

Local Authority Councils to Become 'Politburos': Racist Bills to Bring About Government Takeover and Surge in Corruption

Since the establishment of the 37th government at the end of 2022, the State of Israel has been undergoing a regime revolution. Under Prime Minister Netanyahu's leadership, the government has been preparing the infrastructure for a transition to a full-fledged dictatorial regime. This infrastructure consists, among other things, of a long series of bills that infringe on democracy, human rights, and equality, and that are waiting for the moment when Netanyahu decides to finalize their legislation by a Knesset he holds under his thumb. Where some of these bills are concerned, such a decision spells the shift to an authoritarian regime. In the meantime, these legislative proposals and other steps taken by the government, such as unprofessional appointments, attacks on the civil service, the takeover of the Israel Police, the prolongation of the war, and more, shape the public's consciousness and inure the population to life under a dictatorial regime.

The private bills proposing to restrict the right to be elected and to impeach council members and deputy mayors in local authorities,¹ which are set to be discussed jointly by the Knesset's Interior Committee and Environmental Protection Committee, constitute an integral part of the regime revolution toward transforming the State of Israel into a fully authoritarian regime.

- The government seeks to gain control over 257 local authorities with annual budgets of tens of billions of shekels (75 municipalities, 126 local councils, 54 regional councils, and 2 industrial councils) and hundreds of affiliated bodies, such as city associations, municipal economic companies, nonprofit organizations, local committees, and local planning and construction committees.²
- Through a "pincer attack" on both the national and local arenas, the proposed laws are

* English-language reference. All other references in this document are in Hebrew.

¹ [Bill on Local Authorities Law-1965 \(Elections\) \(Amendment: Restriction of Right To Be Elected-2022\)](#), Knesset National Legislation Repository, 26 December 2022; [Bill on Impeachment of Public Official Supporting Armed Struggle Against State of Israel \(Legislative Amendments-2024\)](#), Knesset National Legislation Repository, 1 January 2024.

² [Auditing of Local Authorities](#), Interior Ministry, 1 August 2024.

set to normalize the shrinking of the democratic space in Israel.

- By creating an infrastructure for political and racist persecution and for nationalist and incendiary "fight-on-terror" campaigns in the local arena, they similarly seek to finalize the exclusion of the Arab minority from the political arena.
- The broad provisions of the proposed laws severely and disproportionately violate the fundamental right to equality, freedom of expression, freedom of association, and especially the right to vote and be elected, which are considered basic rights in a democratic regime. Therefore, they contradict Supreme Court rulings that narrowly interpret the option of restricting these rights vis-a-vis lists running in elections to local councils, which it sees as "local legislatures."
- The claim that the proposed legislation is merely intended to "replicate" the situation in the national arena to the local one is unfounded, as the greatest harm is posed by past amendments expanding the grounds for disqualification from Knesset elections and for the impeachment of MKs. In practice, due to the Supreme Court's tight oversight, these amendments are used mainly for the purpose of waging toxic, racist, and inciteful political campaigns against the Arab minority.
- Similarly, as long as the government has not completed its takeover of the Supreme Court or nullified its powers and rulings, it will probably be difficult to finalize the disqualification and impeachment of councilmen even if the proposed laws are approved. As in the Knesset, the laws will primarily be used to wage toxic, racist, and inciteful political campaigns against the Arab minority.
- In practice, the bills will indirectly lead to the exclusion from the local political arena of candidates hailing from the Arab minority, independents, or groups in opposition to the government. The local council will become a "politburo" conducting futile disqualification and impeachment processes plagued with slander, humiliation, and false accusations, and lacking even the minimal factual and legal basis, similarly to what has been happening for years in the Knesset and in the Central Elections Committee (CEC), with the coalition parties expected to reap the benefit.
- Upon the increase in the number of councilmen on behalf of the coalition parties, the government will face fewer situations where it is "forced" to pick up the tab for the mismanagement of the municipal services overseen by councilmen on behalf of the

opposition/political rivals. This will send the message to voters that in order to receive services from the local authority, they must cast their ballots for the aforementioned parties in both national and local elections.

- Running nationalist and racist local election campaigns focusing on "personal security" and the "fight on terror" may help increase the power of the coalition parties in the councils. Given that some 2 million people live in mixed Jewish-Arab localities, local control is of paramount importance for victory in the national elections as well.
- Approval of the bills may lead to futile attempts by the Minister of the Interior to fire deputy mayors of Arab municipalities for racist and political reasons.
- The high number of councilmen on behalf of coalition parties will impede local councils from fulfilling their law-mandated oversight roles, and consequently expand the incidence of cronyism and corruption.

