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Israel and the Palestinian Minority
Political Monitoring Report
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Introduction

Over the last few years, our periodic Political Monitoring Reports have addressed the most prominent manifestations of racism towards Palestinians in Israeli legislation, as well as among religious leaders, politicians, and decision makers. We have also addressed the racism common among the Israeli public and the reflections of these policies and attitudes in Israeli public opinion, as demonstrated in the Democracy Index surveys of the last three years and other surveys. In having issued 16 periodical Political Monitoring Reports, we have hoped to exhibit the continuous but ever-evolving attitude of the state and its institutions towards its Arab citizens. The state continues to treat its Arab citizens as enemies, legitimizing and legalizing discrimination through laws that specifically target the Arab population in general and Arab individuals in particular. These laws prioritize and privilege Jewish society, including Jews in the Diaspora. At the same time, racism and suppression are practiced and honed through general policies and bureaucracy, often taking the form of unofficial or unwritten declarations, in addition to the harsh policies that target Arab citizens of Israel.

Such policies aim to suppress the national identity and the political demands of the Palestinians in Israel, even if this risks the democratic image that Israel has proudly presented nationally and internationally since the state’s inception. In light of such developments and corresponding changes in the state’s attitude towards the Palestinian population, it can be claimed that we are facing legalization and legitimization of apartheid ideologies in three main domains, particularly since the 2009 elections.

The first of these domains concerns the question of citizenship. Recently implemented Israeli policy threatens to create a multi-tiered hierarchy of citizenship, with the primary effect of legitimizing gaps in civil status among citizens of Israel. For example, the Citizenship and Entry into Israel Law (2002)\(^1\) prohibits the unification of Palestinian families and threatens to dismantle the thousands of Palestinian families in which either the husband or the wife is a resident of the West Bank, Gaza,

or any "enemy country," as prescribed by the law. Another law\(^2\) allows the Minister of Interior to order revocation of citizenship of anyone convicted of security offenses.

The second domain is the apartheid of the partisan political system through laws that limit the participation of the Arab political parties by restricting the conditions and ideologies with which a party may identify. For example, an amendment by the Knesset to section 7A of the Knesset Basic Law renders the recognition of Israel as a "Jewish and Democratic State" a prerequisite for participation in national elections.\(^3\) Moreover, there exist laws that prohibit those who visit enemy countries from standing for election and that ban supporting any political liberation struggle against Israel. Many other laws follow this political vein.

In recent years, we have also witnessed the legalization and legitimization of apartheid in the domain of housing, both through legislation and by fostering acceptance of apartheid in general public culture. Until last year’s legislation, there had been no laws that directly barred Arab citizens from residing in Jewish cities and localities; instead, there have been admission committees that work to indirectly prevent Arabs from residing in Jewish communities. Although there is no current law that requires this behavior, current law does protect these admission committees, fostering a general culture and religious discourse that tolerates the prohibition of selling or renting houses to Arabs. Furthermore, demonstrations in several Jewish cities have demanded the expulsion of Arabs from some neighborhoods located in Jewish cities.\(^4\)

Another recent change, with dangerous implications for the narrow application of formal-procedural democracy in Israel, concerns the efforts of the ascendant “New Zionist” ideological stream to expand restriction of freedoms of political activism. Penalties are prescribed for any political position that is incompatible with the dominant Israeli consensus, even if such a voice is non-Arab, and corresponding law endeavors to silence what remains of the democratic left-wing voices that respect human rights, mostly consisting of non-governmental institutions and organizations. This is achieved through the supervision or surveillance of civil society organizations and institutions, the threat to establish parliamentary investigation committees, and the limitation of fundraising possibilities. There have been also legislative attempts to control the Supreme Court and silence voices calling for the imposition of sanctions on Israel. For example, the Law for Prevention of Damage to the State of Israel through Boycott of 2011 bans under penalty of fine any advocacy of boycott against Israel or Israeli institutions and companies.\(^5\)


