

Israel and the Palestinian Minority

Political Monitoring Report

February - March 2010

Issue No. 8, 2010

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Introduction

This is the eighth Political Monitoring Report of Mada al-Carmel. It covers the months of February and March 2010 and, as in the previous reports, surveys actions of the legislative, executive, and judicial branches of the Israeli government as they relate, directly or indirectly, in an open or concealed manner, to the civil, political, and economic status of Israel's Palestinian citizens. The disclosure of discrimination in all of our reports to date warrants further research on the nature of government in the State of Israel. We propose a renewed theoretical and political approach to research that truly reflects the policy being implemented vis-à-vis Israel's Palestinian citizens.

The violation of fundamental civil rights – such as discrimination and oppression being committed on the Palestinian narrative and national consciousness – are the result of a non-democratic regime discriminating against a minority native population. The intensity of the hostility, and sometimes hatred, of all governmental is a threat to Palestinian citizens. This threat affects not only their national identity, collective memory, and rights; it can also take the form of physical violence. The present attitude in the state among the country's youth, decision-makers, religious leaders, academics, and security forces towards the Palestinian citizens intensifies this threat. This report focuses on these issues.

The Legislative Branch

Approval of the Nakba Law on First Reading

On March 16, 2010, the Knesset plenum approved on First Reading, by a vote of 15-8, the Nakba Law. The bill enables the Minister of Finance to take collective punitive economic measures against public institutions and organizations that commemorate Nakba Day. A public institution that marks the day as a day of mourning will be subject to a fine ten times greater than the sum they spend to do so.¹

¹ Bender, A. (2010, March 16). Knesset approves on first reading the Nakba Law. *Ma'ariv NRG*. (in Hebrew)

The bill was initiated by Knesset members Alex Miller, Fania Kirshenbaum, Hamad Amar, and David Rotem (all Israel Beitenu). Following preliminary approval in July 2009 the bill went to the Constitution, Law and Justice Committee and then for aforementioned First Reading in the plenum, where it was approved. The bill reads as follows:

In the Foundations of the Budget Law, 5785 – 1985, the following shall be added after section 3A: “Reduction in budget or support because of activity against principles of the State”

Proposed Foundations of the Budget (Amendment No. 39) (Reduction of Budget or Support Because of Activity Against Principles of the State) Law, 5770 – 2010²

Addition of Section 3B:

(a) “body” means a budgeted body and supported body within section 21, and a supported public institution under section 3A;

(b) “expenditure” includes the waiving of income.

(c) The Minister of Finance may, with the consent of the minister in charge of the budget section under which the supported body is budgeted, reduce the sum to be transferred to the said body from the State budget. This applies to any law, if the Minister of Finance finds that the said body made an expenditure that is, in essence, one of these:

- (1) denial of the existence of the State of Israel as a Jewish and democratic state;
- (2) incitement to racism, violence or terrorism;
- (3) support for armed struggle or act of terrorism, of an enemy state or of a terrorist organization, against the State of Israel;
- (4) commemorating Independence Day or the day of the establishment of the State as a day of mourning;
- (5) (a) an act of destruction or physical contempt that shows disrespect for the flag of the state or a symbol of the State.(c) The reduction under subsection (b) shall not be greater than ten times the expenditure that was expended by the body as stated in the aforesaid subsection; or up to one-half of the sums that are to be transferred to the said supported body, whichever is less.

Some sections of the bill exist in laws regulating organizational activity and political and political-party activity in Israel, such as section 7(a) of the Basic Law of the Knesset, and the Political Parties Law. However, the Nakba bill expands the range of prohibitions to activity of civil society, local authorities,

² The Knesset. (2010). *Proposed foundations of the budget (Amendment No. 39)*. <http://www.knesset.gov.il/Laws/Data/BillKnesset/315/315.pdf>. (in Hebrew)

and every organization and institution receiving State support. In this way, the bill seeks to impose sweeping limitations on freedom of speech and political activity. The explanatory notes to the bill state in part:

