

Citizenship in Israel: Borders, Land, and Ethnicity

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*To define the State of Israel as a Jewish State is the key to its end*¹.

Introduction

Three events occurred in the last five years have substantially changed - or at least challenged - the mechanisms through which the Israeli citizenship is acquired. They are the *Nationality and Entry into Israel Amendment Law*, approved by the *Knesset* in 2003; a government decision related to granting citizenship to foreign workers' minor children, adopted last year; and a proposal of law dealing with non-Jewish relatives of Israeli citizens who have acquired citizenship under the Law of Return, which is still under discussion within the government. Despite addressing very different cases, these three juridical acts are related to the unique sensitive issue of granting the Israeli citizenship to non-Jews, either Palestinians from the West Bank and Gaza, foreign workers' minor children, or non-Jews mainly coming from former USSR countries.

The first part of this paper deals with the different political science definitions of citizenship, and with the various theoretical citizenship discourses applicable to the Israeli case. In particular, the paper will present what Yoav Peled defined as *ethno-republican* discourse, which I consider the most useful approach to understanding the Israeli citizenship.

In the second part, after having explained the different possibilities to get the Israeli citizenship, recent changes and challenges to such mechanisms will be analyzed. In particular, the paper aims at demonstrating that these changes are strengthening the ethno-nationalist discourse, by minimizing the number of non-Jewish people who are entitled to get the citizenship.

Finally, in the last part of the paper, the debate related to citizenship will be put in connection with a second one, whether Israel should remain a "Jewish and democratic state", or should become a "state for all its citizens". Citizenship, and specifically the way it is acquired, is a crucial issue in this debate, because reducing the possibility for non-Jews to get the Israeli citizenship ends by strengthening the Jewish character of Israel, while the contrary reinforces its democratic nature.

The Israeli population. Some Figures.

Before getting to the core of this paper, it is important to underline two issues.

First of all, in this paper I will not deal with the occupied Palestinian territories (oPt), but I will refer to Israel as it was shaped at the end of the 1948 war (Israel-1948), without Gaza (which is still somehow occupied despite the disengagement, since the Palestinian Authority is not in charge of the air-space and the sea territorial waters), the West Bank, and East Jerusalem. The fact that Israel does

¹ A. Burg, interviewed by Ari Shavit, *Haaretz Magazine*, June 8, 2007.

not have defined borders except with Egypt and Jordan - the oPt are still under occupation and they are perceived by a relevant part of the Israeli leadership and establishment as an integral part of the territory of the state - creates a huge confusion in terms of citizenship, which applies to the Jews living in the settlements spread all over the oPt, but it does not to the Palestinians living in the same territories. At the same time, Palestinians living in East Jerusalem are not Israeli citizens, and they are defined as permanent residents, thus having a different *status* both from Israeli citizens and from the Palestinians of the West Bank and Gaza. Therefore, in the area included between the Mediterranean and the Jordan river – the Israeli state and the Palestinian non-state – there are different citizenships which apply to people without connection to the territory they live in².

Yet, in this paper, I won't deal with these issues, and I will concentrate only on the Israeli citizenship, that is to say the one which applies to different nationalities, Jews, Arabs, Druses, Circassians and “others” in Israel-1948³.

Secondly, some figures are worth mentioning, to clarify the composition of the Israeli population. By the end of 2005, Israel had a population of 6,990,700 people. Of these, 5,313,800 were Jewish (75%); 1,377,100 were Arab (19,7%) and 299,800 were defined “others”, mainly non-Jewish relatives of Jewish newly immigrants.

Therefore, Israel is a nation-state composed of a high majority of a national group (Jews) with a significant minority of another national group (Arabs). The main peculiarity of Israel is that this minority is still growing faster than the majority, and this makes large sectors of the majority worried for future trends. The growth rate of the Israeli population in 2005 was 1,95%, distributed as such: Jewish rate was 1,5%; Christian rate 1,4%; Druze rate 1,9%; Muslim rate 3% (Bassok, 2006). The Palestinian population was growing faster than the Jewish one, even if data demonstrate that there has been a decline in the Palestinian fertility rate, not only among Christians, but also among Muslims. While the average general fertility rate (GFR) remained 4,7 children per woman between 1985 and 2000, in 2005 it decreased to 4 children per woman, compared to 2,7 children per Jewish woman, to 2,6 children per Druze woman (it was more than 4%, twenty years ago) and to 2 children per Christian woman (it was 2,3 during the '90s) (Ilan, 2006 a).

As a consequence of these rates, according to the Israel Central Bureau of Statistics figures published in April 2006, Muslims will represent 20% of the entire Israeli population by 2025, with an overall non-Jewish population being 30% (Tal, 2006). To a significant part of the Jewish Israeli

² The existence of «a multiple and hierarchical citizenship framework» within the Israeli state is the topic of Gershon Shafor and Yoav Peled's extensive study (Shafir – Peled 2002: 22).

³ In Hebrew, there are two different words, nationality (*leom*) and citizenship (*ezrachut*), even if in some cases these are used as synonymous. For example, the *Israel Nationality Law* is often referred to as *Israel Citizenship Law*. In the new Israeli ID cards, the two words are used together as different items: there is *ezrachut* (Israeli), and *leom*, which is not filled in. Until a few years ago, the item *leom* meant either “Jewish”, or “Arab”, or “Druze”, or “other”. On the contrary, in the passports only the item *ezrachut* (in the Hebrew characters) is used, translated in the English with the word nationality.

society, this is considered quite dangerous, and this is the reason why demography has become a very sensitive issue that politics is increasingly taking care of.

Citizenship's Definitions and Profiles. The Case of Israel.

A clear definition of citizenship is the one used by Nils Butenschon, who described it as «the contractual relationship between the state and the inhabitants under its jurisdiction» (Butenschon 2000: 4).

In order to define this relationship, especially in terms of historical development, T. H. Marshall has identified three different stages in the construction of citizenship: *civil* citizenship, which provides each individual with rights concerning freedom and security in a system of rule of law (rights to property, personal liberty, and justice); *political* citizenship, which guarantees the participation in the political arena (rights to elect and be elected); and *social* citizenship, which encompasses rights to social security and welfare. Marshall's theory is very useful in describing the way citizenship concretely evolved in the European context after the end of World War II, but is less useful in other contexts, such as the Middle East.

In fact, in this area, another definition seems to be more effective. Uri Davis envisages a difference between a passport citizenship (*jinsiyya*), which provides people with «the right to abode» in the territory of the state where they are citizens, and a democratic citizenship (*muwatana*), which recognizes to single individuals equal access to civil, political, social, and material resources of the state where they are citizens (Davis 2000: 53-54). Compared to Marshall's theory, Davis considers access to material resources a fundamental element in the democratic citizenship. This issue is quite useful for the purpose of this paper, the Israeli citizenship, since there is a huge difference between the material resources (land in particular) Israeli Jews are entitled to and the ones Israeli non-Jews are not. As Uri Davis states

the Palestinians (...) were allowed equal access to civil and political rights, including participation on equal footing in the electoral political process, but are denied access to the social and material resources of the state. (...) Thus the Palestinian citizens of Israel have equal access to the courts of law (civil rights) and (...) to the political process of voting and elections (political rights), but not to the welfare and educational resources of the state (social rights) or to its land and water resources (economic rights). The distinction thus reveals two separate classes of Israeli citizenship, segregating between nearly one million Palestinian citizens of Israel versus more than four million Jewish citizens (Davis 2000: 54-55).

