

# Political Monitoring

## Israel and the Palestinian Minority: Mada's Bi-monthly Report

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The March issue of this *Political Monitoring Report*, published earlier this year, raised the concern that, in the wake of the Israeli elections, subsequent *Political Monitoring Reports* would be largely focused on discriminatory legislation against Palestinian citizens. This concern has now been realized.

The Palestinian minority in Israel was a major issue in the elections campaign rhetoric of certain Zionist parties, in particular Avigdor Lieberman's *Israel Beiteinu* party. Many Israeli politicians called for limiting Palestinian ethnic identity and for statutory changes to force Palestinians in Israel to act in an "acceptable" political manner. The election results signaled that most Zionist parties were in agreement with adopting Lieberman's demand to link citizenship to a declaration of loyalty to the state. Therefore, the current government and Knesset will likely not settle for maintaining the current status of the state's Palestinian citizens, but will directly threaten it and negotiate over the nature of minority citizenship itself. Israel will demand Palestinian citizens to decide whether to accept Israel's conditions, among them the requirement that they forego their national identity, collective identity, and demand for ethnic-minority collective rights, and settle for partial and flawed individual rights. The government and the Knesset will attempt to extort from Palestinian citizens acceptance of the principle that Israel is a Jewish state. These demands are reflected in proposed bills that were placed on the new Knesset's table in its first month of business. These bills, some of which have been adopted by the government, will be described below.

Naturally, Knesset activity takes up a substantial portion of this report. The opening of the initial session of the 18<sup>th</sup> Knesset found many parties initiating legislation that discriminates against Palestinian citizens, a trend which was not emphasized in previous *Political Monitoring Reports* due to the election recess and the subsequent transition period.

### *Proposed Bills That Would Revoke Citizenship*

#### Denial of the Jewish character of the state as grounds for revocation of citizenship

In early June, the Interior Minister, Eli Yishai, stated that he wanted to amend the Citizenship Law to re-empower the Interior Minister to revoke an individual's citizenship without first obtaining the approval of the Attorney General and the court.<sup>1</sup> The Interior Minister used to have this power—on the grounds that the individual in

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<sup>1</sup> Sharon Rofe-Ophir, "Arab MKs against Yishai initiative: this is a sick proposal." *Ynet*, June 4, 2009.

question had provided false particulars about his or her identity or past. However, during the tenure of Ophir Pines (Labor) as Interior Minister (2005-2006), this power was made conditional upon approval of the Attorney General and the court. Under existing law, the Interior Minister cannot initiate this procedure without the prior approval of the Attorney General.

According to the proposed bill, the Interior Minister would be permitted to revoke an individual's citizenship also for "political" reasons or on the grounds of that citizen's "ideology," especially in cases where the minister is convinced that the person actively opposes the State of Israel as a Jewish state or acts against the Jewish people.

**The Proposed Citizenship (Amendment – Nullification of Citizenship) Law, 5769 – 2009<sup>2</sup>** reads as follows:

In section 11(a) of the Citizenship Law, 5712 – 1952, following the words "on the basis of false particulars" shall come "or if the Minister of the Interior is convinced that the person acted against the Jewish people, or against the State of Israel as the state of the Jewish people, or against the State of Israel being a Jewish, Zionist, and democratic state."

From the perspective of Palestinian citizens, the proposal was clearly another attempt to restrict their political action and freedom of expression. Reacting to the proposed bill, MK Jamal Zahalka (NDA Party), said:

This is a racist and anti-democratic initiative. Its aim is to revoke only the citizenship of Arabs, and not of Jews. Yishai wants to nullify judicial rulings and empower himself to take political vengeance. Revocation of citizenship is forbidden under international law—our citizenship is not a benevolence, but arises from our being natives.<sup>3</sup>

Yishai replied:

There are Arab citizens in Israel, such as Azmi Bishara, who spy against the country or act against it in the framework of terrorist organizations. It is forbidden that these people be Israeli citizens, but now it is very hard to revoke citizenship. At the existing bureaucratic pace, it is impossible to do anything in the matter. The right way to handle it is for a person whose citizenship is revoked by the Minister of the Interior to turn to the court afterwards, not the reverse.<sup>4</sup>

In his statement, the minister did not deny the claims that the proposed amendment is aimed primarily against Palestinian citizens, but rather bolstered these claims.

