## BETWEEN HELL AND HIGH WATER: ISRAELIZATION AND PALESTINIZATION IN THE PALESTINIAN ARAB SOCIETY IN ISRAEL IN LIGHT OF THE 2018 BASIC LAW ON THE NATION-STATE

#### 1 Introduction

The period between the adoption of the Nation-State Law in Israel in 2018 and the events of the spring of 2021 can be characterized as a turbulent and politically charged time in both domestic and foreign policy contexts. The signing of the Abraham Accords, a pivotal event shaping Israel's regional relation and the political visions of the newly elected right-wing and far-right parties forming the government, along with the fundamental judicial reforms it proposed, has sparked a significant domestic political crisis and evoked intense criticism. These changes have on their own, redefined Israel's character, political structure, often the societal consensus established since the state's inception, and its role in the region. It is therefore essential to examine the significance of these developments from the perspective of the local Arab society, which constitutes 21 percent of the total population.<sup>1</sup> As per my initial premise, the Nation-State Law adopted in 2018 represents a symbolic and determinative stance on the status of the Arab community living in the country. Its adoption and the surrounding political discourse arguably sheds light on the sensitive issues of the so-called "Arab question" which has remained unresolved since the declaration of the state. These issues are fundamental to the state's structure. Considering the processes of integration and segregation that affect the Arab minority it's not an exaggeration to posit that this law serves as a symbolic milestone. Even if it doesn't fundamentally

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<sup>&</sup>lt;sup>1</sup> Haj-Yahya et al. 2022.

introduce anything new compared to what was previously known regarding the state's visions. Furthermore, my hypothesis suggests that the discourse preceding the law's adoption and the events in Israel in the spring of 2021 illustrate that Israel has a less visible Palestinian issue of its own, beyond reconciliation with its Palestinian Arab neighbours. The resolution of this issue, in contrast to previous mainstream Zionist ideas, cannot be solely achieved through the economic growth of the Arab sector.

In my research, Irefer to the non-Jewish, Arabic-speaking community, predominantly Muslim but with a minority of Christians and Druze, living in Israel or born there since 1948 as Israeli Palestinians or Israeli Arabs. The choice of terminology is of paramount importance for this community, and it requires careful consideration. It is a sensitive matter to determine whether to use terms such as Israeli Palestinians, '48 Palestinians, '48 Arabs, or Israeli Arabs to refer to them. In the official discourse of the Jewish state, the accepted formula is "Arab residents of the State of Israel." On the other hand, in the context of today's Palestinian society territory, they are often referred to as '48 Palestinians or, less commonly, '48 Arabs. Based on my experiences from various research and personal interviews and conversations, I prefer the terminology of Israeli Palestinians and Israeli Arabs. Considering the results of my professional interviews on the field and following the wide horizon of the relevant literature I conclude that both terms adequately describe their identity.

In the following, I will begin by briefly introducing the position of this minority within the Jewish state, emphasizing why I refer to their situation as being caught between two fires. Subsequently, I will delve into the identity-forming processes of Israeli Palestinians or Israeli Arabs, highlighting both processes of Israelization and Palestinization in their identity. Afterwards, I will present what I believe to be five distinct historical periods from 1948 to 2022, each significant in terms of Israel's Arab policy and its evolving relationship with the Arab community. This will lead us to the historical context of the adoption of the Nation-State Law and the subsequent events. Following that, I will discuss the significance of the Nation-State Law and its critical

interpretations within the context of the Arab minority. In conclusion, I will attempt to contextualize these developments within the current framework of Arab minority-majority relations in Israel.

As of 2019, there were approximately 1,890,000 Arab residents in Israel, including the group of East Jerusalem Palestinians who do not have Israeli citizenship only residency status. This Arab community altogether constitutes about 21 percent of the total population in Israel.<sup>2</sup>

Geographically, the vast majority of the country's Arab population in Israel resides in the northern district of the country and in Haifa and its surroundings. Approximately 60 percent of Israeli Palestinians are in the Galilee region, while 20 percent are located in the so-called "Triangle" area, and 10 percent are in the Negev region. The remaining 10 percent live in major urban centers in central areas, such as Jaffa, Tel Aviv, Ramle, and Lidda.

This geographical distribution also reflects religious diversity: the Triangle region primarily consists of purely Muslim communities, while around Nazareth, there are mixed cities with Muslim and Christian populations, and there are also entirely Christian towns. Druze communities are present in seventeen different locations.

Their unique position, caught between two fires, can be attributed to several factors. On one hand, it stems from the ethnocentric perception of the majority of Jewish society regarding the state. On the other hand, it arises from the complex relationship that the Israeli Arab population has with the Jewish state. Additionally, due to the lack of a homeland, they maintain a distinctive connection with their fellow Palestinians in the West Bank and Gaza, who often regard the Arab community within Israel with suspicion, viewing them as a separate entity.

#### 1.1 Israelization and Palestinization

Israeli Arabs possess a unique, multifaceted identity that simultaneously encompasses their Israeli, partially Palestinian, and Arab identities.

<sup>&</sup>lt;sup>2</sup> Central Bureau of Statistics of Israel, 2019.

The formation of this identity is significantly shaped by the parallel processes of Palestinization and Israelization. Israelization represents the integrative process where the Israeli Arab community strengthens its Israeli identity. As a result, they can more readily identify with the state, defining themselves as Israeli citizens and aspiring to integrate into Israeli society. Signs of Israelization include modernity, middleclass status, and urbanisation within the community. Conversely, the process of Palestinization leads Israeli Palestinians to prioritize their Palestinian identity over their Israeli one. This is expressed through solidarity with residents of the West Bank and the Gaza Strip, the assertion of national and linguistic affinity with them, and the reinforcement of shared cultural traits. These two identity-forming processes, Israelization and Palestinization, exist in parallel and reflect the complex reality of the Israeli Arab population, who navigate between their Israeli citizenship and Palestinian cultural and national ties.3 From the aftermath of the Six-Day War, we can observe the simultaneous processes of Israelization, a unique identification process specific to Israeli Palestinians, and Palestinization. These processes are most noticeable when Israeli Palestinians define themselves in relation to the West Bank and Gaza Palestinians. Amara and Kabaha highlight in their studies that Israelization and Palestinization were most parallel during the First Intifada.<sup>4</sup> During the intifada, Israeli Palestinians identified themselves as Palestinians and supported the Palestinian national movement. However, the ideas related to activism, politics, and human rights spread within their society due to the influence of Israelization. My hypothesis suggests that the dynamics of Israelization and Palestinization in the Israeli-Palestinian Arab community have been closely linked to the prevailing policies toward minorities in the country, dating back to 1948. These dynamics represent the complex relationship between the community's Israeli citizenship and their Palestinian identity, shaped by historical, political, and societal factors.

