



THE ARAB MINORITY IN THE EYES OF THE ISRAELI LAWS

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Abstract

Marginalization of certain groups is not solely limited to hostile and intentional acts. Systemic prejudice occurs when selected groups are systemically excluded from social and economic opportunities. This research study aims to comprehensively examine the multifaceted issues surrounding equality and inclusion in Israel, particularly emphasizing understanding marginalized communities' experiences. Arab citizens residing in Israel have long been subjected to discriminatory acts that deprive them of equal opportunities and marginalize their existence. This ongoing discrimination is evident in the divides experienced within the education system and employment, unequal access to housing, unjust laws, and violent attacks targeted explicitly toward Arab citizens (Nagar et al., 2022). The following research questions are used in conducting the research; What are the reasons for the discrimination of the Arab minority in the state of Israel in the mirror of Israeli law? What can be done to improve the Arab minority status in the mirror of Israeli law? And is it time of fitness to make these changes? By employing a qualitative exploration, the study provides a comprehensive analysis of current affairs and identifies key challenges and opportunities for progress. Through extensive data collection and analysis, the study reveals significant disparities in various domains, including education, employment, housing, and healthcare. These disparities disproportionately affect marginalized communities, including ethnic and religious minorities, women, people with disabilities, and socio-economically disadvantaged groups. The findings underscore the urgent need for targeted interventions to address these inequalities and promote a more inclusive society.

Keywords: Arab Minority, Israeli Laws, Marginalization, equality, Arab citizens, discrimination

1. INTRODUCTION

Multifaceted and intricate, discrimination has been the center of much discussion and debate. Although there is no widely accepted definition, it typically involves unjust treatment of individuals or groups based on personal characteristics like ethnicity, gender, sexual orientation, religion, race, and other qualities (Department of Economic and Social Affairs, 2020). The ramifications of discrimination stretch far and wide, encompassing various forms like verbal abuse, social and economic exclusion, physical violence, and the denial of fundamental rights. These actions can profoundly impact communities and individuals, causing them to feel isolated, insecure, and fearful. Loss of life, physical harm, and psychological distress are all serious outcomes of targeting others through verbal and physical damage due to perceived differences. Discrimination can create a sense of dread and animosity throughout a community, reaching far beyond the immediate harm it causes (Marzocco, 2023). These overt discrimination manifestations are dangerous and damaging.

Marginalization of certain groups is not solely limited to hostile and intentional acts. Systemic prejudice occurs when selected groups are systemically excluded from social and economic opportunities. When people are denied education, employment, and housing, they are automatically cut off from necessary healthcare, ultimately deteriorating their quality of life. This kind of discrimination is intentional and typically occurs with minorities and those more vulnerable to inequality. Clauss-Ehlers et al. (2020) state that these exclusionary practices impede people's prosperity.

In the State of Israel, extensive evidence from surveys, professional studies, legal rulings, and government decisions suggests the existence of deep-rooted discrimination against the Arab public in almost every aspect of their lives relative to the privileged "Jewish majority." This



discrimination has been extensively documented and confirmed over the years. One pivotal event that exposed the institutional discrimination faced by the Arab public was the tragic events of October 2000, during the second intifada. In response to these events, the Israeli government commissioned the Or Commission, a state legislative committee, to investigate the clashes between Arab citizens and security forces (Al-Haj & Rosenfeld, 2020). The subsequent Or Commission report revealed institutional discrimination against the Arab public in Israel, with findings that resonate today. The report highlighted disparities in the allocating resources, such as land and construction, along with residential exclusion and segregation policies.

The report unequivocally stated that Arab citizens of the state live in reality marked by discrimination. This inequality has been extensively documented through numerous surveys and professional studies and corroborated by court rulings and government decisions. Official documents, including reports from the State Comptroller, have consistently echoed discrimination, revealing a systematic pattern that affects the daily lives of Arab citizens in Israel (Rekheh, 2014).

In 2003, the Or Commission report, commissioned by the Israeli government, focused on institutional discrimination against the Arab public in Israel. It highlighted various forms of discrimination, particularly in allocating public resources, such as land and construction, and policies promoting residential exclusion and segregation. The Or Commission report unequivocally stated that Arab citizens of the state face discrimination solely based on their Arab identity. This systemic inequality has been substantiated by numerous surveys, professional studies, legal rulings, and government reports, including those from the State Comptroller (Al-Haj & Rosenfeld, 2020). Additionally, a study conducted in 2016 assessed the situation of Arab society since the recommendations of the Or Commission report were made. Despite enjoying equal civil rights and legal status under the law, the study revealed that Arab culture continues to face multifaceted discrimination, hindering the attainment of full civil equality. This study sheds light on the persisting challenges faced by Arab citizens, underscoring the need for further investigation and redress (Matza, 2018).

