

The Regime Revolution's Government Harms Women Review on the Occasion of International Women's Day, March 2025

Since its establishment, the 37th Israeli government has been systematically undermining the fundamental components of the democratic regime.¹ Beyond damaging such basic principles as the separation of powers and the independence of the judiciary, the coalition has been promoting legislative changes and spearheading policies in government ministries, as well as in the public discourse, which could alter the priorities and even the core values of the political regime in Israel with respect to human and civil rights. The effort to change the regime system did not stop even after the October 7 massacre and the outbreak of war, and continued to be advanced through bills, government resolutions, and appointments.

A major aspect of the government's policy concerns its gender implications. Hence, the purpose of this document is to review key actions and steps that the government has taken since its establishment, and to analyze their effects on the condition and status of women in Israel. The review will focus on six areas that reflect various ways in which the rights, status, and well-being of women are being infringed upon as a result of the coalition-led processes:

- 1. Harm to democratic institutions and their independence
- 2. Reduced representation of women in the political and public spheres
- 3. Gender segregation and exclusion of women
- 4. Decline in women's personal security
- 5. Boosting of the religious establishment
- 6. Shift to an anti-liberal public discourse

Following a review of the deterioration in the situation of women as a result of the government's moves, the document will present the bill put forward by Zulat **to integrate**

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

¹ Eitay Mack, *<u>The Regime in Israel: Borderline Authoritarian State Headed Toward Dictatorship</u>, *Zulat*, 7 September 2023.

gender thinking into legislation. To this end, the article on gender perspective in the Women's Equal Rights Law would be amended to mandate the legislator to examine the expected implications of **any legislation** on gender equality as part of a program to integrate gender mainstreaming into legislative processes as well as in policy and budget planning.²

1. Harm to Democratic Institutions and Their Independence

Since its establishment in December 2022, the government's moves to weaken democracy and promote a regime revolution have focused on attempts to undermine the independence of various democratic institutions whose role is to scrutinize and limit the power of the executive branch. The oversight and scrutiny mechanisms in a democratic regime, such as an independent court system, an Attorney General, civil society organizations, and a free media, aim to prevent the tyranny of the ruler. Dismantling these mechanisms and the very violation of the principle of separation of powers may lead the government to take arbitrary actions, harm equality, erode the rights of minorities and unrepresented groups, and bring about corruption and abuse of power.

Unique characteristics can be discerned when examining the implications on women's rights as a group. First, given the fact that women suffer from historical and cultural discrimination, as reflected in political underrepresentation, wage gaps, and distinct forms of violence,³ the protections provided by government watchdogs are essential and critically needed. For example, a police force that is neither professional nor independent will not adequately handle complaints of domestic violence; a judiciary that is not independent but instead riddled with political appointments will not impartially address cases of discrimination against female employees in the Civil Service; if the Civil Service Commissioner is not a professional but rather a government loyalist, pregnant women will not be fully protected against dismissal; if the Central Bureau of Statistics is not independent but staffed with political confidantes, data on gender wage gaps, for instance, may not be presented accurately and, consequently, may not be addressed. These are just a few examples meant to illustrate the point.⁴

² Elia Asayag and Michal Evron-Yaniv, *<u>Changing Perspectives: A Strategy for Gender Mainstreaming in</u> <u>Legislation</u>, Zulat, 31 March 2024.

³ *<u>Selected Data for International Women's Day 2024</u>, Central Bureau of Statistics, 6 March 2024.

 ⁴ Nati Tucker, *<u>Netanyahu Tried To Appoint a Political Confidante To Be Israel's Statistics Chief</u>, Haaretz, 22
February 2023.

Second, beyond discrimination against women that is not "overt" or official, Israel has since its inception had areas where it is overtly and officially legal to discriminate against women,⁵ first among them marriage and divorce laws that are subordinate to religious law. Jews in Israel are required to marry and divorce through the authority of the religious establishment, which bars women from being judges and enforces Jewish religious law that applies unequal standards to women.⁶ Similarly, Muslim women are subject to Sharia law, Druze women to Druze law, and Christian women to church law.⁷ The second area is military service, which allows security bodies not to accept women to certain positions "if this is required by the essence or nature of the job."8 The third area pertains to the norms of the Haredi minority and the sympathy toward its needs and demands for gender segregation and exclusion of women derived from its political power. The judiciary plays a key role in protecting women's rights in all these three spheres, because the relevant authorities tend not to prioritize the right to equality over other hegemonic interests. This applies even more to women from minority or socially marginalized groups, such as Arab, poor, and Haredi women, who are more vulnerable, more likely to suffer severe consequences as a result of an erosion in the status of women, and therefore in more dire need of the protection of democratic institutions.⁹

In light of the anticipated effects of the regime revolution on the rights of women from different social positions, we will highlight the main pieces of legislation that have already been passed and law proposals still in the works, which are bound to weaken the watchdogs of democracy.

⁵ Consequently, despite having ratified it, Israel objected to some provisions in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), such as the obligation to ensure equality in marriage, divorce, and family law, as well as in appointments to public religious positions.

⁶ See Articles 5 and 7(c) of the <u>Women's Equal Rights Law-1951</u>, which emphasize that the principle of equality does not apply to marriage and divorce laws, nor to the appointment of women to public religious positions. It should be noted that Israeli Muslim women are subject to Sharia law in family law matters, and that women of other religions are similarly subject to their respective religious laws, in accordance with an ordinance dating back to the British Mandate era: Article 51 of the King's Order in Council on Palestine, 1922–1947.

⁷ On all the injustices that church law inflicts on Christian citizens, see: Nitzan Caspi Shilony, <u>No Way Out:</u> <u>Women and Men Chained in Marriage in Israel</u>, *Minerva Center for Human Rights at Hebrew University of Jerusalem*, 20 July 2022.

