

The Proposed Pledge of Allegiance and the Arab Citizens of Israel

Arabs in Israel Update | Prof. Uzi Rabi and Arik Rudnitzky | 28.10.2010

The Konrad Adenauer Program for Jewish-Arab Cooperation

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A. From the Editors' Desk

We are pleased to publish the later issue in our "Arabs in Israel" series. The current issue focuses on responses to the Government of Israel's approval of an amendment to the Citizenship Law.

In its meeting on October 10, 2010, the government approved the proposal of Minister of Justice Yaakov Ne'eman to amend the Citizenship Law, by a vote of 22-8, and transferred the proposal to the Knesset for its approval. The amendment dictates that the obligation to pledge allegiance to the Jewish, democratic State of Israel will from now on apply only to non-Jews and to individuals applying for Israeli citizenship.

The government's approval of the bill triggered a tempest in the political arena. The bill's approval was condemned mainly by Arab MKs and representatives of parties from the center and left, but also by senior government ministers and the Knesset Chairman. They all claimed that the bill is an undemocratic, racist maneuver directed against Israel's Arab citizens, in an attempt to coerce them to accept the state's Zionist character. In contrast, supporters of the bill defended it by contending that Israel is a Jewish nation state and nothing in the bill prejudices individual rights or equality.

Responses from the Arab community, both in the Knesset and in the ex-parliamentary arena, were especially bitter. Some described the law as coercion of Palestinians, victims of the Jewish, Zionist state, to pledge allegiance to the state that is the source of their catastrophe, the **Nakba**. One expression of the Arab public's rage at the bill was the Supreme Follow-Up Committee's announcement to transform the 54th commemoration rally of the Kfar Qassem Massacre, scheduled for October 29, into an organized protest event. The banner of the event will be "Opposition to the racist policy and grave escalation in the Israeli establishment's [attitude] toward the Arab public, and opposition to the Jewish character of the state, the Citizenship and Loyalty Law, and the [concept of] transfer."

The current issue contains three sections. **The first section** contains an editorial by Prof. Oded Haklai, who compares the unique features of the Israeli citizenship law with pledges of allegiance required as a condition for citizenship in other countries. **The second section** of this issue presents responses to the bill which have appeared in the media. Extensive space is devoted to responses of Knesset Members from Arab parties and ex-parliamentary organizations that are active in the Arab community, and which are rarely accessible by Hebrew speakers. Positions of Jewish ministers and Knesset Members, and opinions of scholars of the status of Israel's Arab minority are also presented. **The final section** of this issue offers background information on the Citizenship Law and other bills proposed in a similar spirit.

Our readers are welcome to inform us of websites that are relevant to this topic, where this issue of “Arabs in Israel” might be posted. Please contact us:

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The Editors

B. Editorial

The New Citizenship Oath: A Comparative Perspective

Oded Haklai*

The Israeli Cabinet's approval of the amendment to the Law of Citizenship has received plenty of attention in recent days. Politicians, analysts, and observers have been keenly advancing their diverse positions on the proposed measure that, if turned into law, would require every non-Jew seeking to become a citizen of Israel to pledge loyalty to "the State of Israel as a Jewish and democratic state." Supporters of the proposal claim that the amended oath is necessary to counter those who question Israel's right to exist as a Jewish nation-state. Opponents argue that it is unjustified, polarizing, and severely discriminatory against the Arab minority in Israel. Some have condemned the proposal as racist.

One important question is how the new citizenship oath compares with oaths of loyalty in other states, particularly – but not only - those that are deeply divided along ethnic and national lines and are dominated by one national group.

In most instances, oaths of citizenship require those seeking citizenship to affirm (or swear) faithfulness to at least one of the following: (1) the sovereign body, (2) the foundational principles of the state and its constitution, and (3) the state's laws. Thus, those taking the oath of citizenship in Britain and Canada declare that on becoming citizens they "will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, [Queen of Canada], Her Heirs and Successors." The newly minted British citizen is also required to pledge that she will give her "loyalty to the United Kingdom and respect its rights and freedoms," that she "will uphold its democratic values," that she "will observe its laws faithfully," and fulfill her "duties and obligations as a British citizen." The Australian pledge that came into effect in 1994 requires the naturalized citizen to declare the following: "From this time forward, under God, I pledge my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey."¹ Some oaths, like the United States' oath, require additional commitments, including performing military service when called upon by law.

