Whose Terms?

Source companion

Who Gets to Decide? · Created by Yoav Duman

These are the dated records and scholarly lenses used in edition 1.3, with links to the sources. The summaries are teaching paraphrases. The guide editor and the reader's questions are designed for the exercise. For a replay such as the Oslo II vote, the game identifies the recorded result and the assumption it changes.

Katzir

Four dates to place the story

1948 to 1995 · Historical orientation

Israel was founded in 1948 during a war that displaced hundreds of thousands of Palestinians, an event Palestinians call the Nakba. The 1949 armistice lines include the Green Line used here. In 1967 Israel occupied the West Bank, East Jerusalem and Gaza. In the 1990s the Oslo agreements transferred some responsibilities to Palestinian institutions while Israel retained others.

- UN historical timeline

Ka'adan judgment

March 8, 2000 · Court order · paraphrase

The state allocated public land to the Jewish Agency to develop Katzir. A local cooperative controlled admission and the Ka'adans were excluded. The Supreme Court held that the state could not use the Jewish Agency to discriminate in this allocation. The order directed the state to consider the family's application promptly and on equal terms, taking relevant factors into account. Paragraph 40 does not say that a particular plot was assigned.

- Ka'adan v. Israel Land Administration, HCJ 6698/95, facts and ¶40A–B

A Palestinian legal advocate responds

March 15, 2000 · Contemporary commentary · paraphrase

Jamil Dakwar, a lawyer with Adalah, argued that the court addressed a family's individual bid for equal access while leaving a wider question about whether Palestinian communities could obtain land for their own development. The Ka'adans brought their own challenge. Dakwar was writing about what their case could change for others.

- Jamil Dakwar, reproduced by Adalah, March 15 commentary

Knesset

Oslo II roll call

October 5–6, 1995 · Knesset transcript · observed votes

The Knesset gave its approval and sustained the government by 61 votes to 59. The five yes votes in the two lists came from Tamar Gozansky, Hashem Mahameed, and Saleh Saleem of Hadash, and Taleb el-Sana and Abdulwahab Darawshe of the Arab Democratic Party. Hadash was a joint Arab–Jewish list. In the 1992 election the lists won three and two seats respectively. The five is a count of members from the two lists, not an ethnic tally.

- Knesset stenographic record, PDF pp. 527–531 and 553
- Basic Law: The Knesset, §25 on votes cast
- Israel Democracy Institute, 1992 election

Israel Lands Council appointments

March 21, 1997 · Public body · observed appointments

The Israeli government appointed 18 people to the Israel Lands Council, which set public-land policy. Nine were state civil servants and nine were named by the Jewish National Fund. None of those 18 appointees was Arab. A later court judgment documents this particular round of appointments. The roster records who was appointed. It does not count individual land decisions.

- Association for Civil Rights v. State of Israel, HCJ 6924/98, ¶¶7–8

First edition

Law of Return

1950 · amended 1970 · Immigration law · paraphrase

The law gave Jews a specific route to immigrate. The 1970 amendment extended rights to specified relatives of Jews. This rule is about admission. It shows how a group can receive priority through a law. The land ruling and vote address what people who already live there can do.

- Law of Return, §§1 and 4A

West Bank

Who could elect which body?

1990s arrangements · Electoral rules · paraphrase

Eligible Israeli citizens living on either side of the Green Line could vote for the Knesset. An eligible Palestinian voter in a West Bank town without Israeli citizenship could vote in the Palestinian elections. The Israeli Knesset and the Palestinian Council were different elected institutions. The territory covered by each institution's decisions has to be checked issue by issue.

- Basic Law: The Knesset, §5
- Knesset Elections Law, §147
- Oslo II, art. XVII and annex II

East Jerusalem permanent residency

1967 and 1995–1996 · Residency and elections

Israel applied its law to East Jerusalem after 1967. The UN Security Council rejected the change in status. An eligible Palestinian permanent resident without Israeli citizenship could vote in Jerusalem city elections. Israeli citizenship was required for a Knesset vote. Separate arrangements allowed eligible Palestinians in East Jerusalem to participate in the 1996 Palestinian elections.

