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Investigating Israeli Democracy with a Focus on the Situation of Palestinians Residing in the Territories Occupied since 1948

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Abstract

The Palestine issue and the Israeli regime's occupation are among the most crucial matters on the global stage. The situation of Palestinians in the territories controlled by this regime, referred to as the 1948 territories, holds significant importance. Western countries have consistently aimed to present the Israeli regime as a democratic model, using the status of residents in the 1948 areas as evidence. This article utilizes a qualitative and comparative approach to address the query: What is the situation of Palestinians residing in the occupied territories of 1948 within the Israeli democracy? The hypothesis posited is that while Israel exhibits some elements of democracy based on recognized criteria, reliable statistics suggest that the Arab community does not benefit from this purported democracy to the same extent as the Jewish community, calling into question the foundational principle of the Israeli democracy. By examining reports from Israeli and international authorities, this article concludes that the Israeli regime cannot be deemed a democratic regime for all its citizens. Furthermore, the respect for human rights within this regime, particularly for the indigenous minority residing in the occupied territories, is nothing but a myth.

Keywords: Democracy, Democratic Society, Human Rights, Israeli Regime, Occupied Territories of 1948

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1. Introduction

The problem regarding Palestine and the Israeli regime's occupation has been a critical international issue for several decades. Alongside concerns such as the occupation of Palestinian lands, the forced displacement of Palestinians, and the conflicts between the Israeli regime and Palestinians in Gaza, there is substantial significance in considering the situation of Palestinians in the areas controlled by the regime, known as the 1948 lands. Palestinians in these regions, while maintaining their Palestinian identity, have eventually become citizens under the rule of the Israeli regime. The focus on Palestinians residing in the occupied territories of 1948 lies primarily on the ways in which the Israeli regime applies democratic principles and rights to these individuals. The scrutiny in question encompasses democracy, identity democracy, and human rights.

Western governments have consistently portrayed the Israeli regime as a democratic symbol in the Middle East, often using it as a benchmark for assessing democracy in other regional countries. Furthermore, there is a narrative depicting the entire Middle East as an insecure and uncivilized region, with occupied Palestine under the Israeli regime being deemed the only heaven for humanity. This article examines the fundamentals of democracy from a general perspective, and applies them in the context of the Israeli regime. This comparison is substantiated by referencing credible sources, including reports from international and human rights organizations and studies conducted within or focused on the occupied territories. It is crucial to address this issue since the behavioral compatibility with citizens and residents of governed regions based on democratic principles and laws is a component and indicator for raising human rights concerns in international institutions and structures.

The article seeks to answer a fundamental question: What is the status of Palestinians living in the occupied territories of 1948 with regards to the Israeli democracy? The hypothesis is as follows: Based on established democracy criteria, Israel exhibits some aspects of democracy. However, according to reliable statistics, the benefit to Arab society from this alleged democracy falls far short of the benefit to Jewish society, raising questions about the principle of Israeli democracy. The research method utilized in this study is based on a qualitative framework and comparative principles. The comparative research method, widely applied in the study of social phenomena, examines patterns of similarities and differences. The research attempts to match and compare the Arab and Jewish communities in the occupied 1948 territories in ten criteria based on the theoretical framework of democracy and ethnocracy:

- The right to return
- Citizenship and Civil Rights Status
- Right to family cohesion and unity
- Crime in society and police behavior
- Economic situation and participation in the labor market
- The type of participation and political behavior
- The type of judicial interaction
- Allocation of financial and natural resources
- Access to Services
- Cultural Rights

This aspect of the article's argument is innovative, as it aims to establish a balanced relationship between the Jewish and 1948 Palestinian communities, considered the indigenous minority in the occupied Palestinian territories. Presenting raw data in this format provides concrete and objective perspectives on the existing situation concerning the actions of responsible rulers.

2. Literature Review and Background

Numerous studies have been conducted in various languages on the topic under discussion. Two booktoks Kiwan (2010) deserve being mentioned, both of which have focused on the issues of Palestinians. These books, in the form of a compilation of articles, have been published by Mada al-Carmel, based in the occupied territories of 1948, and by Al-Zaytouna. The first book (Abujaber et al., 2021), part of the Al-Zaytouna Center publishing series, examines the Jewish identity and its impact on Palestinians. The second book delves into the historical, political, and social aspects of the Arab-speaking society in the occupied territories of 1948. This book is a collection of articles edited by Rouhana and Arij Sabbagh Khoury. Another book, *Palestinians in their homeland, not in their state* by Kiwan (2010), discusses racial discrimination against Palestinians within the Green Line, and provides detailed insights into Palestinian demographic, religious, educational, and economic conditions. Another significant book, *Am I Not Human?* (Ismail, 2008), comprehensively and meticulously explains discrimination, especially the implementation of racist laws and the concept of transfer for the 1948 Palestinians. Even though the book does not address democracy, it examines the relationship between racism and the 'Israeli' government, stating that 'Israel' serves as a model for a racist government and society from political, social, and legal perspectives. Additional books in Arabic worth mentioning include Al-Masri (2009), which compiles published analyses on the flaws of Israeli democracy, and Bashara (2000), which pathologically examines the conditions of the 1948 Palestinians as a minority in the Palestinian lands, and explores their relationship with identity, political Islam, and tribalism.

