

Israel: The End of Democracy?

by GWYNNE DYER

The protesters in Israel came out every week for seven months to fight what they saw as Prime Minister Binyamin Netanyahu's assault on democracy, but they lost. On Monday Netanyahu's coalition government passed a 'Basic Law' that effectively ends the ability of the Supreme Court to reject extreme and anti-democratic legislation.

The protests were by far the biggest Israel has ever seen – hundreds of thousands of people out on the streets regularly in a country of only ten million – and they included most of the people who make the country work. One Israeli journalist called them simply 'Israel's GDP'. But even more important were the people who were not there.

Informal polls by journalists at the demos repeatedly showed that only one in ten of the protesters self-identified as 'right-wing'. That's in a country where 62% of Jews see themselves as being on the right – and the younger they are, the more right-wing: 73% of eighteen to twenty-four-year-olds, compared to only 47% of Jews over sixty-five.

The protesters did not represent the majority of Israeli Jews. They certainly did not represent the fifth of Israeli citizens who are Palestinian Arabs, and see all this as a squabble between two factions of Jews who differ only in the degree of their hostility towards the Arabs.

The millions of Arabs in the West Bank who have lived under Israeli military occupation for the past 56 years really should care about the destruction of the Supreme Court's authority, as it was the only institution that restrained the Jewish settlers who have been grabbing their lands. But they are in despair and have no leverage anyway.

Netanyahu's coalition actually does have majority support among Israeli Jews, the only politically relevant group – but why has it adopted the most extreme goals of ethno-nationalist settlers and religious ultra-conservatives as its own policies? That is driven by the legal plight of 'Bibi' Netanyahu, Israel's longest-serving prime minister.

'Bibi' is a deal-maker, not a fanatic, but in 2019 he was indicted on charges of breach of trust, taking bribes, and fraud. He denied them all, but the evidence against him was strong – and shortly afterwards he was ousted as prime minister.

He was facing up to ten years in jail if found guilty, so he really wanted the prime ministership back, but he needed a different coalition to do that. His only remaining option was to include the most radical religious parties, normally excluded from mainstream Israeli coalitions.

Some are extremist settlers, now calling themselves Religious Zionists. Their leader Bezalel Smotrich, now Finance Minister, recently declared (in front of a map that showed Jordan as part of Israel) that the Palestinian people were 'an invention' from the last century and that people like himself and his grandparents were the 'real Palestinians'.

Religious Zionism's ultimate objective is to expel all Arabs from 'Judea and Samaria' (the West Bank) – and maybe even Arab citizens of Israel, whom Smotrich describes as citizens 'for now, at least.' The Supreme Court was the main obstacle to these goals, often (but not always) blocking new Jewish settlements in the occupied territories.

The two Haredi (ultra-Orthodox) parties in the coalition have different goals. They want to impose their religious rules and traditions on all the secular and Reform Jews in the country. They also want special rights like a lifetime exemption from army service for Haredi men, and state financial support for perpetual Torah students who choose not to work.

None of these goals would be seen as legal by the Supreme Court, so Netanyahu had to promise to 'reform' it in order to bring the Haredis and the Religious Zionists into his coalition.

The coalition's first target when Netanyahu took office last December was the 'reasonableness' rule, which gives the Supreme Court the power to disallow unjust or undemocratic laws. (Israel has no written constitution, so it relies on the Court to stop 'unreasonable' legislation.)

The immediate consequence was twenty-nine weeks of demonstrations against the 'reforms' but in the end slim majority in the Knesset (parliament) pushed the new law through. Further changes will follow after the summer recess, probably starting with a law permanently exempting ultra-Orthodox men from military service.

Other proposed laws would give the government control over the appointment of judges, widen the authority of the Rabbinical Courts, and prohibit criminal proceedings against sitting prime ministers. (That one's for you, Bibi!)

It's not the end of democracy in Israel ? the changes have at least the tacit support of a majority of Israeli Jews ? but it's the end of liberal democracy unless Netanyahu stumbles at the last hurdle. (He's having some health problems recently.) However, people who are not Arab, secular, female or gay should have no problems with it.