⁸ Article 6 of Women's Equal Rights Law-1951, Knesset National Legislation Repository, 17 July 1951.

⁹ See Supreme Court rulings requiring the Agudat Yisrael party to make gender discrimination less explicit by amending its bylaws to legally allow a woman to become a party member (HCJ 1823/15 Ben-Porat v. Registrar of Political Parties, 10 January 2019); invalidating Finance Minister Avigdor Lieberman's decision to halt funding for daycare centers for families of yeshiva students (HCJ 5782/21 Zilber v. Finance Minister, 21 January 2022); revising eligibility criteria for income support benefits (HCJ 10662/04 Hassan v. National Insurance Institute, 28 February 2012).

• Legislation To Weaken the Judiciary

The judiciary plays a central role in protecting women's rights, as its rulings have altered the balance and enforced the principle of equality in a way that has had a significant and historic impact on the status of women in the country. For example, it opened the Israel Air Force pilot course to women despite the army's opposition in the Alice Miller case; it banned the relegation of women to the back of the bus in response to a petition against the Transportation Ministry and the Egged bus company; it repeatedly barred rabbinical courts from ruling on the division of property between divorced couples based on religious law and required them to adjudicate based on civil law, and more. Therefore, it is clear that women could be severely harmed by the politicization of the judiciary, which could lead to the appointment of judges loyal to the government. This danger has been magnified by the political power of the religious establishment and the commitments toward it in coalition agreements (especially under the current government).

The amendment to Basic Law: The Judiciary addressing the composition of the Judicial Selection Committee passed its first reading in February 2023 but remained on hold.¹⁰ However, as of January 2025, following the publication of the Levin-Sa'ar plan, the Knesset's Constitution, Law, and Justice Committee has been working on advancing the law and preparing it for its second and third readings.¹¹ Even in its latest iteration, this law severely undermines the independence of the courts. The removal of professionals from the committee, along with the government's stronger input on judicial appointments, promotions, and to a large extent, dismissals, will inevitably weaken and increase the dependence of the judiciary on politicians. One of the consequences of impairing the independence of the judiciary is a dramatic reduction in the protection it can provide, including in the context of violations of women's rights, as explained above. It bears emphasizing that the judiciary's protection of rights is not limited to hearing petitions and lawsuits, and that the very existence of a strong and autonomous judicial system serves as a deterrent to authorities from abusing power and violating fundamental rights.

 ¹⁰ <u>Bill Proposal on Basic Law: The Judiciary (Amendment No. 3: Reinforcement of Separation of Powers)</u>, *Knesset National Legislation Repository*, 22 January 2023.
¹¹ <u>Gideon Saar</u>, *Facebook*, 9 January 2025; Eitay Mack, <u>Levin-Sa'ar Plan: Proposal to Opposition To Join in</u> <u>Destruction of Democracy</u>, *Zulat*, 15 January 2025.

In addition, the amendment passed on 4 March 2025 effectively placed the Judiciary Ombudsman under the coalition's control (as opposed to the situation heretofore, where he was appointed by the Judicial Selection Committee).¹² The politicization of this position has opened the door to abuse of the extensive powers granted by law to this officeholder already today.¹³ Moreover, the amendment to the Israel Bar Association Law (approved in third reading and published in the official gazette Reshumot on 27 January 2025)¹⁴ empowering the Justice Minister to determine the IBA's membership fees, has made the erstwhile professional and independent IBA more prone to pressures by the government,¹⁵ such as to support anti-democratic bills or back its candidates in the Judicial Selection Committee. Such politicization of the judicial system.

Finally, it should be noted that the proposal to amend the override clause in Basic Law: The Judiciary, which has been submitted to the Knesset for preliminary discussion in several versions,¹⁶ is aimed at limiting judicial review of legislation and consequently expand the government's ability to enact laws that infringe on rights, particularly women's rights.

Paralysation of Civil Society by NPO Law

The Ministerial Committee on Legislative Affairs decided on 16 February 2025 to support a bill to impose an 80% tax on donations to non-profit organizations (except those funded by the state) received from a foreign political entity and deny them the right to file any court petitions.¹⁷ The bill, aimed at drying up the sources of funding of civil society organizations critical of the government, violates the right of access to the

¹² <u>Bill Proposal on Judiciary Ombudsman Law (Amendment No. 6: Ombudsman's Appointment-2024)</u>, *Knesset National Legislation Repository*, 23 July 2024; Staff report, *<u>Knesset Passes Bill Enabling Coalition To Appoint</u> Judiciary Ombudsman, *The Jerusalem Post*, 4 March 2025.

¹³ Eitay Mack, *<u>Political Appointment of Judiciary Ombudsman Harms Independence of Courts</u>, *Zulat*, 1 October 2024.

¹⁴ Israel Bar Association Law-2025 (Amendment No. 45), Knesset National Legislation Repository, 27 January 2025.

¹⁵ Eitay Mack, *<u>Government Advances Takeover of Israel Bar Association Through Budget Control</u>, *Zulat*, 19 January 2025.

¹⁶ <u>Bill Proposal on Basic Law: The Judiciary (Amendment: The Override Clause)</u>, *Knesset National Legislation Repository*, 12 June 2023; Eitay Mack, *<u>The Override Clause: Government Given Unlimited Power To Violate</u> <u>Human and Civil Rights</u>, *Zulat*, 2 February 2023.

¹⁷ Bill Proposal on Associations Law (Amendment: Donation From a Foreign Political Entity, 2024), *Knesset National Legislation Repository*, 16 December 2024; for more details, see: Eitay Mack, <u>Associations Law: The Law to Eliminate Free Civil Society Organizations</u>, *Zulat*, 19 February 2025.