In English literature, Israeli authors such as Pappé (2017) have

critically addressed Israeli democracy concerning the 1948 Palestinian society and the broader 1967 Palestinian society. Meanwhile, Jones and Murphy (2002) have portrayed the challenges of democracy in this regime with a biased approach and expression in favor of Israel. White (2011) has also highlighted discrimination against the 1948 Palestinians concerning democracy, explicitly questioning the categories of Jewishness and the democratic nature of the Jewish state, emphasizing the democratic problem at the heart of the Israeli-Palestinian conflict posed by the Palestinian population in Israel.

In Persian literature, numerous scientific works and books have been written in this vein. For example, Khoshtinat Fardaghi (1383 [2004 A.D.]) examined the role of ideology in the structure of the Israeli regime in his master's thesis titled *Government, Ideology and Social Conflicts in Israel*. In his doctoral thesis, *The Impact of Jewish Fundamentalism on the Future of Israel*, Hosseini Faiq (1395 [2016 A.D.]) delineated three main types of Jewish fundamentalism (passive fundamentalism, pragmatic fundamentalism, promising fundamentalism) in its party structure and future. Among the books, *Israel's Regime and Its political-social Discontinuities* by Abdul Ali, translated by Khajoui (1391 [2012 A.D.]), is particularly informative, offering a deep understanding of the components and dynamics of the regime's structure. Nevertheless, only a few of the available works have been briefly mentioned. None of them, similar to the focus of this research, have scrutinized the Israeli democracy with substantiated statistics and measurements of the Jewish and Israeli communities, nor have they reviewed the ranking of the Israeli democracy on the international stage.

3. Theoretical Studies: Democracy and Its Human Rights Foundations

Nowadays, the concept of democracy refers to the governance of the people by the people. 'Democracy' originates from the Greek word 'Demos' and is rooted in ancient Greek political culture. In the Greek language, it signifies the people's authority, implying governance by the people themselves (Harrison, 1993, p. 3). In his book, *Democracy*, Beetham (2005) provides the following definition for Democracy:

The governance by the people, representation of the people, the party of the people, the welfare of the people, majority rule, the dictatorship of the proletariat, maximum political participation, competition among the elites for public votes, multi-party system, political and social diversity, equal rights of citizenship, civil and political freedoms, open and accessible society, civil society, and free-market economy (Beetham, 2005, p. 1).

Dahl (1971), in his publication *Polyarchy; Participation and Opposition*, has outlined eight criteria for defining democracy:

- The right to participate in elections
- The right to stand in elections
- The right of political leaders to compete for support and votes
- Free and fair elections
- Freedom of association
- Freedom of expression
- Diverse sources of information
- Institutions dependent on votes

Diamond, an American political sociologist, characterized democracy as a form of government with four fundamental components:

- A system for choosing and replacing the government through free and fair elections
- Active citizen participation in political and civil life
- Ensuring human rights for all citizens
- The rule of law ensures equal application of laws and procedures to all citizens (Nwogu, 2015, p. 131).

In general, and based on the commonalities in most definitions of democracy, democracy is grounded in these foundations and characteristics:

- The rule of law
- Separation of powers and checks and balances
- Equal civil rights and freedoms
- Political participation of citizens
- Conducting free and fair elections
- Responsible and accountable governance

Types of democracy are perceived in various ways:

Direct democracy involves the active involvement of citizens in the government's extraordinary work, either directly, indirectly, or continuously (Pickles, 1971, p. 30).

Representative democracy restricts citizens' involvement in governance to occasional and brief participation, mainly through periodic voting, reflecting an indirect exercise of power (Pickles, 1971, p. 42).

Liberal democracy is characterized by internal and external checks on the government, which aim to safeguard freedom and protect citizens from the government (Heywood, 2017, p. 221).