- UN Security Council Resolution 478
- UN, The Status of Jerusalem
- Palestinian CEC, election arrangements for Jerusalem

Palestinian election results

January 20, 1996 · Election Commission · observed turnout

736,825 people voted out of 1,028,280 registered. That is 71.66% to two decimals. The election totals cover West Bank and Gaza districts together. The election commission counted its Jerusalem electoral district in the West Bank group. The measure is turnout among registered voters in that election.

- Palestinian Central Elections Commission, 1996 results, p. 1

Who could decide about a school or settlement?

August 1994 and September 1995 · Interim agreements · paraphrase

West Bank education responsibilities began transferring to Palestinian authorities in 1994. Oslo II set out Palestinian authority over Palestinian schools in 1995. It reserved the status of settlements for later negotiations and generally placed decisions involving Israelis outside the Palestinian Council's authority. Israeli authorities made decisions about settlement expansion.

- 1994 preparatory agreement, arts. II–IV
- Oslo II, main agreement, art. XVII
- Oslo II, annex III, app. 1, art. 9

2015–2026

The 2015 Knesset election

2014–2015 · Election law, court and results

The Knesset raised the threshold for winning seats from 2% to 3.25% of valid votes before the 2015 election. Four parties, including Ra'am, ran as a Joint List and won 13 of 120 seats with 446,583 votes. The Supreme Court declined to approve the Central Elections Committee's exclusions of Haneen Zoabi and far-right candidate Baruch Marzel. The two secured the right to stand. Marzel's list fell below the threshold. On election day, Prime Minister Benjamin Netanyahu warned supporters about high Arab turnout as he urged them to vote.

- Official 2015 results, pp. 2–4
- 2015 court decision, AB 1095/15 and 1096/15, Hebrew
- Knesset, threshold chronology
- Contemporary report on election-day messaging

The 2026 Knesset election

September–November 2026 · Election committee, court and official results

The Central Elections Committee voted to exclude the Joint List and Ra'am. Israel's Supreme Court reversed both party-list exclusions, 9–0, on October 2. It also declined to approve Ofer Cassif's individual exclusion, 7–2. The judges indicated they were likely to uphold Sami Abu Shehadeh's exclusion. He withdrew before a final ruling on the merits. In the October 27 election, results certified November 4 gave the Joint List 11 seats with 500,755 votes and Ra'am 8 with 337,720, out of 5,691,426 valid votes. Ra'am ran separately in 2026 and within the Joint List in 2015.

- Central Elections Committee, 2026 final national results
- Signed official results, PDF pp. 4–5, sections C–D
- Supreme Court joined decision, ¶¶1–3 and disposition, Hebrew
- Library of Congress, court reversals and §7A

Ra'am and a governing coalition

2021 and 2022 · Knesset record and Bank of Israel

Ra'am held four seats and joined the 2021 governing coalition. The Knesset approved the government 60–59, with one abstention. The government later approved a five-year plan for Arab communities. The Bank of Israel reported NIS 6 billion allocated in 2022 and 90% of that first-year allocation used. The same report described planned reductions for later years. Coalition participation and budget implementation are separate observations.

- Knesset confidence vote, June 13, 2021
- Bank of Israel, Resolution 550 implementation

Nation-State Basic Law and Hasson

2018 and 2021 · Basic Law and competing judicial readings

Section 1(c) reserves national self-determination in the state to the Jewish people. Section 4 makes Hebrew the state language, gives Arabic special status and preserves the status it had in practice before the law came into force. Section 7 directs the state to encourage Jewish settlement as a national value. In 2021 the Supreme Court dismissed the challenges 10–1. The majority read §7 alongside equality and held that it does not authorize discrimination in allocating state land. Justice George Karra dissented. He argued that the three provisions undermined substantive equality and constitutional democracy.