These changes and the general success of the government and coalition parties in passing apartheid policies causes grave concern to what remains of the Israeli left-wing and affiliated groups in Israel. They believe they threaten the application of formal-procedural democracy in the Israeli regime, and lead to Israel’s further isolation from the rest of the world and long-term damage to its interests. Such voices have been prominent in the press since the end of 2011. For instance, advocate Talia Sasson states:

The set of laws issued by the school of Benjamin Netanyahu and Avigdor Lieberman leads to one conclusion: it aims at undermining democracy since if the definition of the substantive democracy still adopted in Israel is the defense of human and minority rights and judicial independence, then the set of laws being currently enacted will lead to disrupting the existing order.  

These laws have two major aims: staying in power and governance and maintaining the occupation; and apparently the democratic regime hinders the achievement of these two aims as it allows discussion and freedom of speech and does not impose a single fact. Administering blows to the left-wing organizations that promote peace and work towards ending the occupation and the subsequent collapse of these organizations remove one of the obstacles hindering the implementation of Netanyahu and Lieberman’s plan.

Another source of this concern is the process of appointing justices through the Constitution, Law and Justice Committee of the Knesset, which some hold leads to selecting only justices loyal to the political ideology who then put political ideology before their roles as keepers of justice. If that continues occurring, the participation of Arab political parties in the parliamentary elections may dwindle down to near nothing, and the possibility of a purely Jewish Parliament may arise.

In a December 8, 2011 editorial, “An Appropriate Suggestion on the part of Weinstein,” Haaretz commented on the response of Attorney General Yehuda Weinstein and his opposition to Prime Minister-supported bills designed to impose financial supervision and establish investigation committees targeting left-wing civil society organizations:

In addition to the judicial justifications provided by Weinstein against the bills that aim at restricting the activism of civil society organizations, and his claim regarding the difficulty of defending these laws if petitions are filed to the Supreme Court, the Attorney General justifies his position with reasons related to his interpretation of democratic values. He says these bills demand exclusion of talk and circulation of ideas within a free and impartial intellectual market and will place Israel in the niche of the few non-democratic countries adopting these methods. It is worth asking whether

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Israel would be proud of belonging to this camp.

Then, on December 9, 2011, another Haaretz editorial, “A Strategic Threat” further challenged the series of worrisome laws enacted in the Knesset that clearly aim to narrow the scope of political and intellectual freedoms. The editors opine:

There exists a strategic threat on the status of Israel at the international level due to the continuous nibbling away at democratic values and the narrowing of the democratic space of freedoms and rights. This threat stems from the possibility of changing the democratic image of Israel in the West, after this impression had been a strategic asset for Israel. Changing the image of Israel will urge its most enthusiastic defenders to step back and withdraw their support for Israel due to the absence of common values.

These voices opposing to such regressive policies are of great importance, though it should be noted that their motives might differ from those of Mada al-Carmel and the Political Monitoring Report. Opinions such as those expressed here tell of a democratic regime in Israel that is gradually eroding or fading and of a lawmaking process that has become detrimental to the prevailing democratic values, eventually leading to irreparable damage of core Israeli interests. On the other hand, the Political Monitoring Report maintains that the Israeli regime has always utilized the tools provided by procedural democracy, mainly majority rule, to impose a non-democratic political system. The above-mentioned voices are significant since they are calling out from within Israeli society and yet they complement our arguments. These voices demonstrate awareness that the present legislative developments present a menace to societal cornerstones, such as to freedom of speech, diversity, minority rights, and a balanced judiciary. Even so, most dissenting voices have yet to call developments by their proper name, failing to recognize that the Israeli government and the Knesset have crossed the line from formal-procedural democracy to a state of apartheid, legitimized through cleverly crafted legislation.

This ruinous transformation continued through the last months of 2011, as will be illustrated throughout the rest of this Report.