Alongside with attempt to make it easier to revoke citizenship by expanding the Interior Minister's discretion, efforts continued to make it harder or impossible to obtain citizenship, especially for Palestinians from the areas occupied in 1967 and from Arab countries, most of which are classified as "enemy states." These efforts revolved, for the most part, around the amendments made in 2003 to the Citizenship and Entry into Israel Law, which prevent unification of Palestinian families. So far, these amendments have been temporary provisions, limited in time. It appears that

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<sup>2</sup> The bill was placed on the Knesset table on April 1, 2009 by MKs David Rotem and Robert Ilatov.

<sup>3</sup> *Ynet*, June 4, 2009.

<sup>4</sup> *Ibid.*

the current Knesset will make a major effort to turn the temporary provision into a permanent law.

The first omen was the **Proposed Citizenship and Entry into Israel (Temporary Provision) (Amendment – Restrictions on Citizenship, License to Inhabit Israel and Permit to Stay in Israel) Law, 5769 – 2009.**<sup>5</sup> This bill prohibits, by permanent statute, the granting of citizenship to Palestinians living in the West Bank and Gaza Strip or citizens of “enemy countries” who are married to Israelis. The text of the bill states:

1. In the Citizenship and Entry into Israel (Temporary Provision) Law, 5763 – 2003 (hereafter—the Principal Law), the name of the Law, “(Temporary Provision)” shall be replaced by “Restrictions on Citizenship, License to Inhabit Israel and Permit to Stay in Israel”).
2. In section 2 of the Principal Law, the words “for the period this Law is in force” shall be deleted.

The Explanatory Notes attached to the bill clearly reveal the bill’s objective and its underlying conception, namely that all Arabs are enemies who threaten the State of Israel, and Palestinian citizens who marry a loved one are engaged in a conspiracy against the Jewish character of Israel. Given the gravity of the matter, we quote at length from the Explanatory Notes of MK Levin.

The **Citizenship and Entry into Israel (Temporary Provision) Law, 5763 – 2003**, specifies various restrictions on granting citizenship and approvals to inhabit and stay in Israel, which were established to meet security needs and to prevent the entry and stay in Israel of persons who are liable to take part in terrorist actions. However, the security objective of the principal law is only one reason for the need for these provisions. In practice, the provisions of the principal law serve an additional supreme objective—preventing mass immigration of a hostile Arab population into the territory of Israel, which is liable to bring about an extensive change in the demographics of the state and challenge the Jewish majority in the state.

. . . . The State of Israel is first and foremost the state of the Jewish people. The Jewish nature and character of the state are a supreme value. They must, therefore, be enshrined in legislation; if this is not done, the very existence of the state as a Jewish state will be in real danger.

The provisions of the principal law are a last obstacle to actual realization, through the back door, of the imaginary right of return demanded by various Arab populations. Therefore, it is not proper to make a connection between these provisions and temporary and changing security needs. These provisions should be established as permanent statutory provisions, which stand on their own, without dependence on one temporary security situation or another.

For this reason, it is proposed to enshrine the provisions of the principal law, which is a temporary provision, as permanent provisions that intertwine with existing citizenship and immigration laws, and amend them in a way that is consistent with the right and obligation to preserve the Jewish nature and character of the State of Israel.

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<sup>5</sup> The bill was placed on the Knesset table on May 4, 2009 by MK Yariv Levin.

Another relevant bill is the **Proposed Citizenship (Amendment – Declaration of Allegiance) Law, 5769 – 2009**.<sup>6</sup> This bill adds a condition to obtaining citizenship: Applicants must declare their allegiance in the following phraseology:

I pledge allegiance to the State of Israel as a Jewish, Zionist, and democratic state, to its symbols and values, and to serve the state, as I shall be so demanded, in military service, within the meaning of the expression in the **Defense Service Law [Consolidation Version], 5746 – 1986**, or in alternative service, as shall be specified by statute.

The Explanatory Notes state:

In recent years, it has been found that citizens in the State of Israel are not loyal to the state, its symbols and values, and evade military service or national service. This proposed bill comes to link loyalty to the state, its symbols and values, and military or national service to Israeli citizenship. It is proposed that, to obtain Israeli citizenship, the applicant must declare allegiance to the state, and also promise to perform military service or alternative service, as required.

In proposing the bill, the initiators seek to forcibly compel acceptance of the symbols and character of the state.

