

Democracy in Retreat?

“The present threat to democracy is the product of 16 consecutive years of decline in global freedom. A total of 60 countries suffered declines over the past year, while only 25 improved. As of today, some 38 percent of the global population live in Not Free countries, the highest proportion since 1997. Only about 20 percent now live in Free countries.”

‘Freedom in the World 2022’, Freedom House



Barack Obama

'Nelson Mandela Annual Lecture'

Johannesburg, 17.07.2018

“A politics of **fear** and **resentment** and **retrenchment** began to appear, and that kind of politics is now on the move...I am not being alarmist, I am simply stating the facts...Strongman politics are ascendent suddenly, whereby elections and **some pretense of democracy are maintained** – the form of it – but those in power seek to **undermine every institution or norm that gives democracy meaning.**”



ILLIBERAL DEMOCRACY



- A political system where democratic procedures and institutions are used to maintain authoritarian power.
- A form of government characterized by the erosion of individual rights, civil liberties, free press, rule of law, institutional checks and balances while still holding democratic elections.



Martin Wolf,
'Illiberal
Democracy
Comes to Israel',
Financial Times,
22.03.2023

Liberal democracy has four individually necessary and collectively sufficient elements:

1. Free and fair elections
2. Active participation in civic life of the citizenry
3. Protection of the civil and human rights of all citizens
4. Rule of law that binds and protects all citizens, including the most powerful.

Those who have won elections are not entitled to threaten any of those essential elements of liberal democracy. **If they seek to create such a state, they are subverting democracy.** Democracy then is a system of majority rule, constrained by institutional checks and balances. **Of those constraints, none is more important than the rule of law.**

Viktor Orbán

Hungarian PM, 2014

“...the Hungarian nation is not simply a group of individuals but a community that must be organised, reinforced and in fact constructed. And so, in this sense, **the new state that we are constructing in Hungary is an illiberal state, a non-liberal state.** It does not reject the fundamental principles of liberalism such as freedom, and I could list a few more, but it does not make this ideology the central element of state organisation, but instead includes **a different, special, national approach.**”



“I have formulated **five tenets** for the project of building up Central Europe. The **first** is that every European country has the right to defend its Christian culture, and the right to reject the ideology of multiculturalism. Our **second** tenet is that every country has the right to defend the traditional family model and is entitled to assert that every child has the right to a mother and a father. The **third** Central European tenet is that every Central European country has the right to defend the nationally strategic economic sectors and markets which are of crucial importance to it. The **fourth** tenet is that every country has the right to defend its borders, and it has the right to reject immigration. And the **fifth** tenet is that every European country has the right to insist on the principle of one nation, one vote on the most important issues, and that this right must not be denied in the European Union. “



Viktor Orbán
2018

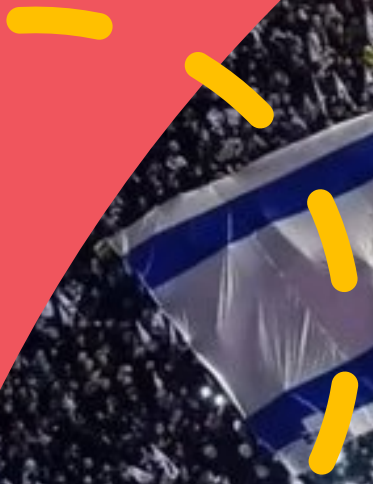


DEMOCRACY

29 iii 23 Peter Brooks



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Israel and the Palestinian Territories Travel Advice

- Do not travel
- Reconsider your need to travel
- Exercise a high degree of caution
- Administrative boundary
- International boundary
- Disputed boundary
- Overlay limit
- Administrative Centre
- Border_Crossings



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Israel: 9.364 million (2021)

73.6% Jewish, 18.1% Muslim, 1.9% Christian, and 1.6% Druze.

