

Chapter 20

Israeli Domestic Politics

*“They say gold paint on the palace gates comes from the teeth of pensioners
They're so tired of shooting protest singers
That they hardly mention us”*

– Elvis Costello, *Tokyo Storm Warning*

Israel is often touted as ‘the only democracy in the Middle East’. This is both true and false, depending upon our domain of discourse. We have established that Israel is an ethno-/religious-state, constituting military rule over an apartheid state. Within this discriminatory legal system exists a pseudo-democratic state with the full participation in government and protection of rights limited to Israeli citizens.

In this chapter, we will examine the contemporary domestic politics of Israel, considering for expediency the Palestinians without Israeli citizenship as either resident aliens or the population of occupied, foreign territories, depending upon the various legal statuses defined under Israeli law. We want to examine Israel’s status as a democratic state within the terms defined by Israel itself. Limiting our scope to existing Israeli citizenry, Israel has a rich democratic tradition with a substantial degree of right to freedom of expression and political organization.

While there are certainly nuances to the various political philosophies held by individual Israelis and organized political interests, specifically in regards to Zionism and the fundamental nature and basis for the Israeli state, there are three broad categories of position: (1) Political Zionism (2) Religious Zionism (3) Anti-Zionism.

Political Zionism...

Religious Zionism...

Anti-Zionism...

In order to provide a view into the domestic political climate within Israel leading up to the Hamas-Israel War of 2023, we include the analysis of a Political Science graduate student from Georgia State University.

The State of Israeli Democracy- Backsliding and Backlash

By: <name withheld>

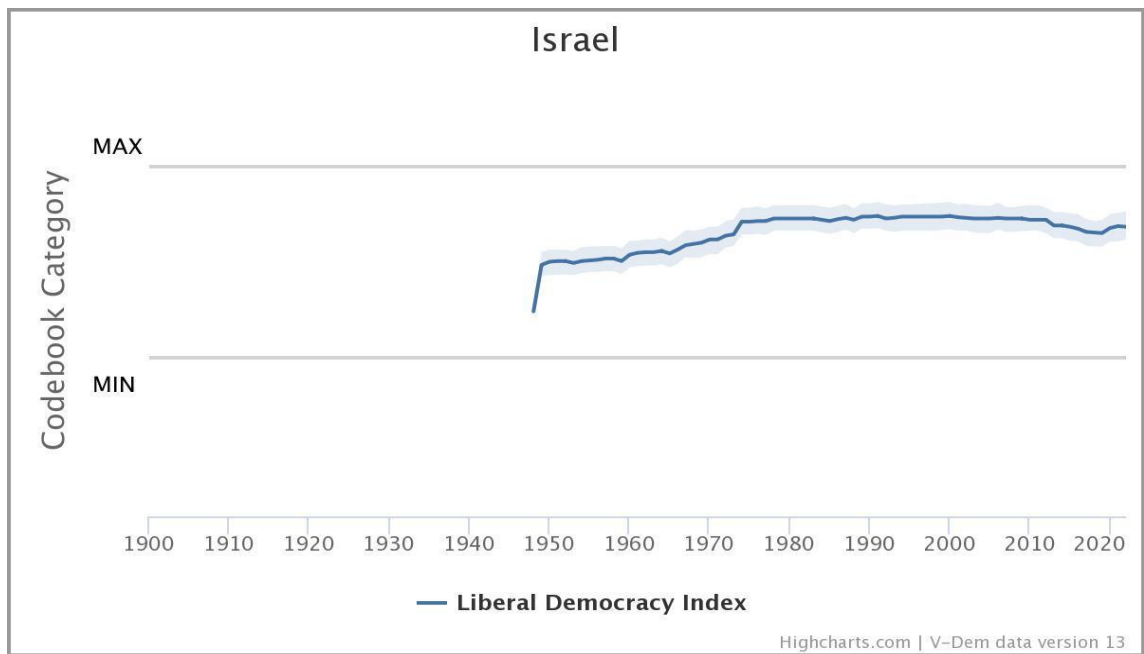
Introduction

Israel has long been championed as the “sole democracy in the Middle East” by the United States and its other Western supporters. This portrayal of Israel as a bastion of liberalism and tolerance in a region widely defined by its authoritarianism and illiberalism has been a cornerstone of the special relationship that Israel possesses with

Updated
12/15/2023

the United States and to a lesser extent other Western powers. While this framing is not without its detractors^{1 2 3} it is nonetheless one that has afforded Israel a certain amount of international legitimacy and clout. If one accepts this perspective, the series of protests and vigorous opposition against proposed judicial reform bills that have been rocking Israel for almost a full year before the war in Gaza must be particularly confusing. How could a nation that some believe to be deeply liberal face such intractable political problems? A good place to start when answering that question is to examine how democratic Israel's internal governance truly has been over its existence and what if any historical illiberalism has existed within its society.