It is proposed to authorize the Minister of Finance, after *he consults with professionals* and receives the consent of the minister in charge of the body, to reduce the budget or support of that body if it made an expenditure for activity that constitutes, in its essence: denial of the existence of the State of Israel as a Jewish and democratic country, incites to racism, violence or terror, supports armed struggle, or an act of terrorism against the state. These grounds are currently set forth in legislation as justifying restrictions on political activity that are at times more serious than a reduction of budget or support given by the state. . . It is proposed to specify explicitly other actions which, if committed, would result in denial of funding by the state: commemorating Independence Day or the day of the founding of the State as a day of mourning, and harm to the flag of the state or a symbol of the state.³ [emphasis added]

This clearly indicate that the regime in the State of Israel is taking action to eliminate the remaining elements of tolerance it had previously shown towards preservation of the Palestinian national narrative and expression of lawful, legitimate political activity that does not correspond with the Zionist narrative. The state undercuts, by statute, all lawful and legitimate political activity that challenges the assumption that Israel is a Jewish and democratic state. It restricts efforts to preserve Palestinian national identity in Israel such as commemoration of the *Nakba*, which is perceived as a critical event in the development of Palestinian national identity. The initiators of the bill seek to replicate prohibitions applying to political activity, to the sphere of political expression, thereby silencing and eliminating both. Furthermore, the bill debilitates any legitimate political protest against wars involving Israel or its occupation policy. Past experience shows that when Palestinian citizens express opinions in support of their struggle to end the Israeli occupation, the Israeli public and its leaders view these opinions as support for terrorism and armed conflict. Expressing opposition to the Occupation or to current wars would be grounds for theft of budgets from Arab local authorities, civil society organizations, and any Palestinian entity funded by the state treasury.

Another aspect, no less worrisome, is that the wording of the bill leaves much to the discretion of the “State employees” committee and “professionals” in deciding budget reduction, with no mention of any limitations. The vagueness in defining the advisory body enables extensive involvement of security bodies (such as the Israel Security Agency) in the deliberations and recommendations that will be submitted to the Minister of Finance. The purpose and breadth of the bill, therefore, goes beyond the declaration made in the explanatory notes in that

³ Ibid.

its implementation apparatus is vague and leaves a wide opening for extraneous considerations.

In response to approval of the bill on First Reading, Member of Knesset Jamal Zahalka (National Democratic Assembly) said:

This is one of the most dangerous laws that the Knesset has debated in the past decade. This law, which is intended to impede freedom of speech of Arab citizens, their representatives, and their institutions, is a racist law. . . . This law is designed to impede freedom of speech – a fundamental constitutional right that is recognized throughout the world – but not freedom of speech in general, rather, that of Arab citizens, their representatives, and their institutions. The legislation, which is aimed intentionally at a specific group has a name – it meets all the criteria of the definition of racism as the term is recognized in international institutions, as it is recognized in the professional literature, and as every reasonable-minded person understands the term.⁴

Reacting to the bill, Member of Knesset Ahmad Tibi (United Arab List) said, “The bill would not embarrass dark regimes or Fascist parties in Europe.”⁵ Meretz faction head, Member of Knesset Ilan Gilon, attacked members of the Israel Beitenu faction: “Where do you get these anti-democratic laws? From Lavrentiy Beria [chief of Stalin’s secret police]? You’re proposing bills that are so deviant, bills taken from such an old world.”⁶

Before the bill passed First Reading, Eitan Bronstein of the NGO Zochrot, wrote that the objective of the Nakba Law is:

to frighten everyone who marks the human and political tragedy that took place in 1948, in which the Zionists expelled most of the country’s Palestinian residents and in which most of their communities were destroyed by the State of Israel...The initiators of the bill ignore, of course, the historical connection to the creation of this tradition among the uprooted Palestinians who remained in the territory of the State of Israel...The government seeks to impose an economic sanction on organizers of these important memorial events, further increasing the discrimination against the country’s Palestinian citizens. The economic harm contradicts the state’s obligation to care for all its citizens, regardless of political opinions or national-ethnic identity.⁷

⁴ MK Zahalka made these comments in the debate in the Knesset plenum, See, *Knesset Record*. (2010, 16 March). (in Hebrew)

⁵ Bender, A. (2010, March 16). Knesset approves on first reading the Nakba Law. *Ma’ariv NRG*. (in Hebrew)

⁶ Ibid.