The bill, referred to as the “Loyalty Law”, has effectively implemented the political platform of *Israel Beitenu*, whereby citizenship is made dependent on a declaration of loyalty to Israel as the homeland of the Jewish people. *Israel Beitenu* wanted the bill to be submitted to the Knesset as a government-sponsored bill. On May 31, the Ministerial Committee for Legislation rejected the proposed bill. Only ministers of *Israel Beitenu* voted in favor of the bill. As a result of the vote, the bill could not be submitted as a government-proposed bill, but the initiators of the bill still had the right to submit it as a private bill.

Another bill dealing with allegiance is the **Proposed Population Register (Amendment – Declaration of Allegiance to the State, the Flag, and the Hymn) Law, 5769 – 2009**.<sup>7</sup>

This bill requires every resident who is entitled to an identity card, as specified in Section 24, to sign, prior to receiving the identity card, a declaration of allegiance that states:

I declare my allegiance to the State of Israel as a Jewish and Zionist state, to the principles of the declaration made upon establishment of the State of Israel, to the state's flag and its hymn. I promise to perform compulsory service or alternative service as specified by statute.

Under the terms of this bill, residents who refuse to sign the declaration would not receive an identity card.

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<sup>6</sup> The bill was placed on the Knesset table on April 1, 2009 by MKs David Rotem, Robert Ilatov, among others.

<sup>7</sup> The bill was placed on the Knesset table on May 4, 2009 by MKs David Rotem, Alex Miller, and others.

## *The State Combats Palestinian Collective Memory*

The state and the Jewish majority in Israel seek more than statutory enshrinement of the inferior political and legal status of Palestinians in Israel. They also want to control Palestinian citizens' thoughts, memories, and emotions. In an attempt to limit Palestinian memory, the state attacks one of the founding components of the collective memory of Palestinians in Israel: commemoration of *Nakba* Day as a day of mourning. On *Nakba* Day, Palestinians mark the destruction, in 1948, of hundreds of Arab villages and the expulsion of most of the Palestinian population. In 1998, Palestinians in Israel began to commemorate *Nakba* Day on the same day that that the State of Israel celebrates Independence Day, with mass processions to the sites of destroyed villages and to remaining villages whose residents were expelled. This custom, which made *Nakba* Day a central event in Palestinian consciousness, is forbidden according to the thinking of right-wing MKs. On April 1, MK Alex Miller (*Israel Beitenu*) and others placed before the Knesset a bill that was subsequently referred to as the "*Nakba* Law," which would prohibit marking Israel's Independence Day as a day of mourning.

**The Proposed Independence Day (Amendment – Prohibition on Marking Independence Day or the Establishment of the State of Israel as a Day of Mourning) Law, 5769 – 2009,**<sup>8</sup> forbids marking Independence Day or the establishment of the State of Israel as a day of mourning. The bill provides as follows:

### **Amendment of section 1 of the Independence Day Law, 5809 – 1949**

After section 1 shall come:

A person shall not organize an activity or event that marks Independence Day, or relates to the establishment of the State of Israel, as a day of mourning or a day of sorrow. A person who contravenes any provision of a section of the law is liable to imprisonment for a term of three years.

The Explanatory Notes to the bill state:

The amendment proposes to prohibit by statute actions that mark Independence Day or the establishment of the State of Israel as a day of mourning, and imposes harsh punishment on persons who exploit the democratic and enlightened character of the State of Israel to destroy it from within.<sup>9</sup>

On May 9, the Ministerial Committee on Legislation approved the bill. In doing so, the Cabinet adopted the bill, which means it will be submitted to the Knesset in the name of the government, ensuring a majority for its passage into law.<sup>10</sup> Approval of the bill by the Ministerial Committee enraged Arab and other parties that seek Jewish-Arab cooperation. *Hadash* chairman Muhammad Barakeh derided the bill's initiator, MK Miller, saying: "The fact that the Cabinet verified delusions of a lone Knesset member ignorant of history and facts indicates the gutter that government discourse has

<sup>8</sup> The bill was placed on the Knesset table on 1 April 2009.

