



ISRAEL THE POLITICAL SYSTEM

Cover photo: The flag of Israel: Two blue stripes and the Star of David on a pure white background. Its design was inspired by the Tallit, the Jewish prayer shawl.

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SRAEUS DEMOURABLE TRADITION

Israel was born a democracy.

The Declaration of the Establishment of the State of Israel, signed on 14 May 1948 by members of the National Council representing the Jewish community in the country and the Zionist movement abroad, constitutes the nation's credo: the historical imperatives of Israel's rebirth at that point in time; the framework of a democratic Jewish state built on liberty, justice, and peace, as envisaged by the Prophets of Israel; and the call for good neighbourly relations with the surrounding Arab states, for the benefit of the entire region.

DECLARATION OF THE ESTABLISHMENT OF THE STATE OF ISRAEL

ERETZ-ISRAEL (the Land of Israel) was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped. Here they first attained to statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

...Jews strove in every successive generation to re-establish themselves in their ancient homeland...they made deserts bloom, revived the Hebrew language, built villages and towns, and created a thriving community, controlling its own economy and culture, loving peace but knowing how to defend itself....

THE STATE OF ISRAEL... will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations.

WE EXTEND our hand to all neighbouring states and their peoples in an offer of peace and good neighborliness, and appeal to them to establish bonds of cooperation and mutual help with the sovereign Jewish people settled in its own land. The State of Israel is prepared to do its share in a common effort for the advancement of the entire Middle East....