⁷ Eitan Bronstein. (2010, 23 February). The developments that the law failed to delete. *Ynet*. (in Hebrew)

An editorial in *Ha'aretz* attacked the bill when it passed on First Reading, stating that the action debased democracy:

The government's intention is clear: exclusion of its Arab citizens and disproportionate infringement of their right to freedom of speech and their right to relate their historical narrative. Avigdor Lieberman's party, which ran a blatant election campaign against the Arab citizens, recorded for itself an achievement on its way to fulfilling its racist slogan, 'no citizenship without loyalty.'⁸

Bills relating to defense service and national service

The effort to compel, by statute, national service on citizens who are exempt from compulsory military service – in other words, the Arab population – was given priority by legislators from the coalition parties in the Knesset. In our last Political Monitoring Report, we described the Proposed Defense Service (Amendment – Compulsory National or Civic Service for Persons Who Do not Perform Regular Service) Law, 5770 – 2010. Within less than one month, a bill with similar objectives was laid on the table of the Knesset.

On March 2, 2010 Member of Knesset Tzipi Hotoveli (Likud) submitted a bill that would impose compulsory civic service on all citizens. Such efforts to encourage Arab citizens to perform national service aim to bridge the gap between young Arabs and the security services and police. This bill follows recommendations initiated in the Or Commission and the Lapid Commission, both of which viewed national civic service as a means to change political perceptions and opinions and to encourage Palestinian citizens to support the state.

The purpose and elements of the bill submitted by MK Hotoveli – the *Proposed Civic Service Law, 5770 – 2010* – are as follows:⁹

1. The objective is to establish a civic service that will serve as an alternative for persons exempt from defense service, in a way that contributes to the community and provides equality of opportunity for all citizens of Israel to become integrated in Israeli society.
2. A person exempt from defense service under the Defense Service Law, and a person who is not called to compulsory service under that law and is between 18-25 years of age, must perform civic service for a period of twenty-four months.
3. According to the explanatory notes, the political intentions of the bill is to strengthen the Israeli identity of the participants in civic service. These purposes are greater than the concern for equality of Israel's citizens. As MK Hotoveli explains: "This statute will enable the various sectors in Israeli society to

⁸ Ha'aretz Editorial. (2010, March 19). Mocking democracy. *Ha'aretz*. Available at: <http://www.haaretz.com/print-edition/opinion/mocking-democracy-1.265060>.

⁹ The bill was laid on the table of the Knesset by MK Tzipi Hotoveli (Likud) (2010, March 2).

complete their national duty, strengthen the Israeli identity of the young generation, contribute to the community, and fortify the country in areas of activity where there is a clear need.”

A national service bill entitled the *Proposed Israel Land Administration (Amendment – Allocation of Land to Discharged Soldiers) Law, 5770 – 2010* was also submitted to the Knesset in March.¹⁰ The bill states:

In the Israel Land Administration Law, 5720 – 1960, the following shall come after section 4V:

Allocation of land to discharged soldiers-

Section 4W. (a) The Israel Land Council shall allocate to discharged soldiers, for no consideration, land for the purpose of building residential dwellings in communities inside national priority areas. Notwithstanding the provisions of section Q, ownership of the land allocated in accordance with the provisions of this section shall not be transferred to a person who received rights in it.

Moreover, in section (b) “national priority area” has the same meaning as in chapter 26 of the Economic Efficiency (Legislative Amendments for Implementing the Economic Plan for 2009-2010) Law, 5769 – 2009.

One means of discrimination against Palestinian citizens in Israel is the granting of economic benefits to soldiers. This bill uses protectionist clauses designed to prevent even Arabs who serve in the army from benefiting from it.¹¹ Essentially, only non-Arab military servicemen can benefit from the acquisition of land in national priority areas. National priority areas include, as of 2009, only four Arab communities among the 553 communities so defined.¹² Another clause

¹⁰ The bill was laid on the table of the Knesset by Member of Knesset Moshe Matalon (Israel Beitenu) (2010, March 17).

¹¹ A small number of Arab citizens volunteer for army service. Also, there is a law regarding compulsory military service for Arab Druze citizens, and there is a small group of Arab Bedouin citizens that serves in the army.

