

## To the Back of the Bus: Regime Revolution Rolls Back Women's Rights

Immediately upon its establishment on 29 December 2022, Israel's 37th Government began a process of accelerated legislation heralding a regime revolution that fundamentally changes the balance of power between the executive and the judiciary.<sup>1</sup> The stated purpose of this legislation is to weaken the judiciary and impair its ability to review the decisions of the executive branch. It should be noted that the proposed legislation does not strengthen the legislative branch, nor does it in any way anchor human and citizen rights in Israel. Under these circumstances, it is highly feared that the rights of various minority groups will be harmed.

This position paper seeks to shine a spotlight on the numerous violations of women's rights, based on an analysis of the legislation that is already being advanced as part of the plan to weaken the justice system, as well as additional legislative proposals presented by the coalition and resolutions passed by the government since its establishment.

### 1. Legislation to Weaken the Judicial System

The first bills advanced by the government and forwarded to the Knesset for first reading are amendments to Basic Law: The Judiciary and to the Courts Law.<sup>2</sup> The proposals deal with the composition and operation of the Judicial Selection Committee, the Supreme Court's authority to review Basic Laws and overturn ordinary laws, and the override clause. The legislation of these issues is presently advancing at full speed.

#### Changing Composition of Judicial Selection Committee

On 21 February 2023, the Knesset approved the first reading of the proposed amendment to Basic Law: The Judiciary, which is intended to ensure the government's majority in the Judicial Selection Committee. The amendment will change the composition of the committee as follows: two Supreme Court judges who were selected by incumbent peers will be replaced with two retired judges chosen by the Minister of Justice; the number of

<sup>1</sup> Yael Freidson and Noa Shpigel, [Netanyahu's Justice Minister Presents Plans for Radical Judicial Overhaul](#), *Haaretz.com*, 4 January 2023.

<sup>2</sup> Noa Shpigel, ['History Will Judge You': Netanyahu Government Passes First Reading of Flagship Bills Neutering Israel's Judiciary](#), *Haaretz.com*, 21 February 2023.

cabinet ministers will increase to three; the number of MKs will increase to three, two of them from the coalition; the approval of appointments will only require a majority of five members (equal to the number of the coalition's representatives) instead of the current seven; and the Israel Bar Association will altogether be dropped from the committee.

This means that the appointment of judges will perforce be political and decided by the government. **The likelihood of seeing the appointment of highly qualified judges, not to mention of promoting the kind of professionalism that grants equal footing to female judges, will thus dim and become secondary to political interests.**

Moreover, each group on the committee (judges, ministers, MKs, IBA) is presently required to include one female member, so there are at least four women. **Given that the proposed legislation reduces the number of groups from four to three, the minimum number of women will drop accordingly. This will hurt the representation of women on the Judicial Selection Committee, as only three of its nine members will be women.**

### Reducing Judicial Review of Legislation

The legislative amendments promoted by the government and approved in preliminary and first readings propose a new mechanism for the invalidation of laws, which drastically reduces the Supreme Court's powers and essentially eliminates the possibility of judicial review.<sup>3</sup> The main points of this mechanism are: (1) The Supreme Court will have no authority to discuss the validity of a Basic Law, either directly or indirectly, and its ruling on the matter will not be binding; (2) Its authority to overturn a law will be limited to instances where the law in question substantially contradicts an express provision in a Basic Law; (3) The panel hearing the case will consist of all of the court's judges (a total of 15) except if a judge has been recused; (4) The decision to invalidate a law must be passed by four-fifths of the panel.

In addition, the Supreme Court will be unable to overturn a law if it meets all of the following conditions: (1) It contains an override clause; (2) Was passed with a majority of MKs in three readings; (3) A year has not yet elapsed since the Knesset that enacted it ended its tenure or, conversely, a year has passed but the next Knesset endorsed the law in question with a majority.

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<sup>3</sup> Chen Maanit and Noa Shpigel, [Netanyahu's Judicial Overhaul: Israel's Knesset Advances Bill Enabling It To Override Top Court](#), *Haaretz.com*, 22 February 2023.