If these examples are taken as indicative of citizenship oaths' objectives, the proposed amendment in Israel is meant to affirm that "Jewish and democratic" are the foundational principles of the state and, possibly, that Jews are the sovereign nation in the state.

In this regard, at least, Israel is substantially different from the United Kingdom, Canada, and Australia. In these countries, citizenship and nationality are supposed to be congruent. Upon receiving citizenship, the new citizen becomes a member of the nation. The state is supposed to be ethnically neutral and eschew discrimination on

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¹ The phrase "under God" is voluntary. The British oath also has a voluntary reference to "Almighty God."

ethnic and subnational lines (whether such neutrality can ever exist has long been contested²). Israel, conversely, is formally cast as an expression of the ethno-national identity of the Jewish people rather than all the citizens of the state. The combination of democratic procedures and institutionalized hierarchical relations has led some to label Israel an *ethnic democracy*.³ Ethnic democracy is the conventional constitutional order in most post-communist countries in Central and Eastern Europe.

As in the liberal democracies of the West, pledges of allegiance in most of the ethnic democracies tend to avoid explicit reference to the superiority of the dominant group. One exception to this generalization is Romania, where the Romanian majority constitutes roughly 89.5 percent of the population, and the Hungarian and Roma minorities constitute approximately 6.6 percent and 2.5 percent of the population respectively. The oath in Romania reads "I swear devotion to the Romanian country and Romanian people, I swear to defend the rights and national interest, to respect the Constitution and the laws of Romania."

In most other cases where the state is formally owned by a dominant majority, faithfulness to the ethnic hierarchical order is required only implicitly. In cases like Estonia (25.5 percent Russian-speakers) and Slovakia (9.7 percent Hungarian minority), those seeking citizenship require to pledge loyalty to the constitution and constitutional order. It is in the constitution that state ownership is codified. Thus, by requiring a pledge of loyalty to the constitution, these states are implicitly demanding acceptance that the state belongs to the dominant ethnonational group.

In some cases, there is ambiguity. In Ireland, for example, the pledge requires "an oath of fidelity to the nation and loyalty to the state." What constitutes "the nation" is unclear since, according to the CIA World Factbook, only 87.4 percent of the population in Ireland is ethnically Irish, and the relationship between ethnicity, nationality, and citizenship is fuzzy.

To be sure, even in states that claim to have overlapping citizenship and nationality, an oath of loyalty can prove to be a highly charged issue with minorities. The proposal to introduce an oath of allegiance to the Queen of Britain in "passing out" ceremonies for schoolchildren, proposed by former Prime Minister Gordon Brown in 2008, was vehemently opposed by many Scottish, Welsh and Northern Irish, who viewed it as a sign of English domination. That oath was not significantly distinct from the one new citizens of the United Kingdom are required to take.

There is one aspect, however, in which the proposal approved by the Israeli Cabinet is clearly distinct from other oaths that privilege the dominant ethnic and national group. In Romania, Britain, and the other cases mentioned here, all those seeking to become citizens are required to take the oath. In Israel, conversely, the amended version will apply to non-Jews only. This conspicuous differentiation between Jews and non-Jews and the timing of the proposal are likely to enhance the prevailing sense amongst Arab elites that it is the Arab minority's loyalty to the state that is being questioned in particular.

² Bernard Yack, "The Myth of the Civic Nation," in Ronald Beiner ed., *Theorizing Nationalism* (New York: State University of New York Press, 1999) 103-118.

³ Sammy Smooha, "The Model of Ethnic Democracy: Israel as a Jewish and Democratic State," *Nations and Nationalism* 8:4 (2002), 475-503.