Legislative Developments

During the final months of 2011, the coalition parties continued to introduce bills suppressing Palestinian national identity and imposing differentiation regarding civil status between the Arab and Jewish populations. This was done through defining loyalty to the “Jewish Zionist and democratic state” as a prerequisite to the rights of citizenship. The most recent attempt was a bill introduced by MK Danny Danon (Likud) stating that any citizen wanting to obtain official documents or permits must sign a declaration of loyalty to the State of Israel as a Jewish Zionist and democratic state.7 The bill was officially introduced to the Knesset on December 5, 2011. The

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7 Binder, E. (2011, December 5) A Bill: ID Cards for the Arabs in Exchange for a Declaration of
“Declaration of Loyalty Bill-2012”⁸ states that the issuance of any official document rides on the precondition of the applicant's declaration of loyalty to the State of Israel. The exact wording of the proposed loyalty declaration is: “I hereby declare my loyalty to the State of Israel as a Jewish Zionist and Democratic State, and solemnly swear to maintain its values and not to engage in illegal acts against it or against any of its institutions.”

According to MK Danon, the need for this law is derived from the definition of the relationship between the state and the citizen. As this relationship requires that the country defend the citizen, it also requires that, in addition to the rights provided to the citizen, he/she should have duties to the country, including that of preserving its values, symbols, and culture.⁹ This loose interpretation can be understood as targeting the whole population without denoting discrimination against any specific community. However, what follows provides a clearer image regarding the targeted group: the Arab population. MK Danon says that the State of Israel, being both national and democratic, has been exposed for the past few years to an internal attack targeting its Jewish Zionist nature and identity. It cannot continue providing services to those willing to eliminate its identity; thus, in order to reinforce the sense of belonging to the state and its institutions, the condition of the loyalty oath should be imposed when applying to issue any official permit or certificate from the state, such as a driver’s license or a building permit. Any citizen refusing to recognize the state’s goals and identity will not be eligible to receive services.

**Appointment of Justices Depends on Military Service**

Another attempt to limit the permissibility of certain political positions was a bill introduced at the end of last year stating that the appointment to the position of Supreme Court Justice should depend on the condition of Military or National Service. Moreover, the bill requires that appointed judges who have not served in the Military or National service not be promoted to the position of president or vice-president of the Supreme Court until they do so. It is not difficult to infer that this bill targets Arab judges, given that such circumstances generally correspond primarily to their records.¹⁰ The introduction of this bill by MK Michael Ben-Ari (National Union) followed the decision to include Arab judges among nominees for the position of Supreme Court Justice.

Section 12 of the bill “The Courts’ Law - 2012”¹¹ is to be amended (amendment entitled “The Eligibility of a Supreme Court Justice”), and a supplement added to section B in two parts: A-Justices cannot be appointed in the Supreme Court unless

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⁸ Bill No' P 3931/18, introduced by Danny Danon (Likud)
⁹ Ibid. Attached explanation.
¹⁰ Asaad, G. (2011, December 5) A New Wave of Incitement Affecting the Arab Justices. bokra.net (Arabic)
¹¹ Bill No’ P 3878/18, introduced to the Knesset January 2, 2012
they have served in the Israeli Army or volunteered in the National Service. B-If a justice was appointed to the Supreme Court without meeting the requirement of Military or National Service, he/she cannot be promoted to the position of president or vice-president of the Supreme Court, until he/she meets these requirements.

In the explanation attached to the law, MK Ben-Ari states:

The bill was proposed following the present debate on the nature of the Supreme Court in Israel. It is designed to link between the candidate’s eligibility to occupying the post of justice solely if he/she had fulfilled his/her duty towards the country and bearing the burden through the Military or National Service. It’s not a secret that in many cases justices are involved in security-related deliberations and are presented with military and security-related materials; therefore, a person who had not fulfilled the Military Service or—in the worst case, refused to do so for ideological reasons—cannot occupy the post of justice in a Court that influences and draws the state’s features and identity.”

