

האגודה לזכויות האזרח בישראל
جمعية حقوق المواطن في اسرائيل
The Association for Civil Rights in Israel



A Democracy on Paper Only?

All Israeli schoolchildren learn that they live in a democratic state. Western nations, as well, see us as part of the democratic world. But for the past forty years, our actions have been steadily undermining that general consensus. A democratic nation is one in which each and every citizen has a voice; each has a chance, through representatives, to take part in the decision-making process; and each is entitled to the same rights, regardless of religion, race, nationality, and gender.

Since 1967, Israel has controlled all of the territory between "the sea and the river" and all those people within it—a population that includes some four million Palestinians in the West Bank and Gaza Strip, living under occupation. During this entire period, Israel has denied these Palestinians the basic rights guaranteed by democracies and has prevented them from taking part in decisions affecting their fate. The establishment of the Palestinian Authority and the elections it has conducted have not altered the situation in any meaningful way. In the West Bank, the PA has control over very few matters and relatively minute territorial enclaves. In the Gaza Strip, Israel continues to control vital aspects of the residents' lives, even after the disengagement.

Democracy can survive a situation of exercising control over people and denying them their rights **only in highly exceptional, temporary situations**. Forty years is neither exceptional nor temporary, but a fixed reality. Today, after forty years of domination over Palestinians in the Occupied Territories, we cannot examine the definition of Israel as a democratic state without relating to the situation of **all people** living under its control.

In an occupying regime, all authority lies with the chief military commander. In the case of a continuing military occupation, like the one in the Occupied Territories, the situation resembles a military dictatorship far more than a democracy. The occupation permeates every aspect of daily life: the military regime determines whether people can get to their

workplaces, whether children can go to school, whether people can travel to visit their relatives or receive medical treatment. The military regime controls private property, expropriates agricultural lands, and damages the livelihoods of families. Under military rule, the civilian population is subject to abusive and arbitrary treatment by representatives of the authorities—soldiers, police officers, General Security Service personnel, and border control personnel. Civilians also live in constant fear of losing their individual freedoms, through sudden intrusions into their homes, sometimes in the middle of the night; arrests; checkpoints; and security checks. Although the authorities cite security considerations as justification for all of their actions, it is not at all clear if they are promoting the security of Israeli citizens or sowing the seeds of hatred and inciting violence. However, even when security is the prime concern, not everything is allowed.

Moreover, the massive presence of settlements in the heart of the Occupied Territories has created a situation in which there are two populations, living side by side in the same territorial region and under the same governmental and military authorities: one has full rights as citizens and the other is denied these same rights. The region is also subject to two different systems of laws and regulations. These differentiations are based solely on the **origin** of the population. Examples include: the quantity of water allocated to the settlements allows them to grow lawns and build swimming pools, while there are Palestinians who are forced to buy containers of drinking water; Jews who have broken the law are granted all rights available to defendants under Israeli law, while Palestinians arrested for the same crimes (even in the same incidents) face a much stricter military legal system; Jews travel on well-paved main roads, while Palestinians must make do with rough dirt roads.

Almost without our noticing, for most of its existence—**40 out of 59 years**—Israel has been undemocratically controlling a large population and denying them their basic rights in every aspect of life. As a result of the continuing occupation, Israeli democracy is, at best, partial; its benefits extend to only one portion of the people living under the state's authority. **Democracy—one of the basic tenets of which is equality—is, by definition, not selective**, just as a state in which only men are granted the right to vote cannot be considered a democracy.

Forty years of occupation casts a dark shadow on the democratic values of Israeli society, and raises serious questions about the definition of Israel as a democratic country. The time has come—if it has not, indeed, already passed—to decide what we are going to relinquish: our occupation or our democracy. The two are irreconcilable and can no longer co-exist.

Founded in 1972, The Association for Civil Rights in Israel (ACRI) is Israel's oldest and largest human rights organization and the only one addressing the entire spectrum of human rights and civil liberties in Israel and the Occupied Territories.