It should be noted that in the absence of a constitution or a bill of rights, many of the basic human and civil rights recognized in Israeli law are "derivatives," that is, they were recognized by the courts as byproducts of Basic Law: Human Dignity and Liberty. These include the right to equality, which is not enshrined in a Basic Law, as well as freedom of expression, freedom of movement, the right to due process, the right to family life, and the right to vote and be elected. Furthermore, given that under Israel's system the coalition needs a majority in the Knesset in order to form a government, the required majority for any legislation will be fulfilled almost automatically for any bill that is approved by the Ministerial Committee for Legislative Affairs.

This means that by inserting an override clause into a law and with a simple majority, MKs will be able to deny citizens of the courts' protection of the aforementioned rights. Worse than that, even if the Knesset does not include an override clause in a law, its invalidation by the Supreme Court will still require an almost absolute majority. Clearly, this requirement makes judicial review almost impossible, even in cases where the law fatally violates human rights.

Finally, the proposed legislation does not in any way restrict the Knesset from re-enacting a law that was unanimously invalidated by the Supreme Court's 15 judges because it fundamentally contradicted a right contained in a Basic Law. That is, even in the rare case that 15 judges unanimously decided to repeal such a law, the Knesset could re-legislate it with a simple majority, add an override clause to the new version, and shield it from judicial review.

The reduction, to the point of extinction, of judicial review is very dangerous for women. Their struggle for equality is based on milestone rulings, which time and again ordered the state and its institutions to allow women access to centers of influence, such as the Rabbinical Judges Selection Committee or the boards of government companies; to stop excluding them from prestigious positions in the army, such as pilot training; to stop silencing them, as in the case of the Kol Barama radio station; to moderate the discrimination against them in divorce proceedings in rabbinical courts and institute a fair division of property that does not hinge on "sexual fidelity." The invalidation of laws that discriminate or violate basic rights is essential, especially in view of the fact that Israel does not have a constitution or a bill of rights.

### Cumulative Effect of Regime Change Bills

All of the amendments listed above are already in the legislative stage and have been prepared for first reading by the Knesset's Constitution, Law, and Justice Committee. Other proposals include changing the status of government ministries' legal counsels and eliminating the reasonableness standard. This standard, which is well-known and prevalent in many countries around the world, is used by the courts to review the actions of the executive branch. The term "reasonableness" means that the executive branch is obliged to act fairly and its decisions must take into account all relevant considerations and strike a proper balance between them. The reasonableness standard does not appear in Israel's law books, only in court rulings.

Eliminating the reasonableness standard will harm women, since they will have no mechanism at their disposal to challenge and overturn decisions by the government and its institutions that discriminate against them, give precedence to the feelings of assorted communities over their rights, or take no action to advance women and fulfill their rights.

Cumulatively, these bills significantly reduce the tools available to the judicial system to protect the rights of Israeli women. Furthermore, the legislative proposals offer the courts no alternative mechanism through which a woman may fight discriminatory government decisions or legislation that deprives them of basic rights.

Thus, Israel's women will be totally helpless if and when legislative proposals go through that trample on their fundamental rights to equality, family life, due process, freedom of expression, freedom of movement, and the right to vote and be elected. There is real reason to fear that proposals of this type will be promoted by the government, in accordance with the coalition agreements Prime Minister Binyamin Netanyahu signed with his partners, two of which bar women from their party ranks.

### 2. Damage to Representation of Women in Decision-Making Centers

Simultaneously with the accelerated enactment of the legislation to change the regime, notable shifts in the representation of women in some government offices will result in harm to women's status and rights in all areas of life.

Representation in decision-making centers ensures that the interests of women as a group within the general population will be heard and taken into account in policy- and decision-

making processes. In the absence of representation, decisions may be made that do not take into account the unique characteristics of women as a group or the needs arising from these characteristics.