Previous case law also recognizes the existence of discrimination against the Arab public in various domains, such as land allocation and the classification of national priority areas. Legal cases, including the Ka'adan ruling, emphasized the importance of equal treatment in allocating state land and the prohibition of exclusive settlements for Jewish residents (Jabareen, 2020). In the Nasser case, discriminatory taxation mechanisms based on nationality were identified, violating the rights to equality and dignity of Arab residents. These cases underscored the necessity of distributing public resources, including state land, based on clear and objective criteria to uphold the principle of equality. Moreover, the Matter of the Monitoring Committee affirmed that the government's decision regarding national priority areas conflicted with the principle of equality, leading to unjust discrimination against Arab members in their right to education. It was determined that the Arab population, as a whole, has the right to an equitable distribution of state resources, including land (Haklai, O. (2013).).

The Saba case further emphasized the equal treatment required in distributing limited public resources, particularly land for housing. The court argued that even private companies awarded tenders by the state must ensure non-discriminatory land marketing, as the land ultimately belongs to the administration (Arar & Haj-Yehia, 2016). These legal arguments align with the perspective of Justice Yitzhak Zamir, who advocates for the recognition of "group rights" to achieve substantive equality. Zamir asserts that individual rights cannot be fully realized without addressing group rights, particularly in infrastructure development and resource allocation. However, inequality persists despite legal precedents and scholarly perspectives (John, 2017). The passage of the Basic Law: The Nation-State Law in MDI raised concerns about its impact on Israel's democratic values and its consequences for the Arab minority (Alayasa & Musa, 2021). Critics argue that the law, enacted without meaningful dialogue or compromise, disregarded principles of justice and fairness towards the minority community, further exacerbating feelings of alienation and exclusion.



Education is a crucial factor in shaping opportunities and social mobility. However, studies have consistently shown disparities in the education system, with Arab schools and students often receiving fewer resources and experiencing overcrowded classrooms. This leads to unequal access to quality education, hindering the potential for academic achievement and prospects for Arab students (Silberberg & Agbaria, 2020). Overcrowded classrooms further compound the education disparities faced by Arab students. In many Arab schools, classrooms are filled beyond their intended capacity, leading to limited individual attention from teachers and reduced opportunities for student engagement. This environment hampers effective teaching and learning as teachers struggle to meet the diverse needs of many students (Zajda, 2018). The lack of personalized instruction and support impedes academic progress and can contribute to higher dropout rates among Arab students. In addition to resource and classroom disparities, curriculum and instructional materials often do not adequately reflect the cultural and linguistic backgrounds of Arab students. The consequences of education disparities extend beyond the classroom. Arab students with limited access to quality education may encounter barriers when pursuing higher education or entering the job market. Higher education institutions often have stricter admission requirements, and employers may have biases that impact hiring decisions (Pestic, 2017). Consequently, Arab students may face additional hurdles in realizing their career aspirations and achieving socio-economic mobility. Efforts have been made to address these disparities and promote equal access to quality education for Arab students. Various organizations and initiatives focus on bridging the resource gap, providing additional support and mentorship programs, and advocating for inclusive educational policies. For example, the Abraham Fund Initiatives have promoted equal education opportunities and improve education quality in Arab schools through targeted interventions and collaborations with policymakers and educators.

Policies and decision-making processes in Israeli politics still lack equality, particularly regarding political representation. Arab citizens are numerically underrepresented in parliament, which restricts their capacity to exert political influence. This inequality is evident through the inability of Arab political parties to secure a substantial number of seats in the Knesset, despite comprising about 20% of Israel's populace. Consequently, the inadequate representation of Arab politicians in the Knesset restricts their ability to fashion affirmative policies that meet the demands and interests of Arab citizens. Political underrepresentation is compounded by Arab parties frequently being left out of coalition governments, robbing them of a chance to engage in the decision-making process meaningfully. This exclusion also constrains the capacity of Arab representatives to shape policies and intensifies the problem (Sandberg, 2022).

In Israeli politics, the Arab public is noticeably underrepresented. One striking example is the Joint List, which speaks for Arab interests. In the 2019 elections, it scored 13 of 120 seats, making it the Knesset's third-largest party (Rahat & Shamir, 2022). This does not reflect the actual percentage of Arabs in the populace. Political representatives from the Arab community have had scant success taking on ministerial roles in the Israeli government, which constrains their ability to participate in developing and executing policy. Advancing legislative agendas is challenging for Arab political parties, particularly when addressing their community's needs. Their proposals often face insufficient support due to the small number of seats they hold and the chaotic political environment within which they operate (Lurie, 2019).

The underrepresentation of Arab politicians and limited political influence also contribute to disparities in resource allocation. In areas such as infrastructure development, education, healthcare, and economic opportunities, the Arab public may face systematic disadvantages. This perpetuates social and economic inequalities within Israeli society (Wattad, et al., 2023).