**A Bill to Silence the Muezzin**

An additional bill that concerned much of the Arab population was the announcement by MK Anastasia Michaeli (Yisrael Beiteinu) in the beginning of December regarding her intention to propose a bill that bans the use of loudspeakers to recite prayers in temples or houses of worship during certain times of the day, like the time of the Fajr (dawn) prayer.\(^\text{12}\) The proposal has been informally dubbed the "Mosques' Law," but officially, it is an amendment to “The Prevention of Hazards Law.” MK Michaeli claimed that the early morning call to prayer disturbs the Jewish population.\(^\text{13}\) According to the amendment, the usage of loudspeakers in houses of worship is noisy and unbearable, so the bill would grant the Minister of Environmental Protection, supported by the Minister of the Interior, the authority to determine—through administrative order—which cases, if any, warrant the use of loudspeakers.

Michaeli confirmed through several press statements that she had placed this issue at the top of her list of priorities and that she would invest maximum efforts to convince the Knesset to pass this law. She also suggested imposing financial penalties on any violators of the law, asserting that many of non-Muslims living in the communities in question are highly disturbed by the early morning call for prayer. “The Muslim clergymen should find another way to call people for prayer, since one cannot disturb a whole town in which adults, children, and elderly reside to call ten people for prayer.” She described the call for prayer as tactless, savage, and bold. Still, she maintained, “We are all in favor of religious freedom; however, this should not be at the expense

\(^{12}\) Bill No’ P 3311/18, introduced to the Knesset June 6, 2011

\(^{13}\) al-Arab. (2011, November 8). A Law in the Knesset Preventing the Call for Prayer…Michaeli: a Loud call for prayer is tactless and rude! alarab.net (Arabic)
of the quality of life of hundreds of thousands of Jews suffering daily from the call for prayer at dawn,” and ultimately concluded, “Arabs and the Muslims should be aware that they do not live in an Arab country, but rather in a civilized country.”  

Michaeli’s statements followed her visit to Nazareth Elite, populated by both Jews and Arabs. During her visit, Nazareth Elite Mayor Shimon Gibso said he would never allow the Arab residents to build a mosque, adding that he preferred to die rather than see a mosque built in Nazareth Elite. He claimed he would utilize all of his legal authority to prevent the construction a mosque in the city.

This bill gained support from Prime Minister Benjamin Netanyahu, who raised the bill in the government’s weekly meeting on December 14, 2011. Most media outlets expected that the bill would gain support from the large majority of the government. Netanyahu was enthusiastic about it, referencing similar cases of the restriction of mosque construction from Western countries. “The same problem exists in all European countries, and they know how to deal with it. It’s legitimate in Belgium; it’s legitimate in France. Why isn’t it legitimate here? We don’t need to be more liberal than Europe.” It was also reported that Netanyahu tried to convince the other ministers to vote in favor of this law. According to Haaretz, some ministers were adamantly opposed to this bill, thus obliging Netanyahu to postpone the discussion of the law and move it to the Ministerial Committee on Legislative Affairs.

**Executive Initiatives**

Utilizing its executive authority, the Israeli government continues to support bills and adopt policies that aim to restrict political activism and freedoms. On November 13, 2011, the Ministerial Committee on Legislative Affairs decided in an 11-5 vote to support bills limiting the fundraising abilities of NGOs that are not considered aligned with the right-wing political agenda or support left-wing humanitarian values. This would be achieved through the enactment of laws that limit the ability of such organizations to draw financial support from international institutions or the governments of foreign countries, as well as the withdrawal of tax-exempt status currently bestowed upon all NGOs. One such bill was introduced by MK Ofir Akunis (Likud) to ban funding from foreign governments to “political NGOs,” including human rights organizations. Another was introduced by MK Fania Kirshenbaum (Yisrael Beitenu) party to levy a 45% tax on all foreign funding of NGOs. A third bill

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14 Ibid.
15 Ibid.
17 Ibid.
was introduced to limit foreign funding for an NGO to 20,000 ILS a year.\(^{19}\)

