, 2021).

UN, "Racism, Racial Discrimination, Xenophobia and All Forms Of Discrimination," *United Nations*, February 13, 2006, at https://www.un.org/unispal/document/auto-insert-190228/ (Accessed June 10, 2021).

US State Department, "The Arab-Israeli War of 1948," *Office of the Historian, US State Department,* 2021, at https://history.state.gov/milestones/1945-1952/arab-israeli-war (Accessed June 4, 2021).

V-Dem Institute, "Democracy for All? V-Dem Annual Democracy Report 2018," *V-Dem Institute*, 2019, at https://www.v-dem.net/media/filer_public/3f/19/3f19efc9-e25f-4356-b159-b5c0ec894115/v-dem_democracy_report_2018.pdf (Accessed August 12, 2021).

Y. Katz, "The Dual Stricture of the Israeli Economy: Is Technology the Solution?" *Advances in Politics & Economics*, 2 (2), 2019, pp. 146-156, at doi: 10.22158/ape.v2n2p146 (Accessed June 13, 2021).

Y. Stern, "PMO to Balad: We Will Thwart anti-Israel Activity Even if Legal," *Haaretz*, March 16, 2007, at https://www.haaretz.com/1.4811370 (Accessed June 7, 2021).

Z. Beauchamp, "Israel's Unraveling", *Vox*, May 15, 2021, at https://www.vox.com/world/2021/5/15/22436068/israel-violence-lod-bat-yam-

jerusalem-lynching-arab-jewish-palestinian (Accessed June 4, 2021).

Z. Tahhan, "More than a century on: The Balfour Declaration explained," *Al Jazeera*, November 2, 2018, at https://www.aljazeera.com/features/2018/11/2/more-than-a-century-on-the-balfour-declaration-explained (Accessed May 29, 2021).

Z. Tahhan, "The epic story of a 97-year-old Palestinian freedom fighter," *Al Jazeera*, June 7, 2018, at https://www.aljazeera.com/news/2018/6/7/the-epic-story-of-a-97-year-old-palestinian-freedom-fighter (Al Jazeera June 4 2021).

Z. Tahhan, "Israel's stop-and-frisk law 'blatant racism'," *Al Jazeera*, June 27, 2016, at https://www.aljazeera.com/features/2016/6/27/israels-stop-and-frisk-law-blatant-racism (Al Jazeera June 6, 2021).

About the VIVEKANANDA INTERNATIONAL FOUNDATION

The Vivekananda International Foundation is an independent non-partisan institution that conducts research and analysis on domestic and international issues, and offers a platform for dialogue and conflict resolution. Some of India's leading practitioners from the fields of security, military, diplomacy, government, academia and media have come together to generate ideas and stimulate action on national security issues.

The defining feature of VIF lies in its provision of core institutional support which enables the organisation to be flexible in its approach and proactive in changing circumstances, with a long-term focus on India's strategic, developmental and civilisational interests. The VIF aims to channelise fresh insights and decades of experience harnessed from its faculty into fostering actionable ideas for the nation's stakeholders.

Since its inception, VIF has pursued quality research and scholarship and made efforts to highlight issues in governance, and strengthen national security. This is being actualised through numerous activities like seminars, round tables, interactive dialogues, Vimarsh (public discourse), conferences and briefings. The publications of VIF form lasting deliverables of VIF's aspiration to impact on the prevailing discourse on issues concerning India's national interest.

VIVEKANANDA INTERNATIONAL FOUNDATION
3, San Martin Marg, Chanakyapuri, New Delhi – 110021
Phone: +91-11-24121764, 24106698
Email: info@vifindia.org,
Website: https://www.vifindia.org
Follow us on twitter@vifindia