

Netanyahu's "Jewish nation" bill enshrines an apartheid-style constitution

By Jean Shaoul
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The agreement by Israeli Prime Minister Binyamin Netanyahu's cabinet to present a Jewish nation-state bill to the Knesset at the beginning of December has provoked a major political crisis.

The bill seeks to anchor Israel's definition as an explicitly Jewish state in the country's Basic Laws. While civil rights are theoretically still to be accorded to everyone, "according to the law", communal or national rights will only be extended to Jewish Israelis. It, in effect, ends the state's formal commitment to democracy and equality, rendering non-Jews—the Palestinians, Druze and Bedouin, as well as the 300,000 Russian immigrants who are not Jewish according to rabbinical law, and who together account for more than 1.5 million, or nearly 20 percent of Israel's 8.2 million population—second class citizens.

The bill calls on the judiciary to utilize Jewish law, meaning rabbinical law, "as a source of inspiration", and enshrines the national anthem, Jewish holy days and the right of every Jew to immigrate to Israel in the Basic Laws.

The Zionist state is now preparing to adopt the institutional arrangements for an apartheid system to ensure Jewish supremacy under conditions where Israel, East Jerusalem, the West Bank and Syria's Golan Heights will soon together have a Palestinian majority. The move follows inexorably from the establishment of the Zionist state as a "safe haven" for the Jews via the dispossession of the Palestinians and the commitment of successive governments to an expansionist policy.

Netanyahu claimed that the law was necessary because "There are many who are challenging the notion of Israel as a Jewish homeland. The Palestinians refuse to recognise this and there is also opposition from within. ..." Whereas all would have equal civil rights, he said that, "There are national rights only for the Jewish people—a flag, anthem, the right of every Jew to immigrate to Israel

and other national symbols."

The proposals also discriminate in favour of Jewish heritage and history, stating, "The state will work to preserve the heritage and the cultural and historical tradition of the Jewish people and to instil and cultivate it in Israel and the Diaspora."

The cabinet agreed by a majority of 14 to six to back several private member's bills going through the Knesset, provided that the final version of the laws is in accordance with Netanyahu's 14 requirements—which are a slightly less extreme form of the other bills. Those bills demote Arabic from its already weakened status as an official language and include a commitment to the construction of new Jewish communities, without requiring similar construction for the Palestinian Israelis.

The proposals prompted a furious debate, whose noisy exchanges could be heard outside the cabinet meeting room. But none of the ministers, including Justice Minister Tzipi Livni from the Tenua Party and Finance Minister Yair Lapid from the Yesh Atid party, opposed the bill as a matter of principle. Lapid called the proposed change a "bad law, which is badly worded".

Their main concern was to reach some agreement on voting against the measure in the Knesset and remaining in Netanyahu's coalition.

Attorney General Yehuda Weinstein claimed that Netanyahu's proposals maintain the principle of equality, but opposed the bill because it was essentially a constitutional amendment that should be introduced by government, not by a private member.

Palestinians, both within Israel and the occupied territories, denounced the bill as racist, crowning the raft of discriminatory legislation passed over the last decade and currently under discussion.

The government has just reinstated house demolitions as a punitive measure and is proposing to strip Palestinian attackers of their residency rights in occupied East

Jerusalem. Netanyahu said, “It cannot be that those who harm Israel, those who call for the destruction of the state of Israel, will enjoy rights like social security.”

Others have opposed the bill, fearing it would further isolate Israel internationally. Labour Party leader Isaac Herzog called it “an unnecessary, reactionary provocation”, while Israel’s President Reuven Rivlin, a right winger and member of Netanyahu’s Likud Party, argued that it was unnecessary and gave ammunition to Israel’s critics internationally.

They voiced their concerns after opposition was expressed by the United States. On Monday, a US State Department spokesman said that it expected Israel to “continue [its] commitment to democratic principles”. He added, “The United States position, which is unchanged, has been clear for years—and the president and the secretary [of state] have also reiterated it—is that Israel is a Jewish and democratic state in which all citizens should enjoy equal rights.”

Washington’s concern is that the bill reveals that Israel has already created much of the constitutional and legal framework for an apartheid state. The physical separation of the two communities is assured by the Security Wall between the Occupied West Bank and Israel, and the military control of Area C in the West Bank, by far the largest area that is home to the Israeli settlements. Now the new arrangements set the scene for far greater discrimination than that already endured by the Palestinian population within Israel itself.

In addition, it jettisons any pretence of reaching an agreement with Palestinian Authority President Mahmoud Abbas—for whom the recognition of Israel as an explicitly Jewish state is a step too far. Any Palestinian state based on this definition of Israel is publicly revealed for what it always was—the equivalent of a South African Bantustan.

The pretence that an agreement on some Palestinian statelet is possible at some future date is the necessary fig leaf to cover the Arab leaders’ support for the US’s predatory wars to control the region’s rich energy resources. As such, the Jewish-nation bill threatens to fuel not only an uprising in Israel/Palestine that is already well developed, but also an international protest movement that would cut across Washington’s plans for military action in Iraq and Syria.

The US intervention has led to a delay in the bill’s ratification, with both of Netanyahu’s right wing partner coalition partners, Israel is Our Home and the Jewish Home Party, calling for a postponement of the Knesset vote.

Nevertheless, the bill, amid heightened tensions in East Jerusalem and the West Bank, gives the green light to the ultra-nationalists to mount further provocations. Religious zealots have sought increased access to the Al Aqsa mosque compound, with provocative marches by prominent Israeli politicians escorted by armed guards, reminiscent of Ariel Sharon’s visit that sparked the second Intifada in October 2000. There are also moves from the security establishment to ban Palestinian guards stationed on the compound, which is subject to Jordan’s control under Israel’s 1994 treaty with Jordan, to block entry by Jews.

Netanyahu is promoting the bill in large measure as a means of shoring up his support among the most rabid nationalist layers. His shaky coalition, which faces crises on the economic and political fronts, is on the point of collapse, presaging an early general election after just two years. Netanyahu represents an isolated and demoralised ruling class that has lost its head and has no answer to the crisis it confronts except increased authoritarianism, brutality and war.

Notwithstanding the nationalist propaganda—that the Zionist state represents all those of the Jewish faith—Israel is a capitalist society, divided by class and beset with massive social antagonisms, serving to preserve the rule of a handful of billionaires and their venal politicians. The turn to measures associated with both apartheid South Africa and Nazi Germany will only deepen the revulsion and hostility toward Zionism throughout the Middle East, around the world, and among Jewish workers and youth in Israel itself—in the process discrediting Israel’s backers, the US and European imperialist powers.

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