1.2 Statement of the problem

Arab citizens residing in Israel have long been subjected to discriminatory acts that deprive them of equal opportunities and marginalize their existence. This ongoing discrimination is evident in the divides experienced within the education system and employment, unequal access to housing, unjust laws, and violent attacks targeted explicitly toward Arab citizens (Nagar et al., 2022). The



long-standing pattern of discrimination has detrimental and long-lasting effects on Arab individuals and communities, hindering their social progress and perpetuating a sense of inequitable treatment.

Arab citizens encounter compounded challenges due to discriminatory policies and laws. Their rights and freedoms are curtailed extensively by specific legislation. Examples include limited access to public resources and unequal cultural and linguistic rights. Additionally, there are restrictions on political participation (Ahmed & Cho, 2019). These measures establish Arab citizens as secondary, reinforcing systemic discrimination. Within the Arab community, there is still a lot of violence and intimidation, causing people to feel insecure and marginalized. Incidents like hate crimes, harassment, and abuse put people's lives at risk and intensify the climate of fear and aggression. If we want to stop discrimination and advance justice, we must take action to condemn these brutal acts and hold the individuals responsible accountable (Human et al., 2019). Therefore, this research is driven by these unending inequalities in Israel against the Arab community in different sectors and to find a solution to these inequalities against the Arabs.

1.3 Significance of the Study

The research on inequalities in Israel against the Arabs is significant in several ways. First, the study emphasizes the importance of equality in Israel and upholding the human rights and social justice principles within the diversified society. By highlighting the systemic discrimination faced by the Arab population, it emphasizes the need for equal treatment, fairness, and respect for the rights of all citizens, regardless of their ethnic or cultural background. The findings of this study will also inform policy discussions and advocacy efforts that aim at addressing these inequalities in society to help improve the conditions of Arabs in Israel through promoting equality. Within a democratic society, ensuring that all citizens have equal access to opportunities and can easily participate in decision-making processes shaping the collective future where no one is discriminated against, is crucial. Therefore, focusing on the challenges faced by the Arabs in Israel, this study will contribute to the discussion on democratic governance while highlighting specific issues such as equal political participation, inclusivity, and representation. This study will also help understand the challenges Arabs face through inequalities experienced in different sectors in Israel. Finally, this study adds to the broader global conversation on minority rights, discrimination, and social inequality, providing insights into the specific context of the Arab minority in Israel and enriching the understanding of challenges confronted by minority groups in multicultural societies.

2. MATERIALS AND METHODS

The qualitative methodology employed in this study is chosen specifically to delve deep into the experiences and perspectives of the Arab minority in Israel. Qualitative research is well-suited for this purpose as it goes beyond surface-level descriptions and seeks to uncover the complexity and nuances of social phenomena (Howitt, 2018). By adopting qualitative methods, the researcher aims to gain an in-depth understanding of the lived experiences of individuals within the Arab minority community, as well as the social dynamics and subjective interpretations that shape their perspectives.

3. RESULTS

In conducting a thematic analysis of the provided interview scripts, several themes emerged from the participant's responses and a number of themes had emerged:

Characteristics of the Arab Minority

The research findings revealed several key characteristics of the Arab minority in Israel. These characteristics highlight the diverse nature of their identity and shed light on the challenges and complexities they face within Israeli society. Firstly, there is a consensus among the respondents that the Arab minority in Israel is characterized by national, cultural, religious, and linguistic differences. This includes variations in political affiliation, religious beliefs (Muslims, Christians, Druze), and the



Arabic language as their mother tongue. These factors contribute to the distinct cultural heritage and customs of the Arab minority, setting them apart from the Jewish majority:

“The status of the minority varies even within the country’s treatment of the minorities within the Arab minority itself. For example, the attitude towards the Druze and Bedouin minority in the country is better than the attitude towards the rest of the Arabs, based on the ranking established by the relationship between the Jewish people and those minorities (R2)”

Furthermore, the Arab minority is seen as a cohesive society with a strong sense of community. They share common customs, traditions, and a deep connection to the land they inhabit. This shared national identity and heritage play a significant role in shaping their collective consciousness. The Arab minority’s relationship with the State of Israel is complex. While some individuals identify themselves as part of the Palestinian people, others align themselves with the State of Israel. This duality of identity creates tension and poses challenges for the Arab minority in terms of their loyalty and sense of belonging. Discriminatory legislation, such as the Nation-State Law, is cited as exacerbating these challenges and reinforcing the minority’s perception of unequal treatment.