¹² The communities in the list of national priority areas in 1998 included only four Arab communities. In 2002, Adalah petitioned, on behalf of the High Follow-Up Committee to the High Court of Justice, objecting to the list of national priority areas. In 2006, the High Court held that the government’s decision was illegal, and that the list and the criteria had to be changed within one year. It was not until 2009 that the government complied with the judgment. In Cabinet Decision No. 1060, of December 13, 2009, the government divided the country’s communities, classifying them according to national priority areas. Some 40 percent of the residents of the communities in the new map of the national priority areas are Arab, but, according to Adalah, this decision, too, does not ensure that the Arab communities will benefit from their inclusion. In fact, the decision is liable to result in continued neglect of the Arab communities and of the discrimination against them, given that the Cabinet’s decision states that a community in a priority area will not necessarily gain from the benefits. The reason is that allocation of increased budgets depends on the sole discretion of the minister in whose area of responsibility the benefit is given. Adalah. (2010, February). *Position paper: On the Israeli government’s new decision*

stipulates that the provider of the benefit is the Israel Land Administration, a body that by design does not allocate land to Arab citizens.¹³ These conditions indicate the intention of the State of Israel to grant benefits only to Jewish communities and to Jewish citizens, to exclude the Arab communities and Arab citizens from the national priority areas, and to impede their development. In the explanatory notes, the initiators of the bill clearly state the purposes underlying the bill:

The State of Israel has, since its founding, claimed its predominate desire to develop the Negev and the Galilee. At the same time, following the establishment of the IDF, Israeli governments have sought ways to compensate its soldiers who serve the country for many years. This bill embodies these two values: compensation for those who served the country, and development of the periphery by persons who have already proved their ability to contribute on behalf of the public...The bill is intended to encourage the best of the young people to settle in the Negev, and it coincides with the Jewish worldview that gives special importance to encouraging a quality segment of the population to settle in frontier areas, with the knowledge that settlement in these areas is liable to entail unique security and ethical challenges.¹⁴

The bill's objective becomes clear when we consider the comments of the Construction and Housing Minister, Ariel Atias (Shas), who openly stated that it was necessary to strengthen Jewish presence in the Galilee, and thereby meet the goals of the Ministry for Development of the Negev and the Galilee. These statements stand alongside the Department Minister Silvan Shalom's (Likud) explanation that development of the Negev and the Galilee means Judaization of the two regions and strengthening of the Jewish presence there.¹⁵ In his opinion, attaining these objectives is of strategic importance in preserving the Jewish character of the state and in changing the demographic balance in the two areas.

Political persecution: Member of Knesset without immunity

In 2007, Member of Knesset Sa'id Nafa (National Democratic Assembly) traveled to Syria, heading a delegation of Arab Druze religious leaders on a pilgrimage to religious sites. On September 13, 2009, Attorney General Menachem Mazuz

classifying communities as National Priority Areas. Available at:

<http://www.adalah.org/newsletter/eng/feb10/docs/english%20layout.pdf>.

¹³ With the desire to change this situation, Member of Knesset Ahmad Tibi (United Arab List) submitted a bill in January 2010 that would order the equal allocation of land by the Israel Land Administration. The Ministerial Committee for Legislation rejected the bill, and the discrimination remains. See: Lis, Jonathan. (2010, January 6). "Knesset rejects bill for equal Arab-Jewish land distribution", *Haaretz*.

¹⁴ See footnote 9.

¹⁵ For further discussion on this issue, see Political Monitoring Report 6.

Shihadeh, M. (2010). *Israel and the Palestinian minority: Political monitoring Report (6)*. Mada al-Carmel. Available at: <http://mada-research.org/UserFiles/file/PMP%20PDF/PMR6-eng/pmr6-eng-final-final.pdf>.

announced that he intended to indict MK Nafa for visiting Syria. Nafa was accused of unlawful exit to an enemy country, of aiding unlawful exit, and of contact with a foreign agent. It was also reported in the press that Nafa met with the deputy chairman of the Popular Front – General Headquarters (the organization of Ahmad Jibril) and visited the office of the head of the political bureau of Hamas, Khaled Mashal. Following that, he was charged with visiting an enemy country and contact with a foreign agent. Nafa denied that any such meetings took place.¹⁶

