

Israeli government mounts major attack on democratic rights

Danny Richardson
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Benyamin Netanyahu's right-wing coalition has initiated legislation into the Knesset aimed at stifling dissent and criticism of the ruling elite, curbing freedom of speech, and limiting the powers of the judiciary.

The measures are flagrant attacks on the democratic rights of the Palestinians living in the territories illegally occupied by Israel since 1967, Israel's Palestinian citizens and Jewish Israelis alike.

The cabinet has endorsed a bill that would effectively stop foreign governments, including the European Union, from giving grants of more than US\$6,000 to Israeli human rights organisations and subject donations to a crippling 45 percent tax. This is being proposed by a government entirely dependent upon foreign aid.

According to the Association for Civil Rights in Israel (ACRI), the bill categorises Israeli NGOs into groups: those that will be allowed overseas funding because they have at some period been funded by the Israeli government, and those that are banned from receiving foreign government funding because they are political and anti-Israel and will have to pay a 45 percent tax on all donations. The only redress for those in the latter category will be to appeal for a tax waiver to a political tribunal of Knesset members.

The bill is vague about what constitutes a "political" NGO. It could include any body that denies the "Jewish" and "democratic" character of the state of Israel or its right to exist, or supports either armed struggle against Israel, the trial under international law of political and military leaders, and boycotts of the state. Such definitions would present no problems for the ultra-nationalist and religious groups that receive massive funding from Zionist organisations and individuals living abroad.

The measure is explicitly aimed at human rights organisations that have played a major role in exposing the crimes committed by the military, security, police and intelligence forces against the Palestinians, as well as the settlers' violent and murderous attacks on Palestinians in the West Bank and mosques and cemeteries within Israel.

Without the work of Israeli NGOs, there would be little reporting about the military occupation, settlement growth or human rights abuses. As the right-wing *Jerusalem Post* observed, "The Israeli media pays little attention to the human plight of Palestinians living under the full civil, administrative, economic and military control of the IDF (Occupation). Without NGOs providing video footage, testimonies and detailed reports, the little coverage that does exist would no longer be possible."

Israeli human rights groups provided crucial evidence to the UN Commission headed by South African judge Richard Goldstone about potential war or humanitarian crimes committed by Israel during the 2008-2009 war on Gaza. Civil rights organisations fear that if the bill is passed, it will see the end of independent NGOs such as B'Tselem, Peace Now, Breaking the Silence and Ta'ayush.

Netanyahu stepped in to redraft the legislation, which replaces two similar bills, after the attorney general warned him that he could not guarantee that the Supreme Court could uphold them.

The government is also introducing a Defamation Law that would outlaw the reporting of criminal investigations into the activities of politicians and the financial elite. Reporting restrictions would remain in place even after the individuals had been charged.

Netanyahu and his wife, Avigdor Lieberman, the foreign secretary, and some of their associates are under investigation after allegations of conflicts of interest and improper and corrupt behaviour.

The government is proposing an amendment to the Defamation Law, modelled on Britain's notorious libel laws, which would make it possible for the wealthy to sue reporters, including bloggers on the Internet, for substantial financial "compensation" without even proving that they had suffered damage.

The opposition Kadima party has, in addition, proposed that Arabic be dropped as one of Israel's official languages, alongside Hebrew and English.

This follows the enactment of the Nakba Law that makes it illegal for any state-funded institution to commemorate "the Catastrophe", when hundreds of thousands of Palestinians were driven out by or fled from Israeli forces in 1948, following the 1947 UN vote to partition Palestine and establish the State of Israel.

Another recent law targets individuals and organisations that publicly call for an academic, cultural or economic boycott against Israel or any area under its control, including the illegal settlements. The law enables individuals and companies to seek damages from individuals or organisations that call for a boycott of "Israeli" goods. The major benefactor will be the Israeli owners of illegal companies in the Occupied Territories.

Shortly after the measure became law, Alex Miller, a legislator from the far-right Yisrael Beiteinu, threatened Ahmad Tibi, the leader of the Palestinian Israeli Ta'al party and the deputy speaker of the Knesset, with a lawsuit after Tibi opposed the illegal settlement of Ariel in the West Bank, where Miller has a home. Writing in the *New York Times*, Tibi expressed concern that he would be stripped of his parliamentary privilege, paving the way for a civil suit.

Another piece of legislation enables small communities to have "admissions committees" to scrutinise and reject potential applicants who want to live there. This is aimed at excluding Israel's Palestinian citizens, who constitute more than 20 percent of the population. It was introduced to get around a Supreme Court order outlawing the exclusion of a Palestinian Israeli by an "admissions committee".

Netanyahu is seeking to prevent NGOs and

individuals from using the courts to challenge the government actions and decisions. The government has introduced legislation to change the composition of the judicial appointments committee to ensure a right-wing majority. Yariv Levin, the Likud legislator, introduced the bill, saying, "We want to fundamentally change the Supreme Court and get it away from the control of the radical leftist elite that is controlling it and return it to the people."

Four of the 13 members of the Supreme Court are due to retire this year.

While the liberal *Ha'aretz* warned that these measures were anti-democratic and would silence all political debate, the focus of its concerns was Israel's increasing political isolation, even from its friends. It said that the changes in Israel's political and social landscape were becoming a "strategic threat...endangering Israel's relations with its supporters in the West, and especially the American political establishment and Jewish community."

Last month, US secretary of state Hillary Clinton criticised Israel's proposals to close down human rights groups by ending foreign donations.

These measures in fact demonstrate that it is impossible for the financial elite to maintain the semblance of democratic rule while illegally occupying Palestinian land and the Golan Heights, discriminating against their own Palestinian citizens and systematically impoverishing the vast majority of Jewish Israelis. The government has even torn up the modest proposals of the Trajtenberg Commission, aimed at diffusing the massive protest movement that erupted over the summer, in order to increase the defence budget in preparation for further wars.



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