Current Situation: Article 39a of the Local Authorities Law-1965 (Elections)³ permits the disqualification of a list of candidates if its objectives or actions, explicitly or implicitly, deny Israel's existence as the state of the Jewish people, deny the democratic character of the state, or incite racism. Article 39d of the law stipulates that barring the participation of a list may be done only according to the procedure set forth in this specific law (to be explained below). Article 7 of the Municipalities Ordinance (New Version)⁴ lists the grounds for disqualification from serving as council members, such as a court verdict for an offense involving "moral turpitude," regardless of whether the offense or the conviction occurred during or prior to their tenure as councilmen. Article 123 of the ordinance establishes the circumstances under which a councilman ceases to serve due to failure to attend meetings. In addition, Article 14(a) of the Local Authorities Law-1975 (Election and Tenure of Mayors and Deputies)⁵ stipulates that each deputy shall be elected from among the members of the council, based on the mayor's proposal that was approved by a majority of council members.

What the Bills Propose: To expand the option of a candidate's disqualification from a list not only for actions but also for statements; to add "support for the armed struggle of an

³ [Local Authorities Law-1965 \(Elections\)](#), Nevo, last updated 14 December 2024.

⁴ [Municipalities Ordinance \(New Version\)](#), Nevo, last updated 12 June 2023.

⁵ [Local Authorities Law-1975 \(Election and Tenure of Mayor and Deputies\)](#), Nevo, last updated 13 February 2024.

enemy state or a terrorist organization against the State of Israel" as grounds for disqualification; to establish a mechanism for the removal of a councilman on the same grounds as for disqualification from running in Knesset elections, with the approval of a majority of 75% of the council (10% of them opposition members) and of the Supreme Court; to introduce a caveat barring the appointment of anyone whose actions or statements denote support for the armed struggle of an enemy state/terrorist organization against the State of Israel, and empowering the Minister of the Interior to cancel the appointment if the council nevertheless chooses to appoint them.

Zulat strongly opposes the bills, for the following reasons:

- Through a "pincer attack" on both the national and local arenas, the proposed laws are set to normalize the shrinking of the democratic space in Israel. In the national arena, along with other bills, the coalition is promoting a private bill designed to emasculate Supreme Court rulings that narrowly interpret the grounds for disqualification from running in Knesset elections.⁶ Despite the severe violence in some municipalities, local elections are an important "preview" of the people's participation in the democratic process, and in many localities are very animated and include a wide variety of candidates (the average voter turnout since 2003 has been 49.6% in Jewish localities and 85.8% in Arab municipalities).⁷ The people's loss of trust in the democratic process and in their ability to have an impact in the local arena will make it easier for the government to complete the transition to a fully authoritarian regime in the national arena.
- By creating an infrastructure for political and racist persecution and for nationalist and incendiary "fight-on-terror" campaigns in the local arena, the proposed legislation similarly seeks to finalize the exclusion of the Arab minority from the political arena. For years, Prime Minister Netanyahu has been taking steps to transform Israel into a one-party regime with satellite parties revolving around his Likud party. These efforts have stumbled in the past year due to the Likud and the Netanyahu-led Far-Right coalition's consistent decline in the polls on account of their responsibility for

⁶ Eitay Mack, *Bill to Skew Elections and Implement Rabbi Kahane's Ideology: Zulat's Position on Proposed Amendment of Basic Law: The Knesset (Expanding Grounds for Barring Participation in Elections), Zulat, 11 November 2024.

⁷ *[Continuity or Change? Analyzing the Arab Local Authorities Elections of 2024](#), Injaz Center for Professional Arab Local Governance, April 2024.

the October 7 fiasco. Netanyahu understands, as does anyone who reads these polls, that to bolster his chances of victory in the elections scheduled for the spring of 2026 (unless failure to pass the budget or other motives bring them forward), he must remove 20% of the country's population from the "political arena" to prevent the possible emergence of an alternative coalition.

The exclusion of Arabs and their Knesset representatives is of importance to Netanyahu, both to lower the overall voter turnout and ensure that his Right and Far Right partners who are scraping the electoral threshold make it into the Knesset and to prevent Arabs from voting for Arab and rival Zionist parties. To wit, in the November 2022 elections, 84% of all Arab citizens voted for Arab parties, while the rest voted mainly for Zionist parties that are not part of Netanyahu's Far Right coalition.⁸ The Arab minority has the highest participation rate in local elections (85.8% in Arab municipalities).⁹ Political and racist persecution and nationalist and incendiary "fight-on-terror" campaigns in the local arena will exacerbate the Arab minority's distrust of the democratic process and their ability to influence it, and consequently reduce its participation in national elections as well.