West Bank: 2,949,246 (est., July 2021) Note: over **670,000** Jewish settlers live in the West Bank (2022); approximately **227,100** Jewish settlers live in East Jerusalem (2019)

Palestinian Arabs: 2.16 million Arabs live in the West Bank, **1.84 million** Arabs live in Israel, and **1.79 million** Arabs live in the **Gaza Strip.**



Israel Govt - 29 Dec 2022

64-56 Knesset (Parliament) majority

- Likud (nationalist right, 32 MPs) **Benjamin Netanyahu**
- Shas (Sephardi ultra-orthodox, 11 MPs) **Arie Deri**
- Religious Zionism (far-right, ultra-nationalist, Jewish supremacist, 7 MPs) **Bezalel Smotrich**
- United Torah Judaism (Ashkenazi ultra-orthodox, 7 MPs) **Yitzhak Goldknopf**
- Otzma Yehudit (nationalist far-right, anti-Arab, 6 MPs) – **Itamar Ben-Gvir**
- Noam (far-right, ultra-religious, against LGBT, 1 MP) – **Avi Maoz**



Benjamin Netanyahu

Interview with Piers Morgan, 27.03.2023

“There’s a lot of tension right now and I wish it wasn’t so, but I’m quite confident that we’ll get over this difficulty, because you must reform things that get ossified. Right now, you have a situation where 15 unelected members of the supreme court effectively govern Israel. They can decide things that affect our military, our economy, our foreign relations, our battle with terrorism, is that right? Is that democratic? No, it’s not democratic. You want to correct it. Israel is democratic in the sense of you vote for a government but when you vote for a government you want that government to govern. Right now the powers of that government to govern are severely restricted by a supreme court that has more powers than in any other democracy on Earth. You don’t say that those other democracies are somehow tainted, somehow not democratic because they have a better balance of power.”



Itamar Ben-Gvir Minister of National Security

- Perhaps the most extremist politician in the Knesset
- Repeatedly convicted of inciting hatred, particularly against Palestinians, including those who hold Israeli citizenship.
- Follower of Rabbi Meir Kahane (1932-1990).
- Reveres Baruch Goldstein - killed 29 Palestinians in 1994 in Hebron
- Campaigns for the annexation of the West Bank
- Wants to expel “disloyal” Israeli Arab citizens



Bezalel Smotrich

Finance Minister

“There is no such thing as Palestinians because there is no such thing as a Palestinian people,”

“Do you know who are the Palestinians? I’m Palestinian,”

“Is there a Palestinian history or culture? No. There were Arabs in the Middle East who arrived in the land of Israel at the same time as the Jewish immigration and the beginning of Zionism. After 2,000 years of exile, the people of Israel were returning home, and there are Arabs around us who do not like it,”

"So what do they do? They invent a fictitious people in the land of Israel and claim fictitious rights in the land of Israel just to fight the Zionist movement,”

“This is the historical truth. This is the biblical truth. The Arabs in the land of Israel need to hear this truth. This truth should be heard here in the Elysée Palace,”



Rabbi Yitzhak Goldknopf

Minister of Construction and Housing



- **Math and English 'Never Advanced Israel'**
- **Bar energy generation on Shabbat**
- **More gender-segregated beaches**
- **More religious studies in secular schools**

Judicial Reforms or Coup d'état?

There are three main parts of the government's judicial reform plan: the override clause, removing the "reasonability test," and changes to how judges are appointed.

OVERRIDE CLAUSE: significantly limit the Court's power of judicial review. Currently, the Supreme Court can strike down any law it finds to be unconstitutional. Contentious because Israel does not have a constitution but instead has semi-constitutional Basic Laws. With the reforms, the Knesset would be able to override the Supreme Court's decisions with a simple majority of 61 votes out of the 120-seat Knesset.