<sup>&</sup>lt;sup>3</sup> Talmon 2000, 205.

<sup>&</sup>lt;sup>4</sup> Amara - Abd al-Rahman 2002, 34-36.

### 1.2 "Write Down, I'm an Arab"5

While the process of a community's nationhood is complex and multifaceted, in the broader context of Israeli Arab politics, it is possible to identify five significant periods from 1948 to 2022. When delineating the boundaries between these periods, the focus was primarily on Israel's approach to its Arab minority, the predominant visions of minority policies, and the Israeli Palestinians' relationship with Israel and their Arab and Palestinian identities. In my observation, five distinct periods can be discerned in relation to the Israeli arab community, each of which can be considered pivotal historical milestones with determinative significance for the situation of this minority group. One could differentiate between at least five major periods that may be identified as significant historical milestones in relation to the Israeli Arab community, each playing a crucial role in shaping the circumstances of this minority group.. 1966 marks the abolition of military administration, 1976 encompasses the Land Day protests and their suppression, 1992 signifies the initiation of the Madrid-Oslo process, while 2001 is notable as a milestone due to the outbreak of the second (Al-Aqsa Intifada). As such, I would define the following five key periods:

- The Period from Statehood to the Six-Day War (1948-1966)
- From the Six-Day War to Earth Day Protests (1967-1976)
- From Earth Day to the End of the First Intifada (1976-1992)
- From the Beginning of Peace Negotiations to the October 2000 Events (1993-2000)
- The Post-Oslo Period from the Years Following the Second Intifada to 2022

Examining the period between 1949 and 2022, it is crucial to review the demographic proportions and population changes within the

 $<sup>^{5}\,\,</sup>$  Reference to Mahmoud Darwish's revolutionary poem from the 1970s: Sajjal Ana 'Arabi.

community as shown in Table 1 below. This aspect is integral to both the discourse surrounding the Arab population and policy-making. The data between the first Israeli population census and 2021 have undergone the following developments:<sup>6</sup>

Table 1: Demographic Development of the Israeli Arab Community (1949-2021)

Year	Total (thousand)	Arab (thousand)	Arab (percent)
1949	1,173.9	160	13.6
1967	2,776.3	392.7	14.1
1976	3,575.4	555	15.5
1992	5,195.9	953.4	18.3
2001	6,508.8	1,227.5	18.8
2021	9,453	1,997.8	21.1

Source: The authors own compilation

# 2. The Era Underpinning Arab Politics and the Arab Community (1948-1966)

The first era spans from the establishment of the state to the abolition of military administration. This period is characterized by the development of the state through the lens of the Arab population in Israel following the Nakba,<sup>7</sup> shaping Arab political dynamics and the military administration. In the early years of statehood, the Zionist ideology, as a foundational principle for the state, established a legal framework prioritizing the constitutional rights of the country's current and potential Jewish citizens. This legal environment significantly influenced the legal and political status of approximately 156,000 Arab residents who remained within the state's borders after the war. The Palestinian Arab community found itself amidst a new reality, in which the social fabric that had underpinned the former Arab population of Mandatory Palestine had been fractured. The world they

<sup>&</sup>lt;sup>6</sup> Central Bureau of Statistics of Israel, 2019.

 $<sup>^7\,\,</sup>$  The Nakba (Arabic for "catastrophe") refers to the mass displacement and dispossession of Palestinians during the 1948 Arab-Israeli war.

had previously known was replaced by a new one, with Mandatory Palestine entirely erased from the map, along with 418 former Arab communities<sup>8</sup>

The 1948 war represented a catastrophe (Nakba) for the Arab community, signifying the annihilation of the vision of Palestine, while for Zionism, it was a form of self-liberation, the establishment of the state in Herzl's vision. For the surrounding Arab nations, it marked a historical cataclysm that would shape their political horizons for decades to come. These conflicting historical narratives and metanarratives about the events of 1948 have since become a defining aspect of the conflict. They set the framework for the emerging Arab minority within the Zionist national community, where the Israeli Zionist perspective, the Palestinian Nakba discourse, and the later reinforced pan-Arab ideology all coexisted. The Israeli political leadership, in the midst of establishing the foundational pillars of the new state, had to confront the fact that the Arab question, left unresolved by the Zionist movement and the events of the war, had not ceased to exist. 10

The majority of the country's public, still feeling the fervour of the wartime period, viewed the Arab population as a significant threat. After 1948, Israeli authorities' policies towards Arabs were influenced by three key aspects: a) security considerations, b) the consolidation of the state as a Jewish-Zionist entity, and c) the suppression of the previous Palestinian nationalism.<sup>11</sup>

The essence of the primary social experience for the Arabs who remained in the country following the Nakba was the rapid transition from a majority status to becoming an atomized minority group. All of this occurred in a country that defined itself as Jewish and was in the process of shaping the character of this new state through the integration of the Jewish refugee and immigrant communities. The

<sup>&</sup>lt;sup>8</sup> Khalidi, 1992, 13.

<sup>&</sup>lt;sup>9</sup> Theodor Herzl, a Budapest-born journalist and political activist, founder of the political form of Zionism, a movement to establish a Jewish homeland.

<sup>&</sup>lt;sup>10</sup> Smooha - Peretz, 1982, 453.

<sup>&</sup>lt;sup>11</sup> Amara 2003, 247.

