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زبانهای اروپایی

BY DANIEL FALCONE  
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## When Israel Has a ‘Demo but No Democracy’



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Benjamin Netanyahu began his sixth term as Israeli Prime Minister starting in December of 2022 and brought with him an uncompromising alliance of despots. His main target for nearly half a year has been an overhauling of the judiciary. The [Israeli Law Professors’ Forum for Democracy](#) reported that Netanyahu was leading a campaign to impose a constitutional crisis. Going as far back as 2019, [The Jerusalem Post](#) ran a, “Test of Reasonableness,” that pondered the ramifications of the Prime Minister in firing all of the government’s ministers. [The Israel Democracy Institute](#) cautioned the impact of turning legal advisors into partisan appointees at the expense of the public trust. In short, the judicial reform story has been categorized as a “[disaster](#),” across the [political spectrum](#).

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Hebrew language outlets warned that the actions would bring harm and serve as “a direct attack on women” and explained the “nightmare” it posed for the health system. Union leaders, activists, scientists, and journalists have joined in on calls to stop the overhaul. Netanyahu is someone interested in cultivating his own favorable legacy, but as Lawrence Davidson points out, “he wants to stay out of jail and, like most powerful people, he sees the world through the filter of his own needs and ambitions and he lives in a very customized world.”

### **The Question of Judicial Review**

University of Washington Political scientist Jamie Mayerfield recently posed a question: “What do the academic critics of judicial review think about the crisis in Israel? Do they support Netanyahu’s efforts to roll back judicial review? If not, why not? Middle East specialist Lawrence Davidson recently told me that, “I would think that most academics in the West would clearly see that Netanyahu’s coalition is a danger to the (strictly ethnic) democracy in place in Israel. “Most of them,” Davidson stated, “would then support the protest movement. However, most of these academics would take this position based on a rather naive understanding of Israel.”

“While Netanyahu might be pushing changes to the legal system to stay in power and out of jail, his coalition partners are very serious in their desire to transform Israel from a quasi-secular society to a much more orthodox religious one,” Davidson commented. “We are not talking here of any run of the mill dictatorship with Netanyahu at the apex. We are talking of an Israeli version of Iran! Changes to the legal system are a means to that end. It is this transformation that the protesters really fear. Thus, in Israel’s case, ethnic democracy has, from the beginning, served as a barrier to a theocratically oriented state. The barrier is now under attack,” said Davidson.

### **Mainstream Press Coverage**

According to the New York Times, “When President Biden bluntly warned Prime Minister Benjamin Netanyahu that he ‘cannot continue down this road’ of overhauling his country’s judiciary, he touched off the kind of response usually expressed by America’s adversaries rather than its allies.” Davidson elaborated on the significance of the public spat:

“The US gives ‘aid’ to an Israel that has been described for decades as ‘just like us.’ We created this myth and now we (Biden and other American Zionists) are stuck with it. The problem is that the Israeli rightwing doesn’t believe in or care about that myth. They don’t care what the rest of the world (be it gentile or diaspora Jewish) think. Like the “Blues

Brothers, they are on a ‘mission from God.’ Give yourself over to an ideology (and religions are a form of ideology) and the blinkers go on. No more curves on the road. Netanyahu might be in response to U.S. pressure, but his coalition partners will not be. That puts both Netanyahu and Biden in a dilemma.”

When it comes to finding historical analogs to the demonstrations and protests, they are difficult to find. “Keep in mind,” indicated Davidson, that “these are demonstrations for the maintenance of a strictly ethnic democracy. For instance, the Israeli Supreme Court, which is in the middle of this, is the same court that has allowed for Palestinian house demolitions, torture, the banning of Palestinian human rights organizations, and creeping settlement of the West Bank. These are demonstrations seeking to keep in place racially based special political privileges.”

Davidson commented on the Israeli air attacks “on targets in the Damascus area with loud explosions heard over the capital city,” recently reported by *Al Jazeera* and how these actions were pertinent considering the domestic political strife. “What it shows,” remarked Davidson “is that it is business as usual when it comes to the Arabs. It is one and the same with the rise of settler violence and army raids. Most of the demonstrators don’t know what goes on with the Arabs, including the Palestinians, except what they are told—told and taught from the day of their birth onward.”

As for American Jews being impacted by the reform measures, Davidson indicated that “the thinking of many American Jews have been influenced by the crisis in Israel.” He said, “whatever happens soon, the authority and influence of the ‘Israel right or wrong—we must support them’ U.S. rabbis and laity will be reduced. Just too many contradictions: Israel can’t be both a pseudo-democracy and a genuine theocracy at the same time. If Netanyahu’s coalition survives, then only the Jews ensnared in religious orthodoxy will support Israel. If it fails, we will go back to the old myth that Israel is a democracy, ‘just like we are.’”

## **Conclusion**

Historian Paul Buhle recently shared a noteworthy firsthand on the ground account regarding the protests and wrote: “What has temporarily stopped the coalition’s onslaught is, first and foremost, the hundreds of thousands of people who took to the streets of Tel Aviv, Jerusalem, Haifa, Be’er Sheva, and dozens of other localities for the past three months. Without their confrontations and insistence on disrupting the daily routine, the protest would not have garnered the local and international momentum it now has. Now, a new demand, however hazy, has begun to emerge from the protests that is even more

ambitious than merely canceling the overhaul or ousting the government: the demand for a ‘constitution and equality.’” These perspectives are important, similarly to the recent reporting conducted by *Democracy Now!*: “We all have to fight for our rights because of the plans of Benjamin Netanyahu that want to turn this nation into a dictatorship. What we are doing here tonight is protesting the government, wants to get all the power to itself and take all the rights from our citizens.”

Indiana University Professor of English Benjamin Balthaser recently wrote, “A Constitutional Crisis in Israel – Or a Colonial One?” In the piece he explains:

“After months of constitutional crisis in Israel, it is rarely commented upon that Israel has no constitution. Indeed, it is one of the many ironies of the now month’s long spectacular protests over the far-right’s “judicial coup:” for most Israel’s now nearly eight decades, it has been very unclear what the courts are exactly designed to do, and especially, whose rights they are protecting. In some ways, this confusion over the role of the court is exactly why the protests have garnered such hope, and such despair among supporters of human rights in Israel and Palestine. Peter Beinart, liberal Zionist turned critic of Israeli apartheid recently wrote in the *New York Times* that the movement to save judicial independence from the far-right is ‘not for Palestinians....It’s a movement to save liberal democracy for Jews.’ Palestinians under occupation in the West Bank or under siege in Gaza are neither citizens of Israel nor can they vote for a representative government. It would be difficult to imagine what is at stake for Palestinians in a government designed to not include them in its conception of democracy.”

Firsthand accounts and the Israeli sentiments included in reports offered by *Democracy Now!* are constructive and hopeful but one vital element is still obviously missing as both Davidson and Balthaser emphasize: solidarity with Palestinians. If we are to understand these protests and demonstrations as not just more political infighting among the ruling class and bourgeois society, that is a good first step. And not only about elite politicians and advocates of ethnic democracy, but also about the politics of workers, women, peace advocates, hopes for bridging more popular understandings of cross-class and cross-cultural issues can help the region further develop democratically.

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