Under the 2005 amendment to the Members of Knesset Immunity Law, Members of Knesset are not given automatic immunity from prosecution and they must request immunity if an indictment is filed against them. Following the Attorney General's decision to file the indictment, MK Nafa requested immunity from the Knesset House Committee. At a hearing of the Committee in late May 2010, Mazuz, who completed his term as attorney general, said that the State Attorney's Office was unable to prove that MK Nafa had indeed met with Mashal, as was first alleged. Thus Nafa would be prosecuted for attempting to hold a prohibited meeting.¹⁷ At the end of the hearing, the House Committee rejected in a vote of 9-2 MK Nafa's request for immunity from prosecution.

Arab Knesset members said that they view the Committee's decision as a "serious blow to freedom of action of members of Knesset."¹⁸ MK Tibi said: "The decision is a serious blow to freedom of political action of members of Knesset and most representatives of the minority who suffer from the strong arm of the government. Most members of Knesset would be overjoyed to visit Yemen, Syria, or Iraq, but when an Arab member of Knesset does it, it is categorized [as] a security threat."¹⁹ MK Zahalka said that the aim of the indictment was political: "This is the place for immunity, which is supposed to enable a member of Knesset to carry out his political functions. For us, Syria is not an enemy country, but a sister state in accordance with our natural right."²⁰

An editorial in *Ha'aretz* commented on the denial of Nafa's request for immunity:

Removal of the immunity of Member of Knesset Sa'id Nafa, of Balad [United Arab Assembly], like the decision to prosecute him, is needless, is harmful, and raises the suspicion of political persecution on national-ethnic grounds. Visits by Druze clerics to Syria, where many of their sect live, is not different in essence from every pilgrimage, such as the pilgrimage of thousands of Jews to the tomb of Rabbi Abuhatzzeira in Egypt.²¹

¹⁶ Khoury, J. (2009, December 13). Balad MK Sa'id Nafa to be charged with contact with foreign agent in Syria. *Ha'aretz*. (in Hebrew)

¹⁷ Lis, Y. and Khoury, J. (2010, January 31). House Committee rejects MK Nafa's request for immunity. *Ha'aretz*. (in Hebrew)

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ha'aretz Editorial (2010, February 2). Harassing Arab MKs. *Ha'aretz*. Available at: <http://www.haaretz.com/print-edition/opinion/harassing-arab-mks-1.262590>.

The Executive Branch

*Establishment of a Jewish ultra-Orthodox town in Wadi Ara*²²

In previous reports, we quoted Housing Minister Ariel Atias (Shas) clearly stating his view on cohabitation of Jewish and Arab citizens. He claims that the two groups must be kept separate, and that efforts to Judaize the Galilee and the Negev be intensified.²³ We also described the injustice that would be caused to Arab communities if an ultra-Orthodox Jewish town were to be built in the heart of an Arab area, whether as a result of planning, the allocation of land resources, or the threat inherent in populating an Arab area with hundreds of thousands of ultra-Orthodox Jews.

Palestinian citizens in Wadi Ara suffer a land and housing shortage, and the planning authorities and the Ministry of the Interior have refused to expand the jurisdictional area of the Arab communities.²⁴ Despite these facts, on March 14, 2010 the government approved the establishment of an ultra-Orthodox Jewish town in the heart of the Arab area in the Triangle. Furthermore, the government decided to establish a Director General's Committee, headed by the Director General of the Construction and Housing Ministry, to accelerate and facilitate implementation of the decision. The official announcement on the forming of the Committee stated that "the Committee was established to connect the many ministries involved in carrying out such a huge project, to aid in eliminating obstacles and bureaucracy, and to advance a planned, substantial supply of available housing units in Harish."²⁵

The government made the decision despite the opposition of the area's Arab and Jewish residents, and the objection of the National Planning and Building Council. In response to the approval, Ilan Sadeh, head of the Menashe Regional Council said:

[W]e are concerned that the Housing Minister is involved in an underhanded attempt to bypass the decision of the National Council. The proposal itself doesn't say one word about the National Planning and Building Council's decision, which stated, following a prolonged struggle and opposition by the residents, that only 50-60,000 persons could live in the town, and not 150,000 as the housing minister from Shas sought to promote.²⁶

²² Pauzner, S. (2010, March 14). The government approves: Harish will be ultra-Orthodox town. *Calcalist*. (in Hebrew)

²³ Shihadeh, M. (2009). *Israel and the Palestinian minority: Political Monitoring Report*, (5). Mada al-Carmel. Available at: <http://mada-research.org/UserFiles/file/PMP%20PDF/pmp5-eng/PMR%20Issue%205%20Final-final.pdf>.