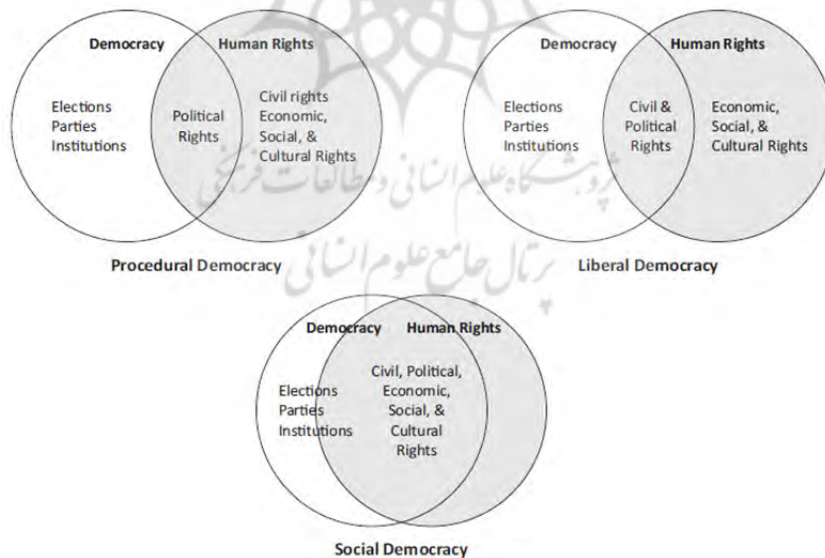
Social democracy is distinctive for its emphasis on reform within

a capitalist framework, focusing on the marginalized and vulnerable classes (Heywood, 2008, p. 103).

The principles of accountability, individual freedom, dignity, fair and equal representation, participation, and peaceful conflict resolution form the foundation of **democracy and human rights**. Upholding human rights requires a government to prevent and avoid violating their violations (Landman, 2018, p. 50).

Some argue that democracy and human rights should be granted without discrimination based on gender, race, religion, or belief (Beetham & Boil, 2020, p. 117). Beetham illustrates the relationship between democracy and human rights as two separate circles with varying degrees of overlap in a chart (Beetham, 1999, p. 94).

Figure 1. The Relationship Between Types of Democracy and Human Rights



Source: Beetham, 1999, p. 94

Different democracy rating organizations in the world evaluate democracy using 15 indicators across six areas:

1. Democratic rights and freedoms (Political rights, civil liberties, and media freedom)
2. Democratic process (Right to protest and participate in politics, as well as various forms of democratic processes)
3. Governance (Government efficiency and the rule of law)
4. Political corruption (Control and perception of political corruption)
5. Quality of regulations
6. Equitable distribution of resources

One notable aspect of democracy is the presence of influential think tanks and institutions that serve as benchmarks for global democracy assessment. One such center is the V-Dem Institute.

The V-Dem Institute (Varieties of Democracy) is located within the Department of Political Science at the University of Gothenburg, Sweden. They claim to have compiled “the largest global dataset on democracy with over 31 million data points for 202 countries from 1789 to 2022”. With the involvement of approximately 4,000 experts from nearly 180 countries, including country experts, regional managers, and project managers, the Institute evaluates hundreds of different democratic characteristics (Democracy Report, 2023; Defiance in the Face of Autocratization, 2022).

The Institute states that it receives funding through grants from governmental institutions and private foundations such as the Swedish Research Council, the European Commission, and the Marianne and Markus Wallenberg Foundation (Herre, 2022).

Reflecting its name (Varieties of Democracy), the V-Dem project acknowledges that democracy can be defined and measured in various ways. As a result, it assesses electoral, liberal, participatory, deliberative, and egalitarian aspects of democracy.

The 'Electoral Democracy' index is particularly significant for V-Dem as the Institute believes democracy cannot exist without elections. To ensure the accuracy of its assessments, it often relies on evaluations from anonymous experts, many of whom are nationals or residents of the countries under review.

Despite the data-driven nature of V-Dem's assessment, challenges arise from using data coded by experts. Rating concepts require subjective judgment, varying among experts and cases (Herre, 2022).

Given its international standing and credibility, the evaluations conducted by this institution can be crucial for examining the state of democracy in Israel. However, its criteria and methodology have been criticized, mainly due to its heavy reliance on expert opinions.

4. The Characteristics and Foundations of the Israeli Regime's Democracy

When evaluating the characteristics and foundations of Israeli democracy, two main perspectives may be considered. The first involves the opinions of leading experts and analysts, while the second considers the viewpoints of the V-Dem Institute.

4. 1. The Opinion of Experts

4. 1. 1. Ilan Pappé: The Myth of Israel's Democracy

Israeli historian, Pappé is a prominent thinker who disputes the

existence of democracy in Israel. He argues that the actual test of democracy lies in the tolerance level the country extends to its minorities. In this context, Pappé (2017) contends that Israel falls far short of being a genuine democracy. He asserts, "Israel is not the only democracy in the Middle East. Israel is not a democracy at all". Pappé (2017, p. 108) believes that the influx of easy money into the occupied territories, the potential entry of influential groups into Israeli politics, and Israel's transformation into an occupying and oppressive entity in the new territories have corrupted what was once an honest and hard-working society. Pappé (2017, p. 115) argues that the Israeli government's treatment of two Palestinian groups, refugees and Arab-Israelis, disqualifies the Jewish state from being considered a democracy by any meaningful expansion or development of this concept. According to Pappé (2017, p. 121), it is vital to challenge not only Israel's assertion of maintaining an enlightened occupation, but also its claim of being a democracy. By subjecting millions of people under its rule to such treatment, Israel's actions expose the falsity of its democratic claim and reveal it to be political fraud.