- The broad provisions of the proposed laws severely and disproportionately violate the fundamental rights of equality, freedom of expression, freedom of association, and especially the right to vote and be elected, which are considered basic rights in a democratic regime. Therefore, they contradict Supreme Court rulings that narrowly interpret the option of restricting these rights vis-a-vis lists running in elections to local councils, which it sees as "local legislatures." The right to vote and be elected are an integral part of the infrastructure of any democratic regime. Former Supreme Court President Aharon Barak wrote in response to a petition to disqualify a list: "Relevant to our case are the right to vote, the right to be elected, the right to organize (as a party or a list of candidates), freedom of expression, and the right to equality. All of these are fundamental rights in a democratic state.... In this context, it makes no difference whether the disqualification pertains to participation in elections for the Knesset or for a local authority." Consequently, he continued, "the objectives and actions that could bar a list from running must be dominant and central. The principal

⁸ Michael Milshtein, [*The Arab Public's Votes for the 25th Knesset: Trend Analysis and Future Prospects](#), Reichman University's Institute for Policy and Strategy, November 2022.

⁹ [*Continuity or Change? Analyzing the Arab Local Authorities Elections of 2024](#), Injaz Center for Professional Arab Local Governance, April 2024.

aspirations of a list (or party) that could be construed as a concrete, serious, and actionable agenda must be examined... Clear, unequivocal, and convincing evidence demonstrating that the list indeed upholds objectives or actions that, explicitly or implicitly, fall within the prohibition under the law must be ascertained. Mere suspicion is insufficient... Any doubt that arises in the evidence should be interpreted as a reason against barring a list from participating in the elections."¹⁰

- The claim that the proposed legislation is merely intended to "replicate" the situation in the national arena to the local one is unfounded, as the greatest harm is posed by past amendments expanding the grounds for disqualification from Knesset elections and for the impeachment of MKs. In practice, due to the Supreme Court's tight oversight, these amendments are used mainly for the purpose of waging toxic, racist, and inciteful political campaigns against the Arab minority. The disqualification of lists, which was first enshrined in Basic Law: The Knesset in 1985,¹¹ was followed by amendments facilitating the process and expanding its grounds. These amendments paved the way for multiple demands to bar candidates and lists, especially Arab ones.

Although disqualifications by the CEC became a matter of routine, the Supreme Court has frequently invoked fundamental rights to intervene in the CEC's decisions,¹² and in practice only a few candidates have been disqualified to date. In the final analysis, while the Supreme Court has upheld few disqualifications, the amendments have been used for the purpose of the humiliating and inciteful "hazing ceremonies" to which Arab candidates and lists have been subjected by the CEC in recent years in a bid to push the Arab minority out of the political arena. The same goes for Amendment No. 44 to Basic Law: The Knesset enacted in July 2016, known as the "Impeachment Law," which allows for the termination of MKs on the same grounds as for disqualification from running in elections, subject to a motion by the Knesset House Committee and a 90-MK majority vote. Given that such a threshold is almost unattainable, the damage caused by the amendment far outweighs its practical benefit. A case in point is the attempt in February 2024 to impeach Joint List MK Ofer Cassif: Although the required

¹⁰ [Supreme Court Ruling 6709/98, Attorney General v. Moledet-Gesher-Tzomet List in Upper Nazareth Local Elections](#), *Nevo*, 1 February 1999.

¹¹ [Basic Law: The Knesset](#), *Nevo*, last updated 24 January 2023.

¹² Yonah Jeremy Bob, [*High Court Greenlights Israeli Arab Heba Yazbak's Run for Knesset](#), *The Jerusalem Post*, 9 February 2020.

majority failed to be attained, the process was accompanied by wild incitement against him and all representatives of the Arab minority in the Knesset.¹³ It bears noting that all these amendments were drafted in a way that impedes bringing the disqualification and impeachment processes to fruition, not because of their authors' democratic scruples but to preclude their invalidation by the Supreme Court.¹⁴

- Similarly, as long as the government has not completed its takeover of the Supreme Court or nullified its powers and rulings, it will probably be difficult to finalize the disqualification and impeachment of councilmen even if the proposed laws are approved. As in the Knesset, the laws will primarily be used to wage toxic, racist, and inciteful political campaigns against the Arab minority. As noted, according to the proposed legislation, a council's decision to oust one of its members would require the Supreme Court's approval and would retain the existing appeal mechanism [Article 39(b)(e)(1) of the Local Authorities Law (Elections)]. In light of the Supreme Court's consistently narrow interpretation of the option to limit the right to vote and be elected, it will actually be difficult to finalize the disqualification and impeachment of councilmen even if the bills are approved in the Knesset. Again, the Supreme Court's oversight mechanism will presumably be retained, not because of the democratic principles of the MKs pushing for the amendments but to preclude their invalidation by the Supreme Court.