Some members of the committee upbraided their colleagues’ support of these bills, fearing for the status of Israel in the eyes of Western liberal democracies and warning that such legislation would deeply damage the image of Israel. Among such voices were those of Ministers Michael Eitan, Dan Meridor and Benny Begin (all from Likud). Begin warned, “Zimbabwe, Eritrea, Uzbekistan—these are countries that have similar laws to this one. What kind of society are we living in? This law will have consequences on Israel's standing in the world.”\(^{20}\)

The ministerial committee’s position was also condemned by left-wing organizations, who found that any such law sullies the name of the Israeli government, “It is a part of the attempts to silence the voices that are opposed to the present political approaches in this country, in addition to being contrary to democratic values.”\(^{21}\) As the Committee prepared to vote on these bills, many such organizations demanded that the international community protest before the Israeli government, calling on it to end this anti-democratic campaign by the government and the Knesset.\(^{22}\) In response, many international institutions and foreign governments, most prominently the European Union, condemned these bills, finding them clear attempts to limit the scope of activism of human rights organizations operating in Israel.\(^{23}\)

Supporting the legislation, Minister Yosi Peled (Likud) responded to the condemnation:

> I’m concerned about the attempt to deal with us—the State of Israel—and consider us as similar to other states. In fact, the attitude towards the case of Israel cannot be so shallow. Our situation is different from those of other states; it does not exist in any other state. For example, we cannot allow an organization like Breaking the Silence to continue persecuting Israeli soldiers and still receive external funding.\(^{24}\)

The campaign against these bills, particularly the positions of international institutions and foreign governments, seemed to succeed in applying sufficient

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\(^{21}\) Somfalvi, A. See footnote 18.


\(^{23}\) Ynet. (2011, December 7) Britain and the Attorney General are Opposed to the Organizations’ Law. (Hebrew); Benhorin, Y. (2011, December 4). United States Secretary of States Hillary Clinton: Concerned over the Deterioration of the Israeli Democracy. ynet.co.il (Hebrew)

\(^{24}\) Somfalvi, A. (2011, November 13). Blowing the Left-Wing: the Government Supports Limiting Foreign Funding. ynet.co.il (Hebrew)
pressure on Netanyahu for him to announce that he would indefinitely postpone legislative action on these bills, despite the approval of the Ministerial Committee on Legislative Affairs. However, a few days after Netanyahu’s decision, the Yisrael Beitenu party stated that it would reintroduce the bills in the Knesset for preliminary reading, even though the ruling coalition had not approved the laws.

**Political Persecution**

The political persecution of Arab leaders and clergymen persisted through the end of 2011 through several channels. MK Sa‘id Naffaa (National Democratic Assembly) and a group of Druze clergymen were targeted after they had been in Syria on a religious tour: At the end of December, the Public Prosecution of the Northern District filed an indictment against Naffaa for his “illegal” visit to Syria, where it was claimed he met with people who threaten the security of Israel. The indictment accuses Naffaa of three offenses: First, in 2007, Naffaa joined a group of Druze clergymen and 282 other individuals in travel via Jordan to Syria, and sojourned there for a week, without obtaining the travel permits required by Israeli Law. Second, during his visit to Syria, Naffaa met with Talal Naji, assistant leader of the Popular Front for the Liberation of Palestine, a group considered hostile to Israel, according to the indictment. The third charge is similar to the second; Naffaa met with Khaled Mashal, head of the political bureau of Hamas, also considered hostile to Israel. In addition to these charges against Naffaa, another indictment was filed against 16 Druze Arab citizens accused of traveling to Syria and Lebanon illegally.

Responding to these indictments, Naffaa defended himself:

> This proves that the oppressive Israeli authorities, and those standing behind the public prosecution, are continuously persecuting me on a personal level in addition to targeting the director of the Communications Commission, in an attempt to harm the communication project that has started to annoy Israel.