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courts and freedom of association. For some NPOs, such a law would actually spell their closure.

A vibrant civil society is a cornerstone of a healthy democracy, which plays a crucial role in protecting human and civil rights. First and foremost, it is an essential mechanism for balancing and limiting the government's power and a watchdog scrutinizing its actions. Civil society provides independent and professional criticism of the government's policies and prevents an excessive concentration of power in its hands. Another important role of civil society is to give a voice and represent disadvantaged population groups.

The interests of women as a discriminated group, particularly women from vulnerable communities, are often upheld by a variety of civil society NPOs running support centers and dealing with gender equality, employment parity, family law, domestic violence, assistance to women denied a religious divorce, and the advancement of vulnerable populations such as Palestinian women, single mothers, and women living in poverty. The tangible assistance these NPOs provide to women in situations where the state refrains from offering necessary support and services, and even imposes restrictions and institutionalizes inequality, is critical. Not to mention that they have spearheaded much of the inroads made in advancing women's rights and changing their status in the public discourse. What the NPO Law proposes would harm some of these organizations and potentially lead to their closure, thereby halting the supply of services, reducing oversight of the government, and preventing legal action for the promotion of women's rights. Furthermore, women's organizations have been identified in various countries worldwide as a significant force of resistance and opposition to populist governments that seek to undermine democracy,¹⁸ which is why restricting the activities of Israeli NPOs would also suppress the protest against the regime revolution.

• Attempt To Revoke Independence of AASW

A bill to abolish the Authority for the Advancement of the Status of Women as an independent body was submitted to the Knesset on 3 July 2023 by MK Limor Son Har-Melech of the Otzma Yehudit party and approved in a preliminary reading.¹⁹ The bill

 ¹⁸ Conny Roggeband and Andrea Krizsán, *<u>Democratic Backsliding and the Backlash Against Women's Rights:</u> <u>Understanding the Current Challenges for Feminist Politics</u>, UN Women Discussion Papers, 2020.
¹⁹ <u>Bill Proposal on Advancement of Women in Israel-2023</u>, Knesset National Legislation Repository, 3 July 2023.

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mandates the establishment of an alternative entity, the Authority for the Advancement of Women in Israel, which would be subordinate to the government and the minister in charge. This contrasts with the current law, under which the AASW is an independent professional body responsible for scrutinizing the government's actions pertaining to gender equality and violence against women, with statutory tools to promote women's rights and reduce gender gaps. Upon the formation of the current government, the AASW was transferred under the Ministry for the Advancement of the Status of Women, established for the first time in January 2023 and closed a year later, and then moved back under the Ministry for Social Equality. This conduct illustrates the politicization of a long-standing professional body, which must maintain its independence in order to fulfill its role in promoting gender equality.

In conclusion, the ongoing erosion of the fundamental components of Israel's democratic regime poses a real threat to women's rights, potentially leading to a significant rollback of achievements gained in years of struggle. The weakening of the independent judiciary and restriction of civil society activity undermine essential mechanisms for protecting women's rights and promoting gender equality. This situation is particularly worrisome given the unique status of women in Israel, who are already subject to institutional limitations in such areas as family law, military service, and exclusion from public spaces out of consideration for the Haredi minority. In the absence of a strong democratic system of checks and balances and of autonomous and professional oversight bodies, women may find themselves increasingly vulnerable to discrimination, exclusion, and violations of their fundamental rights.

2. Reduced Representation of Women in the Political and Public Spheres

The 25th Knesset marked a sharp decline in the number of women serving as members of parliament: while the 24th Knesset had 45 female members, the current Knesset has only 29.²⁰ Similarly, the number of female ministers stands at just five (out of a total of 31 government ministries),²¹ a ratio that led to Israel's ranking in the UN's global index of women in ministerial positions to plunge to the 116th place out of 193 (a drop of 69 places).²² The number of women serving as directors-general of ministries is extremely low: only one

²⁰ *<u>All Women MKs in the 25th Knesset</u>, The Knesset.

²¹ *<u>Thirty-Seventh Government</u>, *The Knesset*.

²² Shabi Gatenio, <u>5</u> Out of <u>30</u>: Global Ranking of Women's Representation in Government in Free Fall, Shakuf,

²⁹ December 2022.

woman holds such a position, and a temporary one at that, in the Ministry for the Advancement of the Status of Women. No woman has received a permanent appointment to any position anywhere.²³

Moreover, the number of women elected as heads of local authorities in the 2024 elections remained unchanged.²⁴ As for their representation in municipal councils, the percentage of Jewish women increased, whereas the percentage of Arab women remained unchanged at a very low 2%. In this context, it is worth noting that according to a 2014 amendment to the Local Elections Financing Law, a municipal council faction where one-third of its members are women is entitled to 115% of the standard public campaign funding.²⁵ In other words, the incentive exists for adequate female representation in local politics, which may have influenced the election results and the proportion of women elected. In contrast, no equivalent legal provision exists in the national election campaign funding mechanism. Although private bills to introduce incentives for adequate female representation have been submitted over the years (including in the current Knesset), these proposals have not been advanced by past governments, and certainly not by the current one. Notably, the issue of representation in Israel presents a unique challenge, as Haredi parties in the Knesset categorically prevent women from running within their ranks.