Upon the change of government, the number of women ministers, MKs, heads of Knesset committees, and directors of ministers dropped dramatically. In the current Knesset there are 30 MKs, who constitute 25% of the total. However, their percentage in the coalition is only 14% (9 out of 64) given that the coalition includes two parties that bar women from their Knesset lists.

The current government has 30 ministers, only 6 of them women. Apart from Miri Regev, who was appointed Minister of Transportation, women were assigned to minor positions, some of them newly invented. Upon entering office, ministers appointed 33 new ministry directors, not a single one of them a woman. Of the 25 committees in the current Knesset (15 permanent and 10 others special ones), only 4 are headed by a woman.

The decline in women's representation in the country's decision-making and administrative centers will definitely lead to diminished consideration for the unique characteristics of women's lives in Israel, to lesser representation of their interests in policy-making and legislation, to the violation of women's rights, and to less efforts to promote gender equality in Israeli society.

### **3. Additional Laws Harmful to Women**

As shown above, this regime-changing legislation spells the disappearance of mechanisms enabling women to defend themselves against a law or government decision that infringes on their rights or discriminates against them. Furthermore, as a result of the sharp decrease of their presence in the Knesset, the government, ministries, and as we will see later, in government companies, women might become even more transparent and not be taken into account in legislation, planning, and implementation of government decisions. In this situation, women will be rather unable to fight bills or government decisions that harm their rights, either directly or indirectly.

This is the context against which the coalition's legislative proposals and decisions since the inauguration of the current government are analyzed in this paper. Below we will parse legislative initiatives and government decisions that are directly or indirectly harmful to women, whose noxious impact will be irreversible if the regime revolution goes through.

### Non-Renewal of Law Allowing Tenants to Purchase Public Housing at Discount

In Israel, as in many countries, the proportion of women among the poor is higher than their proportion in the general population. In 2021, the incidence of poverty was 18% for men and 23% for women; of the 22,000 single-parent households that received supplemental income from the National Security Institute, 95% were headed by women.<sup>4</sup> In 2020, there were 80,000 more women than men registered with the social services departments of the Ministry of Welfare and Social Security.<sup>5</sup>

Moreover, data for 2019 indicates that 35% of all Israeli households are headed by women, but their proportion among households defined as poor (42%) or near poverty (43%) is higher.<sup>6</sup> This is compounded by the fact that 58% of households in the bottom decile do not own any housing, a percentage that decreases upon the increase in income.<sup>7</sup>

The Public Housing Law-Purchase Rights enacted in 1998 allowed public housing tenants to purchase the apartment they live in at a major discount.<sup>8</sup> The law was intended to allow extremely low-income families to own and bequeath property, based on the concept that reducing the disproportion in real estate ownership will lead to less economic disparities in the next generation.

This is the broad context against which the decision of the new Minister of Construction and Housing not to renew the law must be examined. Not only will it hurt poor families struggling to own a home, but it will also harm women.

Given that there is a higher proportion of needy women than of men and that households headed by women constitute a higher proportion of households living in poverty or near poverty, it is clear that the decision to end a housing benefit intended to reduce poverty in the next generation will hurt women more.

### Change in Gun Licensing Criteria

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<sup>4</sup> Press release, [Ahead of International Women's Day: 23.1% of Women Are Poor Compared to 18.2% of Men](#), National Insurance Institute, 7 March 2022 (Hebrew).

<sup>5</sup> Hagar Tzameret-Kercher and Yulia Basin, [Number of Israelis Registered With Welfare Departments of Ministry of Labor, Welfare, and Social Services According to Gender \(Central Bureau of Statistics Data Analyzed by Gender Index's Research Team\)](#), Yodaat-Information Center on Women and Gender, captured 7 March 2023 (Hebrew).

<sup>6</sup> Shlomo Swirski, Aviv Lieberman, and Ety Konor-Attias, [Near Poverty: Danger of Falling Into Poverty, Chances of Joining the Middle Class](#), Adva Center, 13 March 2019.