Uri Davis' definition is very interesting because it highlights the existence of two different citizenships in Israel, the *muwatana* one, which applies to Israeli Jews, and the *jinsiyya* one, which concerns Israeli non-Jews and forbids from full access to state resources.

Yet, the best way to understand the difference between the citizenship which applies to Jews and the one which applies to non-Jews is what Yoav Peled proposes. In Israel, according to Peled, there are three different discourses of citizenship, the *liberal*, the *ethno-nationalist*, and the *republican* one, which have led to the creation of «two types of citizenship: republican for Jews and liberal for Arabs. Thus, while Jews and Arabs formally enjoy equal citizenship rights, only Jews can exercise their citizenship as practice, by attending to the common good» (Peled 1992: 432).

The *liberal* citizenship can be labelled as a set of rules that define the relationship between the nation-state and the individual, in terms of rights and obligations that each member has from/towards the state. According to this model, each citizen has equal rights and duties as everybody else, and the state is neutral in its policy towards all citizens.

According to the *ethno-nationalist* notion of citizenship - which was born in Eastern Europe as a consequence of the XIX century national movements, based on the idea that belonging to a particular nation was due to common blood and race (Herder's nation), and not to common values (Mazzini's nation) – citizenship is «understood as an expression not of individual rights but of membership in a homogeneous community of descent» (Peled – Shafir 1996: 396). Therefore, being citizens means being part of the *volk* which constitutes the state community, and there is no possibility for those who are not members of the national community to become citizens of the state.

The *republican* citizenship is a set of practices that each citizen experiences while participating in determining, protecting, and promoting the common good, the *res publica*. This is the new element the republican citizenship introduces. The state is not neutral any more, and citizens are considered belonging to a sort of cooperative enterprise, in the strictly etymological sense of the word, *co-operare*. The more citizens contribute to common good, and the more they experience their citizenship. The main question is: who does belong to the community whose common good each citizen contributes to promote? The best way to be part of it is to be born in the territory of the state, as it happens in the United States, the main current example of republican citizenship, where *ius soli* determines the way to acquire the American citizenship. But what does happen to those who are not able to belong to this community, either because they are not born there or because they are not able to get citizenship in any other way? One possibility is that they won't be able to benefit of any right. A second possibility is that they are granted liberal citizenship, which provides them with rights, but excludes them from defining and promoting the common good.

In Israel, according to Peled, «the tension between the ethno-nationalist and liberal discourses was mediated by the republican discourse, in which Jewishness was conceptualized not as a particularistic attribute but as a contribution to the fulfillment of Zionism, an essential component in the civic virtue of Israelis» (Peled 2005: 2). The *Yishuv* (the Jewish community living in Palestine before the birth of the state) - and later Israel - was characterized by a deep and strong sense of mission, building a

Jewish state, for an ethnically defined community, the Jewish people. Jewish individual rights were considered a secondary aspect compared to the Zionist mission the state had to fulfill, “the ingathering of the exile”, i.e. building a state of the Jews and for the Jews. Therefore, a liberal notion of citizenship was soon overcome by a republican notion; Israel could not be a neutral state, but was finalized to promote the common good of the Jewish people. This is why Peled has created the term *ethno-republicanism*, because «Jewish ethnicity is a necessary condition for membership in the political community, while the contribution to the process of Jewish national redemption is a measure of one’s civic virtue» (Peled 1992: 435).

The main consequence is that Arab Palestinians – those who remained in Israel after its birth – were totally excluded from being part of the Jewish community and from participating in the promotion of the common good, the fulfillment of the Zionist dream, which the state of Israel was carrying out. The only possibility they had - and Israel gave them - was being granted a liberal citizenship, while Jews were experiencing a republican one.

The *Declaration of the Establishment of the State of Israel* – proclaimed by Ben Gurion on May 14, 1948 - confirms the tension Peled refers to. In fact, in the same text, it is declared «by virtue of [Jewish] natural and historic right (...) the establishment of a Jewish state in Eretz-Israel» whose main aim is «the ingathering of exiles». But it is also stated that the state would «foster the development of the country for the benefit of all its inhabitants» and would «be based on freedom, justice and peace (...); ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; (...) guarantee freedom of religion, conscience, language, education and culture; (...) safeguard the Holy Places of all religions». The consequence is a compromise between a state that clearly fosters a common good for its national group, the Jewish people, and at the same time safeguards the rights of a minority group, the Arab Palestinians. Therefore, two citizenships were born out of the birth of Israel, the republican one, and the liberal one.

Also the various mechanism to get the Israeli citizenship confirm this distinction and the predominance of an ethno-nationalist discourse over a liberal one.

The acquisition of Israeli citizenship.

In the Treaty of Lausanne, signed on July 24, 1923 – the treaty of peace that recognized the existence of the Turkish republic inside the new borders of the peninsula of Anatolia – citizenship was addressed in article 30, which stated:

Turkish subjects habitually resident in the territory which in accordance with the provisions of the present Treaty is detached from Turkey will become *ipso facto*, in the conditions laid down by the local law, nationals of the State to which such territory is transferred (Davis 2000: 62).

Therefore, according to the Treaty, Palestinian citizenship would be acquired by those Turkish subject who were resident in the territory of the newly established British Palestine.

The British Mandate included such a principle, but it also introduced the possibility for Jews to become Palestinian citizens. Since it was considered a duty of the Mandatory to «secure the establishment of the Jewish national home» (art. 2), article 7 stated:

the Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

At the same time, article 15 dictated that

no discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion, or language. No person shall be excluded from Palestine on the sole ground of his religious belief.

For this purpose, on July 24, 1925, the first Palestine Citizenship Order was enacted, which accepted both the principle of the Treaty of Lausanne and what had been stated in article 7 of the Mandate. Palestinian citizen was every «Turkish subject habitually resident in the territory of Palestine», but it was foreseen the acquisition of citizenship by Jewish immigrants as well.

With the birth of Israel, things radically changed.

Between May 14, 1948 and July 14, 1952, when the *Israel Nationality Law* came into force, Palestinian non-Jewish citizens who had remained inside the territory of Israel after its birth became virtually “stateless”, because the Palestinian citizenship was considered expired with the birth of Israel. Only after the entry into force of the *Israel Nationality Law*, Arab Palestinians were allowed to get the Israeli citizenship according to some fixed criterias, mainly residence.

Yet, before focusing on the *criteria* through which it is possible to get the Israeli citizenship, let us concentrate on a general issue. Israeli citizenship is based on “a revised version” of the principle of *ius sanguinis*. It means that whoever is born of at least an Israeli citizen is Israeli citizen. This might seem odd, since Israel is apparently a migration country, and normally migration countries grant citizenship on the basis of *ius soli*. But this is not strange at all, because Israel has added to the *ius sanguinis* another *criterium*, the acquisition of citizenship “by return”, but the return of Jews only.

In fact, the *Law of Return* – which does not grant citizenship, since this it is up to the *Israel Nationality Law* on the basis of the return regulated by the *Law of Return* - issued in 1950 and amended in 1970, grants the right to enter and settle in Israel to (almost) all Jews⁴. As to the definition of a Jew, the 1970 amendment accepted the definition given by the *halacha* (Orthodox religious law), since it stated that a Jew is «a person who was born of a Jewish mother or has become

⁴ Apart from those who (1) are engaged in an activity directed against the Jewish people; (2) are likely to endanger public health or the security of the state; (3) have a criminal background that might endanger public order (Law of Return).

converted to Judaism and who is not a member of another religion». But, at the same time, it also stated that «the rights of a Jew under this Law (...) are also vested in a child and a grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew and the spouse of a grandchild of a Jew, except for a person who has been a Jew and has voluntarily changed his religion».