<sup>9</sup> *Ibid.*

<sup>10</sup> Jacky Khoury and Yuval Azulai, "Ministerial committee approves *Nakba* Day bill," *Ha'aretz*, May 9, 2009.

reached, in a manner that was expected.” Barakeh emphasized that, “Commemoration of the *Nakba*, which will continue with or without this law, is not intended to raise a sword against the existence of Israel, but to rectify the historical injustice caused to the Palestinian people.”<sup>11</sup> MK Jamal Zahalka (NDA) contended:

Enacting a law that prohibits mourning and grief and sorrow is a worldwide precedent, an Israeli invention, testifying to the state’s bankruptcy. We shall find the way to commemorate *Nakba* Day against the will of the insane Lieberman-Netanyahu government; they expelled our people and destroyed 500 villages, and now they even want to deny us a cry of pain.<sup>12</sup>

MK Miller, who submitted the bill, replied, “This is a first step in ceasing the organized incitement by the Islamic Movement and the Higher Follow up Committee for Arabs in Israel. Every properly run democracy has the right to protect itself, and this is exactly what the government of Israel decided to do today.”<sup>13</sup>

Yitzhak Lior, writing in *Ha’aretz*, responded to the bill as follows:

Only someone who does not recognize the hardship suffered by the Arab minority in Israel, the growing poverty, and the spreading racism, the banning of “popular” goods, quotas in mixed towns, religious and yuppie settlement in Jaffa with the municipality’s encouragement, against the will of the poor who were not provided infrastructure, does not understand that a patriotic law like the “*Nakba* Law,” even if it is not enforced, is a pretext for further incitement against Arabs and additional invasion into their political and cultural life.<sup>14</sup>

An editorial that appeared in *Ha’aretz* on May 9 sharply condemned the Ministerial Committee’s approval:

Approval of the bill is a hasty and dangerous act. In doing so, the Committee in effect accepted the racist and anti-democratic worldview of the *Israel Beitenu* faction. Especially grave is the support of the Justice Minister, Ya’akov Ne’eman . . . Rather than civil equality, freedom of thought and speech, and recognition of the minority’s rights, the Netanyahu-Lieberman government now proposes denying freedom of speech and brutal punishment.

In addition to the government’s adoption of the “*Nakba* Law” bill, at its meeting on May 9, the Ministerial Committee on Legislation approved the private bill of MK Zevulun Orlev (“*Habayet Hayehudi*”—The Jewish Home), which prohibits publication of incitement that denies the existence of the State of Israel as a Jewish and democratic state. The bill states:

A person who calls for denial of the existence of the state, in a publication whose contents entail a reasonable possibility that it will lead to commission of an act of hatred, contempt, or disloyalty to the state or to the governmental or judicial authorities, is liable to imprisonment for a term of one year.”<sup>15</sup>

The Explanatory Notes to the bill state:

The Penal Law does not contain a criminal offense with regard to a person who publishes a call to deny the existence of the State of Israel. . . . The purpose of the bill is to establish in the

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<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Yitzhak Lior, “Beat Arabs, Lieberman in Danger,” *Ha’aretz*, May 9, 2009.

<sup>15</sup> The bill was placed on the Knesset table on April 1, 2009 by MK Zevulun Orlev.

Penal Law that publication of a call to deny the existence of the State of Israel as a Jewish and democratic state, where, based on the contents of the publication, there is a reasonable likelihood that it will lead to hatred, contempt, or disloyalty to the state or to its duly instituted governmental or judicial authorities, is a criminal offense . . . The Jewish and democratic character of the State of Israel must be preserved, lest it be denied by any person.

With this bill, MK Orlev seeks to expand the protection given to the Jewish character of the state, even at the cost of impinging upon freedom of speech and democratic values. Until now, recognition of the State of Israel as a Jewish and democratic state was grounds for disqualifying a candidates' list or a candidate from running for the Knesset. Now, intellectuals and academics who suggest alternatives to the state's existing regime, even in a scientific publication, will be subject to arrest.

In addition to the desire to enforce recognition and acceptance of Israel as a Jewish and democratic state, the current Knesset wants to change the existing Knesset Member's declaration of allegiance and add a provision specifying the state's Jewish character, thus making it possible to terminate the tenure of an elected MK for denying the Jewish and democratic character of Israel. This requirement restricts freedom of speech and impairs the Knesset members' ability to perform their duties, also with regard to democratic and legitimate activity. In addition, the Knesset seeks to compel military service or national service and to instill in Palestinian citizens Zionist values in the educational curricula, as will be depicted in the following group of proposed bills.