<sup>7</sup> Shlomo Swirski, Ety Konor-Attias, Barbara Swirski, Shani Bar-On Maman, Yaron Hoffman Dishon, and Aviv Lieberman, [Israel-A Social Report 2022: The Inequality Epidemic Still Rages](#), Adva Center, 1 May 2022.

<sup>8</sup> [Public Housing Law \(Acquisition Rights\)-1998](#), Nevo (Hebrew).

The change in criteria for obtaining a gun license was initiated in 2018 by then-internal security minister Gilad Erdan. It expanded the definition of "service in the security forces" to include IDF veterans graded as rifleman-07 and above, thus dramatically boosting eligibility.

The number of women murdered with a firearm averaged 8 per year in 2016-2019, and rose to 12 in 2020.<sup>9</sup> Of the latter, 7 were killed with an unlicensed gun and 5 with a licensed weapon (2.5 times the average number of victims slain with a licensed firearm in the previous four years).<sup>10</sup>

Despite these data, at the end of January 2023, after seven Israelis were murdered in a terrorist attack in Jerusalem, the Political-Security Cabinet announced that it would speed up gun licensing procedures for civilians.<sup>11</sup> Immediately, the number of applicants shot up.

There is well-justified reason to fear that the rise in the number of home-kept firearms will lead to an increase in handgun homicides of women and a significant decrease in the safety of those suffering domestic violence.

#### **4. Expected Harm to Women Resulting from Coalition Agreements**

Below we will review some of the clauses in the agreements signed with the coalition parties in order to form the government. Even if they do not materialize in full, these clauses are warning signs regarding the directions in which the coalition parties seek to lead the State of Israel, with Prime Minister Netanyahu's consent.

##### **Non-Accession to Istanbul Convention: Pledge Not to Act Against Gender Violence**

Some 122 women were murdered in Israel in 2016-2020, 40% of them by their spouses; in 2020 the Israel Police opened 20,326 spousal violence reports where 83% of the victims were women;<sup>12</sup> according to the State Comptroller's Report for 2019, only one of five men with a pending police case attended a domestic violence treatment center and 60% of the men in need of treatment received no response.<sup>13</sup> The correct context for reading these data is the

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<sup>9</sup> [Data on Small Arms in Israel](#), *Gun Free Kitchen Tables*, captured 7 March 2023.

<sup>10</sup> [Update](#), *Gun Free Kitchen Tables*, 30 September 2021 (Hebrew).

<sup>11</sup> Jonathan Lis, Joshua Breiner, and Jack Khoury, [Israeli Security Cabinet Decides To Fast-Track Bills Arming Civilians, Deporting Assailants' Family](#), *Haaretz*, 28 January 2023.

<sup>12</sup> Jerry Almo-Capital, [International Day for Elimination of Violence Against Women: Data on Domestic Violence, Especially Against Women](#), *Knesset Research and Information Center*, 21 November 2021 (Hebrew).

<sup>13</sup> Hadar Gil-Ad, [No Budget and No Preventive Treatment: The Battle Against Domestic Violence Fiasco](#), *Ynet*, 30 June 2021 (Hebrew).

close connection between gender violence against women and the lack of equality between women and men at home, in the labor market, and in access to public resources. As of today, Israel is unable to promote a uniform policy to reduce gender violence, and is unable to coordinate between all factors required to promote such a policy.

The Istanbul Convention, an international treaty to combat violence against women and domestic violence, went into effect in 2014. The treaty stipulates that violence against women and domestic violence are not a "private" matter, but phenomena that the state has an obligation to eradicate by means of a comprehensive and integrated policy. The convention is based on four principles: prevention, protection, prosecution, and monitoring. Since going into effect, some 40 countries have signed it and more than 30 have ratified it.