According to Adalah—the Legal Center for Arab Minority Rights in Israel, the legal group defending Naffaa and the other defendants:

> The religious leaders’ visit to Syria was purely for religious and humanitarian reasons. Even the Israeli Supreme Court regards the Israeli law that prevents these types of visits as arbitrary. Therefore, the filing of an indictment in this regard is discriminatory, and the real problem is with the law and not the actual visit. We will challenge the constitutionality of this law before the court. This law dates back to the emergency laws in place since the days of military rule and contradicts modern fundamental constitutional principles...[MK Naffaa’s] visit to Syria came as a part of the fulfillment of his duties as a...
member of Knesset (MK) and as a public representative. Therefore it is a political visit that lies within the scope of his parliamentary immunity. The Supreme Court has acknowledged that parliamentary immunity includes any legitimate political act, and MK Naffaa, according to his testimony before the Attorney General, did not carry out any prohibited act or meet any prohibited political person/party during the visit. Accordingly, the filing of an indictment in this case is also arbitrary.27

Conversely, at the end of December 2011, after prolonged investigations, Attorney General Yehuda Weinstein decided to close his indictments against MK Haneen Zoabi (National Democratic Assembly) and the participants of the Gaza flotilla on the ship “Marmara” in May 2010. He indicated that the files were closed due to the difficulties of finding evidence enterable in court to convict participants of the Gaza flotilla of any crime. These participants had been accused of illegal entry into closed military zones, but not of assaulting members of the military. All charges were dropped due to lack of evidence and the difficulty of prosecuting citizens of other countries. Furthermore, the Palestinian citizens of Israel who participated in the Gaza flotilla never even entered Gaza territorial waters, as the ship was intercepted at sea.28

It is worth noting that in addition to Zoabi, the list of participants of the Gaza flotilla included Sheikhs Raed Salah and Hamad Abu Daabes, the leaders of the northern and southern branches of the Islamic Movement in Israel, respectively, Muhammad Zeidan, head of the High Follow-Up Committee for Arab Citizens of Israel, and human rights activist Lubna Masarwi.

Partial Investigation of Racist Legal Suits

In November 2011, Attorney General Yehuda Weinstein began the process of opening a criminal investigation against Rabbi Shmuel Eliyahu, the Chief Rabbi of the city of Safed in Israel, on suspicion of incitement to racism. The decision followed complaints received by the office of the Attorney General regarding Eliyahu’s 2010 statements advocating banning the entry of Arabs into Safed, especially his request to ban renting houses to Arab students enrolled in the Safed Academic College. However, soon Weinstein reversed course, deciding not to open criminal investigation against the “Rabbis’ Letter” distributed by Eliyahu and others, which called for the prohibition of the sale or rental of houses to Arabs across the country and generally attacked the Arab population. Weinstein’s decision was made under the pretext of the difficulty of proving that the religious edict constituted “racist incitement”; it was claimed that law protects quotes from religious books and prayers.29

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29 Alarab. (2011, November 22). Criminal Investigation on Charges of Racism against the Rabbi of
It is worth mentioning that in 2010, Eliyahu had initiated a campaign against rental or sale of apartments in Israel to “Gentiles.” In mid-November, he organized an “Emergency Meeting” entitled “The Quiet War - Fighting Decay in the Holy City of Safed.” The meeting was held in the Performing Arts Center in Safed and was attended by approximately 400 people. The conversation at the meeting centered on the decay of Safed’s Jewish character as caused by the Safed Academic College, whose students included Arabs who rented houses in the city. Prior to the meeting, a letter signed by 18 Jewish Rabbis, mainly from Safed and headed by Eliyahu, had been distributed, calling on residents not to rent houses to non-Jews, since “to sell or rent an apartment to a non-Jew leads to lowering the prices.” The letter was ended with this edict: “The neighbors and acquaintances of the person who rents an apartment to non-Jews should send him a warning; then they have the right to reveal his deed publicly, keep away from him, and refrain from trading with him or involving him in religious events.”

