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The 2013 Israeli Elections: Consequences for the Palestinian Arab Citizens in Israel

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Introduction

One of the key components in any modern democracy is the existence of free and open elections. Every few years, the Israeli public has the chance to exercise their right to vote in parliamentary elections. While this process is often celebrated as an example of Israel's vibrant democracy, due to the fact that all citizens can vote, including the country's Palestinian Arab minority, Israeli politics are hijacked by anti-democratic forces that drastically diminish the chances for minority voices to be heard. Since 1948, the most popular political parties within Israel have been hesitant towards making peace with the Palestinians in the occupied territories and are disinterested in promoting equality for Palestinians within Israel. They support a "Jewish democratic state" that gives privileges to Jewish citizens in every aspect of life. In the current Netanyahu administration, instead of promoting these ideas in mere practice, mainstream parties have started enshrining their racist attitudes into law. The current Israeli government has drafted dozens of discriminatory bills which seek to disenfranchise Palestinian citizens through their right to culture, land, politics, economic prosperity, and more. These parties also try to harass and abuse Palestinian Arab members of Knesset (MKs) in so that they are labeled as enemies of the State. Extreme parties even try to outlaw Palestinian Arab parties from running in elections. In this challenging environment, it is no wonder that the Palestinian Arab minority is continuously ignored in Israeli politics, and therefore, more and more Palestinian Arab citizens are abstaining from voting.

This paper outlines the political status of the Palestinian Arab community in Israel prior to the 2013 elections (set to be held on January 22). The paper highlights the continuing trend within Israeli politics towards a politically conservative ideology. The analysis of discriminatory legislation and policies, along with racial incitement against Palestinian Arab MKs and attempts to ban political parties representing the Palestinian Arab minority during recent administrations predicts an increasingly oppressive political environment for Palestinian citizens in Israel. Therefore, the paper will also discuss the growing trend amongst the Palestinian Arab community towards abstaining and boycotting the parliamentary elections, as well as the consequences that the Mossawa Center predicts the future election will have on the Palestinian Arab community.

Background of Israeli Elections Structure

Elections in Israel's Knesset (parliament) are scheduled to occur every four years, with the possibility of early elections called by the prime minister. In the 18 elections since the founding of the State, only one administration has held elections on its scheduled date; the 16th Knesset (elected in 1999).¹ In most cases, early elections are called as a result of internal political disputes amongst coalition members, such as disputes over the allocation of the state budget.

Israel's parliamentary system is designed so that citizens vote for a party rather than a specific candidate.² In order to acquire one of the 120 seats in the Knesset, a party must receive 2% of the popular vote.³ Leading up to the elections, each party votes separately for their potential representatives within the Knesset. The parties' nominated representatives are then listed according to preference, in the case that they are not granted enough seats to send all that were chosen.

The leader of the party with the most seats in the Knesset is given the opportunity to form a "majority coalition" composed of other political parties. This complicated process involves the leading party promising ministerial positions, resource allocations, and other incentives to smaller parties in exchange for them agreeing to join their coalition. Often these smaller parties disagree with the leading party's ideology and therefore, negotiations leading up to the formation of a coalition can take many weeks. A majority coalition must comprise over 50% of the 120 seats in the Knesset. Once the leader of the most popular party is successful in forming a majority coalition, he or she is named prime minister, and is ceremonially presented to the Knesset by the president of Israel. The president is primarily a symbolic position in Israeli politics, and is allowed to serve one five-year term and is elected by the Knesset. Once the prime minister is recommended by the president, the Knesset must issue a vote of confidence for the new government.⁴ In 2009, Kadima received 28 seats in the Knesset, one more than Likud. However, the Kadima party failed to form a majority coalition, and thus the leader of Likud, with 27 seats, was granted the position of prime minister after successfully forming a coalition for the 18th Knesset.

1 Israel Democracy Institute (IDI), "The Elections in Israel 2001," accessed on Dec 2012, <http://en.idi.org.il/analysis/idi-press/publications/english-books/the-elections-in-israel-2001/>.

² Within the Israeli elections system, votes are cast for the parliament rather than the prime minister. However in the years 1996 and 1999, the prime minister and parliament were voted on separately, and in the following election in 2001, only the prime minister was voted on.

³ Official Knesset Website, "The Electoral System in Israel," accessed on Dec 2012, http://www.knesset.gov.il/description/eng/eng_mimshal_beh.htm.

⁴ *Ibid.*

1. Injustice and Racism Promoted by the Most Powerful Israeli Political Parties

A. Ideology and Practice Towards Palestinian Society and the Peace Process

The four largest parties in Israel's current Knesset are Kadima, Likud, YisraelBeitenu, and Labor. While traditionally these parties are categorized as belonging to different ends of the political spectrum (Right, Center and Left), parties like Kadima ("Center") and Labor ("Left") have proven to espouse and practice similar politics as "Right" parties, especially when it comes to Palestinian society. When we analyze each party's position and actions in regard to Palestinians (both outside and inside Israel), and their thoughts on a potential solution for the regional conflict, we see that all the major parties disregard Palestinian rights to different extents.⁵ What is most concerning is that Likud and YisraelBeitenu, two extreme parties that made a joint party for the upcoming election which is likely to win the largest number of seats, are the most hawkish and intolerant towards Palestinian society.

i. Kadima (28 current Knesset seats):

Kadima advocates for a two-state solution to the regional conflict that would include swapping "land for peace" in order to allow for the maximum number of Jewish settlers from the West Bank to live in the future Jewish state. This move would legitimize settlements which are built illegally according to international law under the Fourth Geneva Convention. Kadima asserts that Jerusalem, a holy and historically rich city for both the Palestinians and Israelis, will be the undivided capital of the Jewish state. The party is also committed to completing the separation wall, which illegally confiscates large tracks of West Bank land from Palestinians,⁶ and in so doing, will cut down hundreds of olive trees and separate communities from schools, workplaces and resources. On the issue of refugees, Kadima proposes that the future Palestinian state is the answer and provides no further solution to combat the refugee problem outlined in UN Resolution 194. In relation to the Palestinian population inside Israel, the Kadima platform stresses the ongoing social and economic gaps between Jews and non-Jews in the country, but refuses to acknowledge that discrimination and racism may contribute to these problems.⁷

In practice, Kadima has proven time and time again that it disregards Palestinian basic rights. Kadima was formed mainly so that Ariel Sharon could gain support for his controversial "Disengagement" plan from the Gaza Strip, which was a unilateral decision he eventually took as prime minister. This decision offended the Palestinian community because it was not carried out in cooperation with Palestinian leaders and was essentially a meaningless political move which led to the shifting of illegal settlers from Gaza to illegal settlements in the West Bank.⁸

Even after Sharon left political life, Kadima has continued to take actions which undermine the Palestinian community. For example, Kadima has sponsored and supported numerous discriminatory bills, such as the National Homeland bill, which aims to prioritize the Jewish nature of the State over its democratic nature and removes the Arabic language from its

⁵ Noam Sheizaf, "On Palestinian issue, 'alternatives' to Netanyahu hold similar positions to PM," *972 Magazine*, 10 Nov 2012, <http://972mag.com/on-palestinian-issue-alternatives-to-netanyahu-hold-similar-positions-to-pm/59517/>.

⁶ Stop the Wall, "The Wall," accessed on Dec 2012, <http://stopthewall.org/the-wall>.

⁷ Official Kadima Website, accessed on Dec 2012, <http://www.kadima.org.il/>.

⁸ Greg Myre, "Many Evicted Gaza Settlers Go to West Bank, at Least at First," *NY Times*, 23 Aug 2005, <http://www.nytimes.com/2005/08/23/international/middleeast/23settler.html>.

status as a State language.⁹ Kadima also led the Plesner Committee this year, which aims to incorporate Palestinian Arab citizens into the national service against their will (see section on *Discriminatory Legislation*).¹⁰ Most recently, Kadima supported Israel's Operation Pillar of Defense,¹¹ which killed many innocent Palestinian civilians in the Gaza Strip.

ii. Likud (27 current Knesset seats):

Likud, as the leading party in the upcoming elections, has espoused some of the most hawkish policies towards Palestinians. Likud supports the construction of the separation wall, the “natural” expansion of Jewish settlements in the West Bank, the continued occupation of the Golan Heights for “security reasons,” an undivided Jerusalem for the Jewish state and ignores the issue of the five million Palestinian refugees that are living outside of Israel and the occupied Palestinian territories (oPt).¹² The party has also opposed the concept of a Palestinian state for most of its existence. Only under the current Netanyahu government has Likud hinted at accepting a Palestinian state under certain conditions (see section on *Netanyahu's 18th Knesset and the Peace Process*). While Likud claims to care about the integration of Palestinian citizens into Israeli society,¹³ the current Likud government has done very little to promote this goal.¹⁴

Likud's actions have spoken loudly about their views on Palestinian society. One example is that while the Palestinian Arab minority comprises over 20% of the Israeli population, the community only received less than 6% of the development budget under Netanyahu's government.¹⁵ Additionally, Likud has been supportive of legislation that further discriminates against Palestinian citizens and infringes on their rights. Such anti-democratic legislation includes the Jewish Homeland bill, the Boycott bill, the Nakba Law, the Admissions Committee law, etc (see section on *Discriminatory Legislation*). Likud also supported Operation Cast Lead and Operation Pillar of Defense in the Gaza Strip. Most recently, Likud aligned with YisraelBeitenu for the upcoming elections, one of most anti-Arab parties in the Knesset.

iii. YisraelBeitenu (15 current Knesset seats):

YisraelBeitenu, a traditionally conservative, nationalist party, proposes a peace settlement which is based on the idea of transfer. In Israel Beitenu's future vision, Arab majority areas in Israel are handed over to the Palestinian state, while Jewish settlements in the West Bank are given to the Jewish state. The party is opposed to territorial concessions of any kind both for

⁹ Jonathan Lis, “Kadima lawmakers retract support for bill scrapping Arabic as official language in Israel,” *Haaretz*, 5 Aug 2011, <http://www.haaretz.com/print-edition/news/kadima-lawmakers-retract-support-for-bill-scrapping-arabic-as-official-language-in-israel-1.377031>.

¹⁰ Michal Shmulovich, “Kadima MKs vote to leave coalition after rejecting universal draft bill,” *The Times of Israel*, 17 July 2012, <http://www.timesofisrael.com/mofaz-rejects-netanyahus-ultra-orthodox-proposal-kadima-to-meet-as-it-threatens-to-leave-coalition/>.

¹¹ Raphael Ahren, “Labor, Kadima, Olmert, Livni back government's air assault on Hamas,” *The Times of Israel*, 14 Nov 2012, <http://www.timesofisrael.com/labor-kadima-back-governments-air-assault-on-hamas/>.

¹² Official Likud Website, accessed on Dec 2012, <https://www.likud.org.il/>.

¹³ *Ibid.*

¹⁴ Official Likud Website, accessed on Dec 2012, <https://www.likud.org.il/>.