In practice, the bills will indirectly lead to the exclusion from the local political arena of candidates hailing from the Arab minority, independents, or groups in opposition to the government. The local authority council will become a "politburo" conducting futile disqualification and impeachment processes plagued with slander, humiliation, and false accusations, and lacking even the minimal factual and legal basis, similarly to what has been happening for years in the Knesset and in the CEC, with the coalition parties expected to reap the benefit, as described below:

- Approval of the proposed laws may reduce the number of independent or opposition candidates/elected officials in municipal councils, thus increasing the number of local authorities "owned" by the coalition parties. In the last three local elections, over 65% of

¹³ Sam Sokol, [*Bid To Oust MK Ofer Cassif Over Backing for ICJ Genocide Case Falls Short in Knesset](#), *The Times of Israel*, 19 February 2024.

¹⁴ [Supreme Court Case 10214/16 MK Dr. Yusuf Jabarin v. Knesset](#), Nevo, 27 May 2018.

the lists were independent; in other words, they were not submitted by national parties as affiliated factions.¹⁵ This is partly due to voters' interest in local issues and dissatisfaction with national-level parties. If the bills are approved, anybody toying with the idea of running for election as an independent to fix problems in their community or to do work for the general good may a priori refrain from submitting their candidacy so as not to be "raked over the coals" or see their livelihood, status, and reputation harmed (it bears noting in this context that councilmen do not receive a salary). As for the coalition parties, those local authorities that will be politically affiliated with them will be able to run year-round campaigns on their behalf. The expectation is that political affiliation in the local arena will also transfer to the national arena; that is, people will vote for the same parties both at the local and national level.

- Upon the increase in the number of councilmen on behalf of the coalition parties, the government will face fewer situations where it is "forced" to pick up the tab for the mismanagement of the municipal services overseen by councilmen on behalf of the opposition/political rivals. This will send the message to voters that in order to receive services from the local authority, they must cast their ballot for the aforementioned parties in both national and local elections. Given that state services under the responsibility of government ministries (such as welfare, security, health, education, and immigrant absorption) are provided by local authorities, the coalition parties would be better served if the actual providers of these services were "their" councilmen rather than those of the opposition or independent ones. This would strengthen the political identification of local authorities with the services they provide to their residents and send them the message that it would be to their detriment to vote for independent/opposition candidates.
- Approval of the bills may reduce the number of Arabs wanting to run for election in mixed Jewish-Arab localities (where 8% of the Arab population lives) and prompt nationalist and racist campaigns focusing on "personal security" and the "fight on terror" that would help increase the power of the coalition parties in the councils. Except for Jerusalem, where not a single Arab sits on the city council, Arabs have for years been members of councils of mixed municipalities, in higher or lower proportion to their

¹⁵ Tal Elovits, [Involvement of National Parties in Local Elections](#), *Molad-Center for the Renewal of Israeli Democracy*, 30 January 2024; Dr. Ariel Finkelstein, [*Analysis of the 2024 Local Elections](#), *Israel Democracy Institute*, 17 April 2024.

share of the local population therein.¹⁶ The number of Arab councilmen in mixed localities decreased from 28 in 2018 to 26 in 2024, with 55% of those elected in 2024 being independent and not affiliated with national parties.¹⁷

As stated, Article 39d of the Local Authorities Law-1965 (Elections) stipulates that barring the participation of a list may be done only according to the procedure set forth in this specific law (the Supreme Court rejected a petition to disqualify a list using a different law).¹⁸ Article 39B(b) stipulates that the disqualification process begins with petitions to the chairman of the CEC by the local authority's election committee (consisting of the factions represented in the council) or by the Attorney General. Consequently, it is highly unlikely that the election committee of a local Arab authority should seek to disqualify Arab candidates or lists. In mixed localities, in contrast, there is a higher chance that the local election committee should initiate a disqualification process. Arabs toying with the idea of running for election may a priori refrain from submitting their candidacy so as not to be "raked over the coals" or lose their livelihood, status, and reputation by being labeled "terror supporters." Running nationalist and racist campaigns focusing on "personal security" and the "fight on terror" may help increase the power of the coalition parties in local councils. Given that some 2 million people live in mixed Jewish-Arab communities, local control is of paramount importance for victory in the national elections as well.