²⁴ Shihadeh, M. (2010). *Israel and the Palestinian Minority: Political Monitoring Report*, (6) Mada al-Carmel. Available at: <http://mada-research.org/UserFiles/file/PMP%20PDF/PMR6-eng/pmr6-eng-final-final.pdf>.

²⁵ Pauzner, S. (2010, March 14). The government approves: Harish will be ultra-Orthodox town. *Calcalist*. (in Hebrew)

²⁶ Ibid.

For the Construction and Housing Minister, establishment of a town in the Triangle intended for ultra-Orthodox Jews is not enough to meet his aspiration to change the demographic balance there. He also wants to encourage the Judaization of the Galilee and the North by reducing the leasehold fees for land owned by the Israel Land Administration. On March 15, 2010, the minister announced that the Israel Land Council had decided to reduce the price of land in the Galilee and in the North to strengthen communities in these areas.²⁷

Atias said that the Council had decided to give incentives to strengthen communities, with an emphasis on the Galilee and the North. The incentives are in the form of substantial reductions in the cost of land, to encourage residents to live in these areas.²⁸ The minister added:

It is very important, I believe, to create real economic incentives to draw people to communities in the Galilee and in the North, the aim being to strengthen them. This decision will aid in expanding and strengthening communities in the North and prevent negative migration from the North. It was important to me to return the benefits to the communities in the North and to provide anyone who chooses to live in the periphery with the best conditions that the state can provide.²⁹

In practice, when the minister speaks about development of communities and about residents, he is not referring to all citizens, but only to Jewish residents and communities.³⁰

Decision-makers threaten transfer

In an interview with the international Arabic language daily *a-Sharq al-Awast* on February 13, 2010, Deputy Foreign Minister Danny Ayalon (Israel Beitenu) said that Arab Israelis “will not lose a thing if they join the Palestinian state.” He asked, “Why should the Palestinians be given empty land in the Negev? Why not give them land full of residents?”³¹ Ayalon’s comments are not surprising given that his party’s emphatic goal has been the “handling” of the Arab citizens of the state, either by forced Israelization – causing them to forget their national-ethnic origin and accept Israel as a Zionist, Jewish, and democratic state – or by exchanging land and populations with the Palestinian Authority.³² “We respect

²⁷ Pauzner, S. (2010, March 15). Atias promises: tens of percent reduction in leasehold fees for land in the Galilee. *Calcalist*. (in Hebrew)

²⁸ Ibid.

²⁹ Ibid.

³⁰ Shihadeh, M. (2009). *Israel and the Palestinian Minority: Political Monitoring Report* (5). Available at: <http://mada-research.org/UserFiles/file/PMP%20PDF/pmp5-eng/PMR%20Issue%205%20Final-final.pdf>.

³¹ Nahmias, R. (2010, February 13). Deputy FM: Israeli Arabs won’t lose by joining Palestinian state. *Ynet*. Available at: <http://www.ynet.co.il/english/articles/0,7340,L-3848369,00.html>.

³² For further discussion on Israel Beitenu’s attitude toward the Palestinian citizens, as expressed in its party platform, see Shihadeh, M. (2009). *Israel and the Palestinian Minority: Political Monitoring Program* (Issue No. 2). Available at: <http://mada-research.org/UserFiles/file/PMP%20PDF/PMP-ENG/pmp2-eng-final.pdf>.

the Arabs the way that we would want them to respect us. We have nothing against them. We are talking about land exchanges. We say, why not give them areas fertile with residents? These residents will not have to move their homes," Ayalon added.³³ When asked if he was referring to the Triangle, Ayalon responded:

Yes, why not. If the Arabs in Israel say they are proud being Palestinian, why wouldn't they be proud to be part of the Palestinian state? By joining it, they wouldn't lose anything; in addition, it would benefit the Palestinian state. This is because they are developed economically and socially, and they can use their experience in aiding in the building of the state.³⁴

Ayalon's comments clearly show the desire of Israel Beitenu and the State of Israel to control the right of self-determination of the Palestinian people wherever they live, and to determine the nature and substance of the Palestinian state, the future of the Palestinian people in the refugee camps in Arab countries, and the future of the Palestinian people that survived the Nakba and remained in their homeland.