¹⁵ The Mossawa Center, “Main Findings of the 2012 State Budget,” March 2012, <http://www.mossawa.org/files/files/File/Publications/State%20Budget%20Main%20Findings.pdf>.

security reasons and because of religious “birthright” over the land.¹⁶ The concept of transferring Palestinian citizens to a future Palestinian state is specifically concerning considering that the majority of Palestinian citizens of Israel want to stay on their ancestral lands if a regional peace settlement is reached.¹⁷

YisraelBeitenu has gained international attention its party line of “No Citizenship without Loyalty” and its proposal of a Loyalty Oath bill which would require Palestinian Arab citizens to express loyalty to the “Jewish State” and perform national service in order to receive equal “benefits,” or rights, as citizens.¹⁸ This proposed law directly targets the Palestinian citizens of Israel who do not serve in the army on the basis that the institution clashes with their collective ideology as a national minority (see section on *Discriminatory Legislation*). The party also proposed and supported the Jewish Homeland bill.¹⁹ Avigdor Lieberman, the party leader, is known in Israeli politics for his racial incitement against the Palestinian Arab community (see section on *De-Legitimization and Incitement Against Palestinian Arab MKs*).

iv. Labor (13 current Knesset seats):

Labor’s platform closely resembles that of Kadima. Labor advocates for a two-state solution with the Palestinian Authority and refuses to negotiate directly with Hamas. In its ideal solution, Labor would call for the completion of the separation wall and the retaining of main settlement blocs in the West Bank. However, it would consider ceding parts of Jerusalem under a political agreement. The 2006 Labor party platform included a section on “the Arab citizens of Israel,” containing a general statement on the need to introduce fundamental changes in government policy, emphasizing complete equality between Arabs and Jews.²⁰

The actions of Labor have contributed to a feeling amongst Palestinians that the Labor principles of equality are empty rhetoric. Additionally, Israel’s Operation Cast Lead and Operation Pillar of Defense in the Gaza Strip were spearheaded by Labor Defense Minister Ehud Barak.

Barak’s term as Prime Minister specifically had a strong affect on the reduced Palestinian trust in Labor. When he ran in the 1999 elections (which were direct elections for the prime minister), Balad MK Azmi Bishara pulled out of the race in order to support Labor. Subsequently, 400,000 Palestinian Arab votes went to Barak, who won the race for PM by a margin of nearly 350,000 votes. However, Barak bypassed Palestinian Arab parties in forming his majority coalition with right-wing orthodox Jewish parties such as Shas, known for its unfavorable views towards the Palestinian Arab community. This move was seen as political betrayal by many Palestinian Arab citizens.²¹ To make matters worse, Barak’s administration will forever be remembered as the one which “handled” the October 2000 incidents, in which 13

¹⁶ Official Israel Beitenu Website, accessed on Dec 2012, <http://www.beytenu.org/>.

¹⁷ Gregg Carlstrom, “Expelling Israel’s Arab population?” *AlJazeera*, 24 Jan 2011, <http://www.aljazeera.com/palestinepapers/2011/01/2011124105622779946.html>.

¹⁸ Official Israel Beitenu Website, “Citizenship and Equality,” accessed on Dec 2012, <http://www.beytenu.org/citizenship-and-equality/>.

¹⁹ Jonathan Lis, “Kadima lawmakers retract support for bill scrapping Arabic as official language in Israel,” *Haaretz*, 5 Aug 2011, <http://www.haaretz.com/print-edition/news/kadima-lawmakers-retract-support-for-bill-scrapping-arabic-as-official-language-in-israel-1.377031>.

²⁰ Official Labor Website, accessed on Dec 2012, <http://www.havoda.org.il/>.

²¹ Hillel Frisch, “The Arab Vote in the Israeli Elections: The Bid for Leadership,” *Israel Affairs*, 2001, <http://www.biu.ac.il/Besa/arabvote.pdf>.

Palestinian citizens were killed by Israeli security forces during peaceful demonstrations. These incidents were crucial in the formation of the Palestinian Arab consciousness in Israel, as is evident by the nation-wide annual commemorations which call for the perpetrators of the attacks to be investigated by the government. In addition, as a result of the October 2000 incidents, 82% of the Arab community boycotted the 2001 direct election for prime minister (see section *Trends in Palestinian Arab Voting*).

v. Netanyahu's 18th Knesset and the Peace Process

As a country that has continuously been in the center of ongoing violence in the Middle East, it is expected that any government of Israel will make strides to promote a lasting, just peace during its administration. However, these strides have been absent from the recent Netanyahu government and thus, the “peace process” has been stalled for four years.

Firstly, it should be noted that the ruling party of the coalition, Likud, has never been favorable towards negotiations with Palestinian leadership. The party never supported the creation of a Palestinian state before it received pressure from both the Labor party and, most likely, the Obama administration. In 2009, Netanyahu gave a speech in Bar-Ilan University supporting a “demilitarized Palestinian state” for the first time, just after President Obama gave a speech in Cairo calling for a two-state solution.²² While this statement was seen as a big step for Likud, its vision of a “demilitarized Palestinian state” is meek at best. Netanyahu would want all of Jerusalem to be under Jewish control, would want to allow for the “natural growth” of settlements and would not agree to any form of “right of return” for Palestinian refugees.

Direct talks between Benjamin Netanyahu and Mahmoud Abbas²³ started in 2010. A moratorium on settlement construction in the West Bank was set to expire soon after. Netanyahu demanded that Abbas publicly recognize Israel as a Jewish state before he decides whether or not to renew the moratorium and stop settlement expansion. In response, Abbas required as a precondition for negotiations the ceasing of settlements, which are illegal under international law and not recognized by any government except Israel's. The US government tried to broker an agreement between the two parties, but neither would revoke their preconditions and talks were stalled.²⁴

While Netanyahu's supporters mainly applaud him on national security issues and the relative calm that has been prominent during his term, many Israelis do not realize that his administration has also taken many steps to complicate the peace process and further alienate the Palestinian Authority, and Palestinian society in general, from future negotiations. One striking figure is that funding for West Bank settlements has doubled under Netanyahu's government.²⁵ Additionally, Netanyahu and the Knesset voted to promote a college in the settlement of Ariel to the status of a public university. The Ariel University Center of Samaria thus set a precedent, becoming the first credited university within the illegal settlements, which not only encourages

22 Reuters, “EU warns Netanyahu over stalled peace process,” *Haaretz*, 27 March 2009, <http://www.haaretz.com/news/eu-warns-netanyahu-over-stalled-peace-process-1.273040>.

23 Mahmoud Abbas, also known as Abu Mazen, is the President of the Palestinian Authority under the Fatah party.

24 BBC News, “Israel offers building halt if Jewish state recognized,” 11 Oct 2010, <http://www.bbc.co.uk/news/world-middle-east-11517990>.

25 Chaim Levinson, “Netanyahu's government has quietly doubled funding for settlements, says finance minister,” *Haaretz*, 12 Nov 2012, <http://www.haaretz.com/news/diplomacy-defense/netanyahu-s-government-has-quietly-doubled-funding-for-settlements-says-finance-minister-1.477204>.

the development of settlements, but affirms settlements' legitimacy.²⁶ Development and support of illegal settlements not only violates international law but complicates any future of a Palestinian state.

Due to the disappointing status of direct talks, the Palestinian Authority (PA) decided to apply for Palestinian membership in the United Nations in September 2011. Both the Israeli government and the US administration rejected this action as unilateral and asserted that the only lasting solution to the conflict will result from direct talks. Meanwhile, the PA entered into direct talks with the Hamas-led government in Gaza, which further increased tensions with Israel. Netanyahu and the Likud party have been clear that they are unwilling to negotiate with members and/or supporters of Hamas, with the exception of the negotiations regarding the release of Gilad Shalit.

On November 18, 2012, the Israeli government launched "Operation Pillar of Defense;" a series of aerial bombings on the Gaza Strip, in which Ahmad Jabari, chief of the Gaza military wing of Hamas, was assassinated, along with the deaths of 168 Palestinians, over half of which were civilians.²⁷ While the Israeli government claims that the operation was in response to recent rockets which were launched into Israel from Gaza, rockets have been continuously sent from Gaza throughout 2012 as an ongoing mission to fight against Israel's economic blockade of basic goods from entering Gaza. Many political analysts believe that the timing of the Israeli operation is due to Netanyahu calling for early elections;²⁸ war tends to look favorably on Israeli prime ministers and Netanyahu will most likely come out looking like a war hero.²⁹

26 Joshua Davidovich, "Cabinet okays upgrade for Ariel University College of Samaria," *The Times of Israel*, 9 Sept 2012, <http://www.timesofisrael.com/netanyahu-supports-ariel-university-college-of-samaria-as-full-university/>.

27 Robin Kelley, "What Would Lincoln Do?" *Counterpunch*, 29 Nov 2012, <http://www.counterpunch.org/2012/11/29/gaza-what-would-lincoln-do/>.

28 Stefano Casertano, "A Pillar of Defense," *The European*, 21 Nov 2012, <http://theeuropean-magazine.com/522-casertano-stefano/898-irans-encirclement-of-israel>,

Robert Fisk, "What was it all for?" *The Independent*, 22 November 2012,

<http://www.independent.co.uk/voices/comment/what-was-it-all-for-the-murder-of-palestinians-and-israelis-is-just-a-prelude-to-the-next-gaza-war-8344077.html>,

Herb Keinson, "Military op ends, election campaign begins," *The Jerusalem Post*, 21 November 2012,

<http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=292983>.

29 Azeem Ibrahim, "Waging War to Win Elections: Timing is Everything," *The Huffington Post*, 19 Nov 2012, http://www.huffingtonpost.com/azeem-ibrahim/waging-war-to-win-electio_b_2159597.html.

B. Discriminatory Legislation

Discrimination in Israel has reached a new level; not only is it practiced by politicians but it is now also embedded in numerous pieces of legislation. During the past four years, under Netanyahu's government, the Knesset has introduced and passed the highest number of anti-democratic laws in Israel's history. The majority of these laws seek to disenfranchise the Palestinian community inside Israel by implicitly excluding them from Israeli society. This is accomplished by separating them from Palestinians outside of the country and by clearly distinguishing between ethnic/national groups within the country, by granting preferences exclusively for Jewish citizens. Below we will review only a few of these policies and laws that directly affect the daily lives of Palestinians living in Israel. However, it is important to note, that approximately 35 blatantly discriminatory bills have been proposed within Netanyahu's 18th Knesset.³⁰

i. Citizenship and Entry into Israel Law

The Citizenship and Entry into Israel Law was passed in 2003 and, despite being originally intended to be temporary, has since been annually renewed. This law denies Israeli citizenship and residence permits to persons from the occupied territories and/or "enemy states" (i.e. Syria, Lebanon, Iraq and Iran) who marry citizens of Israel. Although this law theoretically applies to all Israelis, it has disproportionately affected Palestinian citizens of Israel because of the evident fact that they are far more likely to have spouses from the areas or countries mentioned above. This law, which has been widely considered discriminatory, was the target of a resolution adopted unanimously by the United Nations Committee on the Elimination of Racial Discrimination, which states that it violates International Human Rights law.³¹

In December 2009, under the current government, another step was taken in the Knesset towards making the law permanent. MK David Rotem, member of the Yisrael Beitenu, along with 44 other MKs, submitted an amendment, to the Basic Law Human Dignity and Freedom (Israel's unofficial 'Bill of Rights') in order to eliminate all incompatibilities in it with the Citizenship and Entry into Israel Law.³² This move would have effectively protected the Citizenship and Entry into Israel Law from annulment, making it de facto a permanent piece of legislation. While the amendment was not adopted, its mere proposal sets a dangerous precedent. A successful attempt to alter this Basic Law, which protects all citizens of the State regardless of their ethnic, racial, linguistic or religious background, would threaten the very base of Israel's democracy.

Additionally concerning is the January 2012 Israeli Supreme Court decision to reject a petition against the Citizenship and Entry Law. The Justices claimed that "the right to family life does not necessarily have to be realized within the borders of Israel." Justice Asher Grunis expanded on the decision by saying, "human rights cannot be enacted at the price of national

³⁰ The Mossawa Center, "The Main Findings of the 2012 Racism in Israel Report," March 2012, <http://www.mossawa.org/files/files/File/Publications/2012%20Racism%20in%20Israel%20Report%20-%20Main%20Findings.pdf>.