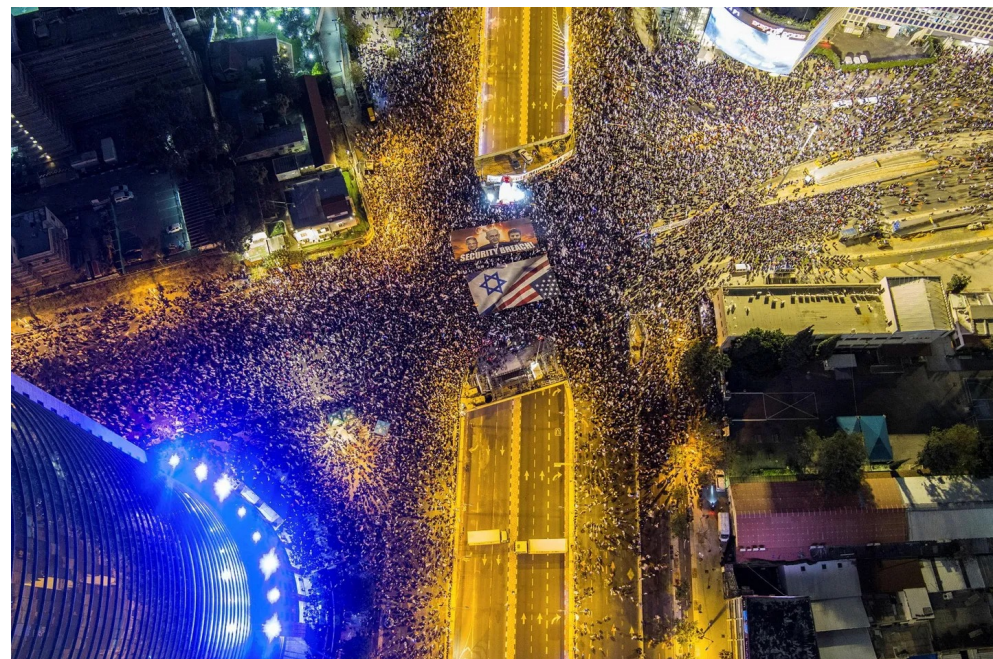
REASONABILITY: Supreme Court would no longer have the ability to make decisions on the grounds of "reasonability." The court just used this in January when it ruled that the appointment of **Aryeh Deri** as a government minister was "highly unreasonable" due to his past criminal convictions.

APPOINTMENT OF JUDGES: Government would have effective control over appointing judges. Currently, judges are chosen by a committee of nine members, including three Supreme Court judges, two Israel Bar Association representatives, and four ministers and Knesset members. The two Bar Association representatives would be replaced by two "public representatives" chosen by the justice minister. This would give the sitting government a majority of the votes for selecting judges.



Israel on the road to an “illiberal” democracy?

- ❖ Restraints on majority rule compromised
- ❖ Rule of law undermined
- ❖ Racist tendencies “normalised”
- ❖ Homophobic policies on the agenda
- ❖ Theocratic pressures
- ❖ Misogynistic decisions
- ❖ Nationalist policies hardened