### *Effort to Establish Jewish Supremacy by Statute*

**The Proposed Basic Law: The Knesset (Amendment – Declaration of Allegiance of Knesset Member), 5769 – 2009,<sup>16</sup>** reads as follows:

#### **Amendment of section 15 of Basic Law: The Knesset**

In section 15(a), after "State of Israel" shall come "as a Jewish, Zionist and democratic state, to its values, to its symbols."

The Explanatory Notes to the bill state:

Section 15 of the Basic Law: The Knesset presents the text of the declaration of allegiance of Knesset members, in which the Knesset member pledges his allegiance to the State of Israel. A Knesset member, pursuant to his function as a representative of the public and pursuant to the status of the Knesset as sovereign, should declare allegiance to the State of Israel as a Jewish and democratic state, as expressed in the Declaration of Independence, in the Basic Law: Human Dignity and Liberty, and in the Basic Law: Freedom of Occupation.

The aim of the **Proposed Basic Law: The Knesset (Amendment – Termination of Tenure of Knesset Member), 5769 – 2009<sup>17</sup>** is to enable the termination of the tenure of a Knesset member on grounds of denial of the existence of Israel as a Jewish and democratic state. The bill provides that:

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<sup>16</sup> The bill was placed on the Knesset table on April 1, 2009 by MKs David Rotem, Robert Ilatov, Moshe Matalon, and Alex Miller.

<sup>17</sup> The bill was placed on the Knesset table on April 1, 2009 by MK Zevulun Orlev.

A Knesset member who is found to have acted in contravention of section 7A(a)(1) shall cease to serve as a member of the Knesset from the day of such determination.

The decision in the matter of termination is made by the Knesset House Committee and requires the Supreme Court's approval.

The Explanatory Notes state:

Section 7A of the Basic Law: The Knesset prevents a candidates' list or a candidate to be elected to the Knesset if their objectives or acts, explicitly or implicitly, deny the existence of the State of Israel as a Jewish and democratic state, incite to racism, or support the armed struggle of an enemy state or a terrorist organization against the State of Israel. These restrictions apply only prior to Knesset elections and not afterwards . . . . Under existing law, there is no legal sanction of any kind against a Knesset member whose acts deny the State of Israel as a Jewish and democratic state. Therefore, to prevent this absurd situation, which ultimately creates a real threat to the State of Israel and its citizens—when, from within the Knesset there are challenges to the founding principles of the State of Israel as a Jewish and democratic state—it is necessary to amend the law so as to prevent Knesset members—also following their election to the Knesset—from contravening the provisions of section 7A(a)(1) of the Basic Law, that is, denial of the existence of the State of Israel as a Jewish and democratic state.

Also relevant is the **Proposed Defense Service (Amendment – Tax Payment Obligation of Persons Who do not Perform Military or Civilian Service) Law, 5769 – 2009**.<sup>18</sup> This bill provides that:

A male who has not performed compulsory military service and has not performed national service, except for a person who is found unfit for service under section 5, shall be obligated to pay an additional tax, in the amount of one percent of his annual income until age 41.

The objective of the bill, as appears from the Explanatory Notes, is to obligate, by means of a tax, persons who evade military service or civilian service to pay their share of the burden. The bill proposes to obligate them to make a tax payment of one percent of their annual income until they reach the age of 41, the age at which exemption from reserve duty is given. The bill further provides that state revenue from the said tax is to be earmarked solely for the welfare of persons serving in the IDF and in civilian service.

Clearly, the bill deliberately aims at Palestinian civilians, who do not perform military service and upon whom the state has not been successful at imposing civilian service, despite the positive incentives offered. Now, the Knesset seeks to impose negative incentives to compel Palestinian citizens to perform civilian-national service.

The **Proposed State Education (Amendment – Compulsory Study of the Land of Israel and Zionism) Law, 5769 – 2009**,<sup>19</sup> requires compulsory study of the Land of Israel and Zionism in all state schools, including Arab state schools. The proposed amendment states:

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<sup>18</sup> The bill was placed on the Knesset table on April 1, 2009 by MKs Avigdor Lieberman, David Rotem, Alex Miller, and others.

<sup>19</sup> The bill was placed on the Knesset table on April 1, 2009 by MK Avigdor Lieberman and others.