בארט"ישראל קם העם היהודי, בה עוצבה דפותו הרוועית הדתית וחמדינית, בה חי חיי קומפיות מעלבתית, בה יצר נבסי תרבות לאומיים ובלל אנושיים והוריש לעולם כולו את ספר חספרים תנצתו לאותר שהוגלת העם סארצו בכוח הזרוע שמר לה אמונים בכל ארצור כ פוזריו, ולא הדל סתפלה ומתקוה לשוב לארצו ולחדש בתוכה את היחדון מתוך קשר היסטורי וססורתי זה תחרו היוודים בכל דור לשוב ולהארדו בסולדתם העתיקה, ובדורות האורונים שבו לאיצם בהפונים והלוציכב בחולדתם העתחקת ובדורות האחותים שבו כאראם בהפוסט וחכותי סעמילים נעינים הפויחו נשמות, ההף שפתם העברית, בנו בפיים וערים הספו ישוב גדל וחולך השליע על משקו ותרבותו, שוחר שלנום וסגן על ספמי, סבא ברכת הקידמה לכל תושבי הארץ ונושא נסשו לשמסאוד – כ סמבתית. בשנת תרניו (1897) נתכנס הקונגרס הציוני לקול קריאתו של חוגה ריזהן המדינה חיהודיות תשודור הרצל והבריז על זכודו העם חידותיו לרוקומה הכות זו חוברה בהאחרת כלפור מיום ב בנובטבר וופן מושרה במדט מושם
וחבר תלאומים, אשר נתן במיוחד חוקף בין לאומי לקשר התסטורי שבון חפ
ויחודי לבין ארץ ישראל ולוכוד העם ויחודי לחקים מחדש את ביום הלאשו
השואה שטחותלה על עם ישראל בזמן האחרון בה הוברעו לטבח מילחנים
ייחודים באירופת הוכיחה מחדש בעליל את החברת בשתיון בעת העם היחוד
מחומי המולדת והעצמאות על ידי חידוש המישה היחודית בארץ ישראל
אשר תפתה כדווחה את שערי המולדת לכל יחודי והעניק לעבו היחודי מעמד של אומה שוותובחות בתוך משפחת חעמים. שארית הפליטה שניצלה מהטבת המאני האיום באירופה ויהודי איצור כ אחרות לא הדלו להעפיל לארטיישראל על אף כל קושי מניעה וסכנה ולא פסקו לתבוע את זכותם לחוי כבוד. חירות ועטליישרים במולדת עמם. בסלחמת חעולם חשמת תרם חישוב חעברי בארן את מלחג חלקו למאבק האומות חשותרות חירות ושלום נגד כיוחות חרשע תגאני, ובדיבו חייליו ובמאמצו המלחמתי קנה לו את הזכות להמנות עם חעמים מייטדי ברות ב־22 בנובסבר 1941 קיבלה עצרת האומות הנאוחדות החלטת המחייבת הקמת מדינה יהודית בארץ־ישראל, העצרת הבעה מארית הושבי ארץ־ישראל לאחוז בעצמם בכל הצערים הנודישים מצדם הכבן לביצוע החולטה הכרה זו של האומות המאוחדות בזכות העם היהודי בחקים את מדימת אינה ניתנת להפקעה. חחי ובותו הטבעית של העם היהודי להיות ככל עם ועם עומד ברשודל שעמו במדינתו הריבונית לפיכך נתכנסגו אנו חברי מועצת העם, נציגי הישוב העברי והתנועה הציונית, ביום סיום המגדט הבריטי על ארץ־ישראל ובתוקף זכותנו הטבעית וההיסטורית ועל יסוד החלטו עצרת האומות המאוחדות אנו מבריזים בזאת על הקמד כ מדינה יהודית בארץ ישראל, היא מדינת ישראל. אנו קובעים שהחל מרגע סוום המנדע, הכילה, אור ליום שבר כו אייר השה 1.5 במא 1946 ועד להקמה השלטונות הנבחרים והסדירים של הפדיעה בחומב להוקה שתיקבע עד ידי ואספה תסבונות תובחרת לא אוחר מז באוקטובר 1946 - תשעל מועצת העם כמועצת מדים זומנית, ומוסד הביצוע שלה, מהכולד העם, יהווה את, הממשלה הזמנית של הפדיעה היחודית, אשר תוקרא בשם ושרא ל. מדינת ישראל תהא פתוחה לעליה יחודית ולקיבוץ גלויור -,
תשקוד על פיתוח הארץ לפובת כל תושביה, תהא מישוסים על
יסודות החיידה, הצדק הישלום לאור חזוכם של נדאי ישראל, הקיים
שויון ובויות חברתי וסדיע בסור לכל אחרוזית בלי חבדל דה. בע שין
תבשיה חופש דה, סצפון, לשון, חינוך ווטרבות, תשמור על המקומור ה
הקדושים של כל הדתות, ותהיה נאמנה לעקרונותיה של מאולר - כי
האומות הסאחדורות. מדינת ישראל תהא מתוחה לעליה יחודית ולקיבוץ גלויור האומות המאחדות. מדינות ישדאל ומא מוכנה לשרוף שעולה עם המוסדות הנצינים של האומות המאוחדות בתנשמת וחלשת העצרת מוום 29 בנובסבר 1941 ותפעל להקמת האחדות הכלבלית של ארץ ישראל בשלמווטת אנו קוראים לאומות השאוחרות לונת יד לעם חיחורי בבנין מדונתו ולקבל את מדינת ישראל לתוך משפחת העמים. אנז קוראים – גם ביטך התקפור הדטים הנערכות עלינו זו ד הדשים – לבני העם הערבי הנשבי מידות ישראל לשמור על השלובו וליטול חלקם בבנין המידות על יסוד אורחות מנאה ושווח ועל סוד עצות מהאסה בכל מסדותיה, הומניים והקבועים. אנו מושוטים יד שלום ושבנית טובה לכל המדיטת השכנות זעמיהן וקוראים להם לשיתוף פשלה ועודה הדדית עם העם העם ה העצמאי בארצו. מדיעו ישראל מוכנה לחרום חלקה במאמץ משותף לקידמת המורוו חזיבון כולו. אנו קודאים אל חעם חיחודי בכל התפוצות להתלכך סביב... חישוב בעליה ובבטן לעסוד לפינו במערכה הגדולה על תנשמת שאיפת הדורות לנאולה ישראל. מתוך בטחון בצור ישראל הננו חותמים בחתימת ידינו לעדות על הכרזה זו, במושב מועצת המדינה הזמנור כ על אדמת המוכדה, בעיר תל אביב, היום הזה ערב שבת ה אייר תשית 14 בניאי 1948.



Proclamation of the State of Israel by David Ben-Gurion, 14 May 1948. Photograph on wall: Theodore Herzl, founder of political Zionism

- Israel's political system evolved from the democratically elected institutions set up during the time of the British Mandate (1920-1948).
- The Vaad Leumi (National Council) was an elected body established in 1920 to represent the country's Jewish community. It derived its legal status from a mandatory statute that granted autonomy to each major religious community in its own internal affairs, as well as jurisdiction over matters of personal status (e.g. marriage and divorce,). Following the establishment of the state, the functions of this institution were taken over by various government ministries and the religious courts.
- The Jewish Agency was set up in 1929, in accordance with the provisions of the British Mandate to advise and cooperate with the British authorities in rebuilding the Jewish national home. A system of proportional representation enabled both political parties within the



Zionist movement and other Jewish organizations to take part in its decisions. Today the Jewish Agency, together with Zionist organizations abroad and relevant agencies in Israel, is charged with functions that focus mainly on immigration, Jewish education abroad, and some development projects in Israel.