Section 1: Democratic Tradition and Historical Illiberalism in Israel



As the data demonstrates Israel's democracy was not created in a day. Shortly after Israel's founding the country's liberal democratic rating began at a shockingly low level with a score of 0.3 in 1948⁴. For comparison, V-Dem gives Iran- a hybrid government which routinely limits the rights of citizens and has a weak civil society, a

1 Myeni, Thabi. "South Africa Calls for Israel to Be Declared an 'Apartheid State.'"

2 Shakir, Omar. "A Threshold Crossed."

3 Amnesty International "Israel's Apartheid against Palestinians: A Cruel System of Domination and a Crime against Humanity."

4 V-Dem Country Dataset

score of 0.14 in 2020⁵. Demonstrating that within a generation ago Israel was barely a liberal democracy. To its credit Israel's score grew rapidly over the years to eventually reach a rating of 0.69 in 2020, but it is worth noting that this still puts Israel below developed democracies in Europe, North America, and much of Latin America⁶. Telling this score was released before the judicial overhaul bills passed and is thus not reflective both of the consequences of the bills themselves or of what state Israel's democracy will be after years of unchecked legislative supremacy.

As Marx once famously said, "The tradition of all the dead generations weighs like a nightmare on the brain of the living" and nowhere is that more true than a country as young as Israel. To properly understand the forces driving the current backsliding process it is necessary to examine the illiberal actors who have played critical roles in its history. While a full examination is beyond the remits of this paper one topic is important enough that it must be noted, the assassination of Yitzhak Rabin former Prime Minister of Israel and the signer of the Oslo Accords. The latter of which is of particular importance. So critical was Rabin's role to the peace process that it has been long argued that his death fundamentally altered the trajectory of both Israel's politics and its policy in regards to Palestinians, as best said by Thomas Friedman of the New York Times: "In killing Mr. Rabin, Mr. Amir deprived the Labor Party of its only leader who embodied both a vision of reconciliation with the Palestinians and the hard-headed toughness to persuade a majority of Israelis to follow him"⁷. Indeed the chaos caused by the assassination directly led to the eventual electoral victory of a right-wing conservative politician by the name of Benjamin Netanyahu in May 1996⁸. The very same leader who a decade later would go on to attempt to implement the very same judicial reforms that would cause Israel to be rocked with protests. Thus it is not some incidental act or meaningless piece of historical trivia, Rabin's assassination is directly connected to the illiberal turn of Israeli politics.

To properly demonstrate that it behooves us to examine the radical right-wing actors involved with his death and the greater political issue of violence against Palestinians that drives their movement to this day. Netanyahu was perhaps

5 V-Dem Country Dataset

6 Our World in Data "Liberal Democracy Index"

7 Rabinovich, Itamar. "The Rabin Assassination as a Turning Point in Israel's History." pg 26

8 Rabinovich, Itamar. "The Rabin Assassination as a Turning Point in Israel's History." pg 28

unsurprisingly not just a passive beneficiary of the act, he was thoroughly connected to the build up to it. His minister of security Ben Gvir (himself a zealous Religious Zionist) was famously recorded stealing an emblem from Rabin's car as a young man and then saying on live television "We got to his car, and we'll get to him, too,"⁹. A rather unsubtle institution about what they planned for the chief liberal Zionist. Nor was this behavior limited just to Netanyahu's associates, preceding the assassination Netanyahu himself attended many right-wing rallies in Jerusalem where Rabin was demonized as a "traitor", "murderer", and "Nazi" for signing the Oslo Accords¹⁰. Most strikingly he later attended a protest in the city of Ra'anana where protesters held up a mock coffin¹¹. Short of openly calling for an assassination it's hard to see how the Israeli Right could have sign posted their desires less obviously.

