

Israel protests: The upheaval over Netanyahu's judicial reform bill has brought the country to the edge

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For a full day, Israel was on the edge and Netanyahu had to suspend the reform bill till this summer. There is supposed to be a dialogue and debate over the contentious bill until then. (AP)

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Israel has been seeing an intense and **large-scale people's resistance** for the last three months over the **issue of how independent the judiciary should remain in a democracy**. Lakhs of Israelis have been protesting against the Netanyahu government every week in Tel Aviv, Jerusalem and in over a hundred other cities. Israel is a small country with just nine million (90 lakh) people – yet, it is experiencing one of the most well-sustained and peacefully-organised protests in the name of democracy in recent memory. The issue of judicial reform concerns not only the political class but also much broader sections of society. Independent women's organisations, academicians and universities, lawyers, doctors, industrialists, and entrepreneurs, tech companies, intelligence and national security heads, soldiers and high-ranking officials of the Israeli army have all taken part in debating whether Israel's democracy is threatened by legal excesses or political intrusions into the judicial system. This debate is relevant to India, too.

Israel Prime Minister Benjamin Netanyahu formed the government with a clear majority in December last year and in the very first month of the new administration, Deputy Prime Minister and Minister of Justice, Yariv Levin, introduced a judicial reform bill in parliament. The bill proposed to balance the power between the executive and judiciary so that the democratically-elected government is not constrained by the courts. People's will would be expressed through the elected legislature and courts would not intervene in law-making by striking down laws passed by the legislature. The most contentious element of the reform would overhaul the selection committee which appoints judges — the existing system has a nine-member committee made up of judges, ministers, and members of the bar association. Netanyahu's legal team proposed a new committee, that would give more powers to the government in selecting the judges. The key thrust of the reform is that judges shall not appoint judges.

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Keeping in mind the inevitable political as well as legal resistance to the proposed bill, the government chose “shock and awe” — a military strategy with no room for moderation, debate or discussion — and moved it in the legislature with breakneck speed. Netanyahu had a very strong base and the government was confident that it could do a historical realignment of the wheels of state, restructuring the political system, as Israel marks its 75th anniversary this year.

The major bill regarding the appointment of judges was to pass on March 27. Netanyahu had weathered the protests for over three months while his traditional allies in the Israeli security establishment and industries and even staunch supporters in the US asked for negotiation with the opposition. The tipping point was when he fired his defence minister, Yoav Gallant, who had called for an immediate halt to the judicial bill in a national address. Netanyahu was seen by many as risking national security and Gallant emerged as a national hero. What followed was an unprecedented and spontaneous protest in support of the former defence minister and a nationwide strike by the national labour union (Histadrut), which shut down Israel's only international airport within hours.

For a full day, Israel was on the edge and Netanyahu had to suspend the reform bill till this summer. There is supposed to be a dialogue and debate over the contentious bill until then. The opposition parties have agreed to talk, while the protesting groups will continue with the weekly public protests since the bill has not been nixed, merely suspended for some time. Israelis are about to celebrate Pesach (Passover) and Independence Day in April. The chags (celebrations) this time will see lavish Mediterranean food coupled with more protests, songs of resistance and civil society mobilisation. There is a much bigger worry for many in the country beyond the fate of judicial reforms — the political and socio-cultural divide among the Jews of Israel: Religious and secular Jews or conservative and reform-minded communities have grown too far apart — some days ago, President Isaac Herzog said that the “abyss” of civil war was “within touching distance”.

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The last three months of internal upheaval have brought Israel to a diplomatic standstill. Its relations with the US are under tremendous stress due to failing democratic values and irresponsible unilateral policies with regard to the Palestinians. Friendly Arab states like Jordan, Egypt and the UAE have been concerned about the escalation of violence in the Palestinian territories, combined with some excessive statements by ministers in the Netanyahu government against Palestinians. Israel is not going to be in a position to attend to any of these pressing foreign policy matters, if its house is not in order.

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