

GUEST ESSAY

Israel Is Silencing Internal Critics

Nov. 2, 2023

By Michael Sfard

Mr. Sfard is an Israeli human rights lawyer and the author of “The Wall and the Gate: Israel, Palestine and the Legal Battle for Human Rights.”

Want the latest stories related to Israel and West Bank and Gaza Strip?
[Sign up for the newsletter Your Places: Global Update](#), and we'll send them to your inbox.

On Oct. 25, Professor Nurit Peled-Elhanan, a lecturer at a college in Jerusalem, participated in a discussion in a faculty WhatsApp group about the horrific events of Oct. 7. In response to another lecturer’s message, she wrote that “the massacre,” referring to the actions of Hamas, reminded her of something the French philosopher and playwright Jean-Paul Sartre once wrote about race relations, adding a paraphrased quote: “After so many years that the neck of the occupied has been suffocating under your iron foot and suddenly was given a chance to raise his eyes, what kind of gaze did you expect you would see there?’ We saw this gaze,” Ms. Peled-Elhanan wrote to her colleagues.

A few hours later, Ms. Peled-Elhanan — a winner of the European Parliament’s Sakharov Prize for human rights and the freedom of thought and a bereaved mother whose 13-year-old daughter, Smadar, was murdered in a 1997 terrorist attack by Hamas — received a letter from the president of the college. He advised her that she was suspended and summoned her to a hearing on whether her employment would be terminated. The charge: “displays of understanding to the horrific act of Hamas” and expressing “justification to the heinous act.”

The case of Ms. Peled-Elhanan, who approached me for legal advice after getting this notice, is not an isolated one. In the past three weeks, according to Adalah, the Legal Center for Arab Minority Rights in Israel, dozens of students, almost all of them Palestinian citizens of Israel, have been suspended or summoned to hearings before being suspended from their academic institutions on the charge that statements they posted on social networks constitute support for terrorism. The group Academia for Equality has identified at least three other university lecturers at different institutions, one Jewish and two Palestinian, who were also summoned to hearings. One was fired, and two are still in proceedings. (Ms. Peled-Elhanan was eventually given a severe reprimand but was able to keep her job.)

The active suppression of speech carried out by more than two dozen Israeli academic institutions is very likely a direct result of their yielding to the pressure mounted by extreme right-wing groups that scan social networks and act as serial complainants — and apparently from a directive from the Minister of Education sent on Oct. 12 to institutions demanding that they immediately suspend any student or employee who expresses him or herself in a manner that constitutes “support for terrorism” or “support for the enemy.”

The crackdown is not only at institutions of higher learning. The Israel Police and the prosecutor’s office reported to the Knesset that as of Oct. 25, over 126 criminal investigations have been opened and 110 arrests have been made after individual statements made in public, on social media or in closed groups regarding the events of Oct. 7 and the ongoing war in Gaza. This intense scrutiny and policing is in part the work of a task force established a few months ago to monitor so-called Palestinian incitement to terrorism on the internet, led by Itamar Ben-Gvir, an extreme right-winger and former supporter of the outlawed racist Kach movement, who is now Israel’s minister of national security.

The Israeli police and the task force are assigned to monitor extremist speech and it seems that they have been primarily engaged in spying on Palestinian citizens of Israel. As far as I can tell, not a single Jewish Israeli who has issued calls to “erase Gaza,” carry out a “second nakba,” meaning “catastrophe,” or called for other acts of terrorism against Palestinian civilians has been summoned by the police. In the weeks since the Oct. 7 attacks, Facebook and X, the platform formerly known as Twitter, have been filled with prominent public figures — politicians, retired generals, celebrities, media influencers and journalists — making such calls with impunity.

At the same time, Israeli police have apparently adopted their own new practice: photographing Palestinian detainees who are suspected or accused of protesting against the Israeli state or the war, with their hands shackled against the background of a huge Israeli flag. These photos have then been disseminated, in a sort of medieval humiliation ritual. The national police chief has also announced a ban on solidarity protests with the Palestinian people in Gaza; rallies of this sort have been violently dispersed in Haifa, Jerusalem and Umm al-Fahm, among others. More than two dozen demonstrators against the war or for the release of prisoners and those kidnapped have been arrested for obstruction of public order across the country.