4. 1. 2. As'ad Ghanem: Hegemonic Ethnic Government

Ghanem (2010, p. 16), who works as a political science professor at Haifa University, asserts that Israel is an ethnocracy or a hegemonic ethnic government rather than a democracy. This type of system shapes and reflects the populace's identity, ideological objectives, governance principles, and practical priorities. The government establishes institutions, regulations, and resources, and authorizes 'legal' forms of force to achieve the system's objectives.

4. 1. 3. Nadim Rouhana

Rouhana and Huneidi (2017, p. 10) posit that after nearly seventy

years since the formation of Israel, it has become evident that the Jewish state is unwilling and/or unable to ensure equality for its Arab citizens. If we suppose that Israel considers them equal to Jewish citizens, in that case, it will inherently question Zionism itself as the representation of a state exclusively for Jews, where only Jews are deemed entitled to democratic rights. In order to secure exclusive control over the land of Palestine, the Zionist movement relied on ways of thinking that depicted the Palestinians as inferior, violent, and incapable of self-governance, while portraying the Jews as superior. Simultaneously, expelling and rejecting Arab citizens from the Jewish state, depriving them of their homeland both physically and symbolically as a place to call home, and denying them nationality and national identity form the three fundamental elements of the psycho-political framework of Israel as a Jewish state, enabling the dominance of the Jew over the Arab and the marginalization of the Arabs.

4. 1. 4. Sammy Smooha

Sammy Smooha also contends that Israel's approach towards the Arab minority is anchored in the principles of integration without assimilation and the withholding of national collective rights from Arabs (Katz, 2022, p. 14). The initial version of the model of ethnic democracy was first presented in Smooha's book in 1989 and his articles in 1990 and 1992 regarding Arab-Jewish relations in Israel. *Ethnic democracy* (ethnocracy) is a democratic political system that combines the extension of civil and political rights to permanent residents seeking citizenship, while granting preferential status to the majority group. This type of democracy entails the non-democratic institutionalization of the dominance of an ethnic group (Smooha, 2001, p. 24).

4. 1. 5. Yoav Peled

Yoav Peled highlights two critical points in elucidating Smooha's critique:

1. The ethnic democracy model challenges our traditional understanding of democracy based on equal citizenship.

2. Critics have also contested this model, claiming it is not democratic, it is inherently unstable, and it is inconsistent in real-world application. Additionally, it is viewed as a singular case model, applicable only to Israel and, therefore, not a suitable analytical or normative 'ideal type' that can be generalized (Peled, 2014, p. 5).

4. 1. 6. Amal Jamal

An analysis of Smooha's model points to an attempt by Israeli political sociologists to uphold the ethnic character of Israel's democracy as an unchanging ideal during a time when dynamic regimes and democratization are seen as preferable in politics. Instead of critiquing real-world situations based on theoretical ideals, Smooha's theory transforms reality into an ideal that should be pursued (Jamal, 2010, p. 412).

4. 1. 7. Oren Yiftakhel

Israel is categorized as an ethnocracy: a governing system in an ethnically diverse country that legally and formally favors one ethnic group over others (Yiftachel & Ghanem, 2004).

4. 2. Evaluation of Israeli Democracy and V-Dem Institute

The V-Dem Institute classifies countries into four groups: closed

authoritarian systems, authoritarian electoral systems, electoral democracies, and liberal democracies. In its 2023 report, the institute identifies the Middle East and North Africa as the most autocratic region globally, with 98% of its population residing in autocratic nations and the remaining 2% in Israel (V-Dem, 2023).

According to this Institute, Israel falls under the category of liberal democracies, aligning with the commonly held perception of Israel as a democratic oasis. Israel is positioned within the cluster of countries scoring between 20 and 30% of the highest marks set by the Institution and ranks 39th globally (V-Dem, 2023). However, *Haaretz* reports that this score for liberal democracy is lower than the OECD average at 0.66 (HauserTov, 2023).

It is worth noting that the judicial reforms pursued by the 37th cabinet under Prime Minister Netanyahu's leadership include a series of laws that generally curtail the powers of the Supreme Court as a supervisory body, while bolstering the authority of the government and parliament. As per a study by Israeli experts using the V-Dem Institute database, if these reforms are approved and implemented in their current form, they would alter the classification of the Israeli democracy from a liberal democracy to a selective democracy. This would decrease its score from the current 0.65 to 0.58. Israel would then be classified as a regime considered democratic only in terms of conducting elections. Such governments lack equality, minority rights, freedom of speech, and the rule of law. Researchers caution that the approval of these laws could reduce Israel's classification to that of an electoral authoritarian system, one step above closed authoritarian systems (HauserTov, 2023).

5. A comparative Study of the Ownership of the Palestinian and Jewish Communities in the Lands of 1948

This section challenges Israeli assertions about the democratic nature of the governance system by highlighting the significant disparity between the claims and the everyday reality regarding the dimensions of democracy for different citizens of this regime. Furthermore, paying attention to these disparities can transform fundamental assumptions about the type of government system in Israel.