The uncertain legal status of the Arab minority is another prominent theme. There are concerns about the potential revocation of citizenship and the vulnerability of their legal position. This uncertainty contributes to a sense of insecurity and underscores the need for greater clarity and protection of the minority’s rights. The findings also touch upon the lack of equal representation for the Arab minority in key decision-making bodies. While some level of representation exists, it is often viewed as insufficient and not adequately addressing the specific needs and aspirations of the minority. This underrepresentation is seen as a reflection of the power imbalances and marginalization experienced by the Arab minority as indicated in the sample survey response below: *“As formally defined, the Arab minority in Israel is considered citizens with equal rights at the civil level, but in the State of Israel laws, secondary laws and directives have been enacted that violate its national rights and symbols, flag, land and property laws that on the face of it are universal but are aimed at Palestinian Arab citizens, etc., and which harm the status of the Arab minority here in Israel compared to the Jewish majority (R6)”*

The economic disparities faced by the Arab minority in Israel are substantial and have a significant impact on their livelihoods. One prominent challenge is the lower participation rate of Arab Israelis in the labor market compared to the general population. This disparity results in limited equal opportunities for employment and contributes to the overall economic imbalance between Arabs and Jews in Israel. As a result, many Arab Israelis struggle to find meaningful employment, leading to lower income levels and limited economic mobility. Limited job prospects not only contribute to higher unemployment rates but also hinder the economic development and growth of Arab communities:

“In my view, the situation of the Arab minority has worsened in various aspects, particularly in the past decade, whether economically, in terms of security, employment, or equality. There is a significant gap between Arabs and Jews, for example, in the labor market participation rate, where the participation rate of Arab Israelis is lower than that of the general population in Israel. Disparities are evident in various areas.” (R1)

Despite the existence of legislation promoting equality in Israel, the Arab minority continues to face discrimination in various facets of life. While Israel has made commitments to uphold equal rights for all its citizens, the Arab minority often experiences disparities in the application and enforcement of these laws.

Discriminatory practices and policies have been observed in various aspects of Arab citizens’ lives, including housing, land ownership, and urban planning. Arab communities often face difficulties in obtaining building permits and face discrimination in housing allocation, resulting in inadequate housing conditions and limited access to essential services.

The research findings indicate that the Arab minority in Israel frequently hails from socioeconomically disadvantaged backgrounds, leading to significant disparities in accessing government services and infrastructure. Infrastructure development, budget allocation, and



integration into Israeli society are crucial areas that require improvement to address these disparities effectively. Arab communities often face challenges in accessing quality infrastructure and essential services such as education, healthcare, and transportation. There is a noticeable disparity in the development and maintenance of infrastructure between Arab and Jewish communities, with Arab areas often experiencing inadequate infrastructure, including roads, public transportation, and community facilities. This lack of infrastructure not only affects the daily lives of Arab citizens but also hinders their ability to access employment opportunities and engage in economic activities. The budget allocation also plays a role in perpetuating socioeconomic disparities. Insufficient investment in education, job training programs, and economic development projects further contributes to the economic challenges faced by the Arab minority:

“On the issue of resources and budgets, there is no fair share, and the Arabs do not receive as much as their relative share of the country relative to the Jews. The socio-economic situation and infrastructure are precarious and require greater attention from the state (R22)”

The researcher also found out that the Arab citizens in Israel often express a sense of insecurity and face discrimination in various aspects of their lives. There are concerns about the police's inadequate fulfillment of their duties and prevalent discrimination in areas such as employment, housing, and public services. Instances of discriminatory practices by law enforcement agencies have been reported, including racial profiling, excessive use of force, and inadequate response to crimes committed against Arab citizens. Such incidents erode trust between Arab communities and law enforcement authorities, exacerbating feelings of insecurity and alienation:

“In practical terms, members of the Arab minority live in difficult conditions. There is a lack of personal security, and there is prevalent discrimination in Israeli society. The police do not fulfill their duties adequately. From a legal standpoint, unfortunately, there is a lack of equality overall (R23)”

While Israel's legal frameworks espouse principles of equality, there is often a significant gap between these stated principles and the reality experienced by the Arab minority. Equal treatment in courtrooms and judicial decisions does not always translate into equal opportunities and outcomes on the ground. Arab citizens may face systemic obstacles and discriminatory practices in their interactions with government institutions, law enforcement, and the legal system. Biases and prejudices can influence decision-making processes, resulting in unequal treatment and outcomes. This inequality can be observed in various areas, including employment, housing, education, and access to public services.

The impact of legal and political factors on the prospects of equality.

The findings obtained from the opinions provided by the respondents shed light on the potential for achieving full and genuine equality for Arab citizens of Israel. The respondents' viewpoints reflect a range of perspectives, highlighting both the possibilities and challenges associated with this goal. Several respondents expressed a pessimistic outlook, stating that achieving equality is exceedingly difficult, if not almost impossible, given the current political, social, and historical context. They pointed to factors such as the dominance of right-wing regimes and a lack of attention and neglect towards the Arab minority as significant barriers to progress. The perception of a ruling majority that does not prioritize the needs and concerns of the minority further contributes to the skepticism regarding substantial change:

“Despite the commitment to equality in Israeli legislation vis-à-vis the minority, the current situation does not bode well. Over the years, racism is expanding, rearing its head, inequality is more pronounced, and the minority does not receive its rights as much as the population (R30)”

Conversely, there were others who maintained an optimistic stance, emphasizing that genuine equality is attainable if there is a sincere intention from the Jewish majority to pursue it. They stressed the importance of increased Arab participation in parliamentary elections, higher education, and key positions in society. They believe that increasing Arab representation in decision-making processes and fostering inclusivity in budget allocation and government representation can contribute



to improving the status of the Arab minority. These researchers expressed hope that positive changes will materialize in the near future.