In response to Ayalon's comments, Member of Knesset Muhammad Barakeh (Democractic Front for Peace and Equality) suggested to Ayalon and Lieberman that they "move to France and replace Le Pen: Le Pen is not in good health, so he can no longer lead the Fascists there. It would be better, it seems, for them to move from here to there, to mobilize the people and continue his path."³⁵ Barakeh added, "Arabs in Israel are sitting lawfully on their land: we did not immigrate from any place. The land is ours. Unfortunately, most of it was stolen over the decades. We are not settlers and there is no basis for a comparison between us and the thieving settlers in the West Bank, including Jerusalem. Ayalon's comments are another chapter in the new book of racist "Liebermanism."³⁶

Public-Opinion Survey

*Half of Jewish youth against equal rights for Arabs*³⁷

On March 11, 2010, the Citizen's Empowerment Center in Israel, in cooperation with Tel Aviv University's School of Education, held a conference titled "The Education System as a Molder of Civil Society in Israel." The conference centered

³³ Nahmias, R. (2010, February 13). Deputy FM: Israeli Arabs won't lose by joining Palestinian state. *Ynet*. Available at: <http://www.ynet.co.il/english/articles/0,7340,L-3848369,00.html>.

³⁴ Ibid.

³⁵ Rofe-Ofir, S. (2010, February 13). Minister Braverman: Ayalon will not determine for the Arabs where to live. *Ynet*. (in Hebrew)

³⁶ Ibid.

³⁷ Kashti, O. (2010, March 11). Half of youth against equal rights for Arabs; most deny their Right to be elected to the Knesset. *Ha'aretz*. (in Hebrew)

around the publication of a research study conducted by Maagar Mochot Research and Interdisciplinary Consulting Institute Ltd., headed by Professor Yitzhak Katz. The study examined the opinion of Israeli youth on questions relating to Israeli democracy such as their attitude toward new immigrants and minorities, and their motivation to serve in the IDF and perform national service, among other topics.³⁸

According to the findings of the survey, in which 536 Jewish and Arab youth aged 15-18 participated, almost 50 percent of Jewish youth think that Arab-Israelis need not be granted rights identical to those of Jewish citizens in the State of Israel, and 56 percent believe that it is not necessary to allow Arabs to be elected to the Knesset. Professor Daniel Bar-Tal, one of the conference's organizers, said: "The findings paint a discouraging picture, primarily regarding the rule of law and regarding the Arab population. Jewish youth do not assimilate basic democratic values."³⁹

Despite these opinions, it should be mentioned that when Jewish students were asked about their attitude toward Arabs, the responses were different: 66 percent stated they were willing to have a friend or acquaintance who is Arab, and 78 percent said that the slogan "death to Arabs" was racist and illegitimate. "Among many Jews, there seems to be a big difference between the attitude towards Arabs at the personal level and agreement to grant them collective rights," an official from one of the civic-education organizations said to *Ha'aretz*⁴⁰.

Academic Institutions

University of Haifa's Occupational Therapy Department does not accept 19-year-old Arabs, But 19-year-old ultra-Orthodox Jews are okay

The University of Haifa's Occupational Therapy Department has set a minimum age for prospective students to 20.⁴¹ This restriction applies in practice to young Arab men and women who wish to apply, since most Jews begin their studies at a later age, after military service. However, the University of Haifa offers a special study program in occupational therapy for young ultra-Orthodox Jews who do not serve in the army, and operates a special extension in Bnei Brak that accepts students at age 19.