**Article 106 of the coalition agreement between Prime Minister Netanyahu and the Religious Zionist Party headed by Bezalel Smotrich stipulates that "the government will not approve accession to the Istanbul Convention." The text makes it clear that the current government does not see gender violence as a burning problem requiring a comprehensive response and shows that it has no intention to take steps to reduce the phenomenon in 2023 either.**

#### **Amendment of Anti-Discrimination Law To Enable Exclusion of Women**

Article 97 of the coalition agreement between Prime Minister Netanyahu and the Religious Zionist Party and Article 91 of his agreement with the Shas Party stipulate that the Prohibition of Discrimination in Products, Services, and Entry Into Places of Entertainment and Public Places enacted in 2000 will be amended to allow gender segregation in cultural and educational events for those interested in such separation.

**Exclusion of Women in Academia:** Already today, the exclusion of women in academia takes place under the guise of advancing the ultra-Orthodox community and its integration into society. Studies at certain academic institutions is gender-segregated, with male lecturers allowed to speak before male and female students but female lecturers barred from appearing before male students. Similarly, there is demand for gender-segregated use of campus facilities to spare men from being exposed to the sight or voice of women. Men's demand for a women-free campus extends to administrative services, the library,



and the cafeteria, with men allowed to provide services to male and female students but women barred from providing services to male students. It goes without saying that gender-segregated institutions prefer to hire men as lecturers and administrators because they can provide services to all. This hiring discrimination is the result of acquiescence to the demand to provide men with a space free of women.

Furthermore, it emerged in the Supreme Court's hearing on the petition of Dr. Yofi Tirosh against the Council for Higher Education that the services provided to men and women at gender-segregated institutions were unequal and that men received better conditions. For example, men were allotted more library days, student council elections were held on men-only school days, men were assigned bigger lawns, and in one case the lawn was fenced in such a way as to leave the water fountain on the men's side. In classes for both men and women, the latter sat in a separate area: at times in the back of the room and farther away from the lecturer, and at other times separated by a partition: the men's side was larger and the lecturer stood in front of them, whereas the women were consigned to the side of the room where they were less able to participate in the class.<sup>14</sup>

Obviously, such blatant discrimination in schooling conditions seriously hurts women's equality in academia and their access to quality higher education. It should be noted that barring female lecturers from teaching male students violates not only their freedom of occupation but also harms the quality of the students' education, given that instead of learning from an expert in the field they get a lecturer selected only because he is a man, even if his credentials are inferior.

Separate tracks for men and women and gender-segregated use of campus facilities are not standard practice today, and most leading universities and colleges reject the idea. Nevertheless, academic institutions that have embraced such discrimination continue to receive financial incentives based on the notion that the serious damage to gender equality is secondary to other purposes (even though gender-segregated academia adversely impacts on the quality of academic studies). Amending the Anti-Discrimination Law so that the exclusion of women in academia will no longer be considered discrimination will presumably expand the phenomenon and reduce the resistance of academic institutions to the marginalization of women on campus.

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<sup>14</sup> [Supreme Court Ruling H CJ 6500/17 Dr. Yofi Tirosh v. Council for Higher Education](#), *Ruling*, 17 August 2017 (Hebrew).

**Exclusion of Women in Public Cultural Events:** Similar to academia, gender segregation in cultural events also discriminates against women. Such events are sometimes held either without women or in inferior conditions (women sit behind the men, far from the stage; behind a partition that precludes eye contact with the performers or participation in the show; they enter the venue from a smaller side entrance). Even more than in academia, in cultural shows there is discrimination against female performers who are barred from singing or dancing; in events for ultra-Orthodox audiences, including in shows for the whole family, there is not a single woman on stage.

As in academia, segregation and exclusion of women exist already today in the cultural sphere, but not in the mainstream. **It can be assumed with a high degree of certainty that a repeal of the legal ban on discrimination against women in cultural events will increase women's exclusion, both as performers and as audiences. Such exclusion seriously harms the livelihood of women performers and their freedom of occupation.**

#### **Amendment of Anti-Discrimination Law To Enable Denial of Service/Product Citing Religious Beliefs**

Article 97 of the coalition agreement between Prime Minister Netanyahu and the Religious Zionist Party and Article 91 of his agreement with the Shas Party stipulate that the Prohibition of Discrimination in Products, Services, and Entry Into Places of Entertainment and Public Places enacted in 2000 will be amended so that refusal to provide a service or a product due to religious beliefs will not be considered illegal discrimination.