The lack of recognition of the Arabs as natives of the land in Israeli law has significant implications for their status and rights within the country. Respondents emphasized that there is no explicit reference to the Arabs as indigenous in Israeli law, resulting in their marginalized position as second-class citizens or even subjects. This observation is particularly relevant in light of the enactment of laws such as the Nation-State Law, which has further exacerbated the marginalization and diminished the status of native-born Arabs:

“The legal status of Arabs has been reflected since the declaration of independence and through the enactment of laws and rulings of the Supreme Court. The minority strives to integrate into all areas. However, the majority marginalizes and does not attempt to understand the minority and its demands. Neglect occurs in all areas, and all rights are received as citizens of the country, but not out of a desire for shared life in all areas.” (R27)

Respondents highlighted the absence of knowledge or explicit references in Israeli law regarding the Arab minority as indigenous. They noted that the term “indigenous” is incompatible with the term “minority” commonly used in Israel. This incompatibility signifies a failure to acknowledge and respect the national and cultural identity of Palestinian citizens of Israel, ultimately blurring their unique identity within the broader society. The lack of recognition as indigenous not only reflects a disregard for their historical connection to the land but also undermines the principles of equal treatment and enforcement of rights on both individual and collective levels as indicated in the response below.

“A minority is an ethnic group with a unique culture and heritage, different ethnic groups of indigenous people have been attacked by Western culture in order to annihilate them and establish a different Western culture under them, for example: the Abergoons in Australia, the Andeans in North America, the Berbers and Amazigh in North Africa, the Palestinians, and those who survived from these groups are called a “minority” (R18))”

Respondents shed light on the differential treatment based on birthplace within Israeli law. They emphasized that while Arabs are native to the land, Jewish immigrants are considered indigenous residents and are granted extensive privileges under the New Immigrants Law. This disparity in treatment highlights a systemic inequality that exists within the legal framework of Israel. The privileging of Jewish immigrants over native-born Arabs raises concerns about fairness and equal opportunities for all citizens. Other respondents also acknowledged the existence of some laws that address the rights of the Arab minority in Israel. This limited inclusion reflects a broader pattern of marginalization and suppression that the Arab minority experiences within Israeli society:

“Fortunately, the minority is included in the Declaration of Independence, and their rights today are as native-born inhabitants who received citizenship based on their status as native-born. This is different from the status of the minority in Jerusalem, where they are residents and not citizens. There are laws that address the minority, which were enacted in the Knesset through laws proposed by Arab Knesset members. However, law enforcement is slow, and sometimes there is neglect. For example, the requirement to include the minority in public institutions up to 20% is rarely implemented, and their inclusion is barely around 3%. The minority receives rights by virtue and not as a favor. However, most of the time, the minority feels a sense of suppression and inequality within the majority society.” (R4)

The impact of the Law of Return, plays a significant role in exacerbating the differential treatment between Jews and Arabs in Israel. The Law of Return grants Jews the right to immigrate and settle in Israel based on ancestral ties dating back thousands of years. This law reflects a historical and cultural connection between the Jewish people and the land of Israel. However, the law does not extend the same right to Arab individuals who left their homes in 1948 or their descendants. This discrepancy in treatment further reinforces the unequal status of the Arab minority and contributes to their marginalized position within Israeli society:

“In Israeli law, there is no reference to the concept of “natives,” but there is something similar that further highlights the inequality and differential treatment towards the Arab minority. It is the

"Law of Return," which defines Israel as the nation-state of the Jewish people who have lived here for thousands of years. The law grants Jews the right to immigrate and settle in the State of Israel based on their ancestral ties dating back at least 2,000 years. On the other hand, an Arab who left their home in 1948 (just 75 years ago) does not have such a right." (R1)

Special recognition for the Arabs

The recognition of the unique characteristics of the Arab minority within Israeli laws was acknowledged by some respondents. They noted that certain characteristic traits, such as religion, language (Arabic), culture, and nationality, are referenced in Basic Laws and specific legislation. This recognition suggests an understanding of the distinct identity and attributes of the Arab minority in Israel. Religion, an important aspect of individual and communal identity, was mentioned as one of the recognized characteristics. Israeli laws reportedly acknowledge the religious diversity of the Arab minority, which includes Islam, Christianity, and the Druze religion. The freedom to express one's religious beliefs and practices in matters related to personal status, such as marriages and deaths, was highlighted as an example of this recognition.