C. From the Press

Opinions of Arab Knesset Members

- **Jamal Zahalka: The law is racist, non-democratic, and offends Arabs for being Arabs**

MK Jamal Zahalka, Chairman of the National Democratic Assembly (NDA): “This is a racist, non-democratic law. No country in the world has conditioned naturalization by an affirmation of allegiance to its ideology. Israeli racism has thus reached a level unprecedented anywhere in the world. It is a racist law because it is directed at Arabs for being Arabs. ‘A Jewish state’ is synonymous to ‘Zionist’ and the new law requires that Palestinians, the victims of Zionism, declare their loyalty to it. This is a new attempt to place new obstacles to the unification of Palestinian families on both sides of the Green Line. Thousands of families have been broken up as a result of Israel’s racist laws that separate husbands from their wives, and children from their parents.” (**Kull al-Arab**, October 15, 2010)

- **Talab El-Sana: The amendment is a preliminary toward the expulsion of the Arab citizens from the country**

MK Talab El-Sana, of the United Arab List and the Arab Movement for Change (UAL-AMC): “This [bill constitute] de-legitimization of the Palestinian Arab citizens and their expulsion from the boundaries of citizenship, as preparation for the expulsion from the boundaries of the country, as Lieberman stated in his speech at the UN [...] This law aligns Israel in line with other fascist countries. The question is not whether the citizens are loyal to the state, but whether the state is loyal to its citizens. This attempt to force [the existence] of a “Jewish state” is indicative of the failure of the Zionist movement.” (**Kull al-Arab**, October 15, 2010)

- **Masud Ganaim: The amendment is the beginning of a move to revoke our citizenship**

MK Masud Ganaim, of UAL-AMC: “The amendment is an official declaration of the closure of the state’s gates to all Arabs and Palestinians who refuse to accept the Zionist project and the Jewish state. The Jewish state represents a Zionist vision and ideology that are unacceptable to us Arabs and Palestinians. Therefore, the amendments are nothing more than an opening move [in the attempt] to revoke our citizenship. It is proof of the prevalence of racism in Israel’s political arena, and of just how strongly Netanyahu wishes to hold on to his racist allies,” (**Kull al-Arab**, October 15, 2010)

- **Raleb Majadele: Netanyahu bought Lieberman’s silence in the matter of the freeze on new settlements**

MK Raleb Majadele, of Labor: “There is no doubt that Netanyahu’s support of the Citizenship Law was secured in a deal with Minister Lieberman. [...] By supporting

the Law, Netanyahu purchased Lieberman's silence on the anticipated resolution concerning the freeze on new settlements based on the most recent American proposal." (**Kull al-Arab**, October 15, 2010)

- **Jamal Zahalka: The "Jewish State" is the root of the problem and the source of the Palestinian people's Nakba (Catastrophe)**

MK Jamal Zahalka, Chairman of NDA: "The new law is audacious, because it asks the victim to pledge allegiance to the hangman. The 'Jewish State' is the root of the problem and the source of the Palestinian people's catastrophe (**Nakba**), and it further asks Palestinians to declare their loyalty to it." (www.asafir.com – **A-Safir** daily newspaper, October 11, 2010)

- **Talab El-Sana: Israel has become the successor of South Africa in the Apartheid period**

MK Talab El-Sana, of UAL-AMC: "The bill is a devastating blow to democracy, and will cause the exclusion of 20% of the country's citizens, the Arabs, from the boundaries of citizenship. [...] The amendment to the law positions Israel as a successor to South Africa in the Apartheid era. [...] The [Arab] citizens of the state are committed to its laws but the State is not loyal to its Arab citizens." (**Haaretz**, October 10, 2010).

- **Ahmad Tibi: The amendment is part of the project designed to obtain an Arab-free state**

MK Ahmad Tibi, of UAL-AMC: "When the Arab public in Israel emphasizes its Palestinian identity, it concurrently emphasizes its right for equal citizenship, especially in view of the surging racism headed by Netanyahu's government and led by Lieberman. [...] The amendment is part of a project on behalf of Yisrael Beitenu to obtain a pure, Jewish state, free of Arabs, even though they are the original inhabitants [of the country]. This decision could not have passed without a conspiracy between Ehud Barak, leader of the Labor party, and Netanyahu and Lieberman. [...] Israel once again proves that it is a Jewish but not democratic state. We will be loyal only to ourselves." (www.alarab.net – **Kull al-Arab** weekly online, October 10, 2010)

- **Jamal Zahalka: The Arab world should awaken from the illusion of negotiations and rein in racism**