In an interview with the newspaper Maariv, Eliyahu said he regarded Arabs’ behavior as unpleasant, adding that if Arabs behaved as guests, there would not be any problem. However, he stated:

When the Arab behaves like the owner of the house and tries to impose his lifestyle, it is religiously forbidden to rent him a house. If there are more than three Arabs within one neighborhood, it means the Jews will leave the center of the town for their sake. The Jews should not escape from the Arabs; they should make the Arabs flee.”

Following Eliyahu’s incitement against Arabs, vehicles owned by Arab students studying at the College of Safed were destroyed by acts of arson.

Finding and Boycotting Businesses that Employ Arabs

Last November, within the framework of a project called “The Hebrew Work,” a group of settlers launched a campaign in Jerusalem to blacklist commercial enterprises employing Arabs. This campaign was initiated by a group of settlers from the Yitzhar settlement in the West Bank, some of whom had been suspended from there and took up residence in Jerusalem. Police investigations found that the
Hebrew Work project aimed to name any Jerusalem businesses that employ Arabs and demand that the Israeli public refrain from shopping there. These attempts followed the precedent set by similar initiatives mentioned in previous reports, with the ultimate goal of prohibiting the employment of Arab workers in Jewish businesses in Jerusalem, Netanya, and other cities. If the Hebrew Work’s goal of the separation of Arabs from Jews through private collective intervention fails, the names of any noncompliant businesses are to be published, and the public urged to boycott them.

The Analytical Section: The Arab Parties in the Knesset are Prevented from Enacting Laws

The analytical section of the previous Political Monitoring Reports focused on specific aspects of the function of the legislature in Israel; this installment examines an aspect not addressed in that Report. The issue is the absence of considerable objection on the part of the legitimate and official opposition parties, not including the Arab and the Arab-Jewish parties, regarding the legislation heavily discriminatory against the Arab population, the limited opportunities given to the Arab parties to carry out their parliamentary mission as representatives of a national minority, and their limited abilities to serve their electorates and preserve their interests through the representative legislature.

Considering the frequency with which racist laws have been enacted in the Knesset in the past few years, it is evident that the Arab parties’ capacity to thwart the passage of these laws is low. This is particularly due to the broad governmental coalition, as well as the seeming lack of interest, on the parts of other opposition parties, in blocking discriminatory legislation. Often we even find that other opposition parties support racist laws that target Arabs. Therefore, regarding the suppression of Arab citizens and the enactment of laws that transform apartheid ideology into political and legal reality, there is not a large difference between the opposition and the coalition. There is, of course, the notable exception of the Meretz party, which consistently opposes discriminatory laws, but due its small representation in the Knesset, it lacks substantial influence in the legislative process.

The general parliamentary elections of 2009 resulted in a clear triumph for those parties considered right wing and center-right by Israeli standards, such as the Kadima party. Following the elections, the Likud Party succeeded in forming a broad coalition comprising 70 Knesset members, which subsequently decreased to 62 members with the split of the Labor Party. The opposition, including the Arab and the Arab-Jewish parties, which won 11 seats, included 40 members immediately after the elections and increased to 48 after the split of the Labor Party, its withdrawal from the coalition, and the establishment of the Independence Party, now part of the coalition.

34 In the last elections, the Labor Party won 13 seats. At a later stage, 5 members split from the Labor Party to form the Independence Party, the chairman of which is Ehud Barak.
This formal division and the balance of power between the coalition and the opposition are not always reflected in the votes on racist laws against the Arab population. In many cases, the opposition parties simply abstain from voting against such laws, while in other cases, some members of the opposition actually propose such laws. For example, the Nakba law (officially an amendment to the Budgets Foundation Law), which imposes financial penalties on or withdrawal of funding from state-funded organizations that commemorate the Nakba on Independence Day, was passed by a vote of 37-25. The full 48 members of the opposition clearly did not vote against this bill. The same thing occurred with a bill that protects the existence of admission committees in small towns to set conditions as to the political views of its residents. This bill was introduced by MK Yisrael Hasson (Kadima) in opposition. The law was passed in the Knesset general assembly by a vote of 35-20; 11 of its opponents were from Arab and Arab-Jewish parties and the Meretz Party. Given these trends, it is clear that the suppression of the Arab population through laws that effectively codify apartheid takes place with little distinction between responses from coalition and opposition parties. Even if Knesset members abstain from voting, the result is still the enactment of these laws.