This amendment entails a very wide range of dangers for women. On the "easy" end of the spectrum are such forms of discrimination as a requirement to dress "modestly" in order to enter a shop or setting separate hours and entrances for men and women in businesses or even in clinics in ultra-Orthodox neighborhoods. Such requirements will not be a recommendation or a request to show consideration: women whose clothing is not deemed "modest" enough by a shop owner or employee might be denied entry, or they might be allowed to come in at certain hours through a corridor or a side entrance. Such demands are already seen in Israel, especially in ultra-Orthodox neighborhoods. **There is real reason to fear that the proposed amendment will lead to the spread of discrimination against women in stores throughout the country as they contend with "requests" to "be considerate," when in fact what they are being asked to do is neither a request nor**

even to show consideration, but rather to shrink, cover themselves from head to toe, and vanish.

At the "hard" end of the spectrum are serious risks to women's health in general, and to childbirth and fertility issues in particular. For example, a pharmacy could refuse to sell condoms, contraceptives, or abortion-inducing drugs that require a prescription; private hospitals could refuse to treat women who seek an abortion.

Therefore, amending the law to allow refusal to provide a service or product for religious reasons may not only harm women's equality and human dignity, but also their right to autonomy over their bodies, their right to health, and even their right to life.

#### **Amendment of Anti-Discrimination Law to Enable Religion-Based Environments**

Article 97 of the coalition agreement between Prime Minister Netanyahu and the Religious Zionist Party and Article 91 of his agreement with the Shas Party stipulate that the Prohibition of Discrimination in Products, Services, and Entry Into Places of Entertainment and Public Places enacted in 2000 will be amended to allow the creation of religion-based environments. The amendment is presumably intended to allow proprietors to refuse to rent apartments to Arabs, homosexual couples, secular people, or anyone who does not belong to the Orthodox stream of Judaism. Moreover, it should be noted that **this amendment will allow proprietors to refuse to rent apartments to divorced women or single mothers.**

#### **Abolition of 'Directors Team'**

Created in 2013 at then-finance minister Yair Lapid's initiative, 'The Directors Team' is a list of male and female candidates compiled by the Government Companies Authority that set to select directors of state-owned enterprises based on such professional factors as relevant education and experience. In keeping with the State Comptroller's recommendation, it was from this list that ministers chose directors of SOEs in their purview. The creation of the team was intended to cut down on political appointments, boost professionalism, and encourage the appointment of women directors. To ensure diversity, quotas were set for women and the Arab sector, and at the end of the headhunting process the list consisted of 53% women and 10% Arab citizens, including a small number of Arab women.

Articles 75 and 76 of Prime Minister Netanyahu's coalition agreement with the Religious Zionist Party discuss the subordination of SOEs to government ministries (that is, to the ministers), while Article 77 states: "All coalition factions shall support the government and the Knesset in their quest for the legislative changes needed to abolish 'The Directors Team' and its headhunting committees."<sup>15</sup>

The subordination of SOEs to the ministers combined with the abolition of 'The Directors Team' is intended to empower and authorize ministers to appoint their cronies to the boards of government companies without having to meet professional or other criteria.

Considering the situation that prevailed in SOE boards before the creation of 'The Directors Team' and the dismal presence of women in this government as either ministers or ministry directors, there is real reason to fear that the team's abolition, along with SOE board appointments becoming political processes, will set back its achievements. This will downgrade the representation of women (their views and interests) on SOE boards and reduce consideration for women's needs in SOE policies and operations.