MK Jamal Zahalka, Chairman of NDA: "The fact that the vast majority of ministers supported this law proves that we have a racist and fascist majority in Netanyahu's government, and such a majority also exists in the Knesset. The government passed a series of racist laws designed to make Israel's Arab citizens hostages of the concept of the Jewish state and cause citizenship to be conditional upon allegiance to Zionism. The root of the problem is the effort to establish a Jewish state at the expense of the Palestinian people. The demand for a pledge of allegiance is an attempt to cause humiliation, to declare Israeli victory over every Palestinian who wishes to unite with family members in the country. [...] A series of racist laws exposes the government's real intentions. The Arabs must awaken from the illusion of negotiations. The Arab

world must recruit international support to contain and curb Israel's racism and aggression, instead of conducting negotiations with it and appeasing it." (www.bokra.net, October 10, 2010)

- **Ahmad Tibi: The Israeli government has become an indentured apprentice to the Yisrael Beitenu party**

MK Ahmad Tibi, of UAL-AMC: "The Israeli Government has turned into the stooge of 'Yisrael Beitenu' and its fascist doctrine. [...] There is no country in the world that forces its citizens or those naturalizing to swear their loyalty to ideology or a sectarian obligation. [...] Israel is proving that it is not egalitarian and is in fact democratic for Jews and Jewish for Arabs." (**Jerusalem Post**, October 10, 2010)

- **Mohammad Barakeh: The law is designed to shatter the negotiations; We are the owners of the homeland and the land**

MK Mohammad Barakeh, Chairman of the Democratic Front for Peace and Equality (DFPE): "Reality proves that the aim of the law, at its current timing, is to serve as a political message and a fatal rocket [aimed at] the negotiations. In its original format, the Citizenship Law was racist, but recent Israeli governments have successively passed racist emergency regulations that prevent the Palestinians from obtaining citizenship, in addition to the imposition of other restrictions. In rare, extraordinary cases the Minister of the Interior grants citizenship to Palestinian residents under family unification. Therefore this amendment may adversely affect these few people, and this proves that ratification of the Law has a political and provocative purpose." [...] Barakeh stressed, "This racist law, which joins a series of racist laws, will not in any way change the certain truth that we are the owners of the homeland and the land, however it is called. We recognize this land as it recognizes its sons. We recognize the names the land, its geographic name places, its plants, and everything that exists on this land." (www.panet.co.il, website of the **Panorama** weekly, October 7, 2010).

- **Hanin Zoabi: A 'Jewish State' is not just a slogan but racist everyday practice**

MK Hanin Zoabi, of NDA: "Lieberman is the person who really rules, and the person who develops Israel's political culture. Israel no longer hides behind liberal concepts, and is no longer concerned about the repercussions that its policy causes to its image, in Israel and overseas. This decision is a combination of Zionist beliefs and government coalition considerations. [...] A 'Jewish State' is not merely a slogan; it is racist practice that is conducted on a daily basis." (www.panet.co.il, website of the **Panorama** weekly, October 7, 2010)

- **Mohammad Barakeh: Israel's book of laws is a guidebook for the most racist, dark regimes**

MK Mohammad Barakeh, DFPE: "Netanyahu decided to personally open the season of racist legislation [with the start of the Knesset's winter session]. The addendum to the Citizenship Law is, through and through, a racist transfer-supporting [statement]

that apparently will gain the necessary majority with the help of its two ushers, Barak and Lieberman. For a while we have been saying that Israel's book of laws has become a guidebook for the darkest, most racist regimes in the world.” (www.ynet.co.il, October 6, 2010)

Positions of ex-parliamentary organizations active in Arab society

- **General Director of Dirasat Center: The law is in violation of international law, and drags Israel down into Apartheid**

Dr. Yousef Jabareen, General Director of **Dirasat** – The Arab Center for Law and Policy: “The amendment is the manifestation of the programs of extreme right-wing politicians who carry on their shoulders the center and right-wing parties, which skillfully translate the concept of ‘a Jewish state’ into an ongoing, ever-escalating policy of exclusion against the Arab minority and its leaders. Such legislation is designed to create deeper de-legitimization of the Arab citizens, undermine their status, and enervate their struggle. This is contrary to law and to international custom, which provide that equal protection against the law should be granted to all citizens, and that freedom of speech and conscience should be guaranteed to all citizens. This has grave repercussions on the status of the Arab citizens. This gives them the status of ‘guests’ in the country, without no rights, and leads Israel down the slope to a national Apartheid regime. Today the law book of no other country in the world contains such a large number of racist laws that institute national superiority of the dominant majority group.” (**Kull al-Arab**, October 15, 2010)