³¹ UN Office of the High Commissioner of Human Rights, "Prevention of racial discrimination, including early warning measures and urgent action procedures," CERD, 20 Aug 2004, [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CERD.C.65.Dec.2.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CERD.C.65.Dec.2.En?Opendocument).

³² Jonathan Lis, "MK aims to keep Palestinians married to Israelis from gaining citizenship," *Haaretz*, 18 Dec 2008, <http://www.haaretz.com/hasen/spages/1135963.html>.

suicide.”³³ The ruling of the Supreme Court mirrors the extreme viewpoints and practices of the Netanyahu government.

Contrary to the government’s belief that the Citizenship and Entry Law is necessary for state security, statistics show that only a marginal percent of Palestinian citizens have ever risked the security of the State. Between 1994 and 2008, only seven of the more than 130,000 Palestinians entering Israel for family reunification were convicted due to involvement in acts against the State.³⁴ In addition to this, the security argument is further delegitimized considering that in many cases the law itself does not prevent Palestinians from entering Israel. Rather, it serves to prevent them from gaining citizenship, or permanent residency, and the rights entailed therein, preventing them from working or driving. Therefore, many spouses try to continually renew temporary residency permits in order to live with their family members.

All of this is indicative of the fact that Palestinian citizens of Israel are unfairly viewed as outsiders of the State, or a subversive fifth column. Rather than view Palestinians as equal citizens of Israel, they and their families are seen and treated as threats to the State. The condescension inherent in the Citizenship and Entry Law fosters mistrust between the Palestinian citizens of Israel and the State while it also creates divisions between the Palestinian community in Israel and their relatives in neighboring Arab countries and/or territories.

ii. Praver Plan

In 2011, the current administration passed the Praver plan, which seeks to relocate 30,000 Bedouin Arab citizens of Israel in the Negev from unrecognized villages to government-planned townships. Although the Bedouin population living in unrecognized villages occupies less than 2% of the land,³⁵ the government refuses to recognize their land claims, which date back to Ottoman rule over Palestine. Instead, the Israeli government treats the Bedouin community as if they are “trespassers” on State land.³⁶ The Praver plan is the government’s latest attempt to find a solution to the “Bedouin problem.”

The Palestinian Arab community in the Negev is comprised of approximately 170,000 people, the majority of which are “Bedouin” according to their family heritage. Approximately half of the Bedouin community already lives in government-planned townships that were built in the 1960s and 70s under the government slogan that they would improve the “development” of their community.³⁷ Unfortunately, this move was against the wishes of the Bedouin community, who preferred to continue to live according to their traditional agricultural lifestyle. Thus, relocation to the townships ultimately resulted in forced urbanization, dramatically hindering the traditional culture of those who were influenced by the land confiscation. Furthermore, these townships currently rank as some of the poorest towns in Israel.³⁸ The remaining half of the

³³ Jerusalem Post, “High Court rejects petition against citizenship law,” *Jerusalem Post*, 11 January 2012, <http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=253229>

³⁴ Hassan Jabareen and Sawsan Zaher, “The Israeli Supreme Court’s Decision in the Citizenship Law Case,” *Adalah’s Newsletter*, Jan 2012, <http://www.adalah.org/newsletter/eng/jan12/docs/Hassan%20and%20Sawsan%20Citizenship%20Law%20Article.pdf>.

³⁵ Yolande Knell, “Bedouin oppose Israeli plans to relocate communities,” *BBC News*, 11 Nov 2011, <http://www.bbc.co.uk/news/world-middle-east-15024958>.

³⁶ Adalah, “What is the Praver Plan,” accessed on Dec 2012, <http://adalah.org/eng/?mod=articles&ID=1589>.

³⁷ Adalah, “The Arab Bedouin of the Naqab: Myths and Misconceptions,” accessed on Dec 2012, <http://adalah.org/Public/files/English/Publications/myths%20flyer%20campaign.pdf>.

³⁸ Israeli Central Bureau of Statistics, “Local Authorities,” Table 1: Local Councils and Municipalities, 2006, http://www.cbs.gov.il/www/publications/local_authorities06/pdf/t01.pdf.

Bedouin community lives in dozens of unrecognized villages as well as a few villages recently recognized by the government. The vast majority of Bedouin citizens of Israel have been forcibly ejected from their ancestral homes, sometimes repeatedly. For example, the village of Al-Araqib has been demolished by Israeli authorities over 40 times.³⁹

The foundation for the Praver plan started in late 2007, when the Israeli government established a commission to make recommendations to “solve the problem of the Bedouin in the Negev.”⁴⁰ Retired Supreme Court Justice Eliezer Goldberg presided over the commission, which consisted of 8 people - 6 Jews and 2 Arabs - none of whom were residents of the unrecognized villages. The Goldberg Commission recommended that the State recognize villages that have a “critical mass”⁴¹ of permanent residents and that do not interfere with other state plans. In practice, this would be limited to the recognition of only a few of the unrecognized villages. The Goldberg Commission also called for the establishment of several claims committees to deal with Bedouin ownership claims and provide financial compensation for expropriated land.

In May 2009, the current government established the Praver Committee to outline a plan to implement the Goldberg Commission's recommendations. The plan which resulted from the Praver Committee intended to put to an end, within five years, “all of the activity surrounding the issue of the lands and to most of the efforts involved in the planning of settlement solutions, and even to a significant part of their implementation.”⁴² The proposals and tone of the plan reject government decision no. 4411, which reads: “The government regards the outline proposed by the Goldberg Committee as a basis for regulating Bedouin settlement in the Negev.”⁴³ While the Goldberg Committee's solutions were arguably well intentioned, but ultimately inadequate, the regressive nature of the Praver plan represents a clear policy of continued marginalization for some of the most vulnerable citizens in Israel.

There are a number of specific problems with the Praver plan:

- No Bedouin citizens were consulted in the planning process.
- The plan is intentionally vague and complex, and does not include maps, names of villages, or actual amounts or locations of land.
- The enacted plan would result in the demolition of most of the unrecognized villages and the forced relocation of 30,000 citizens.
- The Praver Committee adopted the Goldberg Committee's criteria for the establishment of Bedouin towns (continuity, population density, size, and economic capacity), but this criterion does not apply to Jewish towns in the Negev.

³⁹ The Mossawa Center, “The Mossawa Center Continues Support to Al-Araqib Village Even After 42nd Demolition,” *Press Releases*, 11 October 2012, <http://www.mossawa.org/default.php?lng=3&dp=2&fl=33&pg=2>.

⁴⁰ Regional Council for Unrecognized Villages (RCUV), “The Goldberg Commission,” 22 Nov 2008, <http://rcuv.wordpress.com/>.

⁴¹ Human Rights Watch, “Israel: Halt Demolitions of Bedouin Homes in the Negev,” 1 Aug 2010, <http://www.hrw.org/news/2010/08/01/israel-halt-demolitions-bedouin-homes-negev>.

⁴² Adalah, “The Praver Plan and Analysis,” Oct 2011,

<http://www.adalah.org/upfiles/2011/Overview%20and%20Analysis%20of%20the%20Praver%20Committee%20Report%20Recommendations%20Final.pdf>, page 2.

⁴³ Dr. Thabet Abu Ras, “The Arab Bedouin in the Unrecognized Villages in the Naqab (Negev): Between the Hammer of Praver and the Anvil of Goldberg,” *Adalah Newsletter*, April 2011, http://www.adalah.org/upfiles/2011/Thabet_English_2.pdf, page 5.

- The plan makes no effort to address historical land claims, does not grant land outside the Siyag,⁴⁴ and does not offer land for agriculture, which results in the second forced urbanization of these citizens.
- The Committee grants sweeping, unprecedented powers to the Prime Minister to arbitrarily declare lands off-limits for residential development.
- The plan does not take population growth into account and suggests restrictive planning.

The Praver plan reverses many of the significant admissions of the Goldberg Commission. Goldberg stated that the Bedouin residents are not “squatters” but rather citizens entitled to equal rights, and that the unrecognized villages should be recognized “to the extent possible.”⁴⁵ Instead of recognizing the Bedouin community’s historic connection to the land and legalizing existing unrecognized villages, it asserts that the government should “establish new communities.”⁴⁶ If the Praver plan’s recommendations come into effect, the Bedouin community will be forced to face the imminent prospect of mass displacement.

iii. Nakba Law

Israel’s Independence Day is solemnly observed by Palestinian citizens of Israel every year by mourning the events surrounding the 1948 war in which hundreds of thousands of Palestinians were forced to leave their homes. They commemorate the Nakba (“catastrophe” in Arabic) through ceremonies, seminars, lectures or other cultural and educational public gatherings.

A bill proposed by YisraelBeitenu MK Alex Miller in 2009 prohibited the marking Israel's Independence Day as a day of mourning, which effectively outlawed all forms of commemoration of the Nakba.⁴⁷ The proposed legislation, which included a jail term of up to three years for violators of the ban on Nakba demonstrations, passed the first reading in the Knesset.⁴⁸ However, given several ministerial objections to the bill, it was later amended so as not to criminalize the commemoration of the Nakba, but to instead prohibit the allocation of State money to any institute that was involved in Nakba commemorations.⁴⁹ In February 2010, the Knesset’s Constitution, Law and Justice Committee passed a second reading of the new version of the bill, according to which the Ministry of Finance will be allowed to cut off funding to institutions that support activities undermining the “Jewish and democratic character” of the

⁴⁴ The Siyag (literally the “fenced area”) is the area in the northeast region of the Negev where 11,000 Bedouin Arabs were relocated after 1948. For more information: http://www.dukium.org/eng/?page_id=1294.

⁴⁵ Benda Gazzar, “Committee calls to legalize Beduin villages,” *Jerusalem Post*, 21 December 2012, <http://www.jpost.com/LandedPages/PrintArticle.aspx?id=124100>.

⁴⁶ Dr. Thabet Abu Ras, “The Arab Bedouin in the Unrecognized Villages in the Naqab (Negev): Between the Hammer of Praver and the Anvil of Goldberg,” *Adalah Newsletter*, April 2011, http://www.adalah.org/upfiles/2011/Thabet_English_2.pdf, page 6.

⁴⁷ The bill is presented under the title “Proposed Foundations of the Budget (Amendment – Prohibited Expenditure) Law, 5769 – 2009.

⁴⁸ Jack Khoury, “Ministers okay bill banning Nakba Day,” *Haaretz*, 25 May 2009, <http://www.haaretz.com/hasen/spages/1087978.html>.

⁴⁹ Agence France Presse, “Israel softens Nakba bill, rejects proposed loyalty oath,” *The Daily Star*, 1 June 2009, <http://www.dailystar.com.lb/News/Middle-East/Jun/01/Israel-softens-Nakba-bill-rejects-proposed-loyalty-oath.ashx#axzz2EdqVaGAv>.

State of Israel.⁵⁰ The “Nakba Law” in this form was enacted on March 22, 2011. It is predicted that this law will have a particularly severe impact on Arab institutions and organizations, such as Arab local councils, that are already subject to discrimination by governmental bodies and will further delegitimize them.