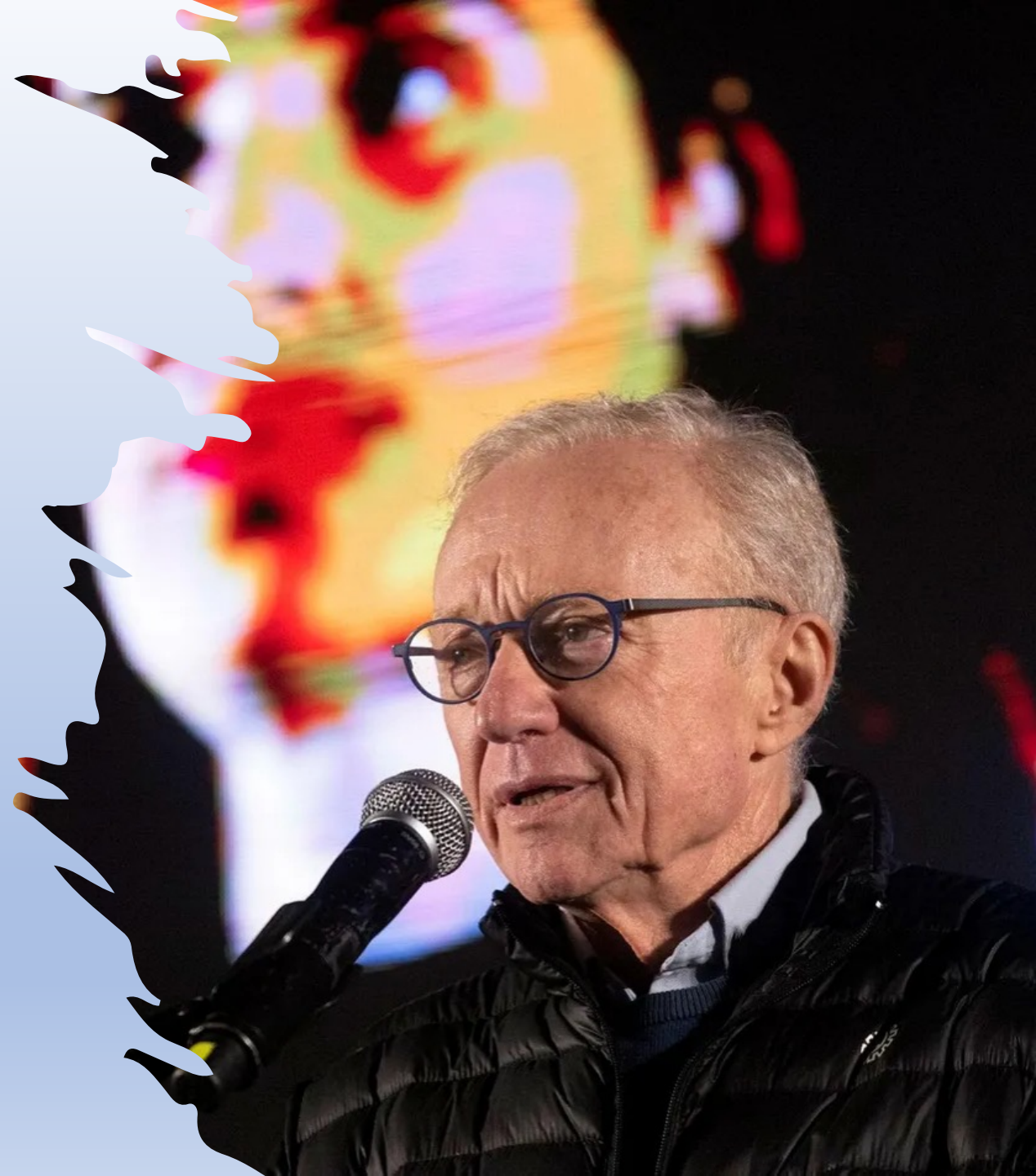
Haaretz | Israel News

Israel Protest | Hundreds of Thousands Take to the Streets, Vow Netanyahu's 'Pause' Won't Quell Anti-judicial Coup Protests

Israelis rally for 13th week, rejecting Netanyahu's claim that he wants to negotiate a real compromise, with speakers including author David Grossman, and former heads of the Shin Bet and Military Intelligence

David Grossman: 55-year occupation of Palestinians 'worst injustice of all'

- "Why is this night different from all other nights?"
- "We are different. We, the protesters, the people in this movement. ... We ourselves did not realize the enormity of the love that was hidden within us for the life we have managed to create here, in Israel."
- "From protest to protest, the feeling grows that those behind the coup have made the mistake of their lives."
- **"Life in Israel consists of many injustices and errors, but the worst of all is the suppression of an unbearable fact: that we are a nation that has been occupying another people for 55 years."**



Young members of Mesarvot, a group of those **refusing to be drafted** into regular military service, burned their conscription orders at an anti-government demonstration in Tel Aviv in what the group says is **in protest of the occupation and apartheid policies.**



Tel Aviv right-wing rally for Judicial Overhaul

- ❖ Democracy at the ballots
- ❖ The High Court is screwing us all
- ❖ They're stealing the election
- ❖ I'm a second-class citizen
- ❖ Reform now
- ❖ The people demand judicial reform



Yuval Noah Harari

- What makes a governance democratic?
- What constitutes undemocratic governance?
- What do we mean by checks and balances?
- Why are Israel's High Court's power and independence important?
- What is the difference between a judicial reform and a judicial coup?
- What is a judicial coup from below? How can it be opposed?
- What is a judicial coup from above? How can it be opposed?
- How do we know when an attempted judicial coup from above has been thwarted?



Netanyahu's Next Power Grab Is Coming. Here's How to Prepare

The coalition's attempt to dismantle Israeli democracy has been halted temporarily by an unprecedented show of public opposition. But it will try again, and we must be ready for the worst-case scenario

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Yuval Noah Harari

Why Israeli democracy survived for 75 years?

How to stop the judicial coup

Supreme Court & public disobedience, including army reservists

Is democracy the tyranny of the majority?

If 51% of voters want to shut down all independent media, is that democratic?

If 51% of voters want to take away voting rights from the other 49%, should they be allowed to do so?

If 51%, or even 99%, of voters, want to send the remaining 1% to concentration camps for extermination, is that democratic?

Establishing a new contract

When we talk about “the people” – does this mean only the majority, or also include minorities?

What things should the majority never be allowed to do to minorities?

Can the majority interfere with human rights and civil rights?