Alongside the decline in women's participation in the national political sphere, it is worth noting that an initiative to legislate adequate representation for women on the boards of public companies was rejected, despite the fact that the Constitution, Law, and Justice Committee is currently discussing a proposed amendment to the Companies Law, where such a provision would be appropriate.²⁶

Despite the importance of adequate representation of women in the public sphere, it is worth noting a trend in far-right parties worldwide. As indicated by research conducted in Israel, the United States, and Germany, anti-liberal conservative groups tend to include female representatives, who may in turn promote conservative and anti-feminist policies,

²³ Assaf Shapira, Daphna Aviram-Nitzan, Ilay Gabay, Nasreen Abu-Asla, <u>Gender Analysis of Government</u> <u>Ministry Directors General 2003–2025</u>, *Israel Democracy Institute*, 2 March 2025. See also the Supreme Court's ruling issued on 24 February 2025, requiring the government to ensure adequate representation in the appointment of female ministry directors general: HCJ 1363/23 Israel Women's Network v. Government, 24 February 2025.

 ²⁴ Ariel Finkelstein, <u>Analysis of Results of Local Elections 2024</u>, *Israel Democracy Institute*, 8 April 2024.
²⁵ Local Authorities Law-2014 (Amendment No. 12: Election Financing), *Knesset National Legislation Repository*, 23 June 2014.

²⁶ Tal Hilel, *<u>To Solve the Problem: Adequate Representation of Women on Boards of Directors of Public</u> <u>Companies Should Be Anchored in Law</u>, 20 January 2025.

as a way to soften liberal opposition.²⁷ Indeed, such behavior can at times be observed among female coalition MKs. It thus follows that women's representation serves as a measure to assess democracy and the status of women in a given culture, but the picture in this regard is complex: while adequate representation is a value in its own merit and should be set as an objective, it does not necessarily guarantee the protection of women's interests as a group.

3. Gender Segregation and Exclusion of Women

Given that Israeli law has long recognized the principle that "separate is not equal," it follows that segregation is a practice that infringes upon the right to equality.²⁸ The liberal assumption is that segregation always creates a hierarchy and results in an unequal distribution of resources between the separated groups. Nevertheless, the current government is challenging this principle and promoting legislative proposals and initiatives aimed at permitting gender segregation in the public sphere.²⁹ The proposed amendment to the Student Rights Law (Separate Study Tracks-2024), submitted by MK Limor Son Har-Melech (Otzma Yehudit) and passed in preliminary reading on 4 December 2024, seeks to permit gender segregation in any academic institution that wishes to do so, including for advanced degrees.³⁰ This would harm women's right to equality in employment, as women would only be allowed to teach in the female-only tracks, while men would be permitted to teach in all tracks. Furthermore, the bill could steer women into "pink-collar" professions and spill over into other areas such as workplaces and professional training.³¹ It could harm the reputation and academic standards of Israeli universities, and would also discriminate against Muslim women and other non-Jewish groups given that the segregated tracks are intended for Jewish women only.

It should be noted in this context that promoting education in the Haredi community is undoubtedly an important value, especially with regard to women. However, infringing

 ²⁷ Julia Elad-Strenger, Lihi Ben-Shitrit, and Sivan Hirsch-Hoefler, *<u>Mainstreaming Democratic Backsliding:</u> <u>The Role of Gender Stereotypes</u>, *European Journal of Political Research*, 7 March 2024.
²⁸ In this context, see: <u>Interministerial Team's Report on the Exclusion of Women in the Public Sphere</u>

²⁰ In this context, see: <u>Interministerial Team's Report on the Exclusion of Women in the Public Sphere</u> (Submitted to the Attorney General, *Ministry of Justice*, 7 March 2013. ²⁹ It should be noted that the Supreme Court's ruling in HCL (500/17 Vofi Tiroshy, Council for Higher Education

²⁹ It should be noted that the Supreme Court's ruling in HCJ 6500/17 Yofi Tirosh v. Council for Higher Education (4 March 2019) permitted segregation only in undergraduate studies, coupled with ensuring women's right to equality in employment.

³⁰ <u>Bill Proposal on Students' Rights Law-2024 (Amendment: Segregated Study Tracks)</u>, Knesset National Legislation Repository, 24 July 2024.

³¹ See: <u>Knesset Education Committee Discussion: No to Gender Segregation in Academia</u>, *Zulat*, 21 February 2025.

upon the right to equality and employment for women in the public sphere is too high a price to pay. Minority rights are meant to allow a group to prosper, but a vibrant democratic society cannot allow its core values to be trampled. Harming women is particularly inconceivable given that the right to equality in academia for women was achieved not too long ago and that the vast gender gaps in appointments to senior academic positions are still far from having been closed.

Another practice of gender segregation that the government sought to promote but was blocked by the Attorney General is the segregation of visitors at sites managed by the Israel Nature and Parks Authority.³² In August 2023, Environmental Protection Minister Idit Silman proposed to implement separate bathing and visiting hours at two mineral water springs, even though the INPA does not have the authority to restrict entry to its sites in contravention of existing law and rulings that prohibit gender segregation in the public sphere. A bill to this effect submitted by MK Moshe Gafni (United Torah Judaism) in January 2023 has not been advanced,³³ nor has a private bill derived from the coalition agreements that was submitted in December 2022 to legalize discrimination when it is based on religious grounds³⁴ (as part of an amendment to the Prohibition of Discrimination in Products, Services, and Entry Into Places of Entertainment and Public Places Law).

4. Decline in Women's Personal Security

• Weapons Distribution Policy

According to data from the Knesset's Information Center, 32 women were murdered in 2023 and 35 in 2024, a rate rising every year since 2020. Of those killed with a firearm, the overwhelming majority were Arab women (all 12 in 2023), and 9 Arab women and 4 Jewish women in 2024.³⁵ In addition, nearly half of the victims in 2023–2024 (44%) were murdered by a family member³⁶ (68% of Jewish women) or by unidentified suspects

³⁴ <u>Bill Proposal on Prohibition of Discrimination in Products, Services, and Entry to Entertainment Venues and</u> <u>Public Places-2022 (Amendment: Infringement on Religious Faith)</u>, *Knesset National Legislation Repository*, 12 December 2022.