The Abraham Fund Initiative, an Arab-Jewish non-governmental organization that works for Jewish-Arab coexistence in Israel, issued a statement criticizing the bill. The NGO stated: “The refusal to acknowledge the historical narrative of Arab citizens will not diminish the importance of the issue to them, but it will make the path to reconciliation, compromise, and building a shared future for Jews and Arabs of the State more difficult.”⁵¹ By denying Arab institutions of their cultural and historic rights to commemorate an event that in many ways defines the existence of the Palestinian Arab minority, the “Nakba law” violates the freedom of expression and association of the Palestinian citizens of Israel, as well as their right to human dignity.⁵²

iv. Admissions Committees Law

Enacted in March 22, 2011, the law legalizes “admissions committees” that function in 475 small communities in Israel. The law allows community selection committees to reject applications for residency based on an applicant’s “social unsuitability.” The committees are comprised of five members, one of which must be a member of the Jewish Agency or the World Zionist. The law is so vague about what “social unsuitability” entails that many communities have already interpreted it to mean citizens who do not have Zionist values or do not support the “Zionist vision.”⁵³ It is clear that these measures are taken in order to exclude Palestinian Arabs from living amongst Jewish citizens.⁵⁴ Under these difficult circumstances, many Palestinian Arab citizens feel that it is futile to apply to live in “Jewish localities.”

v. Preferences for Soldiers Amendment

In July 2010, an amendment to the “Absorption of Discharged Soldiers Law” was enacted which grants special benefits to discharged soldiers that are registered as university or college students. The benefits include: full tuition for the first year, a year of free preparatory academic education, and preferences in student housing. Palestinian citizens are exempt from military service based on their national minority status and therefore are excluded from receiving these benefits. While the government claims that Palestinians are exempt from military service, MKs continuously propose bills and amendments which seek to enshrine the popular “No Citizenship without Loyalty” concept into policy. This hypocritical viewpoint was one again strengthened under Netanyahu's extreme government.

⁵⁰ Ynet News, “Bill amended: no criminal aspect to mourning Nakba Day,” 23 Feb 2010, <http://www.ynetnews.com/articles/0,7340,L-3853265,00.html>.

⁵¹ Barak Ravid, “Barak, Labor ministers to fight bill banning Nakba events,” *Haaretz*, 25 May 2009, <http://www.haaretz.com/hasen/spages/1088046.html>.

⁵² Refer to the Mossawa Center report, “An Equal Constitution for All? On a Constitution and Collective Rights for Arab Citizens in Israel,” May 2007, <http://www.mossawa.org/files/files/File/An%20Equal%20Constitution%20For%20All.pdf>.

⁵³ Adalah, “The Inequality Report,” March 2011, http://www.adalah.org/upfiles/2011/Adalah_The_Inequality_Report_March_2011.pdf, page 31.

⁵⁴ In December 2012, the Legal Advisor to the Knesset issued a statement claiming that the Admissions Committee Law is “racist” and “invalid.” For more information: <http://www.ynetnews.com/articles/0,7340,L-4316153,00.html>.

vi. Plesner Committee

In February 2012, the Tal Law, the law allowing orthodox Jews studying Torah in Israel to be exempt from national service (military or civil), was deemed unconstitutional by the Supreme Court. It was decided that all citizens of Israel must “share the burden” of national service, even though orthodox Jews have been exempt under the Tal Law for 10 years and Palestinian citizens of Israel have been exempt from national service since the beginning of the State.⁵⁵

The Tal Law officially expired on August 1, 2012. Since then, the Knesset has attempted to draft an alternative law to replace the Tal Law and address national service for all. It created a committee led by MK Yohanan Plesner called the “Commission for Equality in the Burden” (or the “Plesner Committee”). The committee was comprised of all members of the ruling coalition, except for the religious parties (Shas and United Torah), who boycotted the committee. A month and a half after the committee was established, PM Netanyahu ordered for the committee to be dismantled due to internal disagreements. Even in the midst of intense controversy, the committee presented its recommendations and they were accepted by the Prime Minister. Since that time, a committee has been created to draft the new national service law, which will be voted on in March 2013, once the new government is formed.

The report of the Plesner Committee recommended that 80% of orthodox Jews be drafted into the national service, with heavy fines for draft dodgers. Avigdor Lieberman of Yisrael Beiteinu demanded that all draft-age Palestinian citizens of Israel perform national service. While the committee agreed that national service should also apply to Palestinian citizens, the details of this change have not been exposed to the public.⁵⁶

The reasons why military service would be rejected by the Palestinian Arab community are numerous, including moral, national and strategic incentives. For example, most Palestinian citizens feel uncomfortable serving in a military which occupies Palestinians in the territories and fights against Arab countries to which they feel akin. In addition to this, Palestinian citizens of Israel are automatically in a unique position for mediation within the Israeli-Palestinian conflict, considering their understanding Hebrew and Arabic, as well as the cultures of both the Israeli Jewish community, and the Palestinian Arab community. For the promotion of a shift from the standard militaristic mindset within Israel to a civil discourse, Palestinian Arab citizens do not wish to carry out national service, either military or civil.

⁵⁵ Yair Ettinger, “Israel’s High Court rules Tal Law unconstitutional, says Knesset cannot extend it in present form,” *Haaretz*, 21 Feb 2012, <http://www.haaretz.com/news/national/israel-s-high-court-rules-tal-law-unconstitutional-says-knesset-cannot-extend-it-in-present-form-1.414009>.

⁵⁶ Jonathan Luis, “Mofaz delivers ultimatum to Netanyahu over enlistment law,” *Haaretz*, 4 July 2012, <http://www.haaretz.com/news/national/mofaz-delivers-ultimatum-to-netanyahu-over-enlistment-law-1.448787>.

C. De-Legitimization and Incitement Against Palestinian Arab MKs

In certain instances, Palestinian Arab members of Knesset (MKs)⁵⁷ have played an important strategic role in Israeli politics. For example, in 1993, six Palestinian Arab MKs secured majority Knesset support for the Oslo Accords. However, after this action, in which the Israeli Knesset officially recognized the Palestinian Liberation Organization (PLO), Palestinian Arab MKs faced a wave of discrimination and abuse. One statistic demonstrating this is that from 1999 to 2007, nine Palestinian Arab MKs were summoned for interrogations by the police. During the same period, there were no investigations opened against Jewish MKs who had incited against the Palestinian population.⁵⁸ Despite the parliamentary immunity which protects Israeli MKs in the pursuit of their political agendas through various means, Palestinian Arab MKs are continuously being taken to court for acting within these rights. This demeaning behavior towards Palestinian Arab MKs is a stark representation of the overall exclusive nature of the government for the Palestinian citizens it serves.

Below are a few recorded incidents of racist incitement against Palestinian Arab MKs that have occurred during the 18th Knesset. What these examples make clear is that incitement against Palestinian Arab MKs, and the Arab community as a whole,⁵⁹ is an ongoing phenomenon. Political leaders who incite against the Palestinian population remain unchallenged, further legitimizing racism in the national psyche. The ongoing expression of racist sentiments by political leaders endangers the future of minority rights in the State.

i. Verbal and Physical Attacks

1. *YisraelBeitenu MK and Deputy Prime Minister Avigdor Lieberman*

Avigdor Lieberman as the leader of the YisraelBeitenu party (the third most powerful party in the current Knesset and frontrunner in the upcoming elections in its combined party with Likud) has been instrumental in spearheading a campaign against Palestinian Arab MKs and fostering racism towards the community as a whole.

In a speech in the Knesset on May 4, 2006, Lieberman called for the execution of Palestinian Arab MKs who visited Syria in 2006 — MKs AzmiBashara, Jamal Zahalka and WasselTaha. Lieberman said, "... the fate of the collaborators in the Knesset should be identical to that of the Nazi collaborators." Subsequently, he added, "At the end of World War II, not only were the criminals executed but also those who collaborated with them. I hope that will be the fate of the collaborators in this house."⁶⁰ In response, MK Ahmed Tibi demanded a criminal investigation against Lieberman for violating the law against incitement and racism. Lieberman was cleared of racism charges by the Israeli deputy state prosecutor.

⁵⁷ Refer to Annex: Table E to see list of Palestinian Arab MKs in the 18th Knesset and Palestinian Arab MKs running for the 19th Knesset.

⁵⁸ The Mossawa Center, "The Limits of Freedom of Expression of the Arab MKs," 2007, available upon request.

⁵⁹ The Coalition Against Racism (CAR) in Israel documented 510 cases of racism across all sectors of Israeli society in their 2012 Racism Report, covering the period from March 15th, 2011 to February 15th, 2012 alone. The prevalence of racism demonstrates the severity of racism embedded in Israeli society. The Palestinian Arab minority in Israel in particular suffers from this concerning reality. Refer to Annex: Table A for data concerning racism towards the Palestinian Arab minority.

⁶⁰ Jack Houry, "PM defends Arab MKs after Lieberman calls for execution," *Haaretz*, 4 May 2006, <http://www.haaretz.com/news/pm-defends-arab-mks-after-lieberman-calls-for-execution-1.186877>.

Another incident occurred in January 2008, when Lieberman announced his party would be leaving the OlmertKadima government in protest against the start of negotiations on the core issues of the Israel-Palestinian conflict. Lieberman took the opportunity to accuse the Palestinian Arab leadership in Israel of extremism and fundamentalism. He focused on MKs Muhammad Barakeh and Ahmed Tibi. During the press conference of the announcement, Lieberman said:

"The present negotiations with the Palestinians will not lead us anywhere. Whoever thinks that the reason for the dispute is land and settlements is deluding himself and others. ... Our problem is not Judea and Samaria, but the extreme fundamentalist leadership that is in the Knesset. ... Our problem is Ahmed Tibi and Barakeh — they are more dangerous than KhaledMash'al and Nasrallah.⁶¹ They work from the inside, they operate methodically to destroy the State of Israel as a Jewish State."⁶²

MK Lieberman has also been at the forefront of the movement to ban Palestinian Arab parties from Israeli politics. In 2009, following the Central Election Committee's vote to ban the Palestinian Arab parties Balad and UAL, Lieberman equated Palestinian Arab parties with terrorists. He was quoted as saying "We will take care of you like we take care of every terrorist; we will take care of you just like Hamas took care of you."⁶³

2. Likud MK Danny Danon Claims Palestinian Arab MKs are Masked Terrorists

In response to statements made by Palestinian Arab MKs at demonstrations against the government's indifference towards the events of October 2000,⁶⁴ Likud MK Danny Danon stated that Palestinian Arab MKs are "masked terrorists" who use the Knesset to incite violence:

"Those who made declarations against the country of Israel and incite for violence crossed all possible red lines. In any other country, they already would be sitting behind bars. These same Arab MKs are terrorists masked as Knesset members. We cannot remain quiet while a terrorist cell develops in the Knesset...We have to put a stop to this praise of 'shahidim' [martyrs], meetings with terrorists and the encouragement of violence against the country. This cannot be allowed."⁶⁵

While MK Danon alleges that the Palestinian Arab MKs incited for violence, their statements did not mention violence. In actuality, their statements were critical of the government's failure to prosecute any of the murderers in the events of October 2000 and they called for the government to be held accountable until they do so.

⁶¹ Khaled Mash'al is the lead Chairman of Hamas and Hassan Nasrallah is the Secretary General of Hezbollah.

⁶² Donald Macintyre, 'Labour minister quits over Lieberman's role,' *The Independent*, 31 Oct 2006 <http://www.independent.co.uk/news/world/middle-east/labour-minister-quits-over-liebermans-role-422303.html>.

⁶³ Rebecca Anna Stoil, "Lieberman to Sanaa: We'll deal with you like other terrorists," *The Jerusalem Post*, 10 December 2010, <http://www.jpost.com/LandedPages/PrintArticle.aspx?id=130060>.

⁶⁴ In October 2000, 13 Palestinian citizens of Israel were killed by Israeli security forces during demonstrations against the Israeli military's response to the Second Intifada. The Or Commission, an Israeli commission organized to investigate the events, found that the government discriminates against the Arab minority in systematic ways and recommended that the government take steps to integrate the Arab minority and educate the public so that it does not see the Arab community as a "fifth column."