It is therefore unsurprising that someone eventually answered the call and assassinated Rabin. The person in question was a radical Zionist by the name of Yigal Amir. A computer science major by training and a virulent nationalist by choice Amir was a reportedly gifted student at Bar-Ilan University at Ramat Gan who outside of classes would often spend his time vigorously protesting the Israeli withdrawal from the Gaza strip and West Bank, organizing as part of the rabidly anti-Arab Zionist group Kach ("Thus")¹². But he was no lunatic or maladjusted deviant, Amir was noted by those who knew him to be a socially healthy and charismatic individual with a flair for compelling rhetoric¹³. In short he was the very image of a stochastic terrorist, someone who contrary to pat stereotypes of deranged 'lone wolves' was not fundamentally driven by personal defect but by a specific ideology and worldview. Specifically that of radical Religious Zionism. The belief that Israel is backed by God and thus entitled to not just its current territory but to seize at minimum the Gaza strip and West Bank, if not further. Given the unambiguous role that it played one might think that this would lead to a period of national soul-searching as Israel examined the roles that radical Zionism played in its first assassination of a Prime Minister. Unfortunately it was not to be, when the Shamgar Commission was formed to investigate the assassination it had amongst its ranks a

⁹ Times of Israel "Michaeli: Rabin Was Assassinated with the Cooperation of Netanyahu"

¹⁰ Times of Israel "Michaeli: Rabin Was Assassinated with the Cooperation of Netanyahu"

¹¹ Times of Israel "Michaeli: Rabin Was Assassinated with the Cooperation of Netanyahu"

¹² Derfner, Larry. "Yigal Amir: Inside the Mind of a Killer. (Cover Story)."

¹³ Derfner, Larry. "Yigal Amir: Inside the Mind of a Killer. (Cover Story)."

‘moderate’ Religious Zionist and was officially instructed to investigate security failures instead of any incitement that may have occurred beforehand¹⁴. Demonstrating how committed Israel was to not examining the role that Religious Zionism played in the assassination and what it meant for peace. A decision that would have dire consequences in the long term.

Section 2: Israel’s Democratic Backsliding Timeline

Now that the stage has been set and an examination of Israel’s illiberal elements has been accomplished it behooves us to examine the controversy that so many Israelis considered worth protesting. On Wednesday January 4th the Justice Minister of Israel’s government announced unprecedented judicial reform that would drastically limit judicial power by preventing the High Court from ruling on legislature, extend the government control over judicial selection committee, and limit the power of government legal advisors¹⁵. Collectively the changes it brought would practically end the ability of the judiciary to check the power of the state and thus to its critics represented an existential threat to democracy. Unsurprisingly this led to the Israeli public immediately reacting against it with several groups protesting or announcing protests days after the announcement of the law¹⁶. Over the weeks and months the protests only intensified with events involving from tens of thousands to more than a hundred thousand participants¹⁷.

Unfortunately despite the fierce opposition to the bill the opposition movement ultimately failed to block its progress. At first there was reason for optimism as Netanyahu suspended the bill late in May and promised to reconsider its more controversial aspects¹⁸, suggesting that the pressure was being felt and the government was going to abandon its efforts. Regrettably that was not to be as the government re-launched its effort and successfully passed the first portion of the judicial reform legislature on July 24th, stripping the High Court of its ability to judge legislature¹⁹. While this did not represent the entirety of the proposed plan it was the first crucial step and arguably the most consequential piece of legislation. Crippling the ability of the High

¹⁴ Rabinovich, Itamar. “The Rabin Assassination as a Turning Point in Israel’s History.”

¹⁵ The Times of Israel “Justice Minister Unveils Plan to Shackle the High Court, Overhaul ...”

¹⁶ ICE “Thousands of Protesters against the Government in the Bhima Square: ‘This Is a Coup d’état.’”

¹⁷ Al Jazeera “Israeli Protests Reignite as Netanyahu Pushes New Justice Bill.”

¹⁸ Al Jazeera “Israeli Protests Reignite as Netanyahu Pushes New Justice Bill.”

¹⁹ Gold, Hadas, et al. “Israel Passed a Bill to Limit the Supreme Court’s Power. Here’s What Comes Next.”

Court to meaningfully check the legislature in practice would give any party that held a solid majority essentially unopposed ability to shape the country as they wished.

Section 3: Opposition to the Backsliding

Opposition to the judicial reform bill and its backsliding potential represented vast swathes of Israel's population and touched every corner of its society. In terms of popularity per data provided on February 3rd, 43% percent of Israelis described it as 'bad' for Israel's democracy, 31% described it as good, and roughly 26% did not have an opinion²⁰. With only 38% of the populace holding an optimistic view of the future of democratic rule in Israel²¹. Most concerning of all 31% of the public considered the possibility of a civil war likely and 28% thought security forces-protester violence was a likelihood²². Demonstrating that within Israeli society there was a deep and abiding division in regards to the backsliding.