³² Canaan Lidor, *<u>Attorney General Blocks Plan for Sex-Segregated Swimming at Two Natural Springs</u>, *The Times of Israel*, 10 August 2023.

³³ <u>Bill Proposal on Regulation of Bathing Sites-2023 (Amendment: Designation of Times for Segregated</u> <u>Bathing at Nature Reserves</u>), *Knesset National Legislation Repository*, 16 January 2023.

³⁵ Jerry Almo-Capital, <u>Data on Femicide With Emphasis on Firearm-Related Murders With 2020–2024</u>, *Knesset Research and Information Center*, 2 February 2025.

³⁶ Jerry Almo-Capital, <u>Data on Murder Victims With Emphasis on Women</u>, *Knesset Research and Information Center*, 12 December 2024.

(most of the Arab victims). Furthermore, 38% of the women were murdered by someone who had previously been reported to the police for domestic violence. As corroborated by empirical studies worldwide, the data highlights the fact that firearm possession directly affects women's safety in the home space.³⁷

After the October 7 massacre, former National Security Minister Itamar Ben-Gvir launched a comprehensive plan to ease the criteria for handing out firearms. As a result, the Ministry issued an unprecedented number of gun licenses, adding over 100,000 firearm-toting civilians.³⁸ In October 2024, the National Security Committee expanded these criteria, lowering the mandated training level, automatically renewing gun licenses, and empowering the police to issue firearms without any criteria.³⁹ At the same time, the Ministerial Committee for Legislation approved MK Limor Son Har-Melech's proposed amendment to the Firearms Law, which passed its preliminary reading on 5 February 2025,⁴⁰ aimed chiefly at changing the policy whereby security guards at private facilities are forbidden to take their weapons home at the end of their shifts. This policy, anchored in law and in place since 2008, is based on the idea that the proliferation of firearms in the civilian space should be minimized. This policy may now be breached, and women may pay the price.

According to the aforementioned data, the policy of firearm licensing is expected to have a particularly severe impact on the situation of Arab women. Femicide among Arab women is significantly higher than their proportion in the population: 53% of all victims in 2023 were Arabs (who constitute only 19% of the population), and the number rose to 58% in 2024. These figures are undoubtedly linked to crime rates in Arab society and the government's policies toward it. Crime levels, which began to decline during the Bennett-Lapid government, surged during the two years of the current government: murders in Arab society totaled 220 in 2024, compared to 109 in 2022.⁴¹ It

³⁷ April M. Zeoli, Revecca Malinski, and Brandon Turchan, *<u>Risks and Targeted Interventions: Firearms in</u> <u>Intimate Partner Violence</u>, *Epidemiologic Reviews*, 1 January 2016.

³⁸ For elaboration, see: Yifat Solel, <u>Flooding the Streets With Weapons Isn't Security But Abandonment of</u> <u>Security</u>, *Zulat*, 29 November 2023.

³⁹ <u>Knesset Internal Security Committee Debate: Firearms Regulations-2024 (Amendment: Minimum Conditions and Criteria for Obtaining Private Firearm License and Other Provisions)</u>, *The Knesset*, 15 October 2024.

⁴⁰ <u>Bill Proposal on Firearms Law-2024 (Amendment: Reversing Default on Security Guards Carrying Firearms</u> <u>Outside Working Hours Nationwide</u>), *Knesset National Legislation Repository*, 28 October 2024.

⁴¹ *<u>Homicides in Arab Society Continue To Climb</u>, *Taub Center for Social Policy Studies in Israel*, 10 February 2025; see also: Jerry Almo-Capital, <u>Data on Femicide With Emphasis on Firearm-Related Murders With 2020-</u>2024, *Knesset Research and Information Center*, 2 February 2025.

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should be noted that most of the homicides in 2024 (the majority of the victims were men) were committed with firearms, most of them legally licensed guns that were later stolen.⁴² This clearly demonstrates the impact of the proliferation of firearms on the rise in violence and murder.

As stated, the surge in violence, crime, and homicides is a direct result of government policy. The stance repeatedly demonstrated by the current government is that eradicating crime in Arab society is outside its interests and priorities. To wit, the special parliamentary committee set up to combat crime in the Arab sector has yet to be appointed a chairperson, and is thus inactive. In 2024, Finance Minister Bezalel Smotrich decided not to transfer balancing grants to Arab municipalities⁴³ or the budgets allocated for five-year plans aimed at tackling crime. Under the cover of war, budgets for Arab society were slashed three times more than the across-the-board cuts in government ministries.⁴⁴ This deliberate negligence endangers the lives of innocent civilians, including women victims of domestic violence.

• Policy on Fighting Domestic Violence

The current government's policy regarding domestic violence includes Israel's decision not to join the Istanbul Convention, which came into force in 2014, in keeping with Article 106 of Prime Minister Binyamin Netanyahu's coalition agreement with the Religious Zionist Party.

The treaty clarifies that violence against women and domestic violence are not "private" matters but phenomena that the state has a duty to eradicate through a comprehensive and integrated policy. Its four core principles are prevention, protection, prosecution, and monitoring. Since coming into force, some 40 countries have signed it and over 30 have ratified it.⁴⁵ The decision not to join it as a matter of policy makes it clear that the current government does not view gender-based

⁴⁴ Yuval Lakah, <u>Mayors Warn: Government Hurts Five-Year Plan for Arab Society</u>, *Davar*, 20 February 2025.