<sup>&</sup>lt;sup>12</sup> Migdal – Kimmerling 2003, 175.

examination of the early years is particularly interesting because the Israeli Arab community found itself caught between two very different processes of nation-building. The Arab population held a fundamentally different narrative about the war and the preceding decades than the Jewish citizens of the state. However, they also found themselves in a different situation compared to the Palestinian refugee communities under surrounding Arab authorities. They did not share the collective historical memory of the majority society, differing in terms of culture, language, social class, geographic location, and economic status.<sup>13</sup> As Maha Nasser aptly articulates, they became "brothers apart" even from the previously present Arab community. They became part of an entirely new social reality while, geographically, they remained in the same place or only slightly distanced.<sup>14</sup>

In the early years of the state, David Ben-Gurion's policy aimed at creating a coherent national community through the assimilation of Jewish groups arriving from various parts of the world. In this process, several socially defining areas emerged. One of the most significant was the nation-building role of the Israeli Defense Forces (IDF), with its legal basis provided by the 1949 Israeli Security Service Law, which mandated compulsory conscription. This law ensured that the country's Arab citizens were exempt from compulsory military service. The IDF held two pivotal roles during the construction of the new society: it served as a field to strengthen a coherent Jewish national community and also as a platform for achieving social mobility. The fact that the state's Arab citizens could not (in many cases, would not) participate in military service due to security considerations resulted in their exclusion from a fundamental element of the nation-building process. The presence of military service came with benefits in both the educational system and the labour market, putting those who were excluded at a disadvantage.

<sup>&</sup>lt;sup>13</sup> *Ibid*, 176.

<sup>&</sup>lt;sup>14</sup> Nassar 2017, 10.

In the early 1950s, two other laws were introduced, which were collectively influential in shaping policies concerning Arabs. These were the 1950 Law of Return and the 1952 Nationality Law, which together enabled Jewish individuals to freely immigrate to Israel and automatically acquire citizenship. The former provided an opportunity for anyone with one Jewish grandparent or who had converted to Judaism to gain Israeli citizenship based on the 1952 Nationality Law, along with the right of return to Israel, to which their (even non-Jewish) spouses and children were also entitled. 15 However, this did not apply to Arab refugees who had left the country between 1947 and 1952, nor did it apply to their family members. 16 For the native Arab population who remained in the country, Israeli citizenship was granted through naturalization based on their place of residence. Accepting this method, only 40 percent of the Arab residents who stayed in the country acquired citizenship, another 40 percent did so later, while 20 percent did not receive citizenship at all, including their children born in Israel at a later stage.17

During this period, several different approaches were considered for the long-term resolution of the Arabissue. Ultimately, the vision dominated by security considerations emerged, which was implemented through the military administration over Arabs. It's important to emphasize that the goal of this was not military control but the establishment of a supervisory system over the Arab population. As described by Ian Lustick, this system consisted of three main components: segregation policies, distribution issues, and cooptation. The military governors wielded broad powers, which allowed them to issue decrees prohibiting individuals from being in certain places, issue administrative instructions, impose travel bans over areas, and designate areas belonging to Arabs as closed zones. 19

<sup>&</sup>lt;sup>15</sup> Ariel, 2013.

<sup>&</sup>lt;sup>16</sup> Gavison 2011, 30.

<sup>&</sup>lt;sup>17</sup> Bäuml 2017, 116.

<sup>&</sup>lt;sup>18</sup> Jamal 2014, 56.

<sup>&</sup>lt;sup>19</sup> Halamish 2010, 31.

Concerning the closure of land areas, we arrive at another sensitive issue that was crucial for the Israeli Arab population up to the mid-1950s: the question of abandoned Arab lands and properties. According to a list compiled by the Israeli Custodian of Absentee Property in 1950, properties in the former Arab cities consisted of a total of 94,000 housing units, 9,700 shops, and 1,200 office spaces, valued at approximately £11,800,000 sterling. In the case of villages, tens of thousands of properties were left behind by refugees, and at the time, it was estimated that the property holdings of refugees made up nearly a quarter of all buildings in the country.  $^{20}$ 

After the war, Israel assumed control over approximately 78 percent of the former Mandate territory. At the same time, only 8.5 percent of the entire state's territory was owned by Jewish individuals and organizations. The establishment of sovereignty thus faced a significant disparity, prompting action by the state's leaders. The Israeli leadership had in mind the creation of demographic and geographical conditions that would allow for a rapid assertion of sovereignty over those border areas that could potentially be contested territories. Additionally, there was a socio-political aspect to this strategy, aiming to swiftly construct settlements in these areas to accommodate the large influx of Jewish refugees. 22

Between 1948 and 1966, approximately half of the land previously owned by Palestinians came under the ownership of the Jewish National Fund (JNF).<sup>23</sup> The legal framework for the transfer of former Arab properties to the JNF was provided by the 1950 Absentees' Property Law. This law, based on the Ottoman legal tradition, allowed the state to take control of lands that had been abandoned by their occupants for extended periods. This was later complemented by the 1953 Land Acquisition Law, which permitted the state to take these lands into

<sup>&</sup>lt;sup>20</sup> Kadman 2017, 16.

<sup>&</sup>lt;sup>21</sup> *Ibid*, 94.

<sup>&</sup>lt;sup>22</sup> Quigle 1990, 102.

<sup>&</sup>lt;sup>23</sup> Segev 2008, 7790.

its ownership through the Ministry of Finance.<sup>24</sup> The acquisition of land left by Palestinian refugees became a matter of ensuring state sovereignty for the country's leaders.<sup>25</sup> By the 1950s, the foundations of a closed land system were laid, making it impossible for the state to grant land ownership to anyone other than the JNF, the Development Authority, and local authorities. This became a highly unequal aspect of the relationship between the Jewish majority and the Arab minority, a distinction that continues to define differences between these two groups.

Until the abolition of military administration, the state's Arab policy was largely determined by the ethnic character that became dominant during the nation-building process, with the central goal of establishing a democracy for the Jewish population. Political visions regarding the Arab population that remained within the country were significantly shaped by the community's often suspicious and, in many cases, openly hostile perception, as well as the dual attitude left by the rhetoric of the mainstream Zionist movement and particularly Ben-Gurion's wartime rhetoric. This "Arab policy" maintained two contrasting approaches side by side: one that focused on security threats, embodied in the military administration, and another that was rooted in human rights based on the earlier Hebrew humanistic approach. This latter approach often led to criticism of the disadvantageous situation of the Arab minority, even within the governing party.