Opposition to the bill wasn't popular amongst the average Israeli, opposition came from all strata of Israel's society. One striking example would be the specific conservative think tank that helped design the bill in the first place. Economists involved in the Kohelet Economic Forum stated that the potential harm to Israel's democracy caused by the bill could also have a deleterious impact on the country's economy²³, joining an existing pattern of economists and technologists warning of possibly disastrous economic consequences of such a move. Such as when several hundred tech workers protested in Tel Aviv, Jerusalem, and other Israeli cities²⁴. Nor was that just the spontaneous actions of impassioned employees, multiple companies explicitly informed their subordinates that if they protested they would be supported by their firms and at least one executive joined the protest²⁵. Tech industry activism wasn't just limited to the domain of protests, Wiz one of the largest Israeli tech companies withdrew tens of millions of dollars from Israel in response to the backsliding and Wix a similarly large company promised to "fight for what's right"²⁶. The significance of this opposition cannot be understated, the tech industry is a giant in Israel comprising around 15% of the

²⁰ Hermann, Prof. Tamar. "Overhauling the Judicial System – What Do Israelis Think?"

²¹ Hermann, Prof. Tamar. "Overhauling the Judicial System – What Do Israelis Think?"

²² Hermann, Prof. Tamar. "Overhauling the Judicial System – What Do Israelis Think?"

²³ The Times of Israel "Economist at Think Tank behind Overhaul Now Warns of Cost, Unlimited ..."

²⁴ Fuld, Shanna. "Israeli Hi-Tech Sector Opposes Judicial Reform."

²⁵ Fuld, Shanna. "Israeli Hi-Tech Sector Opposes Judicial Reform."

²⁶ Meaker, Morgan. "Israel's Tech Companies Are Fighting Netanyahu-or Leaving the Startup Nation."

annual GDP and providing 25% of the country's income tax²⁷. That they would come out so strongly against the backsliding is a powerful sign, the backing of industry does not make or break an attempted backsliding but it can prove critical. The position of powerful interest groups can make or break attempts to erode democracy, regardless if it is in the form of judicial neutering or an outright coup.

But it would be an unacceptable error to frame the opposition as a predominantly corporate affair, an equally important participant in the protests has been the other side of industry- that of organized labor. For some context Israel's rate of unionization lies at a relatively impressive 23% which despite significant efforts to expand their numbers by union leadership has remained stagnant for more than a decade²⁸. While an absolute minority in terms of the populace this ratio outweighs similar developed countries and provides unions with a strong base to theoretically oppose state efforts. An advantage the unions were happy to make us of, immediately after the bill was announced the head of the largest union federation Histadrut announced a general strike²⁹. Leading to strikes paralyzing crucial industries such as the main airport in Tel Aviv, the nation's public hospitals, and even going as far as to call embassy staff to join³⁰. Collectively it would not be inaccurate to say that Israel's organized labor played a significant role in fighting against the backsliding. Organized labor's unprecedented alignment with business leaders compellingly demonstrates how seriously vast swathes of Israeli society took the Judicial reform bill and shows how far they were willing to oppose it. Nor were they the only ones, two other critical segments of Israeli society also took anti-backsliding positions.

Critically another avenue of support was a significant number of soldiers within the IDF. In response to the bill thousands of reservists signed a letter stating that they would not show up for service if the changes were implemented and hundreds of service people rallied in Tel Aviv against the law³¹. Furthermore resistance was not restricted purely to performative acts, 161 air force personnel went further and outright refused to serve as a statement against the law³². This kind of naked violation of military discipline

²⁷ Fuld, Shanna. "Israeli Hi-Tech Sector Opposes Judicial Reform."

²⁸ Bsoul, Janan. "Israeli Workers Uniting in Masses? The Numbers Tell a Different Story."

²⁹ DW "Israel: Unions Launch Strikes in Protest of Judicial Reforms."

³⁰ DW "Israel: Unions Launch Strikes in Protest of Judicial Reforms."

³¹ Goldenberg, Tia. "Cracks Are Emerging in Israel's Military. Reservists Threaten Not to Serve If Government Plan Passes."