 ⁴² Ephraim Lavie, Meir Elran, and Mohammed S. Wattad, *<u>Neglecting the Struggle Against Crime in Arab</u>
<u>Society Is a Threat to Israel's National Security</u>, *Institute for National Security Studies*, 26 June 2024.
⁴³ TOI Staff, *<u>Smotrich Reportedly Freezes Millions Earmarked for Arab Towns</u>, *The Times of Israel*, 6 August 2023.

⁴⁵ Reut Gelblum, *<u>Fighting Violence Against Women: Support for Israel's Signing of the Istanbul Convention</u>, 7 June 2022.

violence as an urgent issue requiring a comprehensive response and reflects its priorities on this matter.

Nevertheless, an amendment to the Domestic Violence Prevention Law passed in August 2024 allows for electronic monitoring of violent men.⁴⁶ It is a significant amendment, initiated by the previous government and carried over under the principle of governance continuity. Electronic bracelets help protect women when there is concern that an offender may violate a restraining order or pose a high risk. However, compared to the original version drafted under the previous government, several reservations to limit its scope were introduced in the final iteration of the law, such as an annual quota restricting their use to 200 electronic tags, which is a puzzling limitation given the high number of requests for protective orders. Additionally, throughout the legislation process, the narrative promoted by the minister in charge, Itamar Ben-Gvir, suggested that false accusations by women were a widespread phenomenon, comparable in scale to domestic violence and that it was his duty to balance the two. This was evident in a public statement he released to the media: "I certainly intend to introduce a law that, on the one hand, will impose sanctions against human scum who attack women and will lead to the protection of women attacked and at the same time will prevent false complaints against men."47 In other words, the minister entrusted with the protection of individuals, including women victims of violence, reinforced the notion that women frequently fabricate allegations against men, which is as harmful as domestic violence and an assertion lacking any factual evidence.48

5. Boosting of the Religious Establishment

• Expanding the Powers of Religious Courts

Unlike the narrative regarding the judiciary and the wish to limit its power by means of a "legal reform," the government is doing the exact opposite with regard to the

⁴⁶ Domestic Violence Prevention Law-2023 (Amendment No. 19: Temporary Provision), Knesset National Legislation Repository, 30 July 2023.

⁴⁷ Unattributed report, *<u>Ben-Gvir Defends Delay in Electronic Monitoring Bracelet Law</u>, *Israel National News*, 18 March 2023.

⁴⁸ Nitzan Caspi-Shilony, <u>The Conservatives and Their Struggle Against the Struggle on Domestic Violence</u>, *Deot 102*, October 2022.

courts operating under a religious law that infringes on women's right to equality, as it seeks to expand and advance their status.

In January 2023, immediately after the formation of the government, United Torah Judaism MKs tabled two private bills regarding the Religious Courts Jurisdiction Law⁴⁹ aimed at expanding their powers to also hear civil matters (such as financial claims and labor disputes) within the framework of an arbitration process. The bill applies to all religious courts (rabbinical, Sharia and Druze) and would hence impact on Jewish, Muslim and Druze women. The government approved the advancement of the laws, which passed a preliminary reading in February 2023 and are currently under discussion in the Constitution, Law, and Justice Committee.

On a fundamental level, granting religious courts the authority to rule on property law, contract law, corporate law, labor law, torts, etc. would in effect create a dual and non-uniform legal system, which is a detrimental situation in a democratic state governed by the rule of law. Moreover, such a step would result in significant and tangible harm to women's rights in the following aspects:

- 1. Expansion of women's exclusion from public roles, particularly judicial appointments: Women are barred from serving as judges in rabbinical courts (the Sharia court system appointed a woman qadi for the first time in 2017).⁵⁰ The proposed law would strengthen the status of the religious courts, which would now also rule on civil matters, thereby expanding both symbolic and concrete discrimination against women in public institutions. It is worth noting that according to Jewish law, women are not necessarily prohibited from serving as judges, and certainly not as arbitrators, but the interpretation adopted by the Israeli religious establishment is particularly strict.
- 2. Application of substantive and procedural law that discriminates against women: In Jewish law, gender is a relevant category for applying different substantive and procedural rules. For example, women are disqualified as

 ⁴⁹ <u>Bill Proposal on Jurisdiction of Religious Courts-2023 (Arbitration: P/II78/25)</u>, Knesset National Legislation Repository, 2 January 2023; <u>Bill Proposal on Jurisdiction of Religious Courts-2023 (Arbitration: P/I579/25)</u>, Knesset National Legislation Repository, 16 January 2023.
⁵⁰ Sara Jacobs, <u>*Why Orthodox Jews Tried and Failed To Block Israel's First Woman Sharia Court Judge</u>, Haaretz, 27 April 2017.

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witnesses in certain cases, property laws are not equal with regard to married women, etc.

- 3. Arbitration in family law does not stem from full consent: The proposed law does not exclude arbitration proceedings between spouses or former spouses. Since religious marriage and divorce laws (adopted by the Israeli legislature) inherently create unequal power dynamics, consent to arbitration in family matters does not reflect full and genuine agreement when coming amid divorce proceedings.
- 4. Consent to arbitration under power imbalances does not reflect free will: Under the proposed bill, arbitration would apply to litigants only if they signed an arbitration agreement. However, the unequal balance of power between the parties (as in employer-employee relations) prevents the consent to arbitration from qualifying as free will. Yet another concern is communal or cultural pressure on women to agree to arbitration: for instance, Haredi kindergarten teachers may be compelled to sign an arbitration agreement at the start of their employment due to both economic necessity and socio-cultural pressures.
- 5. Arbitration by its nature harms the weaker party: Arbitration proceedings are not transparent, the ruling is not published, cannot be appealed in most cases, and arbitrators are not bound by procedural law, including rules of evidence. For these reasons, arbitration is often considered a harmful process for the weaker party.
- 6. Arbitration proceedings undercut the arguments of divorce-denied women: The rabbinical courts hear the cases of women trapped in unwanted marriages due to their husbands' refusal to grant them a divorce. Endowing the courts with additional arbitration powers could increase the workload of judges at the expense of the time to hear the cases of women who are a priori wronged.