⁶⁵ Lahov Harkov, "MKs accuse Tibi, a-Sanaa of stoking violence," *The Jerusalem Post*, 2 Oct 2012, <http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=286302>.

3. *YisraelBeitenu MK Anastasia Michaeli Assaults Labor MK GhalebMajadleh*

During an intense Knesset debate in August 2012, MK Michaeli poured a glass of water on MK Majadleh.⁶⁶ It was during an educational panel in which MK Danon proposed the firing of a principal from Arara (city in northern Israel) for taking his students to a human rights march in Tel Aviv.⁶⁷ Afterwards, MK Michaeli uploaded the video of the water incident on YouTube and entitled it, "I taught Majadleh a lesson."⁶⁸

ii. Legal Indictments

1. *Hadash MK Mohammed Barakeh's trial*

In November 2009, Attorney General Menachem Mazuz indicted MK Mohammed Barakeh for allegedly assaulting police officers. The indictment compiled four different incidents which occurred between 2005 to 2007 during peaceful political protests, including a demonstration against the West Bank separation wall. MK Barakeh argued that gathering the four separate incidents into a unique indictment was a political move to "create a negative image [of him]."⁶⁹ The trial before the Tel Aviv Magistrate Court opened on March 10, 2010 and was attended by a representative of the European Union. In October of 2011, two of the four charges were dropped by the Supreme Court, citing parliamentary immunity.⁷⁰

2. *Balad MK Said Nafaa's trial*

In 2010, MK Said Nafaa was charged with contacting a foreign agent and visiting an enemy state, as a result of a trip in 2007, during which he accompanied 280 Druze clerics to visit Druze holy sites in Syria. Nafaa claims that he arranged the trip because the clerics were repeatedly denied travel permits by the Minister of Interior and, therefore, were denied a religious freedom. According to the indictment, he allegedly met with Talal Najji, deputy director-general of the Popular Front for the Liberation of Palestine and Hamas leader Khaled Meshal while in Syria. Nafaa denied meeting either man and stated that he had been surprised by the indictment, arguing that he was targeted because of his Druze origins, as similar cases had been brought against Jewish MKs but had never actually been accepted by a court.⁷¹ He thus applied for diplomatic immunity, which his MK status normally grants him, but the Knesset House Committee rejected his request.⁷² The status of this trial is currently pending.⁷³

⁶⁶ Lahov Harkov, "MK Michaeli splashes water at MK in Knesset C'tee," *The Jerusalem Post*, 9 January 2012, <http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=252811>.

⁶⁷ Moran Azulay, "MK Michaeli throws water in MK Majadele's face," *YNet News*, 9 Jan 2012, <http://www.ynetnews.com/articles/0,7340,L-4173224,00.html>.

⁶⁸ Translation from the Coalition Against Racism in Israel Annual Report 2011-2012 (Hebrew). For more information: <http://www.fightracism.org/en/index.asp>.

⁶⁹ Dan Izenberg, "Barakeh charges indictment against him as political," *The Jerusalem Post*, 10 March, 2010, <http://www.jpost.com/Israel/Article.aspx?id=170690>.

⁷⁰ Adalah, "Tel Aviv Magistrates' Court Dismisses Two of Four Charges Against Arab MK Mohammed Barakeh," *Adalah Press Releases*, 26 Oct 2011, http://www.adalah.org/eng/pressreleases/26_10_11_1.html.

⁷¹ Jack Houry and Haaretz Correspondent, "MK Naffaa to be indicted for contact with foreign agent in Syria," *Haaretz*, 9 March, 2010, <http://www.haaretz.com/hasen/spages/1155188.html>.

⁷² Sharon Roffe-Ofir, "MK Naffaa's immunity removed," *YNetNews.com*, 26 January 2010, <http://www.ynet.co.il/english/articles/0,7340,L-3839742,00.html>.

⁷³ Phone interview with Adalah representative, 12 Dec 2012.

3. *Balad MK Haneen Zoabi and the Freedom Flotilla*

After MK Haneen Zoabi took part in the “Freedom Flotilla”⁷⁴ to Gaza in May 2010, the Committee Chairman Yariv Levin wanted to revoke Haneen Zoabi’s passport and Knesset membership. Zoabi attempted to address the Knesset in 2011 but was the target of oral and physical violence by other MKs. MK Miri Regev from the Likud said, “Go to Gaza, Haneen, you traitor.” MK Plasner said, “Go to Gaza. We’ll see how a 38-year-old single woman will survive there.” When Haneen Zoabi approached the podium to make her speech, MK Anastasia Mikhaeli of Yisrael Beitanu physically attacked her and tried to bring her down off the podium. Since then, the Knesset has stripped her of five parliamentary privileges; the right to carry a diplomatic passport, the right to financial assistance for legal expenses, the right to visit countries with which Israel does not have diplomatic relations, the right to participate in Knesset discussions, and the right to vote in parliamentary committees. Zoabi also received numerous death threats in the mail and by phone and was placed under armed protection for some time after the event.⁷⁵

⁷⁴ “Freedom Flotilla” refers to the flotilla of activists organized by the Free Gaza Movement and the Turkish Foundation for Human Rights and Freedoms and Humanitarian Relief which aimed to bring humanitarian aid and building materials to the Gaza Strip by breaking Israel’s economic blockade. During clashes with the Israeli navy, nine activists were killed. For more information: <http://www.guardian.co.uk/world/2010/may/31/q-a-gaza-freedom-flotilla>.

⁷⁵ Translation from the Coalition Against Racism in Israel Annual Report 2011-2012 (Hebrew). For more information: <http://www.fightracism.org/en/index.asp>.

D. The Tradition of Banning Palestinian Arab Political Parties

While on the surface it seems that Palestinian citizens in Israel have the same right of representation in the Knesset as Jewish citizens, the reality is that Palestinian Arab political parties have never been completely welcome in any coalition. For the first 20 years of the State, Palestinians in Israel lived under a military regime. When the military regime was lifted (inside the Green Line), Palestinians were allowed to form their own national political parties, but were faced with new obstacles. In response to the surge of new Palestinian Arab parties, mainstream Jewish parties developed strict guidelines for political parties and their inclusion in elections. In recent years, mainstream Jewish parties have attempted to ban Palestinian Arab parties on the basis of these guidelines.

In 2003, petitions from mainstream parties to the Central Elections Committee (CEC) demanded the disqualification of MK Bishara and his Balad party, as well as MK Tibi (Ta'al) from participation in the upcoming parliamentary elections. The CEC, comprised of proportional representatives all parties in the Knesset, disqualified these candidates and the Balad political party based on the allegation that they "support the armed struggle of an enemy state or a terrorist organization against the state of Israel," primarily for comments made in support of the Palestinian struggle against Israeli occupation. The Supreme Court reversed the decision of the CEC and both MKs and Balad were able to participate in the elections.⁷⁶

Extreme right-wing MKs also submitted petitions to the CEC in 2006 to disqualify MK Sheikh Sarsour and the United Arab List (UAL) from running in elections under the allegation that both had denied Israel as a "Jewish and democratic state" and had made statements in "support of armed struggle of an enemy state or of a terrorist organization against the State of Israel." The CEC hearing resulted in an 18-16 decision to allow MK Sheikh Sarsour and the UAL to run in the elections.⁷⁷

Before the 2009 parliamentary elections, the CEC decided to ban two out of three political parties in the Knesset representing the Palestinian Arab community, the UAL and Balad, from participating in the elections on charges that they do not recognize the Jewish character of the State and call for armed uprising against it.⁷⁸ The parties that petitioned the CEC for this ban were YisraelBeitenu, the Jewish Home party, and a former member of the Shinui party.⁷⁹ Although the CEC decision was overturned in the Supreme Court, the ban once again sets a dangerous precedent that is already influencing the upcoming elections. Members of several extreme parties are seeking to ban both Balad and Ra'am-Ta'al from the upcoming elections. In addition to this, MK OfirAkunis of Likud is seeking to disqualify MK HaninZoabi of Balad as a candidate for the next Knesset.⁸⁰

⁷⁶ The Mossawa Center, "The Arab Minority and the 2009 Israeli Elections," March 2009, <http://www.mossawa.org/files/files/File/Reports/2009/Israel%202009%20election%20paper.pdf>, page 19.

⁷⁷ "The Inequality Report," Adalah, March 2011, http://www.adalah.org/upfiles/2011/Adalah_The_Inequality_Report_March_2011.pdf, page 53.

⁷⁸ Aviad Glickman, "Arab Parties Disqualified from Elections," *YNetNews.com*, 1 December 2009, <http://www.ynet.co.il/english/articles/0,7340,L-3654866,00.html>.

⁷⁹ Aviad Glickman, "Arab parties disqualified from elections," 12 January 2009, <http://www.ynetnews.com/articles/0,7340,L-3654866,00.html>

⁸⁰ Johnathan Lis, "Right-wing parties seek to ban Arab parties from upcoming Israel elections," *Haaretz*, 10 Dec. 2012, <http://www.haaretz.com/news/national/right-wing-parties-seek-to-ban-arab-parties-from-upcoming-israel-elections.premium-1.483724>.

2. Trends in Palestinian Arab Voting

A. Historical Overview

From 1948 to 1967, Palestinian political participation was extremely limited under Israel's military government, which restricted the freedom of speech and of movement solely for Palestinian citizens. Palestinian citizens were allowed to vote in elections but only had the option of two political parties. The first, Mapai, created "Arab lists" which were dependent on the coercion of Palestinian Arab leaders to influence their clans/villages to vote for Mapai in exchange for personal incentives. The second option, the Communist party, was limited in its ability to call for the rights of Palestinians due to the political restrictions of the time.⁸¹

Even after the end of military rule, the Palestinian Arab electorate primarily supported Jewish Zionist parties such as Labor and Meretz, which called for social and political equality and a just and comprehensive regional peace.⁸² Even as late as 1992, Jewish parties still received approximately 53% of the Palestinian Arab vote. However, a history of broken promises by non-democratic leaders and discriminatory legislation supported by parties has driven a wedge between Palestinian Arab citizens and mainstream Jewish Zionist parties. The Palestinian Arab community transferred its support to Palestinian Arab political parties who received over 60% of the Palestinian Arab vote in 1996, and about 70% of the Palestinian Arab vote in 1999 (see *Table I*). This trend of transferring votes to Palestinian Arab parties increased in both 2003 and 2006. Even with the pursuit of their own ideological representation in the government, Palestinian Arab political parties have still never been included in a government coalition. This fact has perpetuated the marginalization and frustration felt by Palestinian Arab MKs, and is reflected in the downturn in voter turnout across the whole Palestinian Arab community.

The question of what motivations are driving the downturn in voter turnout of Palestinian citizens will be discussed in the following section. For now, it is important to note that while ideological movements for the boycott of elections have existed for decades, (mostly fringe groups like Sons of the Country, "Ibna Al-Balad," and later, the northern wing of the Islamic Movement) a public boycott of elections only became popular around the 2001 election for prime minister.⁸³ The boycott was organized in protest of the events of October 2000 in which state security forces killed 13 Palestinian Arab citizens, and the actions of Israel in the ongoing Second Intifada. All Palestinian Arab political parties supported the boycott of the February 2001 election, leading to a mere 18% turnout rate amongst the Palestinian Arab community, a historic low.⁸⁴ In all subsequent elections, the boycott movement was organized under the "Popular Coalition for the Boycott of Knesset Elections," which was comprised of many groups and individuals, not just Sons of the Village and the Northern Islamic party. This committee, while not a formal political party, has produced platforms, debates and rallies, in a political campaign style.⁸⁵

⁸¹ Daniel Magalotti, "Political Discrimination Against Arab Citizens of Israel," *The Palestine Center and the Jerusalem Fund*, <http://www.thejerusalemfund.org/ht/a/GetDocumentAction/i/6677>, page 2.