- **General Director of Sikkuy Association: We must act together to put an end to the aggression against Palestinians in Israel**

Attorney Ali Haider, Co-Executive Director of **Sikkuy** – The Association for the Advancement of Civic Equality in Israel: “We must coordinate all the Arab political entities and civil society organizations that support Arab rights. We must act on local and international levels to put an end to the ongoing aggression against Palestinians in Israel.” (**Panorama**, October 15, 2010)

- **Islamic Movement Spokesperson: The goal of the law is to tear apart reunited families and strip them of their human rights**

Attorney Zahi Nujeidat, Spokesperson of the Northern Faction of the Islamic Movement in Israel: “Ultimately, the aim of the law is to break up the Palestinian families that have reunited, and strip them of even the minimum degree of human rights. Moreover, this is a foul, underhanded attempt at extortion: What sort of existence or selfhood will remain for Palestinians after they recognize what is called ‘the Jewishness’ of the state?” (**Kull al-Arab**, October 15, 2010)

- **General Director of Adalah Legal Center: The law implies nullification of Palestinians' right in the country and nullification of the right of return**

Attorney Hassan Jabareen, General Director of Adalah – The Legal Center for Arab Minority Rights in Israel: “The meaning of the amendments to the Citizenship Law is simply this: nullification of the rights of Palestinians in Israel, and nullification of the right of return. The meaning of the Law is that Palestinians have no right in the country where they live, and that the situation of Palestinians in their country is getting worse, and that everything for which we have fought since the occupation of Palestine in 1948, has disappeared with the wind. The meaning of this is that Palestinians also have no civil rights in Israel.” (www.asafir.com – website of the daily A-Safir, October 11, 2010)

- **Follow-Up Committee: The racist laws will not change the fact that the Arabs are the original owners of the country**

Press release by the Supreme Follow-Up Committee of the Arab Population in Israel: “Prime Minister Benjamin Netanyahu’s agreement to the amendment of the Citizenship Law [...] is further confirmation of the racist, fascist face of the present government, which is controlled by a gang of extreme right-wing activists who wish to imprint their Zionist vision on the future of this country.”

“The fact that Netanyahu adopted the vision of the Yisrael Beitenu party headed by Lieberman proves that his opinions and positions are no different from those of Lieberman. This is a most dangerous but not surprising indication.”

“All the racist laws and fascist moves will not change, even one iota, the fact that the Arabs in this country are the origin, they are the owners of the land, and the owners of the right, even if the amendment to this law [...] tries to ignore this fact. For those who brag about what is called ‘Israeli democracy,’ here is yet more proof that it is fictitious.” (www.pls48.net, October 7, 2010)

Opinions of scholars

- **Prof. Ruth Gavison: As long as the Arab citizens view recognition of Israel as a Jewish nation state as indication of [their] discrimination, there is no point in entering into any sterile political debate**

From an article entitled “The Trap of the Jewish State” by Prof. Ruth Gavison, President and Founder of Metzilah – Center of Zionist, Jewish, Liberal, and Humanist Thought (Link: <http://www.ynetnews.com/articles/0,7340,L-3968300,00.htm>)

“I subscribe to the majority opinion of Jews in Israel, who believe that Israel is indeed the place where the Jewish people can realize its right to national self-determination, and that this characteristic is a crucial and just one. Israel is not a neutral state, but a national one, with meticulous attention to minority rights. I also believe that the gap between the state’s Jewishness and a true commitment to democracy and human rights – including individual and collective rights for the Arab minority in Israel – is not unbridgeable.”

[...]