In this section, we will present a comparative study of ten crucial criteria in two Arab communities (1948 Palestinians) and the Jewish community in the 1948 occupied territories.

5. 1. The Right to Return

The right to return consists of two aspects: one for Jews and one for Palestinians from the occupied territories. This dual definition has posed numerous challenges for Palestinians. According to the Legislation of the Israeli Parliament (Knesset) in July 1950, the right to return is recognized for 'every Jew' and holders of an 'Oleh' visa (Knesset, 1950)

It can be said that members of the Jewish community faced few restrictions in terms of entering and residing in the 1948 occupied lands. However, entry or continued stay could be restricted at the discretion of the Ministry of Interior due to issues such as criminality or enmity with the government. Until 1993, the Israeli side did not recognize the Palestinians, and considered their identity to be false. As a result, they did not acknowledge any right of return for the Palestinians. Despite the process of mutual recognition, the Palestinian right of return remains unaffected, and

the same laws governing entry into Israel also apply to Palestinians from 1948. There is no separate law of return for Palestinians (Staff, 2022).

5. 2. Citizenship and Civil Rights Status

The foundation of Israel's citizenship regime is primarily based on two laws: the Law of Return (1950) and the Citizenship Law (1952) (Harpaz & Herzog, 2018). According to the interpretation by the human rights organization 'Adalah', the third clause of the citizenship law denies Palestinians who lived in Palestine before 1948 the right to citizenship or resident status in Israel. Additionally, Amendment No. 9 (authority to revoke citizenship) for paragraph 11 in 2008 enables the revocation of citizenship due to a 'breach of trust or disloyalty to the government' (Knesset, 1952).

The Law of Return of 1952 grants the automatic and non-selective right of return to Jews, and every refugee or immigrant, except those disqualified by the Minister of Interior, has the right to citizenship in Israel. However, in 1952, non-Jewish Palestinians were granted citizenship based on three conditions: prior possession of Palestinian citizenship, registration as a resident of Israel since February 1949, and continuous registration as a resident in 1952 without leaving the country (Harpaz & Herzog, 2018).

Despite the UNRWA-approved report stating that over 700,000 Palestinians, i.e., over 85% of the Palestinian population at that time (Arihant, 2022, p. 278), were displaced during the 1948 war, they moved away from the area that became Israel and were effectively absent from this census (Davis, 1995, pp. 27-28).

It is important to note that aside from official and institutional levels, there is also public opinion discrimination against Arabs. According to a survey by The Institute for National Security Studies, nearly a third of Israelis view Arabs or 1948 Palestinians as enemies, and only 20% of Israeli Jews view them as equals, indicating unequal rights for them (JTA, 2016).

5. 3. Right to Family Cohesion and Unity

The ‘Amnesty’ organization outlined the Israeli regime's apartheid-like treatment of Palestinians in its report. According to Government Resolution No. 1813 in 2002, Palestinians from the West Bank and the Gaza Strip are prohibited from obtaining residency status in Israel or East Jerusalem through marriage. Following this, the ‘Citizenship and Entry to Israel’ law was passed the subsequent year (Amnesty, 2022, p. 98).

On March 10, 2022, the Knesset passed a resolution based on the Citizenship Law (1952) and the Law of Entry to Israel (1952). This resolution prevents Palestinian families in the 1948 occupied territories (Israeli Arabs) from obtaining citizenship if one parent is from the West Bank and Gaza Strip, Lebanon, Syria, Iraq, or Iran. Neither parents nor children can obtain citizenship even if the parent or the child has permanent residence in the Israeli regime (Amnesty, 2022, p. 98). This law affects the human rights of a society and concerns family members living together. While justifications are given for security reasons, denying such a right goes against fundamental human rights and dignity.

5. 4. Crime in Society and Police Behavior

In the year 2023, from January to April, there were 42 reported

murders in the Palestinian community of 1948. However, only two of these cases, located in Shu'afat camp and Jisr az-Zarqa, were solved by the police. In the same period, the Jewish community experienced 12 murders, and all suspects, except for two cases nearing resolution, were apprehended by the police (Breiner, 2023). It appears that specific necessary measures to address racist behavior and language within the police force have not been implemented. A key issue highlighted in this context is that in Zionist literature, a 1948 Palestinian or an Arab individual is often seen as a potential security threat, which can significantly influence the mental perceptions of police officers.

5. 5. Economic Situation and Participation in the Labor Market

The Palestinian community residing in the 1948 territories faces specific economic and livelihood challenges. On one hand, they encounter obstacles related to the compulsory military service requirement for access to the job market. On the other hand, the macroeconomic policies and societal biases mentioned earlier place them in a precarious position within the society where they constitute a native minority.