The purpose of the Law of Return is quite clear; it carries out the obligation foreseen by the Declaration of Establishment of Israel, the “ingathering of exiles”, so to create a state of the Jews and for the Jews.

The consequences of this are very clear in terms of citizenship. And they can be fully understood if we read what Ben Gurion⁵ said during a speech he delivered while presenting the *Law of Return* to the *Knesset*. The *Law of Return* - and the related *Israel Nationality Law* – clearly confirm the ethno-republican discourse behind the Israeli citizenship, since the two laws

determine the character and the special mission of the State of Israel as a state bearing the vision of redemption of the Jewish people. (...) It is not a Jewish state merely because Jews are the majority of its population, it is a state for Jews everywhere, and for every Jew who wants it.

(...) The Law of Return (...) embodies a central purpose of our state, the purpose of the ingathering of exiles. This Law states that it is not this state which grants Jews from abroad the right to settle in it, but that this right is inherent by virtue of one's being a Jew, if one wishes to settle in the country. (Davis 2003: 202).

But at the same time, these laws reaffirmed the liberal discourse of citizenship. In fact, Ben Gurion also declared:

in the State of Israel Jews do not have privileges denied to non-Jewish citizens. The State of Israel is based on the full equality of the rights and duties of all its citizens. (...) But it is not the state which grants the Diaspora Jews the right of return. This right precedes the State of Israel, and it was this right which built the State of Israel. This rights originates from the historical bond between the fatherhood and the nation, which was never severed. The law of nations has recognized this bond in practice. (...) The Law of Return has nothing to do with immigration laws. It is the law of perpetuity of Jewish history; this law asserts the principle of sovereignty by force of which the State of Israel was established. It is the historical right of any Jew, wherever he is, to return and settle in Israel.

(...) The Citizenship Law completes the Law of Return and states that by force of the fact of immigration to Israel the Jew becomes a citizen in the fatherland, and has no need of any further act of formality, or any condition apart from the will to settle in the country and live in it (Davis 2003: 203).

The consequence is quite clear. The community whose common good the state of Israel is promoting is only the Jewish nation, whose members have an historical right to be citizens of the

⁵ See Yanai 1996.

state. Therefore, Arab citizens of Israel can only obtain equality of rights, but they do not have any possibility of entering that community, apart from a conversion procedure⁶.

As Rebecca Kook affirms, Israeli «citizenship was conceived (...) as a natural right (...) not of members of the country, but only of the “ingathered” members of the state» (Kook 2000: 267). Therefore, Jews were naturally citizens of Israel, while Arab Palestinians were not.

The *Law of Return* (July 5 1950) was followed by the *Israel Nationality Law*, issued in 1952. It foresaw the acquisition of the Israeli nationality in four different ways; by return (regulated by the Law of return); by birth (for children of Israeli citizens)⁷; by residence (for the non-Jewish resident in the Mandate who had remained in Israel after the 1948 war)⁸ and by naturalisation.

The last criteria was – and still is - foreseen for non-Jewish spouses of Israeli citizens (both Jewish and non-Jewish⁹). They get citizenship if they meet different requirements (being in Israel, being entitled to reside in Israel permanently, being settled or willing to be settled in Israel, having some knowledge of Hebrew, and renouncing to their prior nationality), if they are accepted by the Minister of Interior, and if they make the following declaration: «I declare that I will be a loyal national of the state of Israel».

In the same year, the *Entry into Israel Law* was adopted, with the purpose of regulating the entry and permanence of non-Jewish foreigners. In this case, everything is up to the Interior Ministry, who decides whom to give or refuse permits to, either temporary residence permit or permanent residence one. «Nothing in this Law demands special attention, apart from the fact that it is part of a construction that consists of two different routes of entrance and residence to Israel: Jews (...) gain entrance and residence by right under the Law of Return, while non-Jews (...) can so under the Entry Law» (Carmi 2007: 31).

⁶ Conversion is a problematic issue in Israel, because of the rivalry between Orthodox and non-Orthodox Judaism (Reform and Conservative), and between Israel and Diaspora in having the “monopoly” of the conversion procedures. We will briefly come back to this issue later.

⁷ Until the 1980 amendment, only children of Palestinian Arab Israelis acquired citizenship by birth. Children of Israeli Jews acquired citizenship by return even if they had never migrated to Israel but were born in Israel. This was done not to differentiate between born-Israeli Jews and immigrants (*olim*). After 1980, also children of Israeli Jews acquired citizenship by birth and not any more by return (Carmi 2007: 30).

⁸ As Ani F. Kassim points out, it was very difficult for the Palestinians who were resident in the state of Israel to get the Israeli citizenship, because of the harsh conditions they were supposed to satisfy. Most of them were not able either to prove to be in possess of a Mandate Palestinian citizenship or to meet the other requests. Many of them remained in Israel as stateless until the 1980 amendments to the *Israel Nationality Law*, which eased the conditions to acquire citizenship (Kassim 2000: 205-206). For example, “present absentees” were finally given the possibility of having the citizenship, because the status of “absentee” no longer entailed denationalization. At least 5% of Palestinians living in Israel at that time got the Israeli citizenship only in 1980. Until then, they only had permanent residence and identity cards (Davis 2003: 104).

⁹ The non-Jewish spouse of a Jew is entitled to rights under the Law of Return only if both of them immigrate to Israel together. On the contrary, if an Israeli Jew (who has already migrated to Israel and got citizenship by return) marries a non-Jew, the non-Jewish spouse can acquire citizenship only by naturalization. He/she gets a residence permit within two-months and after four years gets the citizenship. Anyway, even if non-Jewish spouses of Israeli Jews and non-Jewish spouses of Israeli non-Jews fall into the same category, there is still a difference between them, because the controls by the Interior Ministry are much tougher and longer in the second case. Of course, everything changes if the non-Jewish spouse decides to convert. Then, he/she becomes a Jew and can acquire the Israeli citizenship by return.

Recent Changes and Challenges.

In the last years, these methods to acquire the Israeli citizenship have been reviewed and discussed, because of adopted laws, Interior Ministry's dispositions, and bills of law. Apart from specific contingencies which might have had a role - security, global economy, etc. – the whole question has to be analysed in terms of the ethno-republican discourse of Israeli citizenship.

(1) Nationality and Entry into Israel (Temporary Order) Law.

On July 31 2003, the *Knesset* adopted the *Nationality and Entry into Israel (Temporary Order) Law*. According to the July 2005 amendment - when the temporary order validity was extended – Palestinians who are resident in the West Bank and Gaza¹⁰ and are spouses of Israeli citizens are not allowed to get any residency permits, nor the Israeli citizenship if they are less than 25 years old, if women, and less than 35 years old, if men¹¹. This was not a new procedure. In April 2002 – after that in March a terrorist attack had been conducted by a Palestinian from the oPt who had been given the Israeli citizenship as spouse of an Israeli citizen – Eli Ishay, the Interior Minister, decided to suspend procedures of family unification. On May 12 2002, this administrative procedure was confirmed by a government decision. And one year later, the *Knesset* enacted the Temporary Law, which has been extended since then.

It is obvious that this decision has direct consequences mainly – if not exclusively - on the Palestinian citizens of Israel, who are more affected than Jewish citizens. In fact, it is quite rare that there is a marriage between Israeli Jews and Palestinians, either citizens of Israel or from the oPt.

Many appeals to the Supreme Court were submitted by individuals, attorneys or NGOs, in order to ask the Court to revoke the Law.