- Approval of the proposed legislation may lead to futile attempts by the Minister of the Interior to fire deputy mayors of Arab municipalities for racist and political reasons. To repeat, the bills propose to introduce a caveat barring the appointment of anyone whose actions or statements denote support for the armed struggle of an enemy state/terrorist organization against the State of Israel, and empowering the Minister of the Interior to cancel the appointment if the council nevertheless chooses to appoint them.

The mere suggestion that the only grounds for disqualification of deputy mayors would be "support for terrorism" shows that it is a tool intended to be used against deputies in Arab authorities. Although the bills contain no mechanism for judicial review and

¹⁶ Ido Avgar, Etti Weissblau, Rami Schwartz, and Michal Lerer, [Arabs in Mixed Cities: Overview](#), Knesset Research and Information Center, 27 May 2021.

¹⁷ *[Continuity or Change? Analyzing the Arab Local Authorities Elections of 2024](#), Injaz Center for Professional Arab Local Governance, April 2024.

¹⁸ [Supreme Court Case 9822/08 Movement for Quality Government in Israel v. Sakhnin Municipality's Election Campaign Manager](#), Nevo, 27 November 2008.

propose only that the Minister of the Interior conduct a hearing process, disqualified deputies will still have the option to petition the Supreme Court, where the minister's decision would be examined in light of administrative laws and rulings restricting the option of limiting the right to vote and be elected. In addition, it seems that it will be legally difficult for the minister to disqualify deputies if they were not previously disqualified. Therefore, once again it looks like this draconian tool will be used mainly for the purpose of waging an inciteful political campaign against Arab elected officials rather than actually to bring about their impeachment.

- The higher number of councilmen on behalf of the coalition parties will impede local councils from fulfilling their law-mandated oversight roles, and consequently expand the incidence of cronyism and corruption. Councilmen play an important role in enacting by-laws and in overseeing the mayor and local authority officials. Among other things, the council approves the appointment of deputy mayors and committee members, the delegation of powers and functions from the mayor to other officials, the hiring and firing of tenured employees, the local authority's policy, work plans, and budgets, management of its real estate, the creation and running of municipal corporations, etc.¹⁹

A post-2013 election State Comptroller report examining hiring processes (mainly for senior positions) of individuals with political or personal ties to the mayor, his faction, or other municipal coalition factions found that in many municipalities with a newly-elected mayor, numerous new employees were hired after the elections to fill existing or newly created positions in the municipality and its corporations and that some of the politically-related hirings had been done through flawed procedures.²⁰ A 2020 State Comptroller report uncovered hiring of relatives, concerns about political considerations in tenders for senior positions, signing up on more employees than permitted, and mismanaged personnel contracts.²¹ Yet another report found flaws in the management and approval process of budgets.²²

The coalition parties' control over the councils will impede the latter from fulfilling their functions, and consequently expand the incidence of cronyism and corruption. As

¹⁹ [Guide for Elected Officials in Local Authorities](#), Interior Ministry, January 2024.

²⁰ [State Comptroller Report: Appointments and Contracts Based on Political or Personal Affiliation in Local Authorities After 2013 Elections](#), State Comptroller's Office, 22 November 2016.

²¹ [State Comptroller Report: Audits of Local Government for 2020](#), State Comptroller's Office, 14 July 2020.

²² [State Comptroller Report: Budget Management in Local Authorities](#), State Comptroller's Office, 4 July 2022.

noted, at stake is a huge pool of jobs, not only in 257 local authorities with annual budgets of tens of billions of shekels but also in hundreds of affiliated bodies (such as city associations, municipal economic companies, nonprofit organizations, local committees, and local planning and construction committees). The State Comptroller has already warned: "Local authorities play a key role in providing local and state services to their residents. Their poor performance in such areas as education, welfare, and health, mismanagement of their budgets, and conduct incompatible with the rules of proper administration may have a major impact on the daily life of people and on the future of large segments of society."²³

In conclusion, Zulat strongly opposes the proposed laws, which constitute an unprecedented violation of fundamental rights and democratic balances in the State of Israel. These bills are intended to turn local councils into a political tool in the hands of the government, amid the exclusion of minorities and political opponents and the transformation of the democratic space into a closed arena controlled by the coalition.

The bills are not only an attack on the principles of democracy, but a dangerous move aimed at deepening the control wielded by the local and national government at the expense of the general public, exacerbating the violation of the right to vote and be elected, and crowding out criticism. They are intended to perpetuate political control by creating mechanisms that allow processes of disqualification and impeachment on racial and political grounds, which threaten to undermine the foundations of equality and representation in the local arena.

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²³ [State Comptroller Follow-Up Report: Performance and Conduct of Local Authority's Internal Auditor](#), State Comptroller's Office, 4 July 2023.