“Naturalized citizens' pledge of allegiance to the State should include not only their wish to enjoy the benefits of citizenship, but also their willingness to undertake the obligations that come with it. That must not be forfeited. Still, there is no need to spite. It is a shame that the Arabs see the need to recognize Israel as the Jewish state as a beacon of discrimination or exclusion; but unfortunately, statements made by some of our leaders do not render that sentiment baseless. Still, we should focus on the matter at hand, not statements made about it. Let us focus on achieving our goals, not on futile political debate.” (www.ynetnews.com, October 13, 2010)

- **Prof. Elie Rekhess: Government policy toward the Arab minority should be thoroughly re-examined**

From an interview with Prof. Elie Rekhess, senior research in the field of the Arab society in Israel, and professor at Northwestern University, on the occasion of ten years since the October 2000 Events (see the full text of the interview at: <http://www.jpost.com/LandedPages/PrintArticle.aspx?id=191127>)

“Citizenship is supposed to establish the relationship between the individual and the state – citizens have certain rights, duties and responsibilities and these include, inter alia, allegiance. In our unique case of split loyalties, allegiance to the state should not be left to interpretation.”

“However, a one-sided act of legislation is not the wisest thing to do at this time. It is provocative and politically-motivated. Most importantly: Israel’s policy towards the Arab minority needs to be reconsidered comprehensively, covering the variety of pending issues and including both duties and rights. This is merely another one of the poorly conceived, non-comprehensive “solutions” that not only will not solve the problem but will make it worse.” (**Jerusalem Post**, October 19, 2010)

Opposition of Jewish ministers and Knesset Members to the Citizenship Bill

Likud

- **Minister of Intelligence and Atomic Energy: It is not wise to force the Arabs to pledge allegiance to the state**

Dan Meridor, Minister of Intelligence and Atomic Energy, believed the new law will have two negative ramifications: “The first an internal one, vis-à-vis the Arab sector. This move is part of a series of actions which create an atmosphere of exclusion. [...] This is not a security matter. The government is responsible for all citizens and it’s wrong to create the perception that they are not part of the state on one hand, and demand loyalty on the other.”

“This is the Jewish people state. We have inscribed that in our Basic Laws. Do we really have to keep repeating it? It creates detrimental tensions. [...] We are in the midst of fighting a de-legitimization campaign against Israel, which is a huge danger. This fight has to be managed carefully and this is not helping us. No other nation mandates such a thing, why give anyone another thing to use against us?”

“The national aspect and human rights have to be balanced. When you have no state, you have to fight for it. When you have a state, it should not impose redundant notions on its minorities. We have already won the historic battle.” (www.ynetnews.com, October 11, 2010)

- **Knesset Chairman: There is no need to highlight the point of friction between the Arab population and Zionism**

Reuven Rivlin, Speaker of the Knesset: “Defining the state as Jewish and democratic is explicitly anchored in the Proclamation of Independence and in the Elections Law, and any addition of this kind can only do harm. In Israel, there is an Arab population that is obligated to live with the conflict that this entails, and there is no point in highlighting its points of friction with Zionism.” (www.nrg.co.il, October 8, 2010)

Labor

- **Minister of Minority Affairs: The decision is offensive and contributes nothing to the state, and sends a negative message to the Arabs**

Prof. Avishai Braverman, Minister of Minority Affairs: “This is an offensive, irresponsible decision, a political hustler’s fee to Lieberman. [...] This is a decision that adds fuel to the flame of the world’s de-legitimization of Israel. [...] This decision will produce no benefit for the State of Israel other than to convey a negative message to the Arab citizens. [...] An alternative [to Yisrael Beitenu’s role in the government] exists in the form of Kadima, and therefore it is incomprehensible why Netanyahu should chose to sacrifice fundamental principles of democracy in exchange for political survival (www.ynet.co.il, October 6, 2010)

- **Minister of Welfare: A troubling situation has arisen for anyone who is concerned for the state's democratic character**

Issac Herzog, Minister of Welfare and Social Services: "I have been feeling for some time that fascism is consuming the edges of the camp, and we are not noticing it." Herzog called the situation a slippery slope that was "disturbing to anyone who fears for the democratic character of the country." (**Haaretz**, October 11, 2010)

- **Einat Wilf: The bill is good for the media but terrible for Israel**

MK Einat Wilf: "Barring a comprehensive law, the current proposal is nothing but stupid, inflammatory, and as many of [Avigdor] Lieberman's proposals, great for the press, but for Israel – worse than useless." (**Jerusalem Post**, October 10, 2010)

Kadima

- **Tzipi Livni: The bill does not protect the State of Israel's status as the national Jewish homeland**