Regarding the identity of the Arab population that remained within the country, they also began to transform into residents of a new country instead of holding onto their old homes. Until the mid-1960s, their individual and collective identity was notably weak in terms of aligning with previous Palestinian national aspirations. In parallel, the Israeli leadership, primarily the Arabists<sup>26</sup> within the military and security apparatus, set out to establish a new political identity among

<sup>&</sup>lt;sup>24</sup> Forman - Kedar 2004, 812

<sup>&</sup>lt;sup>25</sup> Fischbach 2003, 7.

<sup>&</sup>lt;sup>26</sup> David Ben Gurion's advisors in Arab affairs: Yeshoshua Palmon, Uri Lubrani, Shmuel Divon, Rehavam Amir, Shmuel Toledano.

their Arab citizens, strengthening the "Israeli Arabs" group and preempting any Palestinian nationalist upsurge.<sup>27</sup>

"The regime wanted to sever their ties with the Arab national movement. They tried to indoctrinate Arab children with the Zionist narrative in the schools and in some cases to widen the fissures between and within the different religious groups, Muslims, Druze, Christian Arabs. The aim was to challenge non-Israeli national identities... With these tools, the authorities taught the Arab minority what was fit to be said and what was unacceptable in the new state."<sup>28</sup>

The political vacuum created by the exodus of much of the former Arab economic, political, and cultural elite was primarily addressed by the Israeli military administration through the promotion of collaborators and informers, including the mukhtars and religious figures.<sup>29</sup> Members of the security services realized that such a well-functioning and reliable collaborator class could only be maintained through appropriate compensation, thus laying the foundations for a system in which privileges spanned a wide range. In exchange for cooperation with the authorities, some found it easier to secure employment, while others could lease abandoned land properties. By the mid-1950s, it seemed that a narrow, new pro-Zionist Arab leadership layer was emerging. Among its members, there was a significant presence of those interested in maintaining traditional, religious, and tribal identities, as opposed to the previous, more secular layer pursuing Palestinian nationalist agendas. Collaboration with the defence forces did not equate to full identification with the state.<sup>30</sup> Nevertheless, this proved to be an effective political strategy on the part of the new state power, which determined the evolution of social relations within the Arab community.

<sup>&</sup>lt;sup>27</sup> Cohen 2010, 3.

<sup>&</sup>lt;sup>28</sup> *Ibid*, 3.

<sup>&</sup>lt;sup>29</sup> *Ibid*, 2.

<sup>&</sup>lt;sup>30</sup> *Ibid*, 8.

All of this, along with restrictions on freedom of movement and assembly, proved to be deterrents for Arabs in terms of asserting their autonomous political interests.<sup>31</sup> In terms of political participation, although there were Arab members in the legislature from the first Knesset, they were primarily satellites of various left-wing Zionist parties, and independent political formations did not gain strength during the period under examination. Arab political empowerment was hindered by their economic situation, as the majority of them lived in poverty, working as wage laborers and agricultural laborers, with their primary concern being their daily livelihood.<sup>32</sup> During the years of military administration, passivity, as described by Ian Lustick, prevailed in the Arab community: a "political quietness." The experiences of the 1948 war played a significant role in this passivity, primarily driven by fear of displacement.<sup>33</sup>

In the context of Israeli Arab policy, the period from 1949 to 1966 witnessed pivotal decisions that established the framework for the future of the Arab population living there. These decisions were implemented within the segregative system of military administration. From the perspective of the Arab population, this created a legal and political island alongside the Israeli democratic civil order, where the democratic civil authorities were replaced by military ones.<sup>34</sup>

### 3 The Awakening of Palestinian Identity: 1967-1976

While the Mapai government addressed the issue of dismantling military administration both in the Knesset and on internal platforms,

<sup>31</sup> Raz 2021, 29.

<sup>&</sup>lt;sup>32</sup> Segev 2008, op. cit. 80.

<sup>&</sup>lt;sup>33</sup> This general fear may have appeared justified, especially since there were several smaller-scale transfers that took place even after 1949. Thousands of Bedouins were relocated from the Negev Desert to Jordan and the Sinai Peninsula, and there were also deportations in the northern territories after 1949. For more details on this topic, please refer to the works of Sabri Jiryis, Falah, and Kafkafi.

<sup>&</sup>lt;sup>34</sup> Raz 2021, op. cit. 29.

it wasn't until 1963, after Ben Gurion's departure from power,35 that significant room for critical voices opened up. Many among the opposition believed that the discrimination against the Arab minority pushed them into internal Arab chauvinism, posing a domestic threat.<sup>36</sup> Finally, on January 12, 1966, just four days after the sixth Knesset elections, Levi Eshkol, in conjunction with the announcement of the new government, declared the end of military administration. It's important to note that this marked only the dismantling of the apparatus responsible for military administration, while the body of laws on which it was based remained intact. Within the period under examination, considering the evolution of the identity of Israeli Palestinians, the second major phase commences with this event, culminating in the mass demonstrations of 1976 and the 1977 right-wing shift within Israel. During this time, the most palpable consequence of the 1967 war for Israeli Palestinians was the opportunity to reestablish connections with their Arab counterparts living in East Jerusalem, the West Bank, and the Gaza Strip, often with their actual family members. All of this occurred while the cessation of military administration allowed for greater political activism.

The sense of shared destiny and the resurgence of Arab identity reached its peak not only among them but also in the broader Arab world during this period. This is evident in surveys conducted by Yochanan Peres and colleagues between 1966 and 1967. In these surveys, 57 percent of the younger generation of Arabs questioned expressed a preference for living in an Arab country rather than in Israel. <sup>37</sup> The previously prevalent internal sectarian divisions also diminished under the influence of the growing pan-Arab movement in the region. <sup>38</sup>

The liberation from military administration ushered in significant changes in the political activity of the community. A process of consolidation began, wherein efforts were made to enhance their living

<sup>&</sup>lt;sup>35</sup> As both Prime Minister and opposition leader, Ben-Gurion consistently opposed the abolition of military administration. See.: *Ibid*, 261.