• Unlimited Appointment of Rabbis

An amendment to the Jewish Religious Services Law ("The Rabbis Law"), initiated by MK Erez Malul from Shas, was passed in January 2025.⁵¹ The law empowers the Minister of Religious Services to make an unlimited number of appointments of rabbis and religious service employees, to create new positions, and to change rabbis' salaries.

⁵¹ Jewish Religious Services Law-2025 (Amendment No. 27), Knesset National Legislation Repository, 19 January 2025.

Despite the opposition's attempts to subject the minister's authority to the approval of the finance minister, the law that was passed requires only to consult with the latter. The estimated annual cost of the law is approximately 40 million shekels.⁵²

In an effort to soften the negative public perception of the law and maybe to make it more "palatable," its authors made sure to emphasize time and again that the Minister's authority also includes appointing female mikveh attendants and setting their salaries. However, unlike rabbis who enjoy respectable salaries, status, and political influence, women mikveh attendants have a job that carries no prestige, earn meager wages (even though the Minister may be able to raise it), and perform physically demanding labor (watching over women immersing in the ritual baths and cleaning showers and restrooms). Moreover, unlike the rabbinical appointments now unlimited under the law, the number of ritual bath attendants is restricted to existing mikvehs in local municipalities, and there is no guarantee that the Minister will increase their wages. Hence, beyond the fact that it is primarily designed to provide jobs and salaries at the sole discretion of the Minister and thus create the potential for corruption, this law also has gender implications: it is expected to multiply the appointment of men to prestigious public religious positions funded by taxpayer money, thereby reinforcing the exclusion of women from similar roles.

The gender and class-based aspect stands out even more in other legislation passed by the government: the amendment to the Chief Rabbinate Law approved by the Knesset in December 2024,⁵³ which primarily addresses the question of the committee responsible for selecting Israel's Chief Rabbis and the Chief Rabbinate Council (a sort of board of directors). Needless to say, the council consists exclusively of men, but the body electing it comprises several groups of public figures: rabbis, local government heads, politicians, and others, with the latter two groups possibly including women. The amendment mandates that women constitute 20% of the electing body, slightly improving their representation on the committee. However, it also includes another provision regarding the electing body: the "rabbis" group will henceforth consist only of individuals officially certified by Israel's Chief Rabbinate, thereby keeping women out of this group. This amendment circumvents a Supreme Court ruling that required

 ⁵² Sam Sokol, *<u>After Yearlong Strife Knesset Passes Shas's Controversial 'Rabbis Law'</u>, *The Times of Israel*, 16 January 2025.
⁵³ <u>Israel's Chief Rabbinate Law-2024 (Amendment No. 8)</u>, *Knesset National Legislation Repository*, 4 December 2024.

the Chief Rabbinate to consider integrating women with extensive Torah erudition, thus effectively enshrining in law the non-recognition of female scholars as religious authorities.⁵⁴

6. Shift to an Anti-Liberal Public Discourse

In addition to promoting legislation and policy, the government has also impacted the public discourse on liberal values in a way that may set back the status of women. The principle of equality, even if not always implemented in practice, has been perceived as a core value of the State of Israel. The basic guidelines of Israel's first government stated: "Full and complete equality for women shall be upheld: equality in rights and obligations, in the life of the state, the society, the economy, and all the laws."⁵⁵ Accordingly, one of the first laws submitted to the Constituent Assembly was the Women's Equal Rights Law. While the struggle to realize gender equality has persisted since the creation of the state, the current government has been leading a shift toward an anti-liberal discourse, where equality is no longer taken for granted.

This trend can be illustrated by comparing two lobbies for Haredi women formed in the Knesset in recent years. In March 2018, MKs Merav Michaeli and Aida Touma-Suleiman established the Caucus for Haredi Women,⁵⁶ aimed at providing an alternative platform to women denied political representation in Haredi political parties, as well as addressing other issues such as women's health, sexual violence, etc. Founded in collaboration with Nivharot, a feminist organization advocating for representation and equality for Haredi women, its events featured feminist activists and organizations.

In contrast, in May 2023, MK Limor Son Har-Melech established the Caucus for the Haredi and Religious Woman. Participants at the launch event included such figures as Anat Gopstein, who alongside her husband Bentzi Gopstein leads the far-right organization Lehava, and Eliraz Fine, now a sexual therapist and formerly a hilltop youth activist convicted of incitement to violence. Feminist women's organizations, including religious and Haredi women's groups that wished to participate in the event, were vetoed by Son

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⁵⁴ Supreme Court Case 7583/22 Bar-Ilan University's Rackman Center for Advancement of Women's Status v. Israel's Chief Rabbis, Supreme Decisions, 14 January 2024.

⁵⁵ Women's Equal Rights Law-1951, Knesset National Legislation Repository, 17 July 1951.

⁵⁶ Launch of Knesset Caucus for Haredi Women Headed by MKs Merav Michaeli and Aida Touma Suleiman, Rackman Center for Advancement of Women's Status, 28 March 2018.

Rackman Center for Advancement of Women's Status, 28 March 2018.

Har-Melech and not invited.⁵⁷ Minister Orit Strock stated in her opening remarks: "For us observant women, the struggle for women's rights is in no way about wanting to resemble men, but rather about presenting the religious and Haredi woman in all her glory, a woman whose values are sanctity, purity, modesty, and childbirth."⁵⁸ For her part, Son Har-Melech said that in her view, the goal of the caucus was "to change and reverse the gender discourse from a divisive, alienating, militant, and detached discourse to a unifying one." Sanctity, purity, modesty, and childbirth rather than equal opportunities, political representation, and combating gender-based violence; in other words, the primary mission of the caucus is to oppose the ideas of feminist movements through the generations, or more precisely, to push back against feminist principles as they perceive them.