CITIZENSHIP

- To give legal expression to the basic tenets of Zionism, which call for the renewal of Jewish national life in the Land of Israel and the "ingathering of the exiles", the Law of Return (1950) was enacted. This law grants every Jew the right to return to Israel, and, upon entry, automatically acquire citizenship, unless he desires otherwise.
- Citizenship may also be acquired through naturalization.

FREE AND OPEN SOCIETY

- In Israel, diversity is the rule rather than the exception. Over 50 percent of the population is native-born: most first and second generation; some descendants of families in the country for generations; the rest come from countries the world over. The people of Israel are Jews (82.5%), Moslems (13.5%), Christians (2.5%), and others (1.5%); devout and secular; speakers of Hebrew, Arabic, and dozens of other languages; individuals of Middle Eastern, European, American, African, and Asian cultural backgrounds, with varying political experiences and outlooks. All are equal under the law and share the same civil and human rights.
- Freedom of the press is a basic tenet, as are the rights of free speech and assembly. Within the framework of the country's political system, aims are promoted by persuasion, education, and legislation a process that is not without tension, conflict and periodic flare-ups. The search for acceptable balances between different interests and outlooks is a continuing process.













- Among Jews, both the secular-oriented majority and the religiously observant minority try by political means to further their aims. The extreme members of each group advocate respectively complete separation of religion and state, and the application of religious law in all spheres of jurisdiction. When these factions try to imprint their philosophies on everyday life, clashes sometimes occur. Still, the majority of Jews in Israel, both secular and religious, prefer to see common interests prevail over extreme disparity, and therefore compromise is generally reached.
- Arab citizens make up the largest portion of Israel's non-Jewish minority. The Declaration of the Establishment of the State of Israel called upon them "to



play their part in building the state on the basis of full and equal citizenship and due representation in all its institutions." Since then, the Arab citizens of Israel have gradually entered the country's cultural, academic and political life. They are active in all political parties from the right to the left, but the majority have voted for mainstream political parties, thus showing pragmatic inclinations as well as identification with the state. They also have strong ethnic and cultural links, as well as family ties, with the Arab world, part of which is still in a state of war with Israel. The affinity of some Israeli Arabs with elements hostile to Israel breeds unease among the Jewish population. Efforts are being made to ameliorate these tensions and to promote Jewish-Arab co-existence.

OLITICAL STRUCTURE



Israel is a parliamentary democracy consisting of legislative, executive and judicial branches. It is based on the principle of separation of powers, with checks and balances, in which the executive branch (the Government) is subject to the confidence of the legislative branch (the Knesset) and the absolute independence of the judiciary is guaranteed by law. The President is the Head of State, his office symbolizes the unity of the state, above and beyond partisan politics.

THE PRESIDENCY

- The President, in Hebrew the Nasi, bears the ancient title of the head of the Sanhedrin, the assembly of ordained Jewish scholars which was both Supreme Court and legislature until the fifth century CE.
- Although presidential authority is limited, the office carries high prestige. Presidential duties include calling on a Knesset member to form a new government following elections or the resignation of the previous government; accepting the credentials of foreign envoys to Israel; signing treaties and laws adopted by the Knesset; appointing — on recommendation of the appropriate bodies — judges, the Governor of the Bank of Israel, and the heads of Israel's diplomatic missions abroad; pardoning prisoners and commuting sentences, on advice of the Minister of Justice.
- The President, who may serve two consecutive terms, is elected every five years by a simple majority of the Knesset, from among candidates nominated on the basis of their personal stature and contribution to the state.

Amhassador Monga Aundu of Zaire presenting his credentials to President Herzog (Top Right)

Ambassador Bassiouny of Egypt in conversation with President Herzog and Secretary of the Government, Elyakim Rubinstein (Bottom Right)

ISRAEL'S PRESIDENTS TO DATE:

Chaim Weizmann (1949-52), Zionist statesman and world-renowned scientist;

Yitzchak Ben-Zvi (1952-63), pioneer and researcher of ancient Jewish communities;

Zalman Shazar (1963-73), scholar, historian, author and poet;

Ephraim Katzir (1973-78), internationally respected biochemist;

Yitzchak Navon (1978-83), educator and author;

Chaim Herzog (1983-88, 1988-), lawyer, general, diplomat and author;