³² Goldenberg, Tia. "Cracks Are Emerging in Israel's Military. Reservists Threaten Not to Serve If Government Plan Passes."

is incredible for two reasons, firstly most militaries regardless of the context do not look kindly on such behavior and thus to have many hundreds openly supporting it is shocking. Secondly Israel's security position is rather atypical given the myriad of conventional and unconventional threats they face, it would take an extraordinary event for otherwise compliant troops to risk compromising that. Nor is the seriousness of the act purely a hypothetical, Israel's Army Chief Herzl Halevi outright stated that any reservist who fails to show up is threatening Israel's national security³³. A clear demonstration of the concerns that the Israeli military command had towards the protesting soldiers. Undeterred by the warnings more than 10,000 reservists protested, including highly specialized personnel such as members of the well-regarded Intelligence Unit 8200 and air force pilots³⁴. Collectively this opposition represented a significant component of Israel's security forces, a critical force of potential armed support for the protests. Underlying the risky waters that Netanyahu's regime was treading with its reforms.

Section 4: Backsliding supporters

Unfortunately the strong opposition to the democratic erosion that characterized the prior section is not the entire story. As is typical with such authoritarian movements there was a sizable component of Israeli society that did not see the judicial reform as a troubling move towards a power grab but rather as a form of *restoring* checks and balances to society against what they saw as an elitist judiciary that opposed Israel's purpose. This minority was comprised predominantly of right-wing conservative Israelis who were motivated by a combination of loyalty to Netanyahu, nationalist grievance against the Court's opposition to further colonization, and broad ultra-orthodox religious beliefs³⁵. They represent the growing right-wing tilt of the Israeli population as Netanyahu's coalition thrived in the chaos of four snap elections in a mere two years³⁶. In short they represent a right-wing backlash that is very familiar to anyone who has analyzed right-wing authoritarianism in Hungary, Poland, or the United States.

³³ Freedman, Eliyahu. "Israeli Military Reservists at Centre of Anti-Government Protests."

³⁴ Freedman, Eliyahu. "Israeli Military Reservists at Centre of Anti-Government Protests."

³⁵ Pleitgen, Frederik, and Nadeen Ebrahim. "Most Israelis Oppose the Court Overhaul. but a Minority Is Backing Netanyahu to the Hilt."

³⁶ Pleitgen, Frederik, and Nadeen Ebrahim. "Most Israelis Oppose the Court Overhaul. but a Minority Is Backing Netanyahu to the Hilt."

In this sense it would not be an exaggeration or hyperbolic to say that they are very much the modern iteration of the very religious Zionist forces that incited the assassination of Rabin more than a decade ago. The very same people that Israel's society never truly contended with in a systematic manner. Although numerically a minority Netanyahu's supporters were anything but toothless, in response to the protests an estimated 80,000 pro-reform supporters gathered in Jerusalem on April 27th to defend the reform with chants of "The elections will not be stolen from us"³⁷. Demonstrating the political strength that allowed Netanyahu to rule for twelve years and to ultimately succeed in passing his judicial reform.

Section 5: Conclusion

Examining the strength of the opposition and Netanyahu's government's own indecisive response to resistance with them pushing their reform, faltering in the face of opposition, and then finally limping past the finish line- one would be forgiven in thinking that the backsliding of Israel's democracy has been vigorously fought and is doomed to fail. A perspective that would appear vindicated given that after the devastating attack by Hamas Netanyahu did not receive any kind of traditional 'rally around the flag' bump and faces the dire situation of 76% of Israel's populace desiring his resignation as of a November 7th poll³⁸. But despite that massive weakness it is telling how quickly protests died out, with protester organizations shifting from opposing Netanyahu to aiding the victims of the attack³⁹. Combine that deliberate demobilization on the part of government opponents with the rise of extremely harsh national security laws that criminalize even looking at social media posts aligned with 'terrorism'⁴⁰ and it becomes hard to see how Netanyahu's government will be dislodged. Maybe after the war concludes opposition forces will rally and remove him from power and yet even if that occurs it is not clear that Netanyahu's coalition will go with him. A troubling fact given that they are just as responsible for the democratic erosion as he is. The future of political democracy in Israeli society remains murky and that is a fact that should concern anyone who values its status as the Middle East's 'only democratic state'.

³⁷ AP "Supporters of Israel's Judicial Overhaul Rally in Jerusalem."

³⁸ Frayer, Lauren. "After Hamas Attack, Most Israelis Want Netanyahu to Resign, According to Poll."

³⁹ Yang, John, et al. "How Israel's Judicial Reform Protesters Shifted Focus to Aiding Victims of Hamas."

⁴⁰ Adalah "Israeli Knesset Passes Draconian Amendment to the Counter-Terrorism Law Criminalizing."

Backsliding score: 4/4 (There is severe erosion of democratic institutions; it is unclear whether democracy will recover)

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