The curriculum established by the Minister shall include compulsory study of at least three hours a week, in each school year, of the history of the Land of Israel, the history of the State of Israel, and Zionism.

The initiators of the bill, who are from *Israel Beitenu*, seek, by means of the bill, to shape the conceptual understanding of Palestinian pupils in Israel and to force them to undergo a process of Israelization by means of the educational system, a mission that brings to mind sinister, outdated regimes. To a certain extent, this bill closes the circle of the proposed bills described above, and complements the bill prohibiting commemoration of *Nakba* Day. These bills seek, each in its particular matter and manner, to shape, by compulsion, a new consciousness among Palestinian citizens, one that conforms, and is agreeable, with that of the Jewish majority.

### *Limiting the Scope of Political Protest*

The flood of proposed bills that discriminate against and harm Palestinian citizens was the distinguishing feature of the period surveyed in this report. But there were other disturbing features of the past two months. The effort to narrow the scope of activity and political protest of Palestinian citizens and their representatives was also aided by Israeli legal authorities, among them Attorney General Menachem Mazuz. On April 28, Mazuz announced that he intended to indict the chairman of Hadash, MK Muhammad Barakeh, subject to giving him a right to be heard, for assaulting and obstructing policemen in performance of their duties during a demonstration in Nazareth in July of 2007,<sup>20</sup> when Ehud Barak was visiting the city.

According to media reports and the indictment itself, the draft indictment charges Barakeh with a number of cases of obstructing and assaulting police officers. The first allegation is that he assaulted an Israel Security Agency [*Shabak*] agent during the demonstration that took place in the village of Bil'in at the end of April 2005, when he led one of the detainees to a police van. Another allegation involved an incident that took place during a demonstration near the Carmel *souk*, in Tel Aviv, in August 2006. According to the allegation, Barakeh swore at and threatened an officer in the police department and slapped him in the face a few times.

In response to the Attorney General's decision to file an indictment, Barakeh said,

The decision is consistent with the prevailing policy, which is based on racism against the Palestinian population and its leaders. The Attorney General is an institution that views as freedom of speech a public call to murder Arab Knesset members, while, on the other hand, it closes investigation files in the matter of the thirteen young men who were murdered in October 2000.<sup>21</sup>

The *Hadash* faction in the Knesset responded that Mazuz's decision is part of the establishment's endeavor to redraw the boundaries of legitimate political protest, of what is permissible and forbidden in the political activity of representatives of the Arab population in Israel.<sup>22</sup>

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<sup>20</sup> *Nrg, Ma'ariv Online*, 28 April 2009.

<sup>21</sup> *Ibid.*

<sup>22</sup> *Hadash* website, April 29, 2009.

The effort to limit the scope of legitimate political activity and protest of Palestinian citizens against government policy has also been reflected in army activity in recent months. The report of the Or Commission, it will be recalled, sharply criticized the police, which had developed a culture that views Arab citizens as enemies.<sup>23</sup> This culture, apparently, is also found in Israel's military-security establishment. Israeli policy regarding Palestinian citizens is set, for the most part, by the *Shabak* and the army, a kind of informal return to the military regime that prevailed in the country until 1966.

In May 2009, the Home Command carried out a major exercise simulating possible war scenarios. On May 5, *Ma'ariv* reported that one of the possible scenarios envisioned was an uprising of Palestinians in Israel during a hypothetical war in the North (with Hezbollah and Syria). The military authorities' main concern, under this scenario, is the blocking of the Wadi Ara' road by Palestinian demonstrators protesting against the war.

According to the newspaper's report, "In the case of war in the North, residents of Um al-Fahm would revolt and block the Wadi Ara' route. To thwart this, the IDF decided to allocate an infantry battalion."<sup>24</sup> The military establishment kept this scenario a secret for a long time, along with the solution—the assignment of an infantry battalion to the Home Front to prevent residents of Um al-Fahm from blocking the Wadi Ara' road.

Also, as reported by *Ma'ariv*:

The plan involves infantry units that carry out ongoing security operations in the Judea and Samaria sector and conduct routine training, and would be annexed to the Home Front Command only in the event a northern front is opened. For this purpose, the units underwent training in built-up areas and became acquainted with combat procedures for the sensitive mission. According to the operational plan, in the case of war on the northern border, reserve infantry battalions would be annexed to the Home Front Command and positioned in Wadi Ara' to ensure that the road remains open to military vehicles. In addition to physical blocking, there is the threat regarding the control of intelligence along the road, resulting in the transfer of information to the enemy on troop arrangements and military deployment, and enormous damage to the combat forces.