#### Expanding Rabbinical Courts' Jurisdiction to Civil Matters 'With the Sides Consent'

Article 109 of Netanyahu's coalition agreement with the Shas Party stipulates that rabbinical courts will be empowered by the state to rule on property matters with the sides' consent, and to rule on civil matters if the sides give their consent in writing and at least one of them is Jewish. In addition, hearing procedures in rabbinical courts will have the same status as in civil courts. Pursuant to this agreement, Shas leader Aryeh Deri submitted a request to the Ministerial Committee for Legislative Affairs to bring up for discussion a bill to expand the powers of the rabbinical courts to all civil matters.

The risks that this bill poses to women is so immense as to boggle the mind, which is why we will only offer our general thoughts: The mere empowerment of rabbinical courts to discuss civil matters constitutes a serious violation of women's equality, given that only men can serve as judges in these courts. Furthermore, the legal code upon which the judges base their rulings was developed exclusively by men and partly treats women as objects or as inferior creatures.

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<sup>15</sup> [Coalition Agreement Between Likud and Religious Zionist Party Headed by Bezael Smotrich for Formation of 37th Government](#), Knesset, 28 December 2022 (Hebrew).

Accrediting rabbinical courts to discuss civil matters will authorize them to discuss marital property matters according to religious Halakha laws, a practice discontinued by the Supreme Court in the 1970s, ruling that religious courts must apply civil law to marital property matters. The rationale behind the ruling was that Jewish law is patriarchal, intrinsically discriminates against women, links the right to property only to the woman's sexual fidelity, and allows for financial extortion by men in return for a divorce. According to Halakha laws, a woman cannot be released from her marriage without the man's consent whereas a man may do so without the woman's consent. Expanding the authority of the rabbinical courts will actually bypass the Supreme Court's ruling and will reinstate the situation whereby women are discriminated against by virtue of outdated laws that do not see them as human beings with equal rights.

This accreditation will also allow rabbinical courts to gain a foothold in matters under the exclusive jurisdiction of unique courts, such as the labor courts. It should be noted that civil labor laws evolved as a result of liberal values and the protection of such human and civil rights as the right to rest and leisure, mandatory retirement, and other social benefits that do not exist at all in religious law. In addition, recognizing the tensions that may arise in relations between employees and employers, civil laws grant protections to the former vis-à-vis the latter that do not exist in religious law.

The balance of power in employee-employer relations may restrict a female employee's leeway to refuse to have the rabbinical court litigate her case in the event of a labor dispute, or even force her to consent to refer it to a rabbinical court as a condition of her employment.

Just like sitting in the back of the bus or in gender-segregated studies, from the moment the option exists under the state's auspices, grassroots pressure might be exerted to agree to or even prefer litigation in the rabbinical courts, despite the fact that religious law contains various forms of built-in discrimination against women and ignores major developments over the centuries in the realm of human and civil rights, as well as workers' rights and women's rights.

## 5. Summary

As we have shown throughout this document, the legislative proposals insistently being promoted by the current government are intended to introduce fundamental changes in the structure of Israel's political regime. Their goal is to do away with the Supreme Court's oversight of the decisions passed by the government, which in any case already controls the Knesset, and deny citizens access to other tools to defend themselves against violations of their human and civil rights.

If the regime revolution goes through, the government will be freed from the obligation to see to the human and civil rights of all the country's citizens and of social minority groups, including women, whose human and civil rights have yet to be fully brought on a par with those of Israeli men due to the religious nature of the country. Women in Israel are still fighting for protection against sexual violence, for personal security in the public space and at home, for their place in the labor market, and their place at the table where decisions are made concerning their lives, their health, and their bodies.

The regime-changing legislation is not being promoted in a vacuum, but constitutes the opening shot of the 37th Government, whose members have declared in the coalition agreements that they intend to reduce the rights of women and to instate arrangements that discriminate against women in all areas of life.

In view of the real risks discussed in this position paper and in light of the speed with which the coalition factions seek to enact their plans, opposing the proposed legislation is an urgent need and a civic duty. This position paper joins the calls throughout Israeli society to stop the speeding train. This is an emergency!

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