On May 2006, the Court finally issued its verdict. With a tiny majority - six judges against five - the Court rejected the appeals, and refused to revoke the law, because of security reasons. As the judge Michael Cheshin, who led the group that rejected the appeals, declared to *Haaretz*,

the welfare and the benefit that the Citizenship Law provides for the security and lives of the residents of Israel overrides the damage the law causes to a few Israeli citizens who married or are due to marry Palestinians, and those who want to live with their partners in Israel (Yoaz 2006).

¹⁰ The Law states: «the Minister of Interior shall not grant the inhabitant of an area citizenship (...) and a license to reside in Israel». The area is defined «as any of the following: Judea and Samaria, and the Gaza strip»; while the inhabitant is defined as «anyone residing in the area (...) excluding the inhabitant of an Israeli settlement in the area».

¹¹ The Law expressly excludes three categories of people: (a) minors under 14 years old; (b) persons who enter Israel for the purpose of medical treatment or work, for not more than six months; (c) persons who identify with the state of Israel and its goals, if they, or a member of their family, performed a significant act to promote the security, economy, or some other important matter of the state, or if the state has a special interest in granting them citizenship or residence permission.

On the opposite side, there was President Aharon Barak, who believed that the law was wrong on the basis that security could not justify such a violation of Israeli citizens' basic rights of Israeli. At the same time, he also underlined that

the issue concerns the right of Israeli citizens of the state to family life and equality, which derives from the constitutional right to human dignity, as espoused in the Basic Laws. (...) This violation of rights is directed against Arab citizens of Israel. As a result, therefore, the law is a violation of the right of Arab citizens in Israel to equality (Adalah 2006).

Analysing in details the Court's motivations is beyond the purpose of this paper¹². In this context, it is more relevant to frame this amendment inside the current policy the Israeli government is carrying out, so to understand its impact at a wider level. Two major events of the last years – construction of the separation barrier, and disengagement from Gaza - demonstrate the rising importance of the demographic issue in the Israeli agenda¹³. At the same time, the idea of partition (dividing Israelis and Palestinians according to the formula “we are here, they are there”), which is raising growing consents in the Israeli public opinion, has been generating an increasing request for homogeneity inside the Israeli Jewish society¹⁴.

This specific law confirms this trend; it decreases the number of the Palestinian minority and therefore increases the homogeneity of the Israeli Jewish society¹⁵. If we want to analyse this amendment according to the ethno-republican discourse, it is quite clear that this law supports the common good of the Jewish people – its security has been insured - and subordinates to it the Palestinian minority's rights, i.e. their choice to marry the spouse they want and to settle in the state where they are citizens.

One more comment is needed concerning the demographic issue, that is to say the idea of maintaining a Jewish majority in Israel¹⁶. In Spring 2001 the so-called *Herzliya Forum for National Strength*, an Israeli think-tank composed of professors and generals, published a report

¹² See Carmi 2007.

¹³ See the advertisement published on the first page of *Jerusalem Post* on June, 22, 2007, which contests the choice of evacuating from some parts of the West Bank due to demographic reasons. It stated: «the contention that Israel must abandon Judea and Samaria in order to secure Jewish majority is based on gross errors. (...) In 2004, there were 1,4 million Arabs in Judea & Samaria, not 2,4 million. Since 1997, Jewish population growth has exceeded Arab growth in Judea and Samaria. Average Arab net emigration has ranged between 10-20,000 per year and has risen sharply during recent months. (...) The demographic momentum is Jewish! Let's keep it that way». It was signed, among others, by Uzi Landau (Likud), former minister of the Sharon government (2001-2004).

¹⁴ «The focus on partition, in sum, created a centripetal-centrifugal dynamic. The goal of a Jewish state with secure boundaries and an assured demography became a consensus among major parts of Jewish Israelis. Jewish centripetal dynamics, encouraged by government and civil society initiatives, however, implied continuing marginalization of the Arab minority within Israel, whose presence disturbs the concept of homogeneity embedded in the “we are here, they are there” slogan» (Ben-Porat 2006: 19).

¹⁵ See Shtrasler 2007, Levy 2007.

¹⁶ As to the reasons behind the amendment, Ilan Saban, professor of Public Law at the University of Haifa, stated: «The danger is not related to security but to demographics. But when Israel uses the demographic argument against its own citizens, it stops being Jewish and democratic. (...) We have, unfortunately, become a Jewish and demographic state» (Saban 2005).

recommending to the government a series of actions to stop the Arab demographic growth, such as changing borders, decreasing Arab natural growth, and even taking into consideration the hypothesis of population transfer east of the Jordan river (Yiftachel, 2002: 4). The *Temporary Order* can be considered as one of these “actions”, as it was clearly stated during a meeting on April 4 2005 between Prime Minister Ariel Sharon, Minister of Justice Tzipi Livni, Interior Minister Ophir Pines-Paz, the National Security Advisor, and the Head of the Security Services. In that occasion, Ariel Sharon declared: «This law will be guided by demographic considerations meant to secure a solid Jewish majority for years to come. (...) There is no need to hide behind security arguments. There is a need for the existence of a Jewish state» (Johal, 2005).

A confirmation of what we have just said was given by Ehud Olmert in January 2006, during the Herzlyia Conference, held to present the program of its future government. In that occasion, he clearly stated that:

there is no doubt that the most important and dramatic step we face is the determining of permanent borders of the state of Israel, to ensure the Jewish majority in the country. The existence of a Jewish majority in the state of Israel cannot be maintained with the continued control over the Palestinian population in Judea, Samaria and Gaza. We firmly stand by the historic right of the people of Israel to the entire Land of Israel. Every hill in Samaria and every valley in Judea is part of our historic homeland. We do not forget this, not even for one moment. However, the choice between the desire to allow every Jew to live anywhere in the Land of Israel and the existence of the state of Israel as a Jewish country obligates relinquishing parts of the Land of Israel (Olmert, 2006).

While the question of a Jewish majority between the Mediterranean sea and the Jordan river can be addressed through borders’ adjustments, as it happened with the Gaza’s disengagement, and will happen again with other “disengagements” from West Bank areas, things are quite different in reference to the Palestinian citizens of Israel, whose presence cannot be tackled in such a way.

In fact, only by addressing their growth rate it is possible to guarantee that the Jewish majority will be preserved in the next decades. And targeting marriages and children represents the best twofold way to succeed in this objective. A main confirmation to this hypothesis comes from Benjamin Netanyahu, who in mid-October 2006, during an interview to the Israeli newspaper *Yediot Aharonot*, stated that cuts in child allowances had a «demographic effect of great significance in addition to its impact on the budget»¹⁷ (Tal, 2006).

(2) Government Decision Related to Foreign Workers’ Minor Children.

In the last two years, the government, and in particular the Interior Minister, who is in charge of distributing temporary and permanent residence permits according to the *Entry into Israel Law*, has

¹⁷ Cuts in child allowances interested ultra-Orthodox families, as well. Since they are not Likud voters, it is not to exclude that Netanyahu might have thought to a “double” positive result.

dealt with the question of those foreign workers' minor children who had spent most of their life in Israel.

In March 2005, Labor Minister Ophir Pines-Paz proposed to provide children age 10 and up, who were born in Israel, who had attended Israeli schools, and whose parents had entered legally, with a permanent residency permit. After their military service in the IDF, they would receive the Israeli citizenship, while their parents would get a permanent residency permit. The total number of cases should have been 2,000. This was a smaller number compared to the one that would have been interested by a slightly different bill proposed in 2004 by the former Shinui Minister Avraham Poraz, including children who were not born in Israel. But at that time, National Union and the National Religious Party (inside the government) had expressed their contrariety to the proposal, which had been cancelled.