THE KNESSET

- Israel's parliament is the Knesset, a unicameral house, which took its name and fixed its membership at 120 from the Knesset Hagedolah (Great Assembly), the representative Jewish body convened in Jerusalem by Ezra and Nehemiah in the 5th century BCE.
- The Knesset's function is to legislate and to oversee the working of the Government. It operates in plenary sessions and through ten standing committees, each dealing with a specific aspect of the country's affairs. Knesset debates are conducted in Hebrew, but members may speak in Arabic, Israel's other official language. Simultaneous translation is available in both languages.
- In plenary sessions, general debates are conducted on Government policy and activity, as well as on members' bills and legislative proposals submitted by the Government. To become law, a bill must pass three readings in the Knesset: after the first reading, it



is passed to the appropriate committee for discussion; at the second, it is reviewed in plenary session; at the third, a final vote is taken. the President, Prime Minister, and the ministers concerned sign the bill into law.

In 1951 the Knesset decided that the constitution of Israel will consist of a number of "Basic Laws". Basic Laws have been passed on the Presidency, the Knesset, the Government, the Judicature, the State Comptroller, the Army, State Lands, the Economy, and Jerusalem, Capital of Israel. A "bill of rights" is now under consideration in a Knesset committee, and will, when promulgated, complete the Constitution.

ELECTIONS

The Knesset is elected every four years, but may dissolve itself and call for new elections before the end of its term. Elections to the Knesset are universal, countrywide, secret and proportional. Every citizen is eligible to vote from age 18, and to be elected from age 21.

- Prior to elections, each party presents its list of candidates and its platform. Parties represented in the outgoing Knesset are automatically eligible to stand for reelection. Additional parties may stand for election, provided that they obtain the signatures of 1,500 eligible voters and deposit a bond, which is refunded if they succeed in receiving at least one percent of the national vote, entitling them to one Knesset seat.
- A Treasury allocation for each Knesset member is granted to each party represented in the outgoing Knesset, in order to wage their election campaign. New parties receive a similar allocation retroactively for each Knesset member they actually elect. The State Comptroller reviews the disbursement of all campaign expenditures.
- The President, the State Comptroller, judges and other senior public officials, as well as the Chief-of-Staff and other high-ranking army officers, are disqualified from presenting their candidacy for the Knesset, unless they have resigned their positions by a specified date prior to the elections.
- A central elections committee, headed by a justice of the Supreme Court and including representatives of the parties holding seats in the Knesset, is responsible for conducting the elections.
- On election day, each voter casts a ballot for one party — its list of candidates and its platform as a whole, having been presented prior to the election. The entire country is a single electoral constituency, and Knesset seats are assigned in proportion to each party's percentage of the total national vote. Knesset seats are allocated according to the sequence in which the candidates appear on their respective party lists.
- Ever since the establishment of Israel, a large number of small parties, in addition to the two major blocs (the Alignment and the Likud), have received representation in the Knesset, thus ensuring a wide spectrum of political views in the Knesset.
- Until the new Knesset is formally constituted, full authority remains with the outgoing one.





The official emblem of the State of Israel is the menorah, the seven-branched candelabra whose shape is said to have originated from the plant (photo on right) known in antiquity by the name of moriah. The olive branches surrounding the menorah represent the Jewish people's yearning for peace.

THE GOVERNMENT

- The Government is headed by the Prime Minister. The number of ministers, most of whom hold specific portfolios, is not fixed and may change from Government to Government. Although the Prime Minister must be a Knesset member, the ministers need not be, but usually are. The Government, whose policy-making powers are very wide, is collectively responsible to the Knesset and subject to its confidence.
- Following each election, the President calls on a Knesset member, usually the leader of the party with the largest Knesset representation, to form a Government and to head it. He has 21 days to complete the task, and, should he fail, he may receive an extension or the President may turn to another Knesset member. This procedure may be repeated as many times as necessary, until a Government can be formed.



- Since the Government requires the Knesset's confidence to function, it must enjoy the support of at least 61 of its 120 members. To date, no party has received enough Knesset seats to be able to form a Government by itself; thus, all Israeli governments have been based on coalitions between two or more parties, with those remaining outside the Government making up the Opposition. The coalition is based on an agreement between the parties that make up the Government, defining common policy goals and the principles which are to guide its activities. The coalition agreement is not a legally binding document.
- The Government usually serves for four years, but its term of office may be shortened by the resignation or death of the Prime Minister, or a vote of no-confidence by the Knesset.