<sup>&</sup>lt;sup>36</sup> Halamish 2010, op. cit. 45.

<sup>37</sup> Lustick 1980, 8.

<sup>&</sup>lt;sup>38</sup> *Ibid*, 239.

standards, improve their legal opportunities, and alter their relationship with Israeli authorities. An important element of this process was the articulation of criticisms against economic and labour market discrimination. Despite the positive economic developments that accompanied the dismantling of the military administration, the Arab sector in Israel still faced substantial livelihood challenges. According to Tom Segev's report, in 1967, the majority of Israeli Palestinians lived in poverty, with an average income that was half that of the majority Jewish population. In 74 percent of Israeli Arab households, there was no electricity or central water supply, and 20 percent had no access to road infrastructure. These disparities were further accentuated by the fact that the Israeli economy's Jewish sector was experiencing exceptional growth during this time.<sup>39</sup> The 1970s marked a period of resurgence in Palestinian nationalism, led by the Palestine Liberation Organization (PLO). During this era, the Palestinian component of identity became increasingly prominent among Israeli Palestinians. In terms of political representation, it became evident that a younger generation of Israeli Arabs was actively participating in the country's political life, primarily through the newly established Communist Party, Rakah, which had been in existence since 1965.40 This was a departure from their parents' generation, reflecting a more active engagement in political affairs.

## 4 The Strengthening of the National Movement and an Emerging Middle Class: 1976-1992

From the mid-1970s onwards, a culture of political resistance among Palestinians gained momentum, reaching its zenith during the Land Day protests of 1976.<sup>41</sup> This date is enshrined in Palestinian historiography

<sup>&</sup>lt;sup>39</sup> *Ibid*, 20.

<sup>&</sup>lt;sup>40</sup> Israeli Democracy Institute, 2023.

 $<sup>^{41}</sup>$  In the spring of 1976, the Israeli government declared its intention to expropriate land in the Galilee region for official state use between the towns of Sakhnin and Arraba, where significant land holdings were still under Palestinian ownership. The

as the first instance since Israel's founding when members of the Arab community collectively acted. The political consequences of these protests were that Israeli Palestinians became increasingly visible in Israeli politics. It became more common for Palestinian civil society organizations to jointly protest government measures, primarily linked to discriminatory actions concerning land. These events also brought about changes in identity. The cult of Palestinian (both violent and non-violent) resistance has steadily grown from the 1970s across much of the Levantine region. In response to the Land Day protests, Israeli leadership on several occasions deployed significant force, resorting to violence. These events exacerbated old wounds, pushing Israeli Palestinians further away from an Israeli identity.

From the 1980s, Israeli society underwent significant rearrangements due to the resurgence of left-wing political ideas, leading to liberalization processes aimed at reducing social inequalities. Between 1984 and 1986, there was a brief period when issues of significant importance to the Arab community, such as house demolitions and land confiscations, made their way onto the Israeli political agenda.

However, almost instantaneously, in the winter of 1987, the first intifada (Palestinian uprising) erupted, which reshuffled the political landscape. According to a survey conducted by Sami Smooha, a respected researcher of the Israeli Arab community in 1988, from this point onwards, the majority of Israeli Palestinians, while fully accepting the existing status quo and the existence of Israel, believed that only the establishment of a Palestinian state in the West Bank and Gaza Strip, with East Jerusalem as its capital, could resolve the Palestinian issue. More than 75 percent of those surveyed used the terms "Palestinian Arab" or "Arab" to describe their collective identity,

government publicly announced the expropriation plan on March 11. In response to this, protests were organised. On March 30, 1976, during a demonstration, six Israeli-Palestinian citizens were killed by the Israeli Defense Forces. The protest was against land expropriations and house demolitions, and since then, this day is observed as Palestinian Land Day.

while only 24 percent primarily identified themselves as "Israeli Arab" or "Israeli Palestinian."  $^{\rm 42}$ 

Furthermore, it's important to note the strengthening of religious identity. From the late 1980s, a religious Muslim identity gained prominence among Palestinians. Islamist political groups appeared in the North, with Sheikh Abdallah Nimr Darwish's faction, which became more prominent in 1983, being an example. Initially, Israeli security agencies did not hinder the development of these Islamist movements, as they believed that such a sectarian ideology could dilute secular Arab nationalist ideologies, including the rise of the Palestine Liberation Organization (PLO). Islamism found ground in the Triangle region's cities and within the Negev Bedouin community, although it did not become the primary source of identity.<sup>43</sup>

In my view, this period witnessed the highest level of self-organization among Israeli Arabs, which, although rooted in Palestinian national foundations, was often independent and critical of the PLO. The first intifada marked the most significant parallel manifestations of processes of Palestinization and Israelization, where modern human rights philosophies and civil resistance tools symbolized Israelization. Nonetheless, their objective was to combat discriminatory measures and express their Palestinian identity.

### 5 The Years of Optimism and Lost Generations: 1993-2001

The Oslo Peace Process marked a new era in the lives of Israeli Arabs. The enthusiasm surrounding the peace process and the era associated with Israeli Prime Minister Yitzhak Rabin brought about a new period. The Rabin government allocated significant funds toward the Israeli-Palestinian community, leading to improvements in various aspects of the lives of Israeli Palestinians. Different Arab political groups played important roles in coalition formation and later in the ratification

<sup>42</sup> Smooha 1992, 117.