In June 2005 the government approved Pinez-Pas proposal, and a few months later 10 children were given permanent residence permits, with the promise to get citizenship after military service (Sa'ar 2005 d).

The following Interior minister, Roni Bar-On, proposed in May 2006 to change Pinez-Pas proposal, by eliminating two conditions: the fact that children had to be born in Israel, and that their parents had entered legally. At the same time, he proposed that this decision involved also younger children, as long as they had lived in Israel for at least six years.

Finally, in June 2007, the government approved Bar-On's proposal, stating that children who had moved to Israel before they were 14 years old, who had lived in Israel for at least six years, and whose parents had arrived in Israel legally, would receive permanent residence permits, and after the military service, the Israeli citizenship. Their parents would get temporary permits and, after their children's military service, permanent residency permits.

This was a very important decision, because for the first time in the Israeli history, foreign workers' minor children have been given a *status* that would later become that of citizen.

From one side, this decision has overturned the ethno-republican discourse of citizenship. In fact, the rights of children (a liberal approach) have prevailed over the general interest of Israel, being a state of the Jews and for the Jews (an ethno-republican approach). It is interesting to note that some ministers were against this decision on the basis of an ethno-nationalist discourse, because it could impair the Jewish character of Israel¹⁸.

But, at the same time, there are three points which are worth mentioning. First of all, the government declared that this disposition was not to be considered as a record for a possible

¹⁸ Deputy Minister and Minister of Labour and Social Welfare Eli Yishai (Shas) said that this decision was «the beginning of the end of the Jewish State», that would have led «to a loss of identity» (Sa'ar 2006).

legislation to come¹⁹. Secondly, numbers are very small²⁰, nothing to compare with the “real” danger to the Jewish character of Israel, that is to say the Palestinian immigration. Thirdly, the republican discourse is quite relevant in this disposition, too. In fact, these children will be given the citizenship only after they have served in the Israeli army; before serving, children will receive a permanent residence permission, which is the same *status* of Palestinians from east Jerusalem. Only after the military service, their *status* will be upgraded to citizens.

As Sara Helman affirms, military service

has become a permanent feature on the socio-political order, constitutive of the relations between the individual and the state, and between the state and society. (...) War and conflict management have been constitutive of the type of citizenship in Israel as well of its practices and institutions. Full citizenship (...) ha[s] been constructed in republican terms, i.e. with an emphasis on the individual’s contribution to the enhancement and fulfillment of collective goals. (...) Thus, civic virtue has been constructed in terms of and identified with military virtue. Institutions of war making and especially the military have been the main arenas of political, cultural, and social integration, and the signifiers of full and effective membership in society (Helman 2000: 320).

Through the military service and the reserve duties, foreign workers’ minor children will be fully - and even quickly²¹ - integrated in the first-class citizenship that is due to those who participate – as they will do – in the realization of the Israeli state’s common good.

Notwithstanding that, it is clear that this is a very important decision, because it opens the door towards the creation of a fully-accepted and recognized-by-the-state Israeli identity without it being connected or related to Jewish nationality or religion. Even if some of the children interviewed declared their readiness to convert²², this has not been necessary, and therefore their Israeli identity is totally detached from any connection to Judaism.

(3) The Proposal Concerning non-Jewish Relatives of Israeli Citizens.

While the government was discussing the possibility of granting citizenship to foreign workers’ minor children, another group of subjects requesting the Israeli citizenship was waiting for a decision. It is the one composed of non-Jewish relatives of Israeli citizens who got the citizenship

¹⁹ «The proposed resolution is being termed a “one-time-only arrangement, for the time being” (Sa’ar 2005 a).

²⁰ According to *Haaretz*, by June 2007, the Interior Ministry had received 827 citizenship requests, which included 2,500 family members. The state had approved 63% of them, granting more than 1,500 people permanent status. 166 requests had been rejected (20%), while 136 requests were still pending (Ilan 2007 c).

²¹ In regard to this issue, it is worth mentioning that a new procedure was introduced in May 2005 «to allow foreign citizens whose Israeli spouses are killed during military service to become Israeli citizens immediately», without waiting the four-and-a-half years which are necessary normally (Sa’ar 2005 a).

²² Oskan Koz, a 22 years old Turkish guy, who had been living in Israel for more than 10 years, has appealed against the decision not to grant him permanent *status*. In order to get the Israeli citizenship, he also proposed to convert to Judaism. It is interesting that Shahar Ilan, the *Haaretz* journalist who is following this issue, titled an article *Interior Minister decision “koshered” two-thirds of citizenship applicants*, in order to highlight the strict connection between citizenship and conversion.

under the Law of Return. In particular, there are two different categories of people who fall in this group: non-Jewish elderly single parents of a spouse of a Jew; and non-Jewish minor children born before the marriage between the non-Jewish parent and the Jewish Israeli spouse²³. The Law of Return states that «the rights of a Jew under this Law (...) are also vested in the spouse of a Jew»; therefore, a non-Jewish spouse of a Jew is entitled to get the Israeli citizenship by return, but nothing is foreseen as to his/her parents, and minor children born from a previous relationship.

As to the elderly single parents older than 60 years old, the Interior Minister Pines-Paz decided in June 2005 to ease their process of getting the Israeli citizenship. According to this decision, they were allowed to obtain it after a three-to-five year period of residence in Israel (Sinai 2005). More favorable rules were adopted in January 2007 by the following Interior Minister, Bar On, who decided to cut in half the waiting period.

On the contrary, no decision was taken by Pines-Paz as to the possibility of granting citizenship to minor children. His proposal was to provide citizenship to minor with one parent migrated to Israel under the Law of Return after a year of residence in Israel, while to give citizenship to minor children with both parents migrated to Israel under the Law of Return after six months. This proposal was not approved by the government, mainly because of the sensitivity of the topic²⁴, and because of the lack of exact figures. While Pines-Paz was talking of a few hundreds cases, according to the Interior Ministry's Population Administration the amount was much higher, up to 90,000 minors staying in Israel without legal documents (Sa'ar 2005 c).

In February 2007, Bar-On decided to reopen the question, in order to make these children receive the same *status* as their parents. Things are still to be solved, and as to August 2007 the government has not decided what to do with these children, yet. In particular, the issue of age is still under discussion, whether this disposition might apply only to children under 14 years old, or to older ones as well (Ilan 2007 a).

Anyway, even if these minors were given the Israeli citizenship, relevant problems would remain, concerning their rights in terms of marriage, divorce, burial grounds, that is to say all those issues related to private law, which in Israel is regulated on a religious basis. It is not by chance that conversion is one of the tools that non-Jewish citizens²⁵ use in order to move from what they perceive as a «second-class» citizenship, to a first-class one. And it is also not by chance that discussion about conversions have always been very tough.

²³ This situation concerns mainly families from former USSR countries, where intermarriage was very common. According to some figures, 62% of «Russian» families are involved.

²⁴ MK Yuri Stern (National Union), who was behind Pines-Paz proposal, declared: «I am aware of the demographic sensitivity that exists, but my bill doesn't alter the demographic ratio in the State of Israel» (Sa'ar 2005 b)

²⁵ According to statistics these citizens – whom Israel defines as «others» in term of nationality - are around 300,000. It is estimated that their number might increase to 400,000 by 2020 (Galili 2005).