MK Tzipi Livni, Chairman of Kadima and Chairman of the Knesset Opposition: "What we have seen today is politics at its worst. The sensitive focal issue of Israel's existence as a Jewish and democratic state has become subject to political horse-trading. [...] It is essential that we maintain Israel's status as a Jewish state with equal rights for all its citizens. This bill contributes nothing to this goal. On the contrary, it will cause internal disputes, undermine international understanding, and is devoid of any real content. It is a bad bill that not only fails to protect Israel's status as the national Jewish homeland, but even undermines it." (**Haaretz**, October 10, 2010)

- **Shlomo Molla: The anti-democratic laws must stop**

MK Shlomo Molla, Chairman of the Knesset anti-racist lobby, and member of Kadima: "The flood of anti-Israeli and anti-democratic laws in Israel must stop.... We have come to say – we must put an end to Avigdor Lieberman's fascism. [...] I am first and foremost a Jew, and Israeli, and a proud Zionist, I am not going to ask Afou Agbaria (MK, DFPE) or Mohammad Barakeh (Chairman of DFPE) to be Zionists. I want to ask them to protect our democracy, because undefended democracy is democracy in danger." (www.ynet.co.il, October 19, 2010)

New Movement Meretz

- **Chaim Oron: There is no moral or political abyss that the government hasn't plunged into**

MK Chaim Oron, Chairman of Meretz: "The Citizenship Law bears false witness to the concept of citizenship and is far from any civil or democratic approach as east from west. Time after time, it becomes clear that Avigdor Lieberman's agenda has become the guideline and foundation of action for the entire government. [...] It seems that there remains no moral or political abyss into which this government won't plunge, and apparently nothing can no longer extricate the Labor party from the government." (**Haaretz**, October 10, 2010).

Supporters of the Citizenship Law Bill and their Arguments

- **PM Benjamin Netanyahu: Israel is the home of the Jewish people; Jewish and non-Jewish citizens enjoy fully equal rights**

Prime Minister Benjamin Netanyahu: “The State of Israel is the national state of the Jewish People and is a democratic state in which all its citizens – Jewish and non-Jewish – enjoy fully equal rights. [...] To my regret, today, there are those who are trying to blur not only the unique connection between the Jewish People and its homeland, but also the connection between the Jewish People and its State.” (Jerusalem Post, October 10, 2010)

- **Yisrael Beitenu: This is a message to everyone who challenges Israel’s existence as the nation state of the Jewish people**

Response of Yisrael Beitenu: “The government decision is an important message for all those in and outside [the country] who wish to undermine Israel’s existence as a nation state of the Jewish people. Yisrael Beitenu will continue to work to promote the values in which it believes, and to fully enforce the elementary duty of each citizen or naturalizing citizen [to ensure] that without allegiance there is no citizenship.” (Haaretz, October 10, 2010)

- **Deputy Foreign Minister: The pledge of allegiance to a “Jewish, democratic” state does not engender citizens’ rights**

MK Daniel Ayalon of Yisrael Beitenu, Deputy Foreign Minister, in an op-ed entitled: “Identifying with Israel’s national character”: “There is nothing wrong with asking prospective citizens to pledge allegiance to the ‘Jewish and democratic State of Israel.’ [...] When we ask prospective citizens to emphasize Israel’s status as both a “Jewish and democratic state” we call on them to embrace the true meaning and substance of the State of Israel, without compromising their civil rights. Without these terms, Israel’s unique significance is rendered meaningless. [...] Every nation has its national ethos, and Israel’s “light unto the nations” can only be expressed through its Jewish character, which we must rendered state clearly and unequivocally.” (Jerusalem Post, October 10, 2010)

- **Michael Ben Ari: The Likud government admits that Rabbi Kahane was right**

MK Michael Ben-Ari (National Union): “The Likud government admits that Rabbi Kahane was right. [...] It’s a refreshing novelty to hear the Likud government, which persecuted the Rabbi because of his desire to have the Arabs sign an oath of loyalty, admit today that what Rabbi Kahane declared twenty years ago was right and true.” (www.ynet.co.il, October 10, 2010)

- **Chairman of the Constitute, Law, and Justice Committee: This is not yet a pledge of allegiance to the anthem or flag, but this is not far off**