We believe this position adopted by the members of the major opposition parties, namely Kadima and the Labor Party, originates from their approval of the essence of these laws. In addition, even if there is disagreement on their content, the opposition parties are unwilling to appear before the Israeli public as defenders of the Arab population’s rights or as opponents to policies that discriminate against Arabs. They fear punishment at the ballot box, anxious that the majority of their constituents are not opposed to the proposed legislation.

Another result of the current parliament’s structure and the prevailing culture among Israeli parties and Israeli society is that Arab and Arab-Jewish parties are not able to act within the framework of legitimate political activity or the political system. This situation hinders their ability to represent the interests of the Arab population by enacting laws to improve living conditions or reduce discrimination on the part official institutions. So far, the Arab and Arab-Jewish parties in the Knesset have not succeeded in enacting a single law that represents the national interests of the Arab population (except for the administrative separation of the villages of Jatt and Baqa al-Gharbiyye), nor have they successfully prevented the enactment of any racist laws.

From the beginning of the 18th Knesset in 2009 until March 2012, the members of Arab parties have introduced 1000 bills. Only 72 of those bills passed preliminary reading, and then only 23 bills of those passed the second reading. The Knesset passed 20 Arab-introduced bills on the third reading. (Not all of these were

35 In some cases, more than one MK can introduce a joint bill; however, it is counted separately in the Knesset’s official statistics and added to bills introduced by each Knesset member. Therefore, the overall number of bills could be less than the one mentioned here as some bills are counted more than once.
necessarily introduced during the current Knesset session; some had been introduced in previous sessions, so they are not necessarily part of the 1000 bills. Additionally, none of those passed represented Arab interests in particular).

The following chart illustrates these bills' distribution according to the Knesset members who introduced them:

<table>
<thead>
<tr>
<th>Name of Knesset member</th>
<th>Number of bills</th>
<th>Passed preliminary reading</th>
<th>Passed second reading</th>
<th>Passed third reading</th>
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<td>Dov Khenin</td>
<td>475</td>
<td>52</td>
<td>16</td>
<td>14</td>
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<td>Mohammad Barakeh</td>
<td>101</td>
<td>5</td>
<td>2</td>
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<td>Afu Ighbariya</td>
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<td>3</td>
<td>0</td>
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<td>1</td>
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<td>1</td>
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<th>Name of Knesset member</th>
<th>Number of bills</th>
<th>Passed preliminary reading</th>
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It's not coincidental that the bills introduced by MK Dov Khenin were the most welcomed of this group. The Knesset's current structure and the prevailing political culture are more tolerant towards a certain type of bill, even when it is introduced by a member of an Arab or Arab-Jewish party, or introduced jointly with members of other Arab parties. Very often, these bills regard the environment, social rights in general, or women's rights in particular. Despite the significance of any particular bills, those that passed are limited to basic social rights and do not challenge the balance of power or the legal, civil, or national status of the Palestinian population in Israel. For instance, some of the successful legislation included: Alimony Law (ensuring alimony payment), Animal Rights Law (preventing the clipping of claws), Law Restricting Tobacco Advertising, and amendment to the Law Banning Advertising of Sexual Services, laws in the domains of Reduced Energy Consumption and Environmental Protection, and Law for Banning the Sale of Animal-Tested products.

These are the types of laws the Arab and Arab-Jewish parties in the Knesset may successfully pass. They reflect the reality of the parliamentary political game, in which some legislative activity is allowed and some is forbidden. Through an even
broader perspective, these laws reflect the apartheid of a completely partisan system, in which certain minor posts are allowed for the Arab parties, while the rest are reserved for Israeli parties.

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