- Knesset official English text, §§1(c), 4 and 7
- Hasson, HCJ 5555/18, official court summary in Hebrew
- Court summary translated by Adalah

Arab students in higher education

2025/26 academic year · Israel Central Bureau of Statistics

About 63,700 Arab students made up 20.6% of students in the degree and academic certificate programs covered by the report. These figures cover universities and academic colleges. They exclude Open University undergraduates. The statistic measures enrollment, with all covered students in the denominator. Comparing admission, completion and graduate study requires other measures.

- CBS, Higher Education in Israel 2025/26, pp. 1–2 and 7

Arab doctors in the workforce

2010 and 2023 · Peer-reviewed analysis of the CBS Labor Force Survey

The study estimated that the share of employed physicians up to age 67 counted as Arab rose from 8% in 2010 to 25% in 2023. The survey coverage includes East Jerusalem Palestinians and excludes Palestinians in the rest of the West Bank and Gaza. Working as a doctor is a concrete form of occupational inclusion. Information about training, hiring and promotion would help explain who could reach those roles.

- Rosen and Miaari, Arab representation in Israeli healthcare professions, Fig. 2 and methods

Local welfare spending

2021 data, 2024 report · Taub Center · municipal data

Average annual welfare spending per registered service user was NIS 9,168 in the study's non-Haredi Jewish municipality group and NIS 6,360 in its non-Bedouin Arab group. Groups describe municipalities. Users include registered family members. Spending is the measure. Local authorities generally have to match 25% of eligible welfare costs, so differences in their tax bases can affect what they can deliver. Examine eligibility, needs, local revenues and matching rules before drawing a causal conclusion.

- Gal and Tarabeih, Taub Center 2024, fig. 11, printed p. 12, CBS and ministry data

Planning and movement in the West Bank

2023–2026 records · Knesset, Civil Administration and UN OCHA

Eligible Israeli settlers in the West Bank vote in Israel's national election. Israeli laws and civil jurisdiction apply to them in many matters. Palestinians without Israeli citizenship cannot vote in that election. Palestinian institutions have local civil powers, while Israeli military orders and courts apply to Palestinians in matters under Israeli military jurisdiction. Israel's Civil Administration reviews Palestinian-sector building permits in Area C. UN OCHA counted 925 movement obstacles in the West Bank, including East Jerusalem, in December 2025. It identified 459 affecting access from Palestinian communities to main roads.

- Knesset, 2023 extension of West Bank emergency regulations
- ICJ 2024 advisory opinion, §§134–136 and §190
- Israel Civil Administration, Area C Planning Bureau
- OCHA, Movement and Access in the West Bank, April 2026

Ar Rifa'iyya school and the permit system

July 2026 · UN OCHA · school in Area C

The Ar Rifa'iyya community secured a temporary July 21 injunction suspending the demolition order for its school pending court proceedings. Teaching the curriculum, authorizing the school building and pausing a demolition are three different decisions.

- OCHA, August 7 report, Area C education section
- Civil Administration, Palestinian-sector building permits
- Palestinian Ministry of Education, Yatta directorate

Deir al-Balah's election, water project and cargo access

April–November 2026 · Palestinian CEC, municipal utility and UN OCHA

Deir al-Balah elected a municipal council in April, the only Gaza municipality voting in that round. In June municipal crews and the Coastal Municipalities Water Utility connected a shelter center and nearby areas to a water line. In November Israeli authorities suspended an Egypt-to-Gaza cargo route for four days. From November 9 to 15, 474 UN and partner humanitarian trucks were listed for entry across all routes. Of those, 433 were offloaded on the Israeli side of Kerem Shalom. The count ends at offloading. The OCHA map marks areas of Israeli military presence and areas where Israeli authorities urge humanitarian movement coordination.

- Palestinian CEC, 2026 final local results, p. 90
- Coastal Municipalities Water Utility, Deir al-Balah, June 2
- OCHA, November 18 situation report, Gaza section
- OCHA map, Gaza access and movement, November 2026

Palestinian legislative and local election dates

2006 and 2026 · Palestinian CEC and presidential decree

The last territory-wide Palestinian legislative election was in 2006. The November 2026 election date was canceled by an October decree scheduling a later election. Deir al-Balah's April 2026 ballot chose a local council.