MK David Rotem, Chairman of the Constituent, Law, and Justice Committee (Yisrael Beitenu): “It was not an accident that [our] campaign slogan was ‘Lieberman – I believe him’, because he really knows how to pass laws. At this point, we haven’t spoken of allegiance to the national anthem or the flag, because we saw that there was strong opposition to this. Opponents claimed that the anthem contains the words ‘Jewish soul’ and [include] no one else, but this is something that will be addressed in the future.” (www.beytenu.org.il, Yisrael Beitenu website, October 8, 2010)

- **Deputy Speaker of the Knesset: Too many from within the Arab community have acted against the very nation which they should defend**

MK Danny Danon, Deputy Speaker of the Knesset (Likud): “The wording of the new oath is symbolic but it is designed to weed out potential citizens, primarily from within the Arab community. Unfortunately, too many from within this community have acted against the very nation which they should be sworn to defend – if not physically, then at least morally.” (**Jerusalem Post**, October 10, 2010)

D. The Evolving Citizenship Law and Other Bills

- July 2002 – Bill proposed by **MK Michael Klein** (Herut), requiring a pledge of allegiance to the Jewish state of Israel, its flag, its symbols, and its anthem, as a condition for participating in elections. The bill was placed on the Knesset’s agenda for approval.
- March 2003 – **MK Aryeh Eldad** and additional MKs from Ichud Leumi placed the Independence Day Bill on the Knesset’s agenda (Amendment – Prohibition to Commemorate **Nakba** Day), which became known as the “Nakba Law”. The Bill determined a penalty of one year imprisonment or a fine of NIS 10,000 for individuals who hold an event or activity that “commemorate Independence Day, or the very establishment of the State of Israel, as a day of grief or mourning.”
- July 2006 – **MK Avigdor Lieberman** (Yisrael Beitenu) placed the Population Census Bill on the Knesset’s agenda (Amendment – Pledge of Allegiance), which determines that a condition for Israeli citizenship is that the applicant declare that he will be loyal to “the State of Israel as a Jewish, Zionist and democratic state, to its symbols, and to its values.”
- November 2007 – **MK David Rotem** and additional MKs from Yisrael Beitenu placed the Citizenship Bill on the Knesset’s agenda (Amendment – Pledge of Allegiance), which determines that a condition for Israeli citizenship is that the applicant declare that he will be loyal to “the State of Israel as a Jewish, Zionist and democratic state, to its symbols, and to its values.
- April 2009 – **MK David Rotem** and additional MKs from Yisrael Beitenu once again placed the Citizenship Bill on the Knesset’s agenda (Amendment – Pledge of Allegiance).
- May 2009 – The Knesset Plenum approved, in a preliminary call, a bill that determines one year of imprisonment to anyone who denounces the right of Israel to exist as a Jewish democratic state, if there is a reasonable chance that such publication “will lead to the commission of an act of hate, loathing, or disloyalty to the state or government agencies or its dully enacted laws.”⁴
- July 2010 – **MK Marina Solodkin** (Yisrael Beitenu) placed on the Knesset’s agenda the Penal Law Bill (Amendment - Prohibition on Facial Concealment in Public), which became known as the “Niqab Law.” The Bill determined that “anyone who covers his face of his own free will, or any part thereof, using an article of clothing, in a public place, in a manner that makes it impossible to identify him clearly,” is subject one month imprisonment or a fine of NIS 500.
- August 2010 – Minister of Justice **Yaakov Ne’eman**, proposed adding the words “Jewish, democratic” to the existing pledge of allegiance in reference to “the State of Israel.”

⁴ Source: **2010 Racism Report**, published on behalf of the Coalition against Racism in Israel. The report is available in Hebrew at the following link:
http://www.fightracism.org/index.php?option=com_content&view=category&id=5&Itemid=6

- October 10, 2010 – At a vote of 22-8, the government of Israel adopted the amendment to law proposed by Minister Yaakov Ne’eman, and which applies only to non-Jews.
- October 18, 2010 – In response to the strong criticism aroused by the bill’s approval by the government, **Prime Minister Benjamin Netanyahu** instructed the Minister of Justice to prepare a bill that also applies the pledge of allegiance to the “Jewish, democratic” state to Jewish applicants of naturalization based on the Law of Return.