⁸² Jewish Virtual Library, "Meretz – Yachad," accessed on 10 May 2005, <http://www.jewishvirtuallibrary.org/jsourc/Politics/meretz.html>.

⁸³ Elhanan Miller, "What's the point of voting, growing number of Israeli Arabs ask," *The Times of Israel*, 8 Nov. 2012, <http://www.timesofisrael.com/whats-the-point-in-voting-ask-more-and-more-israeli-arabs/>.

⁸⁴ *Ibid.*

⁸⁵ Interview with Yoav Bar, member of Sons of the Village and member of the Initiative Committee for the Boycott of the Israeli Elections.

By the 2003 elections, the number of Palestinian Arab parties had grown to seven, reflecting the community's increased diversity in political ideologies and needs. Yet, Palestinian Arab parties that split from the three primary parties failed to garner the required number of minimum votes for parliamentary seats. Palestinian Arab voters preferred the familiar communist/socialist stream represented by Hadash and Ta'al and the nationalist agenda of Balad and the Islamic Movement represented by the United Arab List.

Table 1: Voting Preferences amongst Palestinian Arab Citizens of Israel⁸⁶

Parties Representing the Palestinian Arab Minority

Party	1992	1996	1999	2003	2006	2009
Balad			16.8%	20.9%	20.2%	22.3%
Hadash (DFPE)	23.4%	*37.0%	21.3%	28.3%	24.3%	27.5%
United Arab List (UAL)		**25.4%	30.5%	20.0%	27.4%	32.1%
Democratic Movement for Peace	9.2%					
Mada	15.1%					
Total	47.7%	62.4%	68.6%	69.2%	71.9%	81.9%

* Including Balad

** Including the Islamic Movement

Jewish/Zionist Parties

Party	1992	1996	1999	2003	2006	2009
Labor	20.3%	16.6%	7.4%	8.8%	12.8%	4.6%
Likud	8.9%	2.2%	4.8%	4.1%	0.9%	2.1%
Meretz	9.7%	10.5%	5.0%	4.8%	2.8%	1.4%
Kadima					6.8%	3.7%
Shas	4.9%	1.3%	3.5%	3.6%	2.9%	2.0%
Others	8.5%	7.0%	10.7%	9.5%	1.9%	
Total	52.3%	37.6%	31.4%	30.8%	28.1%	18.1%

In the 2003 parliamentary elections, voter turnout was only 62% among Palestinian Arab citizens, a much lower percentage than the national average.^{87,88} Disappointment and feelings of disenfranchisement were especially felt among the thousands of Palestinian citizens whose votes were lost with the National Progressive Unity List, which earned less than the 1.5% of all votes

⁸⁶ Information in Table 1 was translated from Hebrew from "Arab Politics in Israel and the 19th Knesset Elections," Dec 2012, written by the Konrad Adenauer Program for Jewish-Arab Cooperation at the Moshe Dayan Center for Middle Eastern and African Studies, Tel Aviv University.

⁸⁷ The Mossawa Center, *The Palestinian Arab Minority in the 2009 Elections*, March 2009,

<http://www.mossawa.org/files/files/File/Reports/2009/Israel%202009%20election%20paper.pdf>, page 11.

⁸⁸ While the voter turnout was only 18% in the 2001 direct election for the prime minister, the jump to 62% in 2003 does not reflect an increase in voter participation per say. Between these two elections, the election structure was changed so that elections for the prime minister were re-connected with elections for the Knesset. The 18% voter turnout in 2001 was only for the prime minister election, and therefore these circumstances highly affect the statistics.

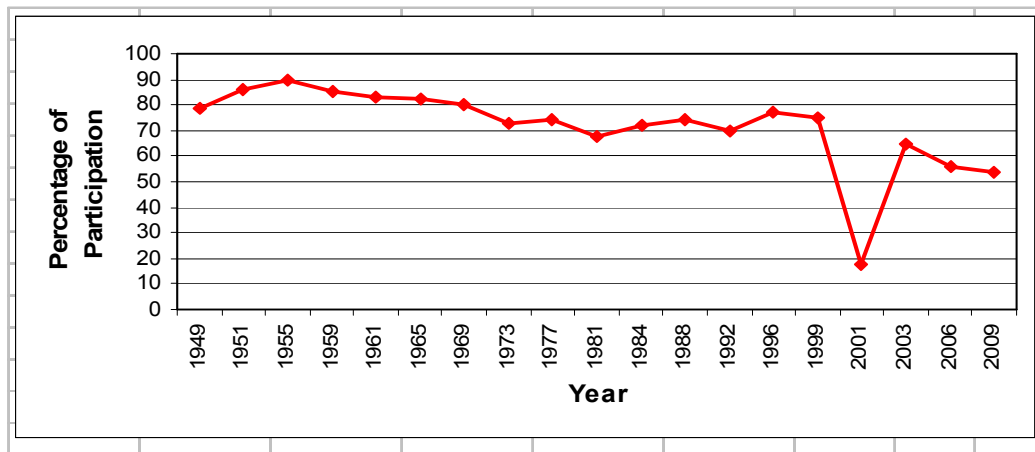
needed to win a seat. This is but one of the many incidents where the Israeli election threshold or “passing percentage quota” stifled Palestinian Arab minority representation in the Knesset.

Only 56% of Palestinian Arab citizens voted in the 2006 parliamentary elections.

In the 2009 election, voter participation among the Palestinian Arab community declined once more to 53%. Most likely, the result was related to events surrounding the election, specifically Operation Cast Lead in the Gaza Strip, which a majority of the Palestinian Arab public opposed. Additionally, the political agenda of Avidgor Lieberman's YisraelBeiteinu was introduced in this election; one which raised the question of citizenship for the Palestinians in Israel. His “No Citizenship without Loyalty” campaign further intensified feelings of illegitimacy amongst the Palestinian minority.⁸⁹

The data in Graph 1 illustrates a trend in Palestinian Arab voter turnout and political participation within parliamentary elections — one in which turnout has steadily declined as a result of feelings of disenfranchisement and overall political frustration.

Table 2: Participation of Palestinian Arab Voters in National Elections, 1949-2009



⁸⁹ Karin Tamar Schafferman, “Participation, Abstention and Boycott: Trends in Arab Voter Turnout in Israeli Elections,” *The Israel Democracy Institute*, 12 April, 2009, <http://en.idi.org.il/analysis/articles/participation-abstention-and-boycott-trends-in-arab-voter-turnout-in-israeli-elections/>.

B. Analysis of Declining Political Participation of Palestinian Arab Citizens in Israel

According to a study produced by the Abraham Fund Initiatives and the Friedrich Ebert Foundation, it is predicted that only 28% of the Palestinian Arab population will definitely vote in the upcoming elections. The study also suggests that while dissatisfaction with the government is a major factor to the decline in voter participation, Palestinian citizens are also disappointed by their choices for Arab leadership, whom often seem more interested in the Israeli-Palestinian regional conflict than their day-to-day social problems such as education and health. The study also reflected that while there is a continuing movement to abstain from voting to ideological reasons, only 17% of respondents said this was their motivation.⁹⁰

There are disagreements amongst researchers in reference to these results. For instance, in 2009, a poll cited by the International Crisis Group revealed that over 40% of Palestinian Arab citizens support the boycott of the Israeli elections.⁹¹ We can assume that there are no clear statistics about who is involved in the ideological boycott of elections because this research depends on how you define the boycott and how the questions are presented to the subjects. However, most researchers agree that the movement to boycott the elections is increasing.⁹²

The leading groups calling for an ideological boycott of the elections are the Sons of the Country and the northern branch of the Islamic party. The Sons of the Country activist group has been calling for an ideological boycott of Israeli elections since its inception in 1984. Their views propose that because the Israeli government is based on principles of a “Jewish state,” the government cannot be democratic and/or represent the Palestinians in a just way. They call for a complete overhaul of the Israeli government as it is known today, as they believe it is a state formed on the basis of ethnic cleansing, occupation and apartheid. Their aim is to create a democratic, socialist state that fulfills the legitimate national aspirations of the Palestinians. Therefore, the group seeks not just to improve the situation of Palestinian citizens in Israel, but to change the entire governing system so that ruling power will be truly representative of the Palestinian people.⁹³

In 1996, the northern branch of the Islamic party joined the boycott movement with Sons of the Country by splitting from its larger movement over ideological disputes (the southern branch participates in the Israeli elections under the United Arab List or “Ra'am”). Sheikh Raed Salah, head of the northern branch, has encouraged boycott of the Israeli elections by saying:

“Arab representation in the Knesset does not bring any qualitative changes. At best, the Knesset is a stage to voice Arab-Palestinian protest, nothing more. Yet there is a price for that, since it

⁹⁰ Dror Zarski, “New Survey Projects Decline in Voting Among Arab Israelis,” *Al Monitor*, 8 Nov. 2012, <http://www.al-monitor.com/pulse/culture/2012/11/arab-mks-to-blame-for-low-turnout.html>

⁹¹ International Crisis Group, “Back to basics: Israel’s Arab Minority and the Israeli-Palestinian Conflict, Middle East Report,” 14 March 2012, <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/119-back-to-basics-israels-arab-minority-and-the-israeli-palestinian-conflict.pdf>, page 13, footnote 108.

⁹² Karin Schafferman, “Participation, Abstention and Boycott: Trends in Arab Voter Turnout in Israeli Elections,” *Israel Democracy Institute*, 21 April 2009, <http://en.idi.org.il/analysis/articles/participation-abstention-and-boycott-trends-in-arab-voter-turnout-in-israeli-elections/>.

⁹³ Interview with Yoav Bar, member of Sons of the Village and member of the Initiative Committee for the Boycott of the Israeli Elections.

provides the Israeli establishment with a cover, as the Knesset appears to be a democratic institution, which is not the case. It remains one of the foundations of the Zionist enterprise."⁹⁴

While these views are clearly attractive to a number of Palestinian citizens according to recent polls, it is still unknown what percent of Palestinians are boycotting the elections out of conscious political motivations. It seems there is another group of Palestinian citizens that abstain simply out of undefined frustration.⁹⁵ This frustration must be related to the feeling of hopelessness and the experience of the discriminatory status-quo which has existed for 64 years. Considering the anti-democratic legislation, policies, viewpoints, and rhetoric of ruling governments, along with the attempts to stifle Palestinian Arab political representation, it is no wonder that a large number of Palestinian citizens feel that the Knesset does not represent their community.

In addition to the attempts to alienate and ban Palestinian Arab MKs, the voter threshold of party representation in the Knesset has continuously increased since 2003, making it more challenging for Palestinian Arab parties to hold seats in the Knesset.⁹⁶ Palestinian Arab parties, varying drastically in ideology, are now forced to consolidate their political, economic and social objectives in order to ensure their representation in the parliament. Although there have been many attempts to unite Palestinian Arab aims into one party, these attempts to date have been unsuccessful.⁹⁷ And without inclusion in the political sphere, pertinent issues to the Palestinian community are left at the wayside (i.e. social, political, and economic equality for all citizens and the future of the peace process). Such political estrangement is likely to escalate the already tense atmosphere between Jewish and Palestinian citizens, and spark future political conflict in Israel and in the region.

⁹⁴ International Crisis Group, "Back to basics: Israel's Arab Minority and the Israeli-Palestinian Conflict, Middle East Report," 14 March 2012,

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Israel%20Palestine/119-back-to-basics-israels-arab-minority-and-the-israeli-palestinian-conflict.pdf>, page 12.