<sup>43</sup> Rosmer 2022, 30.

of the Oslo Accords.44 The impact of the political steps taken by the Rabin administration with regard to Arab politics was also evident in the realm of identity. According to a survey conducted by Smooha in 1995, the percentage of Palestinians who denied the right of the State of Israel to exist dropped to 6.5 percent from 13.5 percent in 1988. Simultaneously, the number of those who primarily identified as Palestinians decreased to around 10 percent from the previous nearly 30 percent.<sup>45</sup> It is noteworthy to emphasize that among Israeli Arabs, support for the two-state solution has remained consistently stable, even in the aftermath of the failure of the Oslo process. Surveys conducted on this issue indicate that within this demographic, the support for the two-state solution exceeds fifty percent, whereas support for the one-state solution and alternative proposals enjoys significantly lower endorsement.46 Academic and social discourse increasingly began to focus on the rights and historical narratives of the country's Palestinian citizens. This was partly driven by the rise of post-Zionist critical perspectives within academia during this period. Ideas and concepts that had been previously forgotten or overlooked gained prominence, ranging from the guarantee of limited personal autonomy to more contentious proposals, such as the potential transfer of Triangle region areas to Palestinian control in the West Bank. These ideas continue to generate substantial debate to this day.

The perspective of Israeli Arabs regarding what appeared to be a golden age came to an end with the failure of the Oslo Process and the assassination of Yitzhak Rabin in 1995. From 1996 onwards, less successful governments in bridging the gaps between the majority and minority took over, and anti-Arab sentiments began to intensify. According to American sociologist Calvin Goldscheider, during this period, a new generation of Israeli Arabs emerged. They were better educated but faced limited opportunities in the labour market. Furthermore, they possessed a stronger Palestinian identity compared to previous generations but

<sup>44</sup> Gerlitz - Othman, 2015.

<sup>&</sup>lt;sup>45</sup> Smooha 1998, 45.

<sup>&</sup>lt;sup>46</sup> PCPSR, 2022.

had limited space for social, cultural, and political self-expression. They were profoundly disillusioned with the established status quo.<sup>47</sup>

While the Israeli-Palestinian community underwent significant changes until the early 2000s, the central dilemma remained the same as in the decades following the establishment of the state: the tension between their citizenship-based civic identity and their Palestinian national identity.

The events in October 2000 in Israel marked both the beginning and the endpoint of the Second Intifada, and also of the optimistic period symbolized by Oslo, the two-state solution, and the handshake between Rabin and Arafat. Just as in the broader context of the Israeli-Palestinian peace process, the established status quo defined the daily reality for Israeli Palestinians. The events of October, much like Land Day, held symbolic significance for Israeli Palestinians, bringing back the "us versus them" dichotomy. However, in contrast to Land Day, these events, along with the subsequent Second Intifada and Israeli counterattacks, did not strengthen self-organization but emphasized individual survival and endurance. As the Or Commission, 48 appointed to investigate the events, describes, the escalation of violence underscored the reality of government discrimination against Arabs, police excesses, and simultaneous political radicalization in the Arab sector. 49

## 6 The post-Oslo Period 2001-2022: Turbulent Years of Segregative Integration

The years from the early 2000s to 2022 in Israel witnessed a significant shift to the right in political terms. Benjamin Netanyahu and right-wing revisionist Zionist parties came to power on multiple occasions, and

<sup>&</sup>lt;sup>47</sup> Onn 2003, 50.

<sup>&</sup>lt;sup>48</sup> The Or Commission was the Official Commission of Inquiry that was nominated by the Israeli government to investigate the events of October 2000, in which 13 Palestinians living in Israel were killed by Israeli police during demonstrations and confrontations that erupted throughout the Galilee.

<sup>&</sup>lt;sup>49</sup> International Crisis Group 2004, 3-11.

representatives of the national-religious camp also gained increasing political influence. This rightward shift, in many respects, altered the previous frameworks of public discourse in Israel. Regarding the Israeli Arab community, the rise of right-wing politicians brought questions about their loyalty to the country to the forefront, as well as previously discarded ideas such as the transfer of populations in certain Arab regions. The political landscape in Israel during this period saw the reversal of many of the policy steps taken during the Rabin era. Centrist, right-wing, and later far-right Israeli governments actively participated in reshaping the boundaries of Arab citizenship. They enacted several laws that affected the political participation and economic status of Palestinian citizens. These laws imposed stricter conditions for parties to participate, which had a particularly threatening effect on Arab parties. Beyond political representation, economic policies were also implemented that had negative consequences for the Arab sector. Notable among these is the Emergency Economic Plan Law introduced in 2002. This stipulated drastic cuts in governmental assistance paid to families not covered by the principle of "entitling service", mostly defined as the service of a family member in one of the security forces.

Similarly definitive in its impact on the Arab community was the temporary modification of the Nationality Law adopted in 2003. It prohibits the granting of any residency or citizenship status to Palestinians from the 1967 Occupied Palestinian Territories (OPTs) who are married to Israeli citizens. The law affects thousands of Arab families comprised of tens of thousands of individuals and since then its status has been normalized in the legal system in 2022.<sup>50</sup>

It's important to note that during this period, the transition of Israel to a neoliberal political system opened doors for Arab mobility into the upper middle class.<sup>51</sup> Middle-classification took place, and the economic and demographic weight of the Arab sector strengthened. However, this expected integration driven by economic uplift, which often arose in mainstream Zionist ideologies, did not coincide with

<sup>&</sup>lt;sup>50</sup> Chacar, 2022.

<sup>&</sup>lt;sup>51</sup> Diab - Shdema - Schnell, 2021, 1803.

the sidelining of Palestinian Arab identity. In fact, with economic advancement came an increased desire to represent their own social and political narratives.<sup>52</sup>

A new Arab intelligentsia, in collaboration with Israeli civil rights advocates, began to assert their positions more forcefully in response to discriminatory measures that affected them. A culmination of this was seen in three documents produced between 2006 and 2007, which served as a summary of the visions of the Israeli Arab minority. These documents are known as the Haifa Declaration,53 the Future Vision Document,<sup>54</sup> and the Democratic Constitution.<sup>55</sup> They can also be interpreted as a joint response from the Israeli Arab sector, academia, and some peace-oriented Israeli organizations to the rightward shift in Israeli politics and the frustration stemming from ongoing segregation. Despite their radical tone, these documents aimed to initiate a dialogue, as per their self-definition, between the majority society and the Arab minority.<sup>56</sup> Their significance lies in the fact that they represented a broad cross-section of the Israeli Arab sector, and for the first time, the leadership of the Arab community presented its own vision of Israel's future. However, these documents received vehement criticism from the Israeli mainstream, including centrists and even within liberal circles, due to their negative portrayal of the state and Zionism. A common thread among these documents is that they express the grievance that the Israeli majority is unwilling to accept their Palestinian identity. They uniformly categorize Zionism as a colonial-settler movement, even though they do not dispute the existence of Israel or their place within Israeli society.