Language, specifically the Arabic language, was also mentioned as a recognized characteristic. Some respondents pointed out that Arabic was officially recognized prior to the enactment of the Nation-State Law in 2018. However, they emphasized that the status of Arabic has been diminished and undermined by recent legislation, such as the Nation-State Law. This law, which designates Hebrew as the official language and downplays the value and status of Arabic, was seen as a violation of the recognition of the Arabic language as a unique characteristic of the Arab minority:

"The Arab minority in Israel is a minority that combines several characteristics: Arabic language, two main religions, belong to a group of people who are called or were formerly called Palestinian Arabs, culturally they have their own culture (male status, songs, weddings, food and culture of society and reciprocity, etc.). Another important characteristic of the Arab minority, which is a minority that lives in a very deep identity crisis and is responsible, among other things, for many of the problems afflicting Arab society, including the growing rift between adults and young people, violence, the introduction of words from the Hebrew language into daily discourse, etc (R10)"

The findings suggest that there are differing viewpoints on whether there is a difference in the legislative approach to the different ethnic groups. Some respondents argue that there is no significant differentiation in the treatment of the Arab minority's factions, while others highlight specific exemptions and differential treatment based on religion or nationality. Regarding military service, it is acknowledged that exemptions exist for the Muslim majority within the Arab minority, making it voluntary for them, while other communities like the Druze, Circassians, and Bedouin Muslims are required to serve. There are differing opinions on whether military service has improved individual rights within these communities or if it has primarily affected personal benefits without significantly impacting group rights:

"There are some laws and services that are provided to specific groups, considering the special status of these communities, such as the Druze and Circassians. Other than that, I do not believe there is significant differentiation in the treatment of the Arab minority's factions (R4)"

The findings also mention the Nation-State Law and its implications for the Arab minority, suggesting that it has diminished the status of Arabic and violated the recognition of their unique characteristics. Some respondents' express concerns about the marginalization and discrimination faced by the Arab minority due to policies enacted by the ruling majority. The limited acknowledgment of the unique characteristics of the Arab minority in Israeli laws is highlighted, particularly in relation to the Nation-State Law and its relative privileges for the Jewish majority:

"There are some laws that give weight to the Arab minority and were specifically enacted for them. However, it all depends on the policy of the ruling majority. The state and the majority always try to enact laws that make the country a Jewish state and are not willing to accept that there is a minority living in the country. They are not willing to accept a state for all its citizens but rather a Jewish and democratic state. When the state formulates policies and laws that separate



between the populations and enacts laws that harm the status of the minority, such as the Nation-State Law, it generates a feeling of marginalization and discrimination. If you go against the policy of the majority, you are considered someone who does not respect the laws, and they are not willing to hear the opinion of the minority, forcing them to abide by the rules and laws enacted against them” (R11)

The research findings suggested that the definition of the State of Israel as a "Jewish state" or "state of the Jewish people" has had a negative impact on the image of the Arab minority in the eyes of Israeli laws. Before the Basic Law: The Nation-State, the state was defined as a Jewish and democratic state. This definition left room for the recognition of the Arab minority, as it did not explicitly exclude them. However, the Basic Law: Nation-State explicitly defines the state as the nation-state of the Jewish people, and it does not mention the Arab minority at all. This definition has been seen as a way of legitimizing discrimination against the Arab minority, and it has led to a feeling of alienation and non-belonging among Arabs.


The findings also suggested that the situation for the Arab minority has worsened since the enactment of the Basic Law: Nation-State. This is because the law has opened the door to the enactment of other laws that discriminate against Arabs. For example, the law has been used to justify the demolition of Arab homes in the West Bank, and it has also been used to deny Arabs equal access to public services. The responses provided by the respondents are consistent with the views of many experts on the issue. For example, a report by the Israeli human rights organization Adalah found that the Basic Law: Nation-State "has institutionalized discrimination against Arab citizens of Israel." The report also found that the law "has created a legal basis for the further marginalization of Arab citizens and the denial of their rights."

“Legally, the Arab minority is part of the state, all citizens are equal before the law in duties and rights. In practice, this is a systematically and sometimes systematically deprived minority under the auspices of the state and its arms. We will begin investing in the education system and in the Arab student, the provision of land, repeated attempts to erase the Arab-Palestinian identity, and an attempt to separate Palestinian Arabs in the West Bank and Gaza from Israeli Arabs, even in the penal area the "egalitarian" law is interpreted differently and with stricter Arabs. This has become worse and more extreme recently when racist laws began to be enacted in the country (nationality, chometz law.)” (R20)

The researcher found out that ignoring the Arab minority in everything related to the image of the state, such as the symbol, the flag, the anthem, has a negative impact on the image of the Arab minority in the eyes of Israeli laws. This is because the symbols of the state are a way of communicating the values and identity of the state to its citizens. When the Arab minority is excluded from these symbols, it sends a message that they are not part of the state or that their values are not important. This can lead to feelings of alienation and exclusion among Arab citizens, and it can also make it more difficult for them to feel like they have a stake in the state.