According to a report by Amnesty published in 2022, Israel mandates military service for Israeli Jewish men and women, as well as Druze and Circassian men. However, the 1948 Palestinians are exempt from this obligation and are not allowed to serve in the military. This system provides various benefits for individuals with a military service record, to which Arab society lacks access. Employment, housing, and educational opportunities are some privileges from which the Arab community is excluded (Amnesty, 2022, p. 83).

Although the position of Arab men in this index is better than that of Haredi men, the situation for women is much bleaker, with figures ranging from 30-42%. Another area highlighting the disparity between the Arab and Jewish communities in the economic sphere is the wage gap and the concentration of the former in specific sectors.

Manual, physically demanding, low-skilled, menial, and low-paying jobs in the Israeli society are predominantly occupied by 1948 Palestinians. For instance, they are underrepresented in the information sector. Nearly half of Arab men are engaged in skilled labor within industries such as construction, manufacturing, and agriculture, in contrast to a much lower percentage of Jewish men (19.4%). These roles are characterized by extended working hours, high physical strain, and below-average wages. Additionally, many Arab male and female employees work in unskilled positions (Haj-Yahya et al., 2022).

This discrepancy is striking in the context of poverty rates in the Israeli society. Prior to the onset of COVID-19 in 2018, approximately 45.3% of Arab families were living below the poverty line, even after government assistance. Among Arab children, the poverty rate was 57.8%. In contrast, the poverty rate within the Jewish community was significantly lower, affecting 13.4% of families. The corresponding figure for Jewish children was 21.2% (CBS, 2022).

5. 6. Type of Participation and Political Behavior

In the Israeli regime's political system, Palestinians residing in the 1948-occupied territories possess the right to participate in voting and to establish political organizations, albeit with certain

limitations. While this may seem democratic, it is essential to consider several factors:

- The Israeli regime operates under a party-parliamentary system in which parties in the Knesset collaborate in legislative and governmental activities, particularly when none hold a majority.
- Minority parties in the Knesset can still influence the passage of coalition laws based on the luck of different parties within the coalition.
- However, Palestinians cannot exert significant influence in the Knesset due to the absence of these characteristics.

The substantial voter turnout in Knesset elections can be attributed in part to the military rule and the prevailing conditions for Palestinians in the occupied territories from 1948 to 1967 (Mustafa, 2022).

Regarding the increase in the threshold for entering the Knesset, it is noteworthy that this threshold was set at 1% until 1992. It was then raised to 1.5% in the 1992 elections and 2% in the 2003 elections; by 2014, it had reached 3.35% of the total votes (Zilber, 2014).

The most significant threat to minorities in Israel is that, in order to enter the Knesset, they must form a coalition based on the voting community statistics; otherwise, they risk being excluded from the parliament.

Parties and politicians representing the 1948 Palestinians often express support for Palestinians in Gaza and the West Bank during conflicts and military operations in these regions, citing racial, ethnic, and religious connections or criticizing the Israeli governance. However, this is often considered a breach of the law. As a result, they may face legal accountability in the Israeli

Supreme Court if Jewish parties complain, potentially resulting in a ban on their political involvement.

Regarding the participation of 1948 Palestinians in government coalitions, it is worth mentioning that from 1948 to 2021, Arab parties did not partake in the cabinet coalition. The Ra'am party, led by Mansour Abbas, broke this pattern by participating in the government coalition under the right-wing leadership of Naftali Bennett. Notably, their support was external to the coalition, as they did not attend its meetings, and their party was not listed among the members of the 36th Israeli coalition (Elsana, 2021).

Similarly, the situation concerning Arab membership in crucial Knesset committees remains unchanged (Lis, 2017).

Based on a statistical study conducted by the authors of this article, among the 2,520 seats across 21 Knessets, representatives from non-Zionist parties accounted for 148 seats. Most Arab parties in the Knesset are associated with the Internal Affairs and Environment Committee and the Education and Culture Committee. Consequently, this trend suggests that Arabs primarily manage their affairs and have limited involvement in the overall governance of the Jewish state.

5. 7. The Type of Judicial Interaction

According to the 1948 Palestinians, there is a perception that the judicial system favors the Jews in disputes. A study conducted before the start of the constitutional revolution in Israel suggests that there was clear judicial discrimination against the Arab community. A February 1998 study at the University of Haifa revealed that Arab citizens in the Israeli justice system received harsher punishments compared to Jews (Canadian Immigration and Refugee Board, 1999).

Approximately 40% of criminal prisoners are Arabs, almost double the proportion of the general population, and Arabs are almost four times more likely to be imprisoned than Jews. Additionally, Arab offenders are more frequently given prison sentences compared to Jewish offenders (Rabin, 2015, pp. 233-244).

From 2017 to 2022, 84% of crime victims in the Israeli society were Arabs, according to *Haaretz* newspaper (Maanit, 2022). Despite numerous requests by civil society organizations to repeal laws harming the Arab community, they have been unsuccessful. As of 2019, only 8.4% of judges in Israel's legal system were Arab (Ron & Khalaily, 2023).