Dealing with this issue is beyond the purpose of this paper. Yet, it is clear that, since conversion to Judaism is a way to be able to get citizenship by return, conversion becomes central in a discussion about citizenship. For example, it has not been solved a discussion between the government and the High Court of Justice related to what are commonly known as “pop-over” conversions. In April 2005, the High Court stated that an Israeli resident who had traveled overseas with the only purpose of undergoing a non-Orthodox conversion had to be considered Jew according to the Law of Return²⁶. But more than two years after the Court’s rule, the government has not transformed it into a decision to give citizenship to the “pop-over” converted. The main fear is the possibility of transforming conversions into a tool to obtain citizenship.

The conversion issue brings us back to the ethno-nationalist discourse, because both non-Jewish relatives of Israeli citizens and recently converted Jews represent two sides of the same coin: the tricky link between belonging to the Jewish national group and getting the Israeli citizenship, i.e. joining the state-community.

Where is Israel going?

The question of citizenship is very useful to understand how problematic is the definition of Israel as a “Jewish and democratic state”, as stated for the first time in the *Basic Law: Human Dignity and Freedom*, approved in 1992²⁷.

As Ben Porat tells us, recent trend towards “partition” has increased Jewish requests for homogeneity and exclusion of “the others”²⁸. In fact, despite the decision to grant citizenship to foreign workers’ minor children, recent laws and decisions related to citizenship demonstrate that the Israeli government is very interested in defending its Jewish character even if this means undermining their non-Jewish citizens’ rights.

The debate concerning citizenship is very much connected to the question about what Israel is and where it is going to. In fact, in the last year, many intellectuals and associations have addressed the

²⁶ It is worth mentioning that the Court did not enter the difficult issue of non-Orthodox Conversions (Reform, Conservative) occurred inside Israel, that have not been recognized under the Law of Return so-far. This issue could open a huge contrast between the Orthodox and the non-Orthodox worlds in Israel. Recently, the Orthodox side “gained a victory” when a law was approved to allow civil marriage in case both Israeli spouses are non-Jewish according to *Halakha* and do not belong to any other religious confession. In exchange for this decision (allowed by the religious parties in the *Knesset*), the Orthodox Rabbinate would increase its role in the conversion process.

²⁷ The first draft of the Law included a statement that guaranteed equal rights to all its citizens: «All are equal before the law, and there shall be no discrimination on the grounds of gender, religion, nationality, race, ethnic group, country of origin or any other irrelevant factor». But the Knesset Constitution, Law and Justice Committee canceled this statement, so to «change Israel’s status from a substantive democracy to an ethnocracy, namely a country that rightfully belongs to only one ethno-religious group: the Jews» (Aloni 2007).

²⁸ See Avigdor Lieberman, Effi Eitam, or Yisrael Kats proposals to reduce the presence of Arab citizens in Israel, either ejecting them from politics (Eitam), or redrawing Israeli borders to exclude Palestinian villages from the Israeli territory (Lieberman), or creating a dual citizenship (Two Parliaments for two people), that would make Israeli Arabs vote for the Palestinian Parliament, and Israeli settlers vote for the Israeli Parliament, without need of any transfer/exchange of population (Kats).

question of the Jewishness of Israel. For example, in October 2006, the Institute for Zionist Studies (IZS), «a body that can be considered the right wing's answer to the Israel Democracy Institute (IDI)» issued a draft of a constitution whose first clause stated: «the state of Israel is a Jewish state and the national homeland of the Jewish people» (Ilan, 2006 b).

At the same time, there is an increasing debate on the Law of Return, which is one of the basic elements that make Israel a Jewish state.

Professor Yaffa Zilbershatz, dean of the faculty of Law of the Bar-Ilan university, has suggested that newly immigrants receive citizenship after a period of three to five years, conditioning citizenship to «residency and loyalty». According to such proposal, the ethno-nationalist discourse would be linked to a republican one, because being Jewish would not be enough to get the Israeli citizenship. Newly immigrant should actively promote the common good of Israel, by living, working, and serving in the army. On the contrary, professor of Law Ruth Gavison, more than once candidate to the Supreme Court, is one of those who would cancel the “grandchild clause”, which enabled - and still enables - many non-Jews to move to Israel, even people without any interest in Jewish life. According to this proposal, the ethno-nationalist discourse would be more relevant, because only people directly connected to the Jewish ethno-national group would get citizenship (Ilan 2007 b).

But there are also lots of critics against the Law of Return from a liberal-discourse position. This is what many Palestinian citizens of Israel suggest²⁹, through reports and documents which deal with the nature of Israel and the Israeli citizenship, and ask for a transformation of Israel from “a Jewish and democratic state” to “a state of all its citizens”³⁰.

Five different documents have been published in the last year, from associations - *Adalah, The Legal Centre for Arab Minority Rights in Israel; Mossawa: The Advocacy Centre for Arab Citizens of Israel* (two documents); *The National Committee for the Heads of the Arab Local Authorities in Israel* - and groups of Palestinian Israeli intellectuals.

The first document is *The Future Vision of the Palestinian Arabs in Israel*, written by Palestinian intellectuals on behalf of the *Committee* and published in November 2006. Its core is the opposition to «defining the Israeli state as a Jewish state», because it means «exploiting democracy in the service of the Jewishness» (Rinawie-Zoabi, 2006: 5). The most relevant aspect of this document is the explicit request to transform Israel from an “ethnocratic” state to a fully “democratic” one³¹,

²⁹ According to a survey conducted by the Israel Democracy Institute on April 2007, 75% of Arab Israelis agree with the definition of Israel as a Jewish and democratic state. Despite the high percentage, the poll revealed that there has been a decline in their support. In 2004, 55% were “strongly” in favor of this statement, while in 2007 only 34% “strongly” supported the same definition (Stern 2007 a).

³⁰ This is the core of Azmi Bishara's political agenda: «A state for *all* citizens that acknowledges and respects two national affiliations in one country» (Bishara 2001: 61).

³¹ It is beyond the purpose of this paper focusing on the question whether Israel is an “ethnic democracy” or an “ethnocracy”. See Smootha 1997; Ghanem, Rouhama, Yiftachel 1998; Dowty 1999; Gavison 1999.

which acknowledges the presence of two different nations, the Jews and the Palestinians. According to this “future vision”, Israel should define itself as the homeland of both Palestinians and Jews, overcoming the definition of homeland only of the Jewish people, as stated in the Declaration of Establishment of Israel, and should therefore stop «focusing on ethnicity (and religion) and not citizenship as a basic principle of the distribution of resources and abilities and undermining the “people” (citizens in general)» (Rinawie-Zoabi 2006: 9).

The second one is the *Legal Document to Protect the Rights of the Arab Minority in Israel*, released by the *Mossawa Centre* in December 2006 during a Conference on “The Legal Status of the Arab Community in Israel”. It is focused on a wide number of requests, such as granting communal rights to Arabs, using Arabic, guaranteeing equality in immigration policy, changing national symbols, as a part of the basic challenge to the definition of Israel as a Jewish and democratic state (Stern, 2006).

The same approach is behind the third document, the proposal of a *Democratic Constitution*, issued by *Adalah* in February 2007, to celebrate the tenth anniversary of its founding. The basic element which characterises this Constitution is the definition of Israel as a «democratic state, based on the values of human dignity, liberty, and equality» (art. 2), a «bilingual state [in which] Hebrew and Arabic are official languages and enjoy equal status in all functions and activities of the legislative and executive branches» (art. 17.A), and a «multicultural state [in which] each group that constitutes a national minority is entitled to educational and cultural institutions, [and] each group that constitutes a religious minority is entitled to religious institutions» (art. 18.A). In particular, the Constitution drafts a completely different way to get the Israeli citizenship, based on «the principle of anti-discrimination» (art. 15), and detached from any reference to ethno-nationalism³².

