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Racism shuts the doors to employment

While the government is doing nothing to implement legislation it has already approved regarding civil service employment for Arabs, it is advancing legislation favoring army veterans. This initiative is liable to finally bury the long-sought assurance of equal civil service employment opportunity for Arabs.

By Ali Haider

The Knesset plenum, unfettered by public scrutiny or media attention, recently approved a preliminary version of revisions to the civil service law proposed by three Yisrael Beiteinu MKs. Their legislative initiative would give preference to candidates for civil service jobs who are veterans either of the military or of volunteer civilian national service. This racist legislation, utilizing discriminatory criteria to exclude Arab citizens and other groups from civil service jobs, is the natural extension of the extremist ideology of Yisrael Beiteinu. The party has no interest in seeing Arab citizens working in the civil service.

Approval of these legislative amendments sets a bad example for private sector employers who already make unlawful use of a candidate's military record in the hiring process. Public services and public policies should be wholly civilian in character, rather than reinforcing militarism and slamming doors in the face of Arab workers. Such actions only distance Arab citizens from the realms of decision-making and intensify discrimination throughout society. In evaluating candidates for civil service positions, relevant professional criteria should be the only ones used.

The proposed legislation is unconstitutional and contravenes existing legislation protecting equal employment opportunity, which forbids an employer from asking about a candidate's military record unless there is a job-related reason to do so. Beyond that, however, the move also contravenes prior decisions of the Knesset and the government. In 2000, the Knesset passed an amendment to the Civil Service Law (Appointments), intended to insure that Arab citizens would enjoy a fair share of civil service employment. Early in 2004, the Ministerial Committee for Arab Affairs established a three-year goal

seeking to insure that, by the beginning of 2007, at least 8 percent of civil service employees would be Arabs, rising to at least 10 percent by 2009, and 15 percent the year after that.

At the end of 2007 the government decided to update its 2004 decision concerning the representation of Arabs in the civil service, since it had failed to implement that decision or to reach the goals set. The government set a new objective: that a minimum of 10 percent of civil service jobs would be held by Arabs by 2012, and in order to achieve it, the government decided that, until the end of 2012, at least 30 percent of new professional positions annually would be reserved for Arabs.

So what actually happened?

The Civil Service Commission's annual report published in June of 2010 noted that, as of 2009, there were 4,245 Arab citizens employed in the civil service, of a total of 60,882 civil service jobs overall, or 6.97 percent. Not only did this figure fall far short of the actual percentage of Arabs in the population overall and in the workforce, it also was far from meeting the objective the government had set for itself.

Fair representation of Arabs in the civil service is very important, because civil service jobs are a public resource that should be allocated fairly. In addition, Arab citizens have a right to influence the decisions taken and the public policies set with regard to matters affecting them and affecting the population in general. It has been proven all over the world that, when minorities lack fair representation in decision-making, the outcome is uniform: a continuation of discrimination against, and exclusion of, those minority groups. Anyone wishing to improve the relations between the two communities and to narrow discriminatory gaps should thus give high priority to opposing this latest legislative initiative. Also worth remembering is that the number of qualified Arab professionals is increasing, and these talented young people are having trouble finding suitable employment.

A look at these figures shows that the government is, in any case, not carrying out the law nor following through on its own decision. Adding a new criterion, a new discriminatory barrier, will extinguish any hope of assuring fair representation for Arab citizens in the civil service and a real partnership in public decision-making. That indeed is the aim of the authors of this legislative amendment.

If the government really wanted to change the reality for the better, it would allocate the necessary resources and set up a suitable apparatus to achieve the objective. If the government really wanted to absorb more Arab candidates for civil service jobs, it would

exert itself to overcome the obstacles preventing that. A careful scrutiny of the government's behavior shows that its actions have failed to solve the problem, and indeed have exacerbated it.

The government should move immediately to prevent enactment of this legislation conferring preferential treatment in civil service employment on army veterans and instead should invest the necessary resources to implement the law and its own prior decisions assuring fair representation for the Arab public. Otherwise, civil society organizations should appeal to the Supreme Court for judicial relief.

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