5. 8. Allocation of Financial and Natural Resources

In discussing the development of Arab-inhabited areas in the occupied lands in 1948, it is essential to consider their exclusion from major national development plans. The exclusion of Arab regions from these development plans, particularly in regions with national priority, impacts their income. Arab institutions receive only 33% of their total revenues from tax revenues, comprising 66% of local institutions' revenues (A Threshold Crossed, 2023).

Furthermore, the subsidies received by Arab territories are insufficient to meet their reasonable needs. They are lower than the subsidies received by local Jewish institutions in Israel and even lower than the subsidies received by Israeli settlements in the occupied West Bank (Amnesty, 2022, p. 179).

The allocation of land and natural resources also shows a significant discrepancy between the Jewish and Palestinian communities of the 1948 territories. The coalition agreement of the

37th cabinet in 2022 emphasizes the exclusive and undeniable right of the Jewish people to all areas of the land of Israel. Additionally, the agreement promotes and develops settlements in different parts of the land of Israel, signaling a superiority-seeking view against other non-Jewish population segments (Knesset, 2022).

5. 9. Access to Services

The lack of recognition of villages in the northern Negev desert is this area's primary source of inequality. These villages are at constant risk of demolition, facing a disproportionate amount and speed of destruction compared to other areas. By 2020, these villages had approximately two thousand demolition cases. Additionally, residents struggle to obtain permits for existing structures (Sikkuy Aufoq, 2020).

Individuals resort to informal or illicit markets. Women are particularly vulnerable to this form of borrowing and often pay a high price, sometimes even with their lives. According to banking supervision reports, between 2018 and 2021, 82% of loans were granted to the Jewish community, while only 1% were extended to the Arab community (Daher, 2023).

5. 10. Cultural Rights

Several vital issues exist within the cultural domain. One of the major concerns is related to the Arabic language, which serves as a critical element of the culture and identity of the indigenous minority in the territories occupied in 1948. It also holds significance as part of the heritage and ancient language of many Sephardic Jews. However, the Basic Law of the State of Israel, which emphasizes the supremacy of the Hebrew language as the

primary language of the state in the 1948 occupied territories, has marginalized the status of Arabic (Knesset, 2018).

Another significant issue pertains to education. In the academic year 2021-2022, approximately 437,000 students were enrolled in Arabic schools, constituting 24% of the total student population. However, these students still face challenges regarding classroom support and educational resources. These difficulties are particularly pronounced in the Negev region, especially in unrecognized villages (The Inaugural Annual Statistical Report on Arab Society in Israel, 2022).

In 2021, the Ministry of Education of Israel disclosed that the budget allocated to the Arab education system is 20-40% lower than that of the Jewish system. Arab schools also receive fewer staff training days, reduced investment in special programs and supervision, and experience numerous deficiencies in basic physical infrastructure such as computers, science labs, and libraries. Additionally, there is a significant underrepresentation of Arabs in senior positions within the education system, including the Ministry of Education. The curriculum followed by the ministry overlooks Arab culture, history, and literature (Gad, 2021).

A survey conducted in 2017 revealed that half of the 1,300 Arab students in Hebrew universities experienced racism from academic staff and a lack of support for the Arabic language. Scholarships and grants are also disproportionately awarded to Jewish students over Arab students (Kadan, 2020; Zur, 2017).

6. Conclusion

In the final summary of the issues related to Palestinians, it can be

stated that the disproportionate behavior of the Israeli regime towards the Palestinians has been used to justify anti-Palestinian actions, and this is significant for the 1948 Palestinian community residing in the territories under Israeli control. The Israeli regime has used this view to justify many of its actions, while global public opinion, perceiving the regime as democratic, has been passive towards Palestinian rights. Even human rights institutions have overlooked this aspect, highlighting a significant flaw in the global attention to the Palestinian issue.

The dual definition of the Right of Return for the Jewish and Arab communities in the 1948 territories has resulted in population superiority and a significant increase in size through immigration. The right of Jews worldwide to return to the occupied lands of 1948 has been limited in very few cases, with the Minister of Interior being granted extensive powers in this regard.

In terms of citizenship and civil rights, the number of 1948 Palestinians obtaining Israeli citizenship is minimal. Since the establishment of the Israeli regime, citizenship registration and granting to 1948 Palestinians has been done purposefully and under inappropriate conditions based on demographic considerations to ensure the Jewish majority. The Minister of Interior has been given extensive powers to revoke citizenship, and the Supreme Court has supported the deprivation of citizenship based on breach of loyalty. The court has not been clear about equality between Jews and 1948 Palestinians, creating room for discriminatory laws in favor of Jews. The Israeli regime has provided full democratic equality and civil rights to its Jewish citizens. However, it has not extended this equality to its Palestinian citizens, who are not equal to Jews in many civil rights, including social security, education, welfare, and access to land and state resources.