⁹⁵ Bar refers to this phenomenon with the phrase "spontaneous boycott" as opposed to "conscious boycott" in which voters associate themselves with a political, ideological movement against the concept of Israeli elections. He finds that they both help achieve the same end goal.

⁹⁶ Official Knesset Website, "The Electoral System in Israel," accessed on Dec 2012,

http://www.knesset.gov.il/description/eng/eng_mimshal_beh.htm.

⁹⁷ Konrad-Adenauer-Stiftung, "Arab Politics in Israel and the 19th Knesset Elections," 27 Nov 2012, <http://www.kas.de/israel/en/publications/32943/>.

3. Overview and Predictions of the 2013 Election:

A. Netanyahu's Decision to Call Early Elections

In October 2012, Prime Minister Benjamin Netanyahu called for early elections, despite that in April of the same year he vowed that he would let the elections occur according to schedule (on October 2013). Netanyahu announced the inability of the current coalition to decide upon a state budget for 2013 as the impetus for calling for early elections, saying

*"We are on the threshold of an election year, and to my regret, in an election year it is difficult for parties to place the national interest ahead of the party interest....my obligation as Prime Minister is to put national interest above everything and, therefore, I have decided that the good of the State of Israel requires going to elections now, as soon as possible."*⁹⁸

It has become clear to the Prime Minister that his current coalition will not agree to some of the harsh budget cuts he is seeking to enact, such as lowering child welfare payments.⁹⁹ By pushing for early elections, Netanyahu hopes to make deals with other parties in the process of forming a new coalition government which will support his goals of harsh budget cuts in social programming, which are currently extremely unpopular both in the polls and with his coalition partners.¹⁰⁰ Without coalition support for these cuts, Netanyahu would appear to the Israeli public as isolated in his fiscal extremism.

Another reason that early elections are strategic for Netanyahu is that the Prime Minister currently has the upper-hand in public opinion polls for his perceived strength in the realm of defense, especially regarding Iran.¹⁰¹ After November, this strength will be perceived as even stronger, in accordance to Netanyahu's aggressive performance in the "Operation Pillar of Defense" in Gaza.

Yet, an arguably more powerful asset propelling him forward in this campaign is the lack of potential reputable replacements for the position of Prime Minister.¹⁰² In the aftermath of "Operation Pillar of Defense," the only formable opponent to emerge with support equivalent to Netanyahu's was Ehud Barak,¹⁰³ who just announced his retirement from politics.¹⁰⁴ In addition

⁹⁸ Global Security.org, "Israel-Politics," Last modified 15 Nov. 2012, <http://www.globalsecurity.org/military/world/israel/politics.htm>.

⁹⁹ Gil Hoffman, "Netanyahu calls for elections 'as soon as possible,'" *The Jerusalem Post*, 9 Oct. 2012, <http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=287176>.

¹⁰⁰ Matthew Kalman, "Netanyahu chooses date of next Israeli general election," *The Independent*, 14 Oct 2012, <http://www.independent.co.uk/news/world/middle-east/netanyahu-chooses-date-of-next-israeli-general-election-8210867.html>.

¹⁰¹ Linda Gradstein, "Poll: Netanyahu's popularity is on the upswing," *The Jerusalem Post*, 2 Oct 2012, <http://www.jpost.com/Features/InTheSpotlight/Article.aspx?id=286355>.

¹⁰² Yassi Verter, "As early elections loom, Netanyahu's standing in polls is stronger than ever," *Haaretz*, 28 Sept 2012, <http://www.haaretz.com/weekend/week-s-end/as-early-elections-loom-netanyahu-s-standing-in-polls-is-stronger-than-ever-1.467275>.

¹⁰³ Aluf Benn, "Operation Pillar of Defense is Ehud Barak's Test," *Haaretz*, 18 Nov 2012, <http://www.haaretz.com/news/diplomacy-defense/operation-pillar-of-defense-is-ehud-barak-s-test-premium-1.478629>.

to these incentives for early elections, Yisrael Beiteinu has been integrated into Netanyahu's Likud Party,¹⁰⁵ securing Prime Minister Netanyahu more support and power within the current government, as he will receive the votes for both parties.

Netanyahu's call for early elections, along with the various recent survey results that list Likud with overwhelming popularity,¹⁰⁶ imply that Netanyahu, as the leader of Likud and the majority coalition, is in good standing for the possibility of his third term as prime minister. In the month following the call for early elections, which occurred in the beginning of October 2012, there were various major agreements decided upon between parties as Netanyahu began to plan for his future government. These new drastic arrangements will either develop according to the Prime Minister's intentions, granting him an unprecedented majority within the Knesset, or the overwhelming size of the coalition and his expanded party will prove too drastic to be sustainable. Regardless, Netanyahu has established an impressive amount of support for the 2013 elections, alluding to the likely outcome of his re-election, and a substantial majority coalition under his leadership.

B. The Majority¹⁰⁷

During Netanyahu's last term, the Prime Minister was able to accumulate a coalition that encompasses as much of the 120 Knesset seats as has ever been possible in the history of Israel. Although Netanyahu was successful in manipulating the political framework in order to gain an enormous coalition, not all of his tactics were fruitful (see section on *The Opposition*). However, immediately after Netanyahu called for early elections, his party made political moves which ensure that he will gain a majority of the votes in the next election. One prime example of these moves is the joint agreement between Yisrael Beiteinu and Likud.

i. Yisrael Beiteinu:

On October 29, 2012, Yisrael Beiteinu, under the leadership of Avigdor Lieberman, went beyond simply joining the majority coalition, and formed a joint party with Likud entitled "Likud Beiteinu." Both parties are claiming to remain separate in their party platforms; unified only in writing on the ballots and officially within the procedures of the Knesset. This move is controversial for its perceived manipulation of the system, and the extensive power it places in the hands of the Prime Minister, ultimately ensuring Netanyahu's re-election.¹⁰⁸ Knesset Speaker Reuven Rivlin cautioned against the development saying that, "The new political reality creates

¹⁰⁴ Jonathan Lis, "Defense Minister Barak, ex-Kadima chair Livni meet, discuss political matters," *Haaretz*, 4 Oct 2012, <http://www.haaretz.com/news/national/defense-minister-barak-ex-kadima-chair-livni-meet-discuss-political-matters-1.468284>.

¹⁰⁵ Jonathan Lis, "Netanyahu's Likud Party approves merger with Lieberman's Yisrael Beiteinu," *Haaretz*, 29 Oct 2012, <http://www.haaretz.com/news/israeli-elections-2013/netanyahu-s-likud-party-approves-merger-with-lieberman-s-yisrael-beiteinu.premium-1.473054>.

¹⁰⁶ Britain Israeli Communications & Research Centre, "Likud: largest party by 10 seats," 11 Oct 2012, <http://www.bicom.org.uk/opinion-poll/9489/>.

¹⁰⁷ Refer to Annex: Table C for a full list of members in the 18th Knesset's majority coalition as of December 2012.

¹⁰⁸ Jonathan Lis, "Netanyahu's Likud party approves merger with Lieberman's Yisrael Beiteinu," *Haaretz*, 29 Oct 2012, <http://www.haaretz.com/news/israeli-elections-2013/netanyahu-s-likud-party-approves-merger-with-lieberman-s-yisrael-beiteinu.premium-1.473054>.

complex parliamentary problems that relate to the relationship between the coalition and the opposition.”¹⁰⁹

This bold move may retain the support from both parties’ public or it could dissuade support from those uncomfortable with the unprecedented size of the party (currently holding a combined 42 seats). Regardless, the joining of the two extreme parties is predicted to increase the passing of discriminatory legislation and policies which repress the Palestinian Arab community. Demonstrating Likud’s shift towards a more extreme government is the party’s list that Likud recently released. Moderates within the Likud party such as Benny Begin, Michael Eitan, and Dan Meridor have been pushed down on the list, which means they are unlikely to hold positions in the Knesset. At the top of the party list are Gidon Sa’ar, who pushed for the approval of the first University within a settlement, Danny Danon, who has committed racist incitement against the Palestinian Arab minority and the Ethiopian community, and Ze’ev Elkin, who pushed forward the “Boycott Law,” and other anti-democratic legislation.¹¹⁰

C. The Opposition¹¹¹

The major concern in regard to the opposition is its inability to pose a substantial threat to the majority in terms of practice and ideology. The opposition was headed by Shaul Mofaz of Kadima until Kadima decided to join Netanyahu’s coalition in May 2012. Following this political alliance, Shelly Yacimovich became the leader of one of the smallest coalitions in Israel’s history.¹¹² Even Labor, which has traditionally labeled as a Left-wing party, is making more attempts to align itself with centrist politics that lean right. This poses the question as to whether Labor’s refusal to sign on to the coalition is one founded on ideology or is merely a political tactic. All the political parties representing the Palestinian Arab community, the United Arab List – Ta’al, Balad, and Hadash, have always remained in the opposition.

One problem that the opposition faces is that parties that claim to be a part of it are not required to vote unanimously in order to counter the majority. For example, Kadima, despite its position in the opposition, votes on occasion in accordance with the majority coalition headed by Likud. Therefore, it seems that “the opposition” is a misnomer, not only because many of its parties agree ideologically with the majority but also because the opposition parties are not unified and thus, not effective in countering majority power. Now we will focus on recent changes within Labor and Kadima, the two larger opposition parties. However it is important to note that new opposition parties have recently emerged such as Hatnua under the leadership of Tzipi Livni and Yesh Atid Party under the leadership of Yair Lapid.

i. Labor:

¹⁰⁹ Shira Rubin and Michal Shmulovich, “President praises new coalition, Knesset speaker expresses concern,” *The Times of Israel*, 8 May 2012, <http://www.timesofisrael.com/knesset-speaker-fears-coalition-will-dismantle-parliament/>.

¹¹⁰ Noam Sheizaf, “The Likud presents: the craziest, most radical list ever expected to win elections,” +972 *Magazine*, 26 Nov 2012, <http://972mag.com/the-likud-presents-the-craziest-most-radical-list-ever-expected-to-win-elections/60933/>.

¹¹¹ Refer to Annex: Table D for a list of members in the 18th Knesset’s opposition as of December 2012.

¹¹² Gabe Fisher, “Labor party head calls new coalition deal ‘dirty and disgusting,’” *The Times of Israel*, 8 May 2012, <http://www.timesofisrael.com/yakimovich-in-line-to-become-opposition-leader/>.