- Palestinian CEC, previous election events
- Palestinian presidency, October 10, 2026 decree announcement

Degree of control and legal disagreement

2024 and 2025 · ICJ advisory opinions and Israeli government response

The ICJ in July 2024 found that Israel exercised important powers over Gaza after the 2005 withdrawal and linked obligations to the degree of effective control. Israel's December 2024 letter to the UN disputed that legal characterization. In October 2025, the ICJ found in its separate aid advisory opinion that Israel's effective control had increased significantly since October 7, 2023. A military line, an electoral boundary and a legal claim about sovereignty each answer a different question.

- ICJ July 2024 opinion, ¶¶87–94
- Israeli government letter S/2024/940, p. 5
- ICJ October 2025 aid opinion, summary of ¶¶85–87

Puerto Rico and the U.S. presidency

U.S. electoral rules · American comparison · institutional test

Eligible Puerto Rico residents can vote for territorial officials, including the governor. Puerto Rico appoints no presidential electors. The shared question is which decisions each vote can reach when several levels of government make decisions. U.S. citizenship, U.S. territorial status and federal institutions differ from Palestinian legal status, occupation and Israeli and Palestinian institutions.

- National Archives, Electoral College, U.S. territories
- USAGov, who can vote
- Congressional Research Service, territorial status

Two theories

Sammy Smooha · Ethnic democracy

2002 · Assigned author · analytical lens

The state promotes the interests of a particular ethnic nation. Minority citizens still have meaningful political rights. They can vote, organize, protest, go to court, and sometimes make the government change course. Smooha calls this a limited kind of democracy. His application studies Jewish and Arab citizens inside Israel's pre-1967 boundaries. He uses the Katzir judgment and the 1995 Oslo vote as evidence of real minority influence.

- Smooha, Nations and Nationalism 8(4), pp. 477–481, 488, 499 n. 3

Oren Yiftachel · Ethnocracy

2006 · Assigned author · analytical lens

Put sustained control over land, settlement and membership at the center. Institutions help a dominant ethnic nation expand and maintain control. Elections and legal challenges can matter inside an ethnocracy. To assess their reach, examine who can set the rules, who implements the decision, and whether benefits and power actually become more equal. Yiftachel examines the Katzir case and also disputes drawing the political boundary at the Green Line.

- Yiftachel, Ethnocracy, pp. 34–37 and 101–102

Ka'adan follow-up

2003–2005 · Later outcome · case counsel's account

The Ka'adans petitioned again in 2003. The Supreme Court rejected the local cooperative's objection in 2004. On December 19, 2005, the Israel Land Administration signed a plot contract. The contract followed more than five years after the March 2000 judgment. This record documents one family's outcome.

- Association for Civil Rights in Israel, case chronology (Hebrew)
- ACRI, September 2, 2004 decision (Hebrew)

A budget with two implementation rates

2016–2021 · Bank of Israel study published in 2024 · Observed budget use · Government Resolution 922

The government set aside money for a five-year economic plan for Arab communities. About 90% of education funding was used, compared with about 50% of funding for infrastructure and construction. Each percentage compares money used with money allocated in that area. The researchers identified scarce available land, land registration problems and the requirement for local councils to cover some costs as barriers. The study reports implementation and changes in outcomes. These figures alone leave the causes of those changes open.

- Bank of Israel analysis of Government Resolution 922, figs. 1–2

Jamal and Yakobson on equal citizenship

2019 and 2020 · Palestinian and Israeli scholarly interpretations

Palestinian political scientist Amal Jamal interprets the Basic Law as constitutional exclusion that makes exclusive national belonging more explicit. Israeli historian Alexander Yakobson supports Jewish national self-determination and strongly opposes this law, including its omission of equal civic status. Read both as arguments to test against the legal text, the Court's reading and the evidence of what people can do.

- Amal Jamal, 2019, pp. 193–195
- Alexander Yakobson, 2020, Israel Studies 25(3)