The fourth document, *The Haifa Declaration* - issued on May 15 2007, and written by various intellectuals, among whom Nadim Ruhana, director of *Mada al-Carmel: the Arab Centre for Applied Social Research* - calls for «a change in the constitutional structure and (...) in the definition of the State of Israel from a Jewish state to a democratic state established on national and civil equality between the two national groups», Jews and Arabs (The Haifa Declaration 2007: 16).

Finally, the fifth document, released by the *Mossawa Centre* in May 2007, *An Equal Constitution for All?*, contains specific suggestions as to citizenship. It clearly states that the definition of Israel as a Jewish state (even if democratic) «enables the creation of a social, economic, cultural and political hegemony of the majority group over the minority, thus actually perpetuating the inferior status of

³² «The laws of citizenship and immigration will be established on the basis of the principle of anti-discrimination and will define the arrangements by which the state of Israel will grant citizenship to: (a) anyone who has born within the territory of the state of Israel and whose parent was also born within the territory of the state of Israel; (b) anyone who was born to a parent who is a citizen of the state; (c) the spouse of a citizen of the state; (d) those who arrive or remain in the state due to humanitarian reasons, including those who are persecuted on the basis of political background». (*The Democratic Constitution*).

the Arab citizens, with all the severe social implications accompanying such a status» (Jabareen 2007: 62-63).

The common element is that all documents contest the ethno-nationalist discourse of citizenship, concretely implemented by the laws we have previously examined, which are considered responsible for the structural discrimination against the Palestinian citizens.

It is clear that this is a very problematic issue, since very few Israeli Jews are ready to challenge the Jewish nature of Israel. And it is definitively not by chance that many attempts to reach a compromising point have failed so far.

For example, this is what happened to a joint Jewish-Palestinian Israeli project held between 1999 and 2001, which had collected twelve Jewish Israeli intellectuals led by Hebrew University Law Professor Mordechai Kremnitzer, and eight Palestinian Israeli intellectuals led by the director of the Van Leer Institute, Adel Manna. The group dissolved because it was not able to overcome the “Gordian knot” represented by the definition of Israel as a Jewish state, which Palestinians were not ready to recognise and Israelis did not want to give up (Segev 2006).

Something similar happened in 2000, when a group of twenty-six Jewish and Palestinian Israeli scholars submitted a working proposal to the Barak government. The so-called *Report of the 26's* main idea was a «democratic contract between minority and state along consociational lines», which should have guaranteed civil equality, individual and collective rights, Arab autonomy in various fields, power sharing in politics (Yiftachel, 2002: 9). That report was also not accepted, neither by the Jewish side, nor by the Palestinian one, and once again it demonstrated «the difficulties of finding a meaningful space for a joint Arab-Jewish civil agenda» (Yiftachel, 2002: 9).

Conclusion.

Citizenship is a very useful tool to highlight how problematic is combining Jewishness and democracy, that is to say a liberal discourse of citizenship with an ethno-nationalist one.

In particular, analyzing the three cases this paper has dealt with - Palestinians from the oPt, foreign workers' minor children, and non-Jewish relatives of Israeli citizens who migrated to Israel under the Law of Return – turns to be quite effective.

In fact, they confirm Yoad Peled's definition of the Israeli citizenship discourse as ethno-republican, that is to say a combination of an ethno-nationalist discourse, which gives prominence to members of a defined national group (the Jewish people), with a republican one, which fulfills the common good of the members of the state community.

Despite what has been and what will be decided in terms of granting citizenship to different groups of non-Jews, it is clear that different levels of citizenship will continue to exist in Israel.

The strong opposition by various sections of the Jewish Israeli society to a radical change in the nature of the state means that in the next future there will be no possibility to transform Israel into a “state of all its citizens” and to challenge the existence of different citizenship’s levels.

Unfortunately, the high risk, as Ben Porat has explained, is that Israel will move in the opposite direction, strengthening its Jewish character, and excluding its non-Jewish citizens even more.

List of references

1. Abu Hussein, H. and McKay, F. (2003) *Access Denied. Palestinian Land Rights in Israel*. London: Zed Books.
2. Adalah (2007) *Democratic Constitution*, March 20
http://www.adalah.org/eng/democratic_constitution-e.pdf
3. *Adalah's Newsletter*, Volume 25, May 2006, in <http://www.adalah.org/eng/famunif.php>.
4. Aloni, S. (2007) A country for some of its citizens? *Haaretz*, February 23.
5. *Basic Law: Human Dignity and Liberty, 1992*,
http://www.knesset.gov.il/laws/special/eng/basic3_eng.htm.
6. Bassok, M. (2006) Gap grows in lifespan of Jews and Arabs. *Haaretz*, September 20.
7. Ben-Porat, G. (2006) "We Are Here, They Are There". Partition and Exclusions in Israel/Palestine. *Paper presented at the Seventh Mediterranean Social and Political Research Meeting*, Workshop n. 3, Robert Schuman Centre for Advanced Studies, Mediterranean Programme, European University Institute, Montecatini Terme, March 2006.
8. Bishara, A. (2001) Reflections on October 2000: A Landmark in Jewish-Arab Relations in Israel. *Journal of Palestine Studies* 30 (3), 54-67.
9. Butenshon, N. (2000) *State, Power and Citizenship in the Middle East. A Theoretical Introduction*, in Butenshon, N. Davis, U. and Hassassian, M. (ed.), 3-27.
10. Butenshon, N. Davis, U. and Hassassian, M. (ed.) (2000) *Citizenship and the State in the Middle East: Approaches and Applications*. Syracuse: Syracuse University Press.
11. Carmi, N. (2007) The Nationality and Entry into Israel Case before the Supreme Court of Israel. *Israel Studies Forum* 22 (1), 26-53.
12. Davis, U. (2000) *Conceptions of Citizenship in the Middle East. State, Nation, and People*, in Butenshon, N. Davis, U. and Hassassian, M. (ed.), 49-69.
13. Davis, U. (2003) *Apartheid Israel. Possibilities for the Struggle Within*. London: Zed Books.
14. *Declaration of the Establishment of the State of Israel*,
http://www.knesset.gov.il/docs/eng/megilat_eng.htm.
15. Dowty, A. (1999) Is Israel Democratic? Substance and Semantics in the "Ethnic Democracy" Debate. *Israel Studies* 4 (2), 1-15.
16. *Entry into Israel Law*,
<http://www.geocities.com/savepalestineno/israellaws/fulltext/entryintoisrael.htm>
17. Galili, L. (2005) Zionism brought them, but Halakha rejected them. *Haaretz*, December 1.
18. Gavison, R. (1999) Jewish and Democratic? A Rejoinder to the "Ethnic Democracy" Debate. *Israel Studies* 4 (1), 44-72.