On November 8, 2012, Shelly Yacimovich, leader of Labor, denied that Labor is a Left-wing party and claimed instead that it should always be labeled as a Centrist party.¹¹³ This shift was most clearly evident following Labor's move to join the majority coalition under Netanyahu after the 2009 elections. As a result of joining the most extreme right-wing coalition in Israel's history, Ehud Barak split from Labor and formed the Independence Party, which ultimately remained in the majority coalition. Labor disassociated itself from the government soon after. Leading up to the 2013 government, Labor, under the new leadership of Shelly Yaimovich, who spoke out against Kadima's inclusion into the coalition earlier in the year, has recently made claims that are increasingly in accordance with Netanyahu's administration.¹¹⁴ Some attribute this to the widely accepted understanding that Benjamin Netanyahu will once again be the PM following the January elections. It is possible that Labor, like other parties, is laying the groundwork necessary in order to work within the constructs of a far Right-wing government in the coming years.

ii. Kadima

Ever since the Kadima Party was established by Ariel Sharon after he split from the Likud Party in 2005,¹¹⁵ it has consistently received comparable popular support, and thus comparable seats in the Knesset to the Likud party. Currently, the Likud Party holds 27 seats, and the Kadima Party holds 28. Despite the results of the 2009 election, Kadima was unable to form a coalition, which granted the Likud Party the opportunity to form the government. The Kadima leader at the time, Tzipi Livni, refused the offer to join Netanyahu's majority coalition, stating her primary reasons being Netanyahu's refusal to commit to a Palestinian state or to agree to a rotation of the position of Prime Minister.¹¹⁶ During Netanyahu's administration, much of the responsibility to lead an effective opposition fell upon Kadima, as it was the largest party not included in the government. However, Kadima's inconsistency in countering the Likud-led government is best represented by its agreement to be included in the government coalition in May 2012. The short-lived association with Netanyahu's majority coalition, which it agreed to based on the condition that it would form the Plesner Committee, left it fractioned and weak in the public eye. In fact, Tzipi Livni, following Kadima's early elections for party leader, in which Livni lost, split from Kadima in order to found her own party, Hatnua.¹¹⁷ Kadima, under the leadership of Shaul Mofaz, is expected to hold fewer seats in the upcoming election than in the past, as a result of its fractioned state, placing its ability to effectively serve as a strong opposition in question.

iii. Political Parties Representing the Palestinian Arab Minority in the Knesset

Among the 32 administrations that have governed the country since Israel's establishment, not one has included political parties which represent the Palestinian Arab

¹¹³ Jonathan Lis, "Shelly Yacimovich: Labor is not a left-wing party," *Haaretz*, 8 Nov 2012, <http://www.haaretz.com/news/national/shelly-yacimovich-labor-is-not-a-left-wing-party-1.476264>.

¹¹⁴ Gabe Fisher, "Labor Party head calls new coalition deal 'dirty and disgusting,'" *The Times of Israel*, 8 May 2012, <http://www.timesofisrael.com/yakimovich-in-line-to-become-opposition-leader/>.

¹¹⁵ Encyclopedia Britannica, "Kadima," accessed on 6 Nov 2012, <http://www.britannica.com/EBchecked/topic/1103577/Kadima>.

¹¹⁶ Karl Vick, "Kadima's Departure Leaves Netanyahu's Coalition at odds with itself," *TIME World*, 17 July 2012, <http://world.time.com/2012/07/17/kadimas-departure-leaves-netanyahus-coalition-at-odds-with-itself/>.

¹¹⁷ Gill Hoffman, "Livni to split Center-Left with new centrist party," *The Jerusalem Post*, 22 Nov 2012, <http://www.jpost.com/DiplomacyAndPolitics/Article.aspx?id=293142>.

minority in its governing coalition.¹¹⁸ These parties that are able to garner the minimum 2% vote to hold representation within the Knesset are currently: the Ra'am – Ta'al, Balad, and Hadash.

1. Hadash/Al-Jabha (Democratic Front for Peace and Equality or DFPE)¹¹⁹ was formed in 1977 with a socialist-communist mandate and an emphasis on recognition of the Palestinian Arab community inside Israel as a protected minority. Represented by its diverse compilation, Hadash rejects the identification of Israel as a 'Jewish State,' and calls for a two-state solution based on the 1967 borders, with Jerusalem as the shared capital of both states. Despite Hadash's Jewish-Arab character, its primary support rests with the Palestinian Arab minority in Israel.
2. Balad/Al-Tajamu (National Democratic Assembly)¹²⁰ was formed by Azmi Bishara in 1996 as a progressive Arab nationalist political party. Bishara voiced the vision of Balad for Israel as being "a state of all its citizens." Balad calls for a bi-national state, and like Hadash, supports a two-state solution based on the 1967 borders and views the Palestinian Arab community inside Israel as deserving of a protected minority status. The three representatives on the Balad list running for the 19th Knesset are all former leaders of civil society NGOs.
3. Ra'am - Ta'al (United Arab List – Arab Movement for Renewal),¹²¹ established in 2006, is an Arab party consisting of a joint list between the Arab National Democratic Party and the Southern Islamic Movement. Ra'am Ta'al calls for the end of the occupation and the establishment of an independent Palestinian state with Jerusalem as its capital, as well as the evaluation of all Israeli settlements in the Palestinian territories. The party also advocates the right of Palestinian Arab citizens to receive recognition as a national minority.

¹¹⁸ Freedom House, "Freedom in the World-Israel," accessed on 12 Dec 2012, <http://www.freedomhouse.org/report/freedom-world/2012/israel>.

¹¹⁹ Official Hadash Website, accessed on Dec 2012, <http://hadash.org.il/>.

¹²⁰ Official Balad Website, accessed on Dec 2012, <http://tajamo.org.il/>.

¹²¹ Wikipedia, accessed on Dec 2012, http://en.wikipedia.org/wiki/United_Arab_List, <http://en.wikipedia.org/wiki/Ta%27al>

4. Consequences

A. Analysis of the Election Predictions for the Palestinian Arab Community in Israel

With the Israeli government becoming increasingly more vocal and active about its anti-democratic ideology, the balance between the Right and the Left that would be expected of a democratic country seems less and less possible in the Israeli context. This will have considerable negative consequences on Israeli society in the coming years, especially for the Palestinian citizens of Israel. With Labor and Kadima as the most formidable opponents to Netanyahu's majority coalition that is predicted to govern the 19th Knesset, the question emerges as to whether the opposition parties will be able to offer substantive ideological counters to conservative and racist government's policies. The Mossawa Center predicts that discriminatory policies, legislation, acts of racism, and attempts to ban Palestinian Arab parties will not cease under the new administration. Our fear is that without a strong opposition and/or representation of Palestinian Arab and progressive parties in the majority coalition, these practices will continue unhindered and will continue to subjugate the Palestinian Arab minority into a second-class status. This concerning trend is likely to bring with it continued distrust amongst Palestinian Arab voters.

B. 2013 Watch List

The following indicators highlight circumstances in which conflict may escalate between the government and the Palestinian Arab community. This list is intended to alert the international community so that it can both monitor and pressure the new government of Israel to prevent conflict escalation.

- The peace process between the Israeli government and the Palestinians will continue to be stalled, while the government will continue to support settlement expansion in the West Bank and the siege on Gaza.
- The implementation of the Prawerplan, which seeks to displace approximately 30,000 Palestinian citizens of Israel from their ancestral lands in the Negev, and move them to pre-existing, over-populated government-planned towns.
- The question of civil service for the Palestinian Arab minority will be decided by law, without consultation from Palestinian Arab leadership in Israel.
- Continued renewal of Israel's "temporary" Citizenship and Entry into Israel Law, initiated in 2003, which bans married couples from living together in Israel when one partner is a resident of the oPt or any "enemy state."
- Additional anti-democratic legislation will be passed that will deepen the discrimination against the Palestinian Arab minority in Israel.
- Policies that will deepen the discrimination against the Palestinian Arab minority through budget distribution. This includes the continued failure by the government to implement the recommendations of the Organization for Economic Cooperation and Development (OECD) after seeking membership in 2010.¹²²
- Racist incitement by political leaders that targets Palestinian citizens of Israel.
- Political acts that delegitimize Palestinian Arab political leadership, such as the attempts by the Knesset to ban Palestinian Arab parties from participating in elections, and attempts to strip Palestinian Arab MKs of their diplomatic immunities.

¹²² Organization for Economic Co-operation and Development, "Israel and the OECD," accessed on Dec 2012, <http://www.oecd.org/israel/israelandtheoecd.htm>.

ANNEX:

Table A: Racism against the Palestinian Arab Community between 2008 and 2012

The following data is from the Coalition against Racism 2012 Racism in Israel Report

Types of Racism	2008	2009	2010	2011	2012
Incitement by Elected Representatives and Public Leaders	27	29	26	97	26
Incitement and Racism in Russian Language Media	Not available	Not available	Not available	32	12
Infringement on the Basic Freedoms of Arab Political Leadership	27	23	19	73	37
Incidents of Racism in Educational Institutions	Not available	Not available	Not available	Not available	15
Incidents of Racism in Government Institutions, Private Businesses, and Public and Private Organizations	Not available	Not available	Not available	Not available	64
Incidents of Racism Committed by Jewish Citizens	16	70	91	68	20
Physical Attacks Committed by Security Forces	6	17	15	28	17

Table B: Palestinian Arab Knesset Members

Parties Representing the Palestinian Arab Minority	15th Knesset	16th Knesset	17th Knesset	18th Knesset
Hadash	3	3 [Joint list with Ta'al (1 seat)]	3 [Joint list with Ta'al (1 seat)]	3
United Arab List-Arab Democratic Party (Ra'am-Ta'al)	5 (2 following the est. of National Arab Party and National Progressive Unity)	2	4	3 [Joint list with Ta'al (1 seat)]
Balad	2 [Joint list with Ta'al (1 seat)]	3	3	3
Da'am Worker's Party	2,151 votes*	0	0	0
National Arab Party	-- (2 as of 2001, previously in Ra'am)	0	0	0
Progressive National Alliance	--(1 as of 2001, previously in Ra'am)	0	0	0
TOTAL	10	8	10	10
Other Parties	1999	2003	2006	2009
Labor	2	(1 replacement candidate)	3	2 (1 following the est. of Independence)
Independence	--	--	--	--(1 as of 2011, previously in Labor)
Meretz	1	0	0	0
Kadima	--	--	1	2(1 following the est. of Hatnuah)
Hatnuah				—(1 as of ____, previously in Kadima)
Likud	1	2	0	1
YisraelBeitenu	0	0	0	1
TOTAL	4	2 (3 with Labor replacement candidate)	4	6
OVERALL TOTAL	14	10 (11 with Labor replacement candidate)	14	16

* Number of votes fell short of the qualifying threshold for a Knesset seat.

--Not yet formed

Table C: The 18th Knesset Majority Coalition as of December 2012

Party	Knesset Seats
Likud	27
Yisrael Beiteinu	15
Independence	5
Shas	11
Jewish Homeland	3
United Torah Judaism	5
TOTAL	66

Table D: The 18th Knesset Opposition as of December 2012

Party	Knesset Seats
Kadima	28
Labor	8
Meretz	3
Hadash	4
Ra'am- Ta'al	4
Balad	3
Ichud Leumi	2
Otzma L'Yisrael	2
TOTAL	54

Table E: Palestinian Arab MKs in the 18th Knesset and Palestinian Arab Politicians Running for the 19th Knesset

Parties	Palestinian Arab MKs in the 18th Knesset	Palestinian Arab Politicians Running for the 19th Knesset
Hadash	Mohammed Barakeh, Hanna Swaid, Dov Hanin, Afou Aqbaria	Mohammad Barakeh, Hanna Swaid, Dov Hanin, Afou Aqbaria, Nabila Espanioly, Ayman Odeh
Balad	Hanin Zoabi, Jamal Zahalka, Said Nafaa	Jamal Zahalka, Hanin Zoabi, Basel Ghattas
Ra'am-Ta'al	Ibrahim Sarsour, Ahmad Tibi, Masud Ganaim, Taleb El-Sana	Ibrahim Sarsour, Ahmad Tibi, Masud Ganaim, Taleb Abu-Arar, Talab El-Sana
Labor	Ghalib Majadleh	Ghalib Majadleh, Nadia Hilon, Saleh Saad
Kadima	Ahmed Dabbah, Akram Hasson	Akram Hasson
Likud	Ayoub Kara	Ayoub Kara
YisraelBeitenu	Hamad Amar	Hamad Amar
Independence	Shakib Shanan	Shakib Shanan (within the first five)
Hatnuah	Majalli Wahabi	Majalli Wahabi
Meretz		Issawi Freij (within first ten)