

Israeli Knesset debates legal framework for apartheid-style state

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Israel's parliament is debating a raft of authoritarian and racist measures as the government prepares for civil war against its Arab citizens.

Amid advanced moves toward full-scale war against Gaza, Iran and Iran's allies in Syria and Lebanon, the Knesset approved the first reading of Prime Minister Binyamin Netanyahu's Jewish nation-state bill.

The bill explicitly defines Israel as a Jewish state, according nationality rights only to its Jewish as opposed to Palestinian citizens. It provides the constitutional and legal framework for an apartheid-style state, one that aims not only to isolate the Palestinians, but, wherever possible, drive them out altogether.

It sets the scene for far greater legalised discrimination against the Palestinian population within Israel than the de facto discrimination they already endure.

Netanyahu's bill ends the state's formal commitment to democracy and equality, and renders non-Jews second-class citizens. This includes the Palestinians, Druze and Bedouin, as well as the 300,000 Russian immigrants who are not Jewish according to rabbinical law. Altogether, those in this category of non-Jews account for more than 1.8 million, or nearly 20 percent, of Israel's population of 8.2 million.

All Israeli citizens must have a separate national identity, usually Jewish or Arab, but potentially American or European, as opposed to Arab. Now, with "national rights" reserved for Jews—and superior to citizenship rights, as determined on at least two occasions by Israel's Supreme Court—the result, as Justice Minister Ayelet Shaked explained, is "equal rights to all citizens, but not equal national rights."

Shaked said, "Israel is a Jewish state. It isn't a state of all its nations." She acknowledged that democracy and international humanitarian law came a poor second to the need to maintain a Jewish majority, "even at the price of violation of rights."

Furthermore, according to the bill, Israel would be the state not just of Israeli Jews, but of all Jews wherever they lived and irrespective of their desire to live in Israel. In effect, it would give Israeli Palestinians little more than residency status, the dubious status already afforded the Palestinian residents of East Jerusalem.

The bill also demotes Arabic from its already weakened position as an official language and, crucially, includes a provision to allow the establishment of communities for Jews only. While such communities have been the practice and the de facto norm for decades, the courts have thus far failed to uphold their legal basis, deeming them discriminatory and unconstitutional.

This apartheid legislation comes in the wake of evidence from the Israel Defence Forces (IDF) that the number of Palestinians in Israel, including East Jerusalem, which was illegally annexed after the 1967 War, and the West Bank and Gaza, now equals that of Jewish Israelis. While the IDF's figures are disputed by Israel's right wing, other sources confirm that Jews will be outnumbered by 2020.

Netanyahu's ultra-nationalist coalition partner, Jewish Home, is sponsoring another authoritarian measure, the "supersession bill" or "override bill." This would enable the Knesset, by a simple majority vote, to reinstate legislation struck down by the High Court, thereby removing Israel's only check on the legality of government legislation and regulations.

Since 1995, the High Court has struck down in part or full 18 pieces of legislation, including most recently Netanyahu's plan to deport African migrants against their will to a third country.

Thousands of demonstrators have taken to the streets of Tel Aviv to oppose the bill, with a survey by the Israel Democracy Institute showing that 65 percent of Israelis believe it would give the government "unlimited" power.

Last March, the Knesset passed a "loyalty" law giving

the Ministry of Interior the power to revoke permanent residency permits for Palestinians living in East Jerusalem and deport them on the grounds of a “breach of allegiance,” including betraying Israel’s “trust,” obtaining residency status on the basis of false information, or posing a danger to public safety, as determined by the ministry.

Further legislation is being proposed to nullify the High Court’s ability to rule against the Interior Ministry in the future, following its overturning of the ministry’s decision to revoke the permanent residence permits of four young Palestinians accused of stone-throwing and armed attacks.

This is in flagrant violation of international law, which deems it illegal to impose on Palestinians, an occupied people, any obligation of loyalty to the occupying power, let alone deny them permanent residency status on this basis.

The “loyalty” law is part of a broader range of measures aimed at removing Palestinians from their homes in East Jerusalem, including some 30 amendments to a 1952 law. The more than 310,000 Palestinians living in Jerusalem who hold permanent residence permits, not citizenship, are essentially stateless.

While few have sought or been granted Israeli citizenship, and almost none vote in municipal elections, Israel has become increasingly concerned about their growing numerical weight in the city, where they comprise nearly 40 percent of the total population.

Since 1967, Israel has revoked the residency status of more than 14,000 East Jerusalemites, including elected Hamas legislators and a former minister, either because they have temporarily moved elsewhere to study, work, be closer to family or get married, or as punishment for their relatives’ suspected actions.

The United Jerusalem Law, passed earlier this year, paves the way for Palestinian neighbourhoods in East Jerusalem to be hived off into a separate local council. This would strip residents of their Jerusalem residency rights, reduce Jerusalem’s Palestinian population by a third and create a Jewish majority in the city.

This is in addition to plans to strip many Palestinians of their residency status because they live outside the infamous Separation Wall that Israel built through the city, as well as the traditional methods of stripping Palestinians of their land and denying them permits to extend or build new homes as a pretext for demolishing homes.

The Knesset is set to introduce capital punishment for

terrorist murderers, targeting the Palestinians. It will enable judges in civilian courts to issue the death penalty, hitherto reserved for Nazis and Nazi collaborators convicted of committing murder during the Holocaust. Judges in the military courts will be able to impose the death penalty by a simple majority.

Netanyahu feels emboldened by Washington’s support for Israel as a key strategic ally in the Middle East, as reflected in President Donald Trump’s decision to move the US embassy to Jerusalem later this month and the State Department’s recent report on Human Rights Practices on Israel/Palestine, which excludes any mention of occupation, referring instead to “Israel, Golan Heights, West Bank and Gaza.”

At the same time, mounting evidence of corruption against Netanyahu and his wife Sara has made him beholden to the ultra-nationalist parties that prop up his crisis-ridden government.

These racist and fascistic methods flow inexorably from Israel’s expansionary policy, which dictates the brutal suppression of the Palestinians and an apartheid-like program to maintain the supremacy of an increasingly isolated and reckless political and corporate elite. Such dictatorial methods internally accompany a foreign policy of militarism and war abroad to deflect from rising social tensions within Israel.

These developments confirm the bankruptcy of all claims that peace and security for either the Palestinian masses or the Jewish people can be obtained through the establishment of a capitalist Palestinian entity alongside Israel. The decisive question is the unification of Arab and Jewish workers based on a common socialist and internationalist programme in the fight for a Socialist Federation of the Middle East.



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