Freedom of political expression in Israel with regard to the Israeli-Arab conflict, especially with regard to Israeli policy toward Palestinians, has always been precarious, especially for the Palestinian citizens of Israel. Prime Minister Benjamin Netanyahu, in his earlier and current terms, has allowed and encouraged right-wing nationalist organizations to silence what remains of the Israeli left — mainly human rights groups, peace organizations and the Palestinian minority — and promote moves designed to harm them to the point of their near elimination. Such measures include passing legislation that imposes various sanctions on expressions designed to fight the occupation, such as calling for a boycott of settlement products, or to strengthen Palestinian identity, such as a commemoration of the nakba.

Several prominent nongovernmental organizations and civil rights groups have been denied access to public resources and spaces and sometimes even the right to speak to certain audiences, such as schools and the civil service. Worse still, these right-wing groups have begun a full-fledged effort to delegitimize government critics and activists by treating and speaking of them as traitors and even agents of foreign countries. They have also advanced campaigns aimed at delegitimizing the Palestinian minority's political leaders, branding them as supporters of terrorism and undermining their elected powers.

But even this grave process of constantly reducing the space for political discussion of the Israeli occupation and treatment of Palestinians and the authoritarian suppression of criticism and dissent did not prepare civil society for what has been happening since Oct. 7.

It shouldn't be surprising: In societies that contain widespread nationalistic tendencies, as is sadly the case in Israel, war and national tragedies create the perfect environment for witch hunts and the accelerated branding of critics and minorities as enemies from within. This is exactly what has been unfolding in Israel in the past three weeks.

Hamas atrocities, in which hundreds of Israelis were cruelly butchered and over 200 abducted, and the Israeli retaliatory assault that has already wiped out large residential areas in the Gaza Strip and killed thousands of people, eclipse the unprecedented repression of Israeli dissenting voices who criticize the way Israel is waging its war. Castigating legally and publicly those who provide context for the murderous Hamas attack or who simply express solidarity with Palestinian casualties puts a chill on speech.

I see it daily in requests for legal advice that I receive from weary activists and nongovernmental organizations afraid of posting content that, before Oct. 7, would have never been brought to legal review.

Such treatment by the authorities legitimizes and enhances the existing trend of inciting and targeting human rights defenders by extremists from right-wing groups. In the past three weeks, many individuals, including colleagues and friends of mine, have been targeted — harassed and threatened on social media because of their known political activism in the present or the past, some to the point that they've had to leave their homes. The worrisome peak of this alarming process was the scene of a raging mob railing against the Israeli journalist Israel Frey on Oct. 15, when dozens gathered around his house, cursed, shouted and shot firecrackers at his apartment windows as his spouse and children sheltered inside. Mr. Frey was forced to flee his home; he has since been in hiding at an undisclosed address. His sin: expressing sorrow not only for Israeli casualties but also for the deaths of children in Gaza.

None of this is an accident. The suppression of speech and targeting of critics of Israel's policy toward the conflict has always had a strategic goal. It is all clearly part of the grand plan that has been systematically peeling democratic values from the Israeli system of government in recent decades: the annexation of the occupied lands and the establishment of a full, official ethnonationalist Jewish regime between the Jordan River and the Mediterranean Sea.

Crushing dissent and eliminating the political force of Palestinian citizens of Israel are crucial conditions that must be met to achieve that goal. Tragically, proponents of this hellish future are now exploiting our collective trauma, grief and anger toward their own dystopian ends.

Michael Sfard is an Israeli human rights lawyer and the author of "The Wall and the Gate: Israel, Palestine and the Legal Battle for Human Rights."

The Times is committed to publishing a diversity of letters to the editor. We'd like to hear what you think about this or any of our articles. Here are some tips. And here's our email: letters@nytimes.com.

Follow The New York Times Opinion section on Facebook, Twitter (@NYTopinion) and Instagram.