Security deployment on roads inside the State of Israel was formulated by the military establishment following the events of October 2000. During these events, traffic routes in the North were completely blocked by Palestinian citizens. The deployment increased, based on the *Shabak's* assessment and recommendations, according to the newspaper report.

In this way, the army and the military establishment informally have declared that Palestinian citizens will be part of a future military campaign, and that the army will be charged with handling them, treating them as enemies and not citizens.

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<sup>23</sup> State Commission of Inquiry into the Clashes between Security Forces and Israeli Civilians in October 2000 *Ma'ariv*, May 5, 2009.

## “Yes to peace” is incitement against the State of Israel

In April, inspectors from the municipal Education Administration went to an Arab high school in Ramle, photographed pictures and texts that were hanging on the walls, and rushed to complain to the police that the objects constituted incitement against Israel. Yuval Lavie, mayor of Ramle, said, “This is public criticism of Israel.” The Ramle Municipality filed a complaint against the high school for incitement against the State of Israel, alleging, among other things, that officials from the Education Administration took pictures in the *Ateed* [Future] Technology Education Center that showed the Palestinian flag and alongside them nationalistic texts and student drawings and poems that ostensibly incited against Israel. However, according to Eli Senyor, the journalist who exposed the incident, closer examination of the photographed material turned up a completely different reality.<sup>25</sup> For example, according to Senyor, one of the student drawings photographed by officials showed combatants with rifles, but above the painting was written, “No to Violence,” with the word “No” blotted out by a felt-tip pen. On the walls were paintings of several flags, including the Palestinian flag and another flag, which municipal officials asserted was a Hamas flag. In fact, the latter was actually a black-and-white painting of the Saudi Arabian flag (the two flags are quite similar; both have, in slightly different texts, the phrase “There is no God other than Allah”). Another painting of a Palestinian flag, which the municipality officials had classified as incitement, contained the words “We want peace, not war.” Another painting, which called for opening the Rafah Crossing on the Gaza-Egyptian border “for the sake of Gaza’s children,” bore the inscription “Yes to Peace, no to War.”

As for the other texts, they were primarily religious in nature, at the most Islamic (“religious education,” “the whole sky above them and all the earth below are Hell,” and the like). None of these texts make a direct reference to Israel or the Palestinian-Israeli conflict.

In addition, the municipality officials were greatly displeased with a placard that featured the image, life story, and titles of works by the Palestinian poet Samih al-Qassem, or that his poems were included in the Arab literature program approved by the Israeli Ministry of Education.

### *Conclusion*

The last item in this report, about the Ramle Municipality’s false claims that it uncovered evidence of incitement to violence and public criticism of the State at a local Arab high school, conveys the general public’s attitude toward their fellow Palestinian citizens and reflects the broad public perception that Palestinians in Israel pose a threat or, at least, a potential threat. Sometimes, the potential threat is given military-security significance, as in the case of the army’s exercise described above. At other times, the potential threat is viewed in demographic terms, as a challenge to the Jewish character of the state, which led to submission of the proposed bills described above. The perception that Palestinian citizens pose an existential threat

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<sup>25</sup> Eli Senyor, *Ynet*, 21 April 2009.

defines government policy toward Palestinian citizens and, in turn, determines the measures taken to combat the perceived “threat.”

This perception apparently permeates the thinking of much of Israel's Jewish population, and has intensified as a result of the messages transmitted by Zionist political parties and the Knesset. Therefore, the danger inherent in the bills discussed in this report does not result solely from the possibility that they will be enacted, further impairing the political and legal status of Palestinian citizens and contributing to the erasure of their collective memory and national identity. Regardless of whether all, or some, are not ultimately enacted into law, these bills are dangerous because they transmit a message to the entire Israeli public that Arab citizens pose a grave threat or a potential threat, and they legitimize the connection between citizenship and loyalty and between civil rights and loyalty. Lending further justification to this connection will further entrench in the public's perception the belief that Palestinian citizens have an inferior political, legal, and economic status. Even more dangerously, these bills and the perception they nurture might legitimize physically harming Palestinian citizens.

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