Regarding the right to family cohesion and unity, the government's Resolution No. 1813 in 2002 prohibits Palestinians from the West Bank and the Gaza Strip from obtaining residency in Israel or East Jerusalem through marriage. The Knesset approved a resolution on March 10, 2022, based on the Citizenship Law (1952) and the Law on Entry into Israel (1952), depriving Palestinian families in the occupied 1948 territories (Israeli Arabs) whose one parent is from the West Bank and Gaza Strip, Lebanon, Syria, Iraq, and Iran of the right to family reunification. As a result, neither the parent nor their children can obtain citizenship even if they have permanent residence in Israel. The citizenship law is deemed racist and has been enacted for political purposes to control the Palestinian population, especially in Jerusalem. This law separates Palestinian families and makes it challenging to safeguard the rights of women and children.

The level of crime and police behavior serves as a criterion for comparing the Jewish and 1948 Arab communities. Statistics from 2023 reveal that 5% of murder cases are solved in the Arab community, compared to 83% in the Jewish community. Based on statistics, academic studies, and the report of the anti-racism governmental unit on police misconduct, it is evident that there are severe issues in the behavior of the police. Furthermore, when compared, the situation of the Jewish community is notably better than that of the Palestinian community. Over seven decades, successive Israeli governments have created gaps in economic status and labor market participation through policies and actions aiming to limit Palestinians' access to the labor market in order to prioritize Jewish Israelis' access.

The restrictions on forming a party or entering electoral competition are much more challenging for the Arab community

due to legal provisions, unlike in Jewish society. Arab representatives in the Knesset are primarily associated with the Internal Affairs and Environment Committee, followed by the Education and Culture Committee. Overall, it can be inferred that Arabs are confined to managing their affairs exclusively and do not partake in the overall management of a Jewish state.

The prevailing sentiment among 1948 Palestinians is that the judicial system is biased in disputes and predominantly favors Jews. According to data from the Israel Democracy Institute, as of 2019, only 8.4% of all judges in the Israeli legal system are Arab. In general, it can be concluded that the Jewish community in the 1948 occupied territories has benefitted more than the Palestinian community from the judicial system, especially the rulings of the Supreme Court.

When discussing the development of Arab-inhabited areas in the occupied lands of 1948 and the allocation of financial and natural resources, we can address their exclusion from major national development plans. These regions have been omitted from plans aimed at establishing industrial areas and reaping their benefits; they are not included in priority development plans and projects, and there are disparities in the budgets of Arab and Jewish local institutions. Additionally, government lands and natural resources are allocated in favor of the Jewish population.

In assessing the services provided to Jews and Palestinians living in the occupied territories of 1948, a stark inequality is evident in the case of unrecognized villages located in the northern Negev desert. This manifests in issues such as preferential treatment in loans granted to citizens, particularly favoring the Jewish community. Discrepancies are also apparent in the cultural rights of the two communities.

An example of this is the disparity in the status of the Arabic language and pre-university and post-graduate education. In terms of language, those proficient in Hebrew are more likely to learn Arabic. At the same time, Arabs are often treated as outsiders and pressured to learn Hebrew to access facilities and benefits. The Jewish community has a clear advantage in language, communication, and education matters.

Applying the indicators of the V-Dem Institute to the evaluation of the Israeli regime, it becomes apparent that these do not cover all aspects related to ensuring a comfortable life for other ethnic groups and minorities. Criticisms primarily focus on enacting biased laws in the parliament, inequality in civil rights, economic, political, and social matters, and welfare affairs. The criticism extends to political conduct, power distribution within Arab social groups, educational disparities, and inequitable allocation of resources, including land, budget, and other natural resources. The judicial system also shows biases in providing fair access to judicial institutions and cultural rights. Therefore, applying these criteria within the Israeli context is inconsistent and reveals several shortcomings.

The V-Dem Institute's workflow emphasizes the involvement of experts. Despite the institute's policy of keeping the identity of its experts confidential, there is a need for further clarification on this matter. The lack of transparency does little to dispel suspicions of political and ideological bias in their work. Equality, a fundamental aspect of democracy, is a contentious issue in the Israeli society, with practical evidence of unequal treatment. The Basic Laws of the Israeli regime, including the establishment of the state as a Jewish nation, ensure rights in favor of Jews, raising questions about its classification as a liberal democracy. The extent of equal

civil rights, freedoms, and political participation of 1948 Palestinian citizens within the Israeli regime is highly questionable. While free elections are held, the influence of bans on Arab parties undermines their effectiveness.

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Declaration of the Use of AI and AI Assisted Technologies

This article was not authored by artificial intelligence.

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The authors avoided data fabrication, falsification, plagiarism, double publication/submission and any form of misconduct against publication ethics. Authors have properly cited all sources of ideas, words, and materials including pictures, charts, tables and statistics used in their paper.

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The dataset generated and analyzed during the current study is available from the corresponding author on reasonable request.

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