The topics discussed in Son Har-Melech's caucus meetings, all held in the Knesset, included such issues as the "right" to gender segregation at public events, the "right" to gender-segregated academic studies, and opposition to women's military service. Sexual violence, an issue that is central to the work of women's organizations, was primarily (if not exclusively) addressed in the context of "nationalistic sex crimes." In other words, the caucus's focus on combating sexual offenses was specifically directed at assaults committed by Palestinian men against Jewish women, rather than addressing sexual violence as a severe and widespread phenomenon that must be fought across all contexts.⁵⁹ While harsher penalties for sex offenders are not inherently a bad thing, the notion that rape with a nationalistic motive is more severe than rape committed by someone from the victim's own community effectively commodifies women's bodies and treats them as national property, and at the same time downplays the gravity of most sexual violence cases.

It should be noted that statements issued by this caucus, as well as the explanations attached to many private bills proposed by coalition parties, promote anti-liberal speech masquerading as a rights-based discourse. For example, gender segregation in academia is framed as the "right to segregation," and segregation at public events is referred to as the "right to culture." Unlike in the past when conservative actors relied on essentialist rhetoric and religious language, they now present their ideas to the broader public using

⁵⁷ Nofar Moshe Pardo and Vered Pelman, <u>Large Haredi Women's Organizations Now Allowed into Knesset</u> <u>Caucus Conference Discussing Them</u>, *Kan*, 10 July 2023.

⁵⁸ Hezki Baruch, <u>'The Opposition's Committee Bypass': Religious Women's Caucus Launched</u>, *Arutz 7*, 29 May 2023.

⁵⁹ Hezki Baruch, <u>Blood-Curdling Testimonies at 'Nationalist Terror Conference': Sex Crimes with Nationalist</u> <u>Motive</u>, *Arutz 7,* 21 July 2024.

pseudo-feminist rhetoric and the language of liberal rights, such as a group's right to selfdetermination or the right to cultural expression. This use of language advances a relativist discourse where the right to equality is framed as being on an equal footing with the "right to discriminate."

Another example of the reinforcement of narratives harmful to women is the discourse questioning protections against sexual violence and domestic abuse. This is evident in the aforementioned remarks by MK Itamar Ben-Gvir to the effect that the Electronic Monitoring Law "balances" between protecting women from violence and protecting men from so-called "false accusations" by women. The issue of false complaints, whose actual occurrence in the context of gender-based violence is negligible, is being deliberately amplified by regressive actors and used as a barrier to addressing domestic violence. Similarly, in the last elections, the political platform of Finance Minister Smotrich's Religious Zionism Party included a proposal for a "family law reform" to address "the phenomenon of false accusations" but made no mention of combating domestic violence.⁴⁰ While family law issues framed around "the problem" of false accusations used to be confined to fringe organizations, this angle is now being promoted by senior ministers and coalition leaders under the current government. This not only impacts policy decisions but also actively shapes the public discourse.

Conclusion and Zulat's Bill on Gender Mainstreaming in Legislation

The overarching trend emerging from this review is a significant deterioration in the status of women in Israel, who will become more vulnerable as a direct result of the government's actions. The rights and well-being of Israeli women risk regressing in multiple ways due to several characteristics of the 37th government: The advancement of the regime revolution, which is based on populist ideologies that undermine the independence of democratic institutions and the protection of human rights, including those of women; the coalition's conservative and anti-liberal character, which prevents adequate representation of women in public roles and decision-making forums; the boosting of the coalition's religious-conservative components, which has been spearheading legislation that discriminates against and excludes women, expands the authority of religious institutions that are

⁶⁰ <u>Religious Zionism Party's Political Platform for 2022 Elections</u>, *Religious Zionism*. In addition to addressing "false accusations," the party proposed an amendment to the law as part of the "family law reform" to ensure that child support payments would be equally divided between fathers and mothers.

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inherently unequal toward women, and shifts liberal speech toward a discourse legitimizing the "right to discriminate"; and traditionalist and nationalist perspectives that prioritize national security over women's safety within the family and downplay domestic violence and other gender-based threats. If the trajectory set by the 37th government is not halted immediately, there is no doubt at all that the status of women in Israel will continue to decline precipitously.

To counter this alarming trend, beyond the urgent need to halt the legislation advanced by the regime revolution and policies that harm women, Zulat has formulated a bill aimed at promoting gender mainstreaming in legislation.⁴¹ The proposal calls for an amendment to the Gender Impact Assessment clause in the Women's Equal Rights Law,⁶² which would require lawmakers to evaluate the expected impact on gender equality for all legislative initiatives discussed in Knesset committees. This is part of a broader plan to institutionalize gender mainstreaming in legislation, which includes reestablishing the AASW as an independent body with powers, funding, and tools to implement the aforementioned amendment by providing gender impact assessments and specialized training for legislators on gender equality protections. To advance this amendment it is crucial to encourage decisionmakers to embrace a discourse that prioritizes equality, coupled with an immediate cessation of the legislative and policy efforts to advance a regime revolution that will deeply harm women in Israel.

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⁴¹Elia Asayag and Michal Evron-Yaniv, *<u>Changing Perspectives: A Strategy for Gender Mainstreaming in</u> <u>Legislation</u>, *Zulat*, 31 March 2024.

⁴² Women's Equal Rights Law-1951, Knesset National Legislation Repository, 17 July 1951 (which was amended in Law on Gender Implications in Legislation in 2007).