19. Ghanem, A. (1998) State and Minority in Israel: The Case of Ethnic State and the Predicament of Its Minority. *Ethnic and Racial Studies* 21 (3), 428-448.
20. Ghanem, A. (2001) *The Palestinian-Arab Minority in Israel, 1948-2000. A Political Study*. New York: State University of New York Press.
21. Ghanem, A. Rouhama, N. Yiftachel, O. (1998) Questioning “Ethnic Democracy”: A Response to Sammy Smooha. *Israel Studies* 3 (2), 253-267.
22. Groppi, T. Ottolenghi, E. Rabello, A. M. (2006) *Il sistema costituzionale dello Stato di Israele*. Torino: Giappichelli.
23. Helman, S. (2000) *Rights and Duties, Citizens and Soldiers. Conscientious Objection and the Redefinition of Citizenship in Israel*, in Butenschon, N. Davis, U. and Hassassian, M. (ed.), 316-337.
24. Ilan, S. (2006 a) One and half fewer kids per mom. *Haaretz*, August 31.
25. Ilan, S. (2006 b) A Zionist constitution. *Haaretz*, October 19.
26. Ilan, S. (2007 a) Children of naturalized Israelis to be given legal status. *Haaretz*, February 2.
27. Ilan, S. (2007 b) With less than open arms. *Haaretz*, May 20.
28. Ilan, S. (2007 c) 1,500 foreigners to stay, 800 kids to go. *Haaretz*, June 19.
29. *Israel Nationality Law*,
<http://www.geocities.com/savepalestinenow/israellaws/fulltext/nationalitylaw.htm>.
30. Jabareen, Y. (2007) *An Equal Constitution for All? On a Constitution and Collective Rights for Arab Citizens in Israel*,
<http://www.mossawacenter.org/files/files/File/An%20Equal%20Constitution%20For%20All.pdf>
31. Johal, A. (2005) *Israel’s Citizenship Law to be Renewed*, April 12, in www.zmag.org/content/showarticle.cfm?SectionID=22&ItemID=7630.
32. Kassim, A. F. (2000) *The Palestinians. From Hyphenated to Integrated Citizenship*, in Butenschon, N. Davis, U. and Hassassian, M. (ed.), 201-224
33. Kook, R. (2000) *Citizenship and Its Discontents. Palestinians in Israel*, in Butenschon, N. Davis, U. and Hassassian, M. (ed.), 263-287.
34. Lowrance, S. (2005) Being Palestinian in Israel: Identity, Protest, and Political Exclusion. *Comparative Studies of South Asia, Africa and the Middle East* 25 (2), 481-499.
35. *Law of Return*,
http://www.mfa.gov.il/MFA/MFAArchive/1950_1959/Law%20of%20Return%205710-1950.
36. Levy, G. (2007) The threat of the “demographic threat”. *Haaretz*, July 22.
37. Lowrance, S. (2005) Being Palestinian in Israel: Identity, Protest, and Political Exclusion. *Comparative Studies of South Asia, Africa and the Middle East* 25 (2), 481-499.
38. Marshall, T.H. Bottomore, T. (1987) *Citizenship and Social Class*. London: Pluto Press.

39. Migdal, J. S. (2006) Whose State Is It, Anyway? Exclusion and the Construction of Graduated Citizenship in Israel. *Israel Studies Forum* 21 (2), 3-27.
40. *Nationality and Entry into Israel (Temporary Order) Law 5763-2003*, www.knesset.gov.il/laws/special/eng/citizenship_law.htm.
41. Olmert, E (2006) Speech delivered at the Herzlyia Conference, January, <http://www.kadimasharon.co.il/16-1935-en/Kadima.aspx>, accessed in February 2006.
42. Peled, Y. (1992) Ethnic Democracy and the Legal Construction of Citizenship: Arab Citizens of the Jewish State. *American Political Science Review* 86 (2), 432-443.
43. Peled, Y. and Shafir, G. (1996) The Roots of Peacemaking: the Dynamics of Citizenship in Israel, 1948-93. *International Journal of Middle East Studies* 28, 391-413.
44. Peled, Y. (2005) Citizenship Challenged: The Incorporation of Recent Migrants to Israel. *Paper presented at the Sixth Mediterranean Social and Political Research Meeting*, Workshop n. 5, Robert Schuman Centre for Advanced Studies, Mediterranean Programme, European University Institute, Montecatini Terme, March 2005.
45. Rinawie-Zoabi, G. (2006) *The Future Vision of the Palestinian Arabs in Israel*, [http://www.mossawacenter.org/files/files/File/Reports/2006/Future%20Vision%20\(English\).pdf](http://www.mossawacenter.org/files/files/File/Reports/2006/Future%20Vision%20(English).pdf)
46. Rouhama, N. (1997) *Identities in Conflict: Palestinian Citizens in an Ethnic Jewish State*. New Haven: Yale University Press.
47. Rouhama, N. (1998) The Test of Equal Citizenship: Israel Between Jewish Ethnocracy and Binational Democracy. *Harvard International Review* 20 (2), 74-78.
48. Sa'ar, R. (2005 a) On the cusp of citizenship. *Haaretz*, March 21.
49. Sa'ar, R. (2005 b) Bereaved spouse to get citizenship. *Haaretz*, May 31.
50. Sa'ar, R. (2005 c) Pines-Paz to appeal for legal status for children of non-Jewish citizens. *Haaretz*, June 29.
51. Sa'ar, R. (2005 d) Ten foreign workers' children receive Israeli ID cards. *Haaretz*, December 20.
52. Sa'ar, R. (2006) State okays naturalization for some foreigners' kids. *Haaretz*, June 19.
53. Saban, I. (2005) Either country or family. *Haaretz*, May 19.
54. Segev, T. (2006) Breakdown. *Magazine supplement to Haaretz*, November 7.
55. Shafir, G. and Peled, Y. (2002) *Being Israeli. The Dynamics of Multiple Citizenship*. Cambridge: Cambridge University Press.
56. Sheffer, G. (1997) Individualism vs. National Coherence: The Current Discourse on Sovereignty, Citizenship and Loyalty. *Israel Studies* 2 (2), 118-145.
57. Shtrasler, G. (2007) The end of Zionism. *Haaretz*, July 19.
58. Sinai, R. (2005) Pines-Paz eases citizenship eligibility for elderly single parents of immigrants. *Haaretz*, June 21.

59. Smooha, S. (1997) Ethnic Democracy: Israel as an Archetype. *Israel Studies*, 2 (2), 198-241.
60. Smooha, S. (2002) The Model of Ethnic Democracy: Israel as a Jewish and Democratic State. *Nations and Nationalism*, 8(4), 475-503.
61. Stein, Y. (ed) (2004) *Forbidden Families. Family Unification and Child Registration in East Jerusalem*, Joint Report B'tselem – Ha Moked,
http://www.btselem.org/English/Press_Releases/20040127.asp
62. Stern, Y (2006) Israeli Arabs: Let us return to pre-'48 villages. *Haaretz*, December 3.
63. Stern, Y. (2007 a) Poll: 75% of Israeli Arabs support Jewish, democratic constitution. *Haaretz*, April 30.
64. Stern, Y. (2007 b) "Haifa Declaration" urges Israel to own up to Nakba responsibility. *Haaretz*, May 15.
65. Tal, A. (2006) It's ideology, not demography. *Haaretz*, October 19.
66. *The Haifa Declaration* (2007), May 15, <http://www.mada-research.org/archive/haifaenglish.pdf>
67. *The Palestine Mandate*, www.yale.edu/lawweb/avalon/mideast/palmanda.htm
68. Yanai, N. (1996) The Citizen As Pioneer: Ben Gurion's Concept of Citizenship. *Israel Studies* 1 (1), 127-143.
69. Yiftachel, O. (1997) Israeli Society and Jewish-Palestinian Reconciliation: Ethnocracy and Its Territorial Contradictions. *Middle East Journal* 51 (4), pp. 1-16.
70. Yiftachel, O. (2002) The Shrinking Space of Citizenship: Ethnocratic Politics in Israel. *Middle East Report* 233, Summer, http://www.merip.org/mer/mer223/223_yiftachel.html.
71. Yoaz, Y. (2006) Ban on Family Unification for Palestinians Married to Israeli Citizens Remain in Effect. *Haaretz*, May 15.