Under right-wing and centrist governments, these identity-political and symbolic questions have remained persistent in the context of Arab politics. Starting from the late 2000s, significant societal debates

<sup>&</sup>lt;sup>52</sup> Waxman, 2013, 214.

<sup>&</sup>lt;sup>53</sup> Rouhana et al., 2006.

<sup>54</sup> The National Committee for the Heads of the Arab Local Authorities in Israel, 2006.

<sup>55</sup> Adalah, 2007.

<sup>&</sup>lt;sup>56</sup> Jamal, 2008, 15.

have unfolded in the country regarding the dominance of historical narratives. In this struggle, voices increasingly critical of the Arab population's Nakba discourse emerged, primarily from Israeli rightwing politicians, from 2009 onwards. As a result, the Nakba Law, as it came to be colloquially known in public discourse, was enacted in 2011, which in reality was approved as Amendment No. 40 to the 2011 Budget Principles Law. It fines state-supported institutions that mark Independence Day or the day of the establishment of the state as a day of mourning. It sanctions state-funded institutions that commemorate the Nakba during Israel's Independence Day celebration. According to the law, doing so strengthens the memory of the Jewish majority while forcing the Palestinian minority to forget..<sup>57</sup> In practice, although the aim of this was to marginalize the Israeli Arab discourse surrounding Nakba, this objective was not achieved within the Arab sector. According to Smooha's 2013 surveys, 82 percent of the surveyed Arab residents expressed support for a dignified commemoration of Nakba and Nakba Day memorial ceremonies grew in and around Israeli university campuses, as have the right-wing protests against them.<sup>58</sup>

The discourse surrounding identity within the Israeli state, particularly narratives related to the status of the Arab community, has been significantly shaped since the early 2010s by the issue of the Nation-State Law. The ruling Likud party, from 2011 onwards, consistently kept on the agenda a basic law proposal titled "Israel as the Nation-State of the Jewish People." This issue, characteristic of Israeli political turbulence, oscillated between being buried and resurrected. Still, it gained increasing significance within the rightleaning Knesset, particularly within the Likud led by Netanyahu. Ultimately, taking into account his own narrowing maneuverability, Prime Minister Netanyahu allowed the proposal to advance, presenting a more moderate version to the Knesset in 2018. The law faced primary opposition from Israeli-Palestinian parties and, secondarily, from

<sup>&</sup>lt;sup>57</sup> Gutman - Tirosh 2021, 705.

<sup>&</sup>lt;sup>58</sup> Smooha 2013, 27.

liberal and left-wing actors who define the state not as the state of the Jews but as a democratic entity open to all citizens.

The law was passed on 19 July 19 2018, under the title "Basic Law: Israel as the Nation-State of the Jewish People." While the text of the law primarily contains symbolic declarations, it de jure sidelines the non-Jewish citizens of the country. According to Israeli Arab critics, the legislation treats them as second-class citizens. <sup>59</sup> From the perspective of the Arab minority, six clauses out of the eleven paragraphs in the legal text offend their sensitivities. The following are the six points in question:

### "1 — Basic Principles

A. The land of Israel is the historical homeland of the Jewish people, in which the State of Israel was established.

B. The State of Israel is the national home of the Jewish people, in which it fulfills its natural, cultural, religious, and historical right to self-determination.

C. The right to exercise national self-determination in the State of Israel is unique to the Jewish people."

4 - Language

The state's language is Hebrew.

5 — Ingathering of the Exiles

The state will be open for Jewish immigration and the ingathering of exiles.

7 – Jewish Settlement

The state views the development of Jewish settlement as a national value and will act to encourage and promote its establishment and consolidation."<sup>60</sup>

From an objective and retrospective perspective, the law itself, with a few exceptions, does not introduce anything entirely new. In the context of Arab politics, its symbolic significance lies in the fact that it takes a

<sup>&</sup>lt;sup>59</sup> Jamal - Kensincki 2020, 21.

<sup>60</sup> Knesset, 2018.

clear stance in a decades-long debate between ethnonationalism and a democratic state, confidently defining which community the state serves and which it excludes. Contrary to Arab criticisms, what defends the intentions of Israeli lawmakers is that, on one hand, this Basic Law does not override the status of the Declaration of Independence within the legal framework, nor does it supersede the Basic Laws that enshrine previous democratic and liberal principles. The Israeli Supreme Court also upholds this position, articulating in its July 2021 decision that the law essentially states the obvious fact that Israel is a Jewish state, but this declaration does not affect the individual rights of non-Jewish citizens. Nonetheless, it is worth noting that since the law's adoption, it has been used as an argument in budget allocation disputes, and it provides the possibility for Israeli courts to act discriminatively against non-Jewish residents in legal proceedings related to minorities or Jewish matters, as Adalah's criticism has pointed out on multiple occasions.61

Following the adoption of the Nation-State Law, although not directly related, constant political crises cast a shadow over everyday life in the country from the second half of 2018. This practically meant that within three years, there were five elections, some without the formation of a government, and others resulting in short-lived administrations. Starting from 2020, economic difficulties arising from the COVID-19 pandemic and the political responses to them exacerbated economic and social divisions within society. 62 The escalating tensions and frustrations within the Arab sector evolved into ethnically charged violence in May 2021, stemming from clashes around the Temple Mount in Jerusalem. Armed clashes occurred in Israeli Arab cities such as Ramle, Lod, Jaffa, and Umm al-Fahem involving both Jewish and Palestinian residents. Throughout these tragic events, there were riots, lynching incidents, and vandalism perpetrated by radicals on both sides. The days of unrest once again brought attention to the complexity of cohabitance between the Jewish and Arab populations in Israel. Preconceptions

<sup>61</sup> Adalah, 2022.

