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Palestinian Citizens in Israel: A Fast-Shrinking Civic Space

By: Nadim Nashif, Raya Naamneh · January, 2016

Israel still portrays itself as a Jewish and democratic state. Yet in practice, as its Palestinian citizens can attest, it functions as a Jewish ethnocracy, leaving small margins of freedom for its Palestinian citizens that have been steadily shrinking in the past few years. Now the Israeli state has come under the complete control of the far right wing, which sees no need even for such limited margins of freedom. This is evident in the wave of discriminatory legislation and the use of the Emergency Regulations against established non-governmental organizations (NGOs) and movements such as the northern branch of the Islamic Movement in Israel.[1]

Targeting Organizations and Individuals, Palestinian and Israeli

The many laws that Israeli Knesset (parliament) and government have passed to constrain Palestinian citizens' political participation and activism include, in 2011 alone, the "Anti-Boycott" law, which prohibits the public promotion of boycotts; the "Nakba" law, which prevents Palestinian commemoration of their catastrophe due to Israel's creation in 1948; and the "Foreign Government Funding" law, which places onerous reporting requirements on NGOs. These laws have severely damaged the ability of Palestinian parties, NGOs, and activists to freely express their opinions and protest Israel's crimes, both within and outside the Green Line.

More recently, a bill proposed by former foreign minister and current Member of Knesset (MK) Avigdor Lieberman would prohibit the Israeli Supreme Court from interfering in the Knesset's Central Elections Committee decision to disqualify MKs based on their political stances. If approved, this bill would directly target Palestinian MKs, such as Haneen Zoubi and her party, "Balad – the National Democratic Alliance," who have previously been faced with attempts to disqualify them.

In addition to targeting political participation at the government level, Israel has limited or prohibited the work of several NGOs at the municipal level. It is important to note that the NGOs impacted include both Palestinian and Israeli organizations fighting to expose Israel's human rights violations and the apartheid regime it maintains in all of historic Palestine.

Amongst those affected is the Israeli NGO "Breaking the Silence," an organization of Israeli veterans dedicated to exposing the Israeli public to the reality of everyday life in the OPT. Breaking the Silence had recently planned to hold a talk in Beersheba. However, the Beersheba's Magistrate Court signed an order banning the talk at the request of the police, which claimed that the event did not have the "appropriate security arrangements". Even though the police could have taken the necessary measures to secure the event, they instead chose to act on behalf of the right-wing voices that have been calling for the boycott of Breaking the Silence.

It is important to note that Breaking the Silence is not as radical as Israel claims. It remains an organization that is working towards the improvement of Israeli society and government within the frame of a Jewish ethnocratic state. It is, for example, criticized for failing to expose war crimes of Israeli military generals and leaders. Therefore, the fact that it is now being considered outside the political Israeli mainstream is a clear indication of the continued rise of Israeli extremist right-wing ideology, which excludes any voice that is critical of the actions of the Israeli government.

Another example is the recently published letter to the "New Israel Fund," demanding that it stop the funding of the NGO "Baladna – Association for Arab Youth", the organization for which we both work. This followed Baladna's production of a video against the recruitment of Palestinian youth in the Israeli army. This letter was written and signed by several right-wing MKs, including MK Merav Ben-Ari and MK Miki Zohar, who are co-chairs of the Knesset Committee for Encouraging and Promoting the Enlistment of Minorities to the IDF and Civil Service. The targeting of both local and international organizations funding Palestinian and left-wing Israeli Jewish NGOs is the result of the Israeli government's systemic blacklisting of NGOs, through its own biased investigative operations and its cooperation with bodies such as NGO monitor.

Israel's most recent move in this direction went too far even for the US Government. The State Department spokesman expressed concern in early January about a bill introduced by Justice Minister Ayelet Shaked to force human rights workers to wear badges in the Knesset saying they are funded by foreign entities and to mention this in their publications. The bill has received support from the governing coalition and Israeli human rights attorney Michael Sfard believes it will likely pass.

This witch-hunt against Palestinians as well as other left-wing organizations and individuals within Israel is not limited to the Government but is embedded in the broader Israeli society. One example is the targeting of university professors and students, as well as NGOs, by the right-wing "Im Tirtzu" organization, which is active in all of the major Israeli universities. "Im Tirtzu" accuses students, professors, and NGOs of being anti-Semitic and/or inciting violence and racism, using evidence collected from

social media platforms, such as Facebook. In other words, any student or professor, particularly those who are Palestinian, could be threatened on the grounds of their publicly expressed political views and opinions. Despite this, Israeli universities and the government refuse to hold "Im Tirtzu" accountable for its actions, thus providing it with a safe space for its smears.

Palestinians have also been subject to verbal and physical threats from civilians in public spaces, forcing many to avoid using public transportation. Palestinian women who wear the hijab (head-dress) particularly fear assault and harassment due to their religiously-inspired attire.

Behind the Ban of the Islamic Movement

Against this background, the Israeli security cabinet's decision in November to ban the northern branch of the Islamic Movement in Israel is significant, particularly because of Defense Minister Moshe Ya'alon's use of his authority under the 1945 British Mandate Emergency Regulations to outlaw the Movement and any individual or organization affiliated with it.