The researcher found that this problem is particularly acute in the case of the Basic Law: Israel as the Nation-State of the Jewish People. This law defines Israel as the nation-state of the Jewish people, and it does not mention the Arab minority at all. This has led to concerns that the law will be used to justify discrimination against Arab citizens. The researcher also found that the problem of ignoring the Arab minority in the symbols of the state is not new. It has been going on for many years, and it is deeply rooted in the state's institutions. The researcher argues that it will be difficult to change this situation without a fundamental change in the worldview of the Jewish majority.

The restrictions in the laws combined with the system of government have a number of negative consequences for the Arab minority in Israel. These restrictions create a sense of alienation and exclusion among Arab citizens. They make it more difficult for Arab citizens to participate in the political process. They limit the opportunities for Arab citizens to reach positions of power and influence. And they reinforce the perception that Israel is not a truly democratic state. The restrictions on political participation are particularly harmful to the Arab minority. For example, the Law of Return gives preferential treatment to Jews who immigrate to Israel, while Arab citizens who



are born in Israel are not given the same rights. This creates a sense of inequality and unfairness among Arab citizens.

“From my perspective, it only amplifies the sense of exclusion and alienation within the Arab sector and does not contribute to the status of the minority or the country. If we were to share these key positions (president, prime minister, or opening the gates of the country in terms of the Law of Return) with the Palestinian Arab minority, it could only remove barriers and ultimately benefit both the country and the majority, as they cannot form a government without the Arabs. However, the Israeli-Palestinian conflict needs to be resolved for any change in the position of the Jewish majority, which currently perceives the Arab minority as a security threat, and that’s why they are excluded from these important positions.” (R9)

The claim assumes that the Arab minority is not currently equal to the Jewish majority in Israel. This assumption is supported by the fact that Arabs are more likely to live in poverty, to be unemployed, and to be under-represented in government and other decision-making bodies. However, there is no evidence to suggest that fulfilling obligations will change this situation. In fact, it is more likely that the Arab minority will continue to be discriminated against, even if they fulfill all of their obligations:

“Restrictions imposed by laws on the Arab minority, such as limitations on political participation, being a president or prime minister, and the Law of Return, have a long-term impact on further damaging and marginalizing the Arab minority.” (R2)

There are a number of reasons for this. First, the Israeli government has not made any clear commitments to granting the Arab minority equal rights. In fact, the government has taken steps that have actually increased discrimination against the Arab minority, such as the passage of the Nation-State Law. Second, the Israeli society is deeply divided between Arabs and Jews. This division is based on a number of factors, including religion, culture, and language. It is therefore unlikely that the Arab minority will be able to achieve equality simply by fulfilling their obligations. The claim that the Arab minority will have the right to seek equality when they fulfill their obligations is based on a false premise. The premise is that equality is something that is earned, rather than something that is inherent. However, this is not the case. Equality is a right that all people are entitled to, regardless of their background or circumstances. Therefore, the Arab minority does not need to fulfill any obligations in order to have the right to seek equality.

4. DISCUSSION

The study conducted an in-depth analysis of the recognition and treatment of the Arab minority within the framework of Israeli laws, aiming to understand the impact of these laws on their status, rights, and overall well-being. The research findings shed light on significant concerns expressed by respondents regarding the lack of comprehensive acknowledgment of the unique characteristics of the Arab minority within Israeli legislation.

One of the key issues identified in the study is the perception that Israeli laws do not adequately recognize the distinct characteristics of the Arab minority. While there were a few instances of exemptions granted to the Arab minority based on religion or nationality, such as exemptions from military service, these were viewed as isolated and insufficient to truly address the unique needs and identity of the Arab minority. Respondents pointed out that these exemptions did not constitute comprehensive recognition and protection of the Arab minority’s distinct characteristics in various aspects of their lives, including religion, language, culture, nationality, and lifestyle.

The enactment of laws like the Nation-State Law and the policies pursued by the ruling majority were highlighted as significant factors contributing to a sense of marginalization and discrimination against the Arab minority. Respondents expressed concern that the Israeli state and the Jewish majority prioritize establishing Israel as a Jewish state, often at the expense of recognizing it as a state for all its citizens. This prioritization was perceived as a major obstacle to



achieving true equality and acceptance for the Arab minority, leading to feelings of alienation and non-belonging among Arab citizens.

Furthermore, the study found that Israeli laws do not explicitly acknowledge the unique characteristics of the Arab minority. The promises of equality and recognition outlined in the Declaration of Independence were seen as undermined by subsequent legislation, particularly the Nation-State Law, which grants relative privileges to the Jewish majority. The exclusion of the Arab minority from the definition of the state and its identity was identified as a significant factor perpetuating feelings of marginalization and discrimination.

