**The bill of no rights**

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Israel’s parliament – the Knesset – recently passed a new law pertaining to the national status of the State of Israel. Under the new ordinance, titled the ‘Basic Law: Israel as the Nation-State of the Jewish People’, the Knesset unequivocally defines Israel as a Jewish state.

The ordinance contains 11 provisions based on obviously controversial and discriminatory assertions that describe Israel as “the national home of the Jewish people”. As per the ordinance, the right to exercise national self-determination is “unique to the Jewish people”. While the law has accorded Hebrew the status of Israel’s official language, Arabic has been given “special status” and has been deprived of its official status. For decades, Arabic has been recognised as an official language alongside Hebrew. The new law has now changed the status quo.

Israeli Prime Minister Benjamin Netanyahu was ecstatic about the bill, calling it a “defining moment” in the history of his nation. “A hundred and twenty-two years after [the founder of modern Zionism Theodore] Herzl made his vision known, with this law we determined the founding principle of our existence,” he remarked.

However, the law will undoubtedly further alienate Israel’s large Arab minority, who have been discriminated against for decades. Israeli Arabs, many of whom identify as or with Palestinians, constitute about 20 percent of the Jewish state’s nine million population. That is why members of parliament (MPs) representing the Arab minority of the country reacted furiously in the Knesset and some of them tore the bill into pieces.

Ayman Odeh, the leader of the Joint List – an alliance of predominantly Arab parties that is the third-largest bloc in the 120-member Knesset – waved a black flag in parliament to register his protest against the discriminatory law. The new law also exposed the polarised nature of parliament and society as there were 62 votes in favour of the law and 55 against it while two MPs abstained from voting and one was absent in the Knesset.

Israel has no constitution but has instead passed a number of ‘basic laws’ over time that have constitutional status in the country. The nation-state law is the 14th such basic law. Critics believe that in the absence of a constitution, none of the basic laws “guarantee freedom of speech, freedom of religion or, most importantly, equality” among Israel’s citizens. Arab citizens and Palestinians have rarely been accorded the true status of free citizens. Non-Jewish citizens have long complained of being treated as second-class citizens. Many of them have faced discrimination and don’t have access to the same provisions that the Israeli Jews do when it comes to services such as education, health, jobs and housing.

Human rights groups have repeatedly accused Israel of following a system that is akin to apartheid against Israeli Arabs and Palestinians in the occupied West Bank. Israel has vehemently denied these allegations as smear campaigns used by those who reject its right to exist as a democratic state in the Middle East.

In contrast to Israel’s official stance regarding accusations of gross human rights violations, numerous annual reports issued by various human rights organisations – including Amnesty International, Human Rights Watch and different bodies of the UN and other international NGOs – have consistently expressed concern over the human rights abuses committed by Israel. It is argued that Israel doesn’t have a formal constitution and there is overt and covert discrimination against Arab minorities and other non-Jewish foreign workers in various spheres of life.

With regard to human rights violations, one of the most significant issues is the status of the occupied territories and the non-existence of clearly-defined international borders. The present boundaries of Israel are controversial and go against the essence of UN resolutions that have banned settlements in the occupied territories.

In the words of late Edward Said: “the country has never had internationally declared borders but continues to tinker endlessly with its own size”. Israel has, on countless occasions, pursued its own policies in violation of these UN resolutions and has shown disregard for international laws of human rights. One such precedent is the expansion of illegal settlements and construction of a 700-kilometre-long fence/wall on Palestinian land in the occupied territories.

According to an AI report, this highly controversial iron fence has cut off the local Palestinian population from their citrus groves and olive orchards, which has impoverished the once prosperous farming community. In 2003, the UN General Assembly (UNGA) voted 90 to 8 on seeking the opinion of the International Court of Justice (ICJ) regarding the legitimacy of the fence.

In its detailed judgment in 2004, the ICJ gave a ruling against the fence by a majority of 14 to 1 that termed it a wall instead of a fence (ironically, the dissenting judge was from the US). Israel rejected the ICJ’s ruling while the US also defended Israel and condemned the judgment. Another resolution was passed in the UNGA by a vote of 150 to 6 while 10 states abstained from voting to demand that Israel comply with the ICJ’s ruling. However, nothing stopped Israel from executing the construction work.

Professor Falk, who is an American Jew, terms the miserable situation of Palestinians as the holocaust of the 21st century. The process of gross human rights abuses has continued for years despite the repeated UN resolutions and international condemnation.

Israel is among the very few countries that have been subjected to multiple resolutions in a single year in the UNCHR. Over the years, the annual reports issued by Human Rights Watch and AI have accused Israel of reprisal measures, curfews and road closures, which have affected the access of Palestinians to healthcare facilities, education, workplaces and commercial centres. In his paper, ‘The Dilemma of Double Standards in US Human Rights Policy’, Professor Turner has summed up the history of human rights violations in Israel by stating that “the history of Israeli occupation of Arab territories since 1967 is a history of systematic human rights violations”.

While Israel is solely accountable for its belligerent policies and actions, it has always been backed financially, militarily and politically and diplomatically by the US at international forums. For example, Israel has remained the largest recipient of US economic and military aid to date. Over the last six decades or more, the US has allocated over $63 billion to Israel in economic aid and over $141 billion in military assistance – more than $200 billion in aggregate as per USAID’s US Overseas Loans and Grants (Greenbook).

In terms of political and diplomatic support, according to the Washington report on Middle East Affairs, the US cast its veto in the UN Security Council a total of 39 times between 1972 and 2011 to protect Israel from draft resolutions that condemned, deplored, denounced, demanded, affirmed, endorsed, called on, and urged Israel to obey the world body.

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