These regulations have been used in all the areas under Israeli control since 1948. In other words, they are used not only in the territories occupied by Israel in 1967, but also within the Green Line against Palestinians carrying Israeli citizenship. Under the regulations, the Israeli Defense Minister can issue administrative orders without needing the approval of the courts. While the orders can be appealed in the Israeli Supreme Court, the court itself also operates within the framework of the Emergency Regulations, and is effectively an extension of the Defense Ministry. Thus, the Israeli government and its various bodies have given themselves the "legal" capacity to render any Palestinian, at any time, a security threat stripped of his/her human and civil rights, regardless of where these "threats" may reside.

In short, the Israeli government has used a colonial law – a law that should no longer be part of its legal system – to justify and apply a discriminatory decision. In addition to the significance of using regulations dating back to Britain's colonial mandate over Palestine, the ease with which the ban passed is also noteworthy. There has been little or no objection to the decision: The Israeli political elite and the Israeli public in general are supportive of the action and consider it legitimate due to the claim of "security" threats.

In implementing its decision, the Israeli government closed down all of the Movement's offices, as well as 17 non-profit organizations connected to it. These NGOs, located in several Palestinian-majority cities within Israel like Jaffa and Umm al-Fahem, have provided social, educational, religious, and economic services to marginalized and impoverished Palestinian communities for years. Moreover, it is important to note that they have not only served the Movement's supporters but also the Palestinian community at large, including non-Muslim communities and individuals.

In response to the decision, the Higher Arab Monitoring Committee, the highest

representative body for Palestinians in Israel, called for a general strike and a public demonstration in the Palestinian city of Umm al-Fahem. Thousands of Palestinians participated to protest a decision they saw as targeting not just the Islamic Movement but the Palestinian community as a whole.

The Israeli government acted against the Movement immediately after the Paris terror attacks in November 2015 so as to claim that their decision was part of the global fight against terrorism. In so doing, it ignored its own intelligence chief Yoram Cohen, who had said there was no evidence to link the Movement to terror, as well as Shin Bet reservations about the ban. The Public Security Minister Gilad Erdan even went so far as to claim that the Islamic Movement shared an ideology with Hamas and ISIS, seeking to reinforce Western fears of Islam when the fact is that the these religious movements are not affiliated with ISIS and do not share its extremist ideology. Rather, both the Islamic Movement in Israel and Hamas have their roots in the Muslim Brotherhood, which, historically, is not a jihadist movement.

Despite Israel's efforts to subdue and eradicate the Palestinian identity, the Arab community living in Israel continues to support and take part in the struggle for Palestinian rights in all of historic Palestine. Israel is aware of this unity of purpose and uses it to justify the oppression, control, and censorship of Palestinians in Israel, especially during periods of resistance and unrest. During the Second Intifada in 2000, for example, Israel used live ammunition to suppress demonstrations in support of the Intifada, killing 13 young Palestinian men of whom 12 were citizens of Israel.

The outlawing of the Islamic Movement is part of this same strategy. The Movement was one of the most active organizations in exposing Israel's violations of the status quo at the al-Aqsa Mosque and the whole Al-Haram Al-Sharif (the Noble Sanctuary) compound. Israel's ban of the Movement can thus be seen as part of the government's attempts to repress and end this resistance.

The truth is that the Islamic Movement has defied the Israeli political game. It had succeeded in creating its own operational and organizational system, independent from the Israeli government and the marginal space into which it has forced the Palestinian community in Israel. Unlike other Palestinian political parties in Israel, the Movement refuses to be part of the Israeli Knesset. In addition, it is not government-funded and the essential services it provides are extended not only to Palestinians in Israel but also to Palestinians in all of historic Palestine. Thus, the Movement defies the state's colonial borders and exposes the falsity of its democracy.

The Need for a More Organized Civil Society Response

The growing racism of Israeli society, coupled with global anti-Muslim sentiment, have created a harsh and threatening environment for Palestinians in Israel as well as in the rest of historic Palestine. One outcome of this environment is the continuously shrinking space for organizational development and activism for Palestinian civil society and other left-wing NGOs. This includes further limits on funding, legal activism, access to

beneficiaries, and freedom of speech.

In light of this reality we as a community aspiring for freedom and justice in all of historic Palestine must rethink our strategies. At a local level, Palestinian organizations and groups – NGOs, independent activists, movements, and political parties – need to come together and establish a coherent, unified, and long-term strategic plan to resist systematic racism and widespread oppression. Today, Palestinian civil society reacts to present dangers as they arise. It does not work as a unified entity, nor does it plan for any future potential threats; its small acts of protest have few if any concrete long-term effects. Palestinian civil society needs to focus on protecting its rights while at the same time crafting a strategic plan to achieve the goals of freedom and justice. In addition, if there is to be any hope of actual long-lasting change, Palestinians need the support of the international community and its media organizations in order to expose Israel's double-standards when it comes to upholding democratic values, and to hold Israel accountable through economic, cultural, and academic means of pressure.

1. *Al-Shabaka publishes all its content in both English and Arabic (see Arabic text here.) To read this piece in French or Spanish, please click here or here. Al-Shabaka is grateful for the efforts by human rights advocates to translate its pieces into French and Spanish, but is not responsible for any change in meaning.*

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