The study also highlighted specific restrictions and differential treatment within Israeli laws that affect the Arab minority. For instance, exemptions from military service were acknowledged, but respondents noted that these exemptions primarily apply to the Muslim majority within the Arab minority, while other communities such as the Druze, Circassians, and Bedouin Muslims are required to serve. There were differing opinions on the impact of military service, with some respondents arguing that it has improved individual rights within these communities, while others believed it primarily affected personal benefits without significantly improving group rights.

Moreover, restrictions on political participation were identified as particularly harmful to the Arab minority. Laws such as the Law of Return, which grants preferential treatment to Jewish immigrants, while Arab citizens born in Israel are not granted the same rights, created a sense of inequality and unfairness among Arab citizens. The limited representation of the Arab minority in government and decision-making bodies further reinforced the perception that Israel is not a truly democratic state.

The study concluded by calling for the recognition, equal treatment, and inclusion of the Arab minority within Israeli laws. It emphasized the importance of addressing the concerns raised by respondents and working towards a more just and inclusive society that respects the unique characteristics and rights of all citizens, regardless of their background or ethnicity. The findings of the study serve as a basis for advocating for changes in legislation to ensure comprehensive recognition, protection, and equal opportunities for the Arab minority in Israel.

It is evident that conditioning equality solely on the fulfillment of military service obligations is an incorrect and unjust approach. Equality should not be contingent upon military service or any specific obligation. This notion is further supported by the fact that the claim suggesting military service leads to equality lacks substantial evidence and fails to acknowledge the persistent discrimination faced by the Arab minority and other marginalized communities, such as the Druze. Moreover, it is crucial to recognize that the Arab minority continues to experience systemic discrimination regardless of their participation in military or national service. Fulfilling these obligations does not guarantee equal rights as long as discrimination persists. Therefore, arguments suggesting that military service should be a requirement for equality overlook the broader context, including the exemption of certain Jewish sectors, such as the ultra-Orthodox, from military service.

Instead of focusing on using military service as a condition for equality, the emphasis should be placed on addressing the deep-rooted discrimination against the Arab minority and working towards inclusive peace. This approach acknowledges the complexities surrounding the Israeli-Palestinian conflict and the challenges associated with loyalty and allegiance. True equality should be based on fundamental civil rights granted to all citizens, irrespective of their obligations. Basic rights should not be contingent upon military or national service. Therefore, it is imperative to recognize the nationality of the Arab minority within the framework of the state and bridge the gaps between the Jewish majority and the Arab minority to achieve genuine equality. The argument that military service guarantees equality is often used as a pretext to justify discrimination against the Arab minority. Consequently, the pursuit of equality should involve comprehensive efforts, including addressing systemic discrimination and promoting inclusive policies and peace-building initiatives.



5. CONCLUSION

Based on the findings of the study, several conclusions can be drawn regarding the recognition and treatment of the Arab minority within Israeli laws:

- **Insufficient Recognition:** The study reveals a general consensus among respondents that Israeli laws do not adequately recognize the unique characteristics of the Arab minority. While there are some exemptions granted based on religion or nationality, they are perceived as isolated instances rather than comprehensive recognition. This lack of recognition undermines the promises of equality and inclusion outlined in the Declaration of Independence.
- **Marginalization and Discrimination:** Respondents expressed concerns about the diminishing status of the Arab minority in Israeli legislation. The enactment of laws like the Nation-State Law and policies pursued by the ruling majority were seen as contributing to a sense of marginalization and discrimination. The prioritization of Israel as a Jewish state, rather than a state for all its citizens, further exacerbates feelings of exclusion and non-belonging among Arab citizens.
- **Limited Protection of Unique Characteristics:** Israeli laws were found to fall short in explicitly acknowledging and protecting the unique characteristics of the Arab minority, including religion, language, culture, nationality, and lifestyle. The Nation-State Law, which defines Israel as the nation-state of the Jewish people without mentioning the Arab minority, was particularly highlighted as diminishing the status of Arabic and violating the recognition of their distinct identity.
- **Differential Treatment and Restrictions:** The study identified specific exemptions and differential treatment within Israeli laws affecting the Arab minority. While exemptions from military service exist for the Muslim majority within the Arab minority, other communities such as the Druze, Circassians, and Bedouin Muslims are required to serve. Furthermore, restrictions on political participation, such as the Law of Return granting preferential treatment to Jewish immigrants, create a sense of inequality and unfairness among Arab citizens.
- **Need for Change:** The study underscores the need for changes in Israeli legislation to address the concerns raised by the Arab minority. The findings highlight the importance of recognizing and protecting the unique characteristics of the Arab minority, ensuring equal treatment and opportunities, and fostering a more inclusive and democratic society. The study serves as a basis for advocating for comprehensive recognition and equal rights for the Arab minority within Israeli laws.

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