Arab students who were interviewed anonymously for an article by Jack Khoury of *Ha'aretz* said they met all the admission requirements but were not accepted

³⁸ *Citizen's Empowerment* (Issue No. 3). Citizen's Empowerment Center in Israel. Available at in Hebrew at www.ceci.org.il/heb/news_item.asp?id=317.

³⁹ *Ibid.*

⁴⁰ See 37.

⁴¹ Khoury, J. (2010, March 8). Occupational therapy department at Haifa University does not accept 19-year-old Arabs, but ultra-Orthodox Jews are okay. *Ha'aretz*. (in Hebrew)

due to the age restriction.⁴² The same age requirements exist in other paramedic professions and in medical schools at all Israeli universities.

The University of Haifa rejected the claim that discrimination was involved, saying procedures in all the regular classes in the Occupational Therapy Department are identical and that the age for beginning studies is twenty for all students regardless of religion, sect, or sector. The program, which was opened at the request of the Planning and Budget Committee of the Higher Education Council and is aimed at the ultra-Orthodox community, is a special program; the students study in homogeneous classes apart from other students. Therefore, the minimum age of nineteen was suitable only for this program.

In a related situation, on January 24, 2008, Adalah filed a petition in the District Court in Tel Aviv against Tel Aviv University, demanding that the court declare illegal the university's minimum-age requirement for acceptance to its medical school. Tel Aviv University gives two reasons for this restriction:

First, the age restriction is necessary to locate mature candidates and mature persons who are suitable for the medical profession. The other reason relates to non-application of the age restriction on the group of students who study prior to performing military service, based on the argument that there is a national need that obliges the university to guarantee places for students who wish to study before performing military service.⁴³

Adalah attorney Sawsan Zaher argued that there is no rational basis for the university's arguments. If the age restriction is intended to ensure that the students are mature, it is unclear why this restriction does not also apply to soldier-students since they too must be mature to study medicine.⁴⁴ In February 2010, the court denied the petition.

On December 7, 2009, a group of members of Knesset from Arab parties laid on the table the Proposed Higher Education (Amendment – Age Restriction) Law, 5770 – 2009. The objective of the bill is to prohibit the setting of age restrictions for admission to higher education programs of study.

According to the bill's explanatory notes:

The bill seeks to cancel outright the age restriction in the medical, nursing, physiotherapy, and occupational therapy professions. Unlike the social-work professions and occupations involving communication disorders, the years of study and practical training students undergo during their studies, and the admission tests that examine the candidate's emotional and mental condition, are

⁴² Ibid.

⁴³ Adalah. (2008, January 24). News update: Tel Aviv University's age restrictions discriminate against Arab students in admission to its medical school. Adalah Press Release. Available at: http://www.adalah.org/eng/pressreleases/pr.php?file=08_01_29_2.

⁴⁴ Ibid.

sufficient to ensure the fitness of a successful graduate in his field of activity. For example, for a person who completes medical school at the age of twenty-four and then gains specialty training, it is clear that he is emotionally mature and can specialize successfully. . . In the present situation, there are areas in which a person under age twenty is not allowed to begin studies. The result is that many individuals, primarily Arabs, must wait two or more precious years from the time they complete high school to the time they start their studies.

Past experience shows that there is little, if any chance that bills submitted by Arab members of Knesset, which seek to benefit the Arab population will be enacted. This is expected to be especially true given the composition of the present Knesset.

Conclusion

Offering a theoretical conceptualization of the government and regime in the State of Israel is not one of the objectives of the Political Monitoring Reports. Instead, the facts and findings presented in the reports contribute to academic and political efforts to explain and understand the nature of Israel's regime, especially its attitude towards its Palestinian citizens. These facts and findings show that the collective and individual rights of the state's Palestinian citizens are threatened. The legislative branch makes a supreme effort to diminish the range of Palestinian citizens' political activity and preservation of the Palestinian narrative, by sharply limiting freedom of speech and political action. These elected legislators propose and enact statutes that are intended to directly and deliberately harm the state's Palestinian citizens. The executive branch continues the cycle of harm and discrimination by implementing these statutes. Both of these branches of government receive legitimacy from the opinions of the country's Jewish citizens. The judicial branch lends its official stamp of approval to these popular policies by ruling against any opposition, completing the triumvirate of discrimination suffered by the Palestinians under governance of the Israeli state.

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