<sup>62</sup> Bental – Shami 2021, 3-15.

that relied solely on the economic empowerment for the integration of the state's Arab population did not prove accurate. This period shed light on the existential issues of the state's organization. The strikes declared by the Arab sector during the riots had an impact on the state's economic functioning and underscored the interdependence of these two sectors. In my view, all of these factors collectively highlight that within the broader context of the Israeli-Arab conflict, whether in terms of attempts to reconcile with the Palestinian Authority or Arab countries, there remains an unresolved Palestinian question in Israel.

During the political era characterized by Benjamin Netanyahu, it is worth highlighting the short-lived cabinet led by Yair Lapid and Naftali Bennett, which was extraordinary in many respects within Israeli political history. This ideologically diverse coalition, encompassing both nationalist-religious right-wing and centrist-left parties, was unique even from the perspective of Israeli Palestinians. Notably, for the first time in the country's history, an Arab party, led by Mansour Abbas, named Ra'am, was part of the ruling coalition. 63 In terms of political ideology, Abbas is a moderate Islamist politician with close ties to the Muslim Brotherhood, who, after extensive negotiations, joined the coalition. 64 During the coalition negotiations, Abbas secured a budget of 53 billion NIS through a development plan for his own community. 65 The coalition's plans regarding the Arab sector primarily addressed two issues: infrastructural investments in Arab settlements and efforts to combat the spread of violence and crime within the community. Abbas elicited sharp criticism throughout the Israeli political landscape. Due to his sympathies with the Palestinian national community, the Israeli right wing labelled him as an internal enemy, but his role neither was embraced enthusiastically by the Israeli-Palestinian public opinion.

<sup>&</sup>lt;sup>63</sup> Mansour Abbas follows the concept of "wasatiyyah" in moderate Islam, which translates to "centrism" in Arabic, representing a kind of golden mean in the sense of balance and avoidance of extremes. Advocating for the interests of the Islamic community, it consistently seeks to represent them under the given authority with a non-violent and pragmatic approach. In.: Bahri 2012, 20.

<sup>64</sup> Abu Sharkia, 2022.

<sup>65</sup> Boxerman, 2021.

The secular Israeli-Palestinian political forces criticized Abbas for his Islamism<sup>66</sup> and acceptance of Israel as an exclusively Jewish state, <sup>67</sup> contrary to the prevailing" state of all its citizens" concept in the Israeli Arab political discourse. <sup>68</sup> Ultimately, his perception played a significant role in the coalition's dissolution, as an increasing number of members from Bennett's party, Yamina, turned against him, accusing Bennett's party of supporting terrorism. The events of the turbulent political period in the Israeli-Palestinian conflict, along with the previously mentioned emergency regulation of the Citizenship Law that was made perpetual by this government, eventually led to the breakup of the coalition and the resurgence of the right-wing bloc led by Netanyahu. Despite important plans being formulated for the Israeli Arab sector, there was insufficient time for their comprehensive implementation.

The significance of the Lapid-Bennett cabinet, from the perspective of the examined community, is undeniable in its attempt to present an alternative Arab political approach distinct from previous ones. In contrast to the Arab satellite parties characteristic of the state's early years and the longstanding policy of Arab separatist-minded represented by the Joint List, Abbas aimed to establish an option that accepted the foundations of the Israeli state, cooperated with it, yet prioritized the interests of the Arab sector.<sup>69</sup> The failure of this endeavor reopened longstanding political debates concerning the Arab community, both within the broader Israeli context and specifically within the Israeli Arab community itself.

With Netanyahu's return and the ascent of individuals adhering to an extremely radical settler ideology to power, there has been a resurgence of rather simplistic framing attempts: such as the mainstream perspective that suggests Arabs must be either loyal to Israel, in which case they must forsake their Palestinian identity, or alternatively be considered as

<sup>66</sup> Yanai-Levison, 2021.

<sup>67</sup> Kull el-Arab, 2021.

<sup>68</sup> Shahaedeh, 2021.

<sup>&</sup>lt;sup>69</sup> Similar to certain Israeli ultra-Orthodox parties, which, despite being religiously neutral or even opposing the existence of the state, strive to assert the interests of their communities in the Knesset.

the fifth column of the enemy, cannot pave the way for the challenging path of social coexistence. It's also crucial to recognize the fact that the most severe clashes occurred in disadvantaged communities where the Palestinian collective memory recalls the bloodiest events of the Nakba period. In these communities, the differential treatment between the Arab and Jewish citizens of the country is most acutely felt, due to the enforcement of government policies.

#### 7 Discussion

In my perspective the historical overview presented above aimed to contribute to our understanding of the 2018 Israeli Nation-State Law, its context and significance concerning both the Israeli and the country's Arab minority, as well as the responses received in the period between 2019 and 2022. Within the Zionist national movement and later within the Israeli state leadership, various visions related to the legal status of the Arab minority residing within the country emerged, often in direct opposition to one another. These ranged from radical ideas advocating for the transfer of Arabs to more peace-oriented integration proposals driven by different motivations and progressive voices advocating for the equal rights of both communities. It is crucial to underline that in the case of an entity that identifies itself as both Jewish and democratic, the issue of the non-majority population that remains in the country delves into fundamental questions. It seeks to address to what extent, and for whom, the framework of the Middle Eastern country's democratic structure applies. The relationship between Zionism and the Arab community living in the former Palestinian Mandate territory is not a recent development. Within the Zionist movement, various responses had been formulated well before 1948, representing different currents within the movement.

In my view, the 2018 Nation-State Law can be interpreted as taking a clear stance regarding the Arab minority and the Jewish majority, as well as the place of this minority within the State of Israel. In this respect, it continues the perpetuity established in the periods detailed above, where the legal status of the Arab minority within the country was unequivocally perceived as that of second-class citizens in some aspects. Nevertheless, I believe that this interpretation is not entirely straightforward; it is just one perspective on the matter. Considering the inaction behind the declarative language of the Nation-State Law, it can also be seen that the state does not intend to take any meaningful steps with the Arab community. This suggests that, in the context of Arab politics, both segregative and integrative elements coexist, leading to the parallel processes of Israelization and Palestinization.

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