THE JUDICIARY

- The Judiciary is entirely independent: judges are appointed by the President upon nomination by a committee in which the bench and the bar, the legislature and the executive are represented, and the jurists always have the majority. They are appointed for life, with retirement mandatory at age 70.
- The hierarchy of the courts is comprised of magistrates' courts (including also municipal, traffic and juvenile courts); district courts which have appelate jurisdiction over magistrates and original jurisdiction in more important civil and criminal cases; and the Supreme Court, with ultimate appelate jurisdiction as well as original jurisdiction in petitions for orders against the Government and its ministers and all public officers and agencies.
- In matters of marriage and divorce, exclusive jurisdiction is vested in religious courts: rabbinical courts for Jews, sharia courts for Moslems and Druze, ecclesiastical courts for Christians. All these courts apply their own religious law. The Supreme Court will, by order of prohibition, prevent them from exceeding their jurisdiction.
- The body of law that Israel adopted upon attaining independence consisted of laws of the Ottoman Empire, which ruled the region until 1917, British Mandatory laws (1920-48) and religious laws, insofar as each was consistent with the provisions of the Declaration of the Establishment of the State of Israel. Since then, Israel has revised a number of old laws and introduced new ones to meet the needs of its rapidly developing, modern society.
- Although legislative competence is wholly within the Knesset, the Supreme Court can and does call attention to the desirability of legislative changes, and the High Court of Justice has authority to determine whether a law properly conforms with the Basic Laws of the state.





- Pending the promulgation of the bill of rights, the Supreme Court has, by exercising its jurisdiction whenever "justice required a remedy to be given," laid down and implemented all the fundamental civil and human rights. The situation is similar to that in the United Kingdom, where all constitutional rights are derived from conventions and usages which are not legislated.
- The chief law officer of the state, the Attorney-General, is appointed by the Cabinet on nomination of



the Minister of Justice. He performs the functions of legal advisor to the Government, legal draftsman of all bills proposed by the Government to the Knesset, and the representative of the State before all courts. He is administratively, but not professionally, subordinated to the Minister of Justice who is a politician representing his party in the Government. The separate office of Attorney-General was created in order to ensure that the Government receives independent non-political advice and representation.

LOCAL GOVERNMENT

- The local government system in Israel is based on that which was in force during the British Mandate. With funding that includes government grants and domestic taxes, local government provides vital services such as water supply, drainage, roads, sanitation, fire brigades, parks, sports and cultural facilities. Health, education and social welfare services, provided by local government, are mostly financed by the national government. Local tax rates, budgets, and by-laws are subject to the approval of the Ministry of the Interior.
- Israel has 40 municipalities, three Arab; 137 local councils, 60 Arab; and 54 regional councils, one Druze. Municipal and local councils are chosen in elections on the basis of proportional representation (like those for the Knesset), while mayors and heads of local councils are elected by direct vote, sometimes on local rather than national lists. All serve five-year terms. Heads of regional councils are chosen from among the chairmen of the committees of each rural or urban community in the region.
- Permanent residents who are not Israeli citizens may also vote in local elections.





- Under the command of an Inspector-General, the Israel Police is the national law enforcement organization, with headquarters in Jerusalem. The Minister of Police is responsible for the police on behalf of the Government.
- Two special units within the police have been established in order to guard the cease-fire lines against terrorist infiltration (The Border Police) and combat terrorism (The Special Anti-Terrorist Unit). Other units are responsible for the maintenance of law and order.
- Under the aegis of the Police, a Civil Guard made up of thousands of volunteers, from high school youth to senior citizens, throughout the country, was organized to help prevent possible terrorist attacks.

STATE COMPTROLLER

In 1949 the Knesset established, under its aegis, the Office of the State Comptroller to supervise the activities of the Government, the ministries, local authorities, government corporations and other bodies, if the Government or the Knesset so desires. Its annual report is published and presented to the Knesset. The State Comptroller also serves as ombudsman, dealing with the public's complaints against any institution of the State. He is elected by the Knesset by secret ballot for a five-year term, and may be reelected once.





The IDF (Israel Defence Forces) is under a unified command of land, air and sea forces. It is subject to the authority of the Government and carries out its policy. The minister in charge of the IDF on behalf of the Government is the Minister of Defence, who is a civilian and a politician. A special ministerial committee headed by the Prime Minister deals with security matters.

Service in Israel's armed forces is mandatory. All eligible men and women are drafted at age 18 — men for three years and women for two, with men liable for reserve duty till age 55 and women to age 24. Israeli Arabs are not required to serve in the IDF, but may volunteer; Druze and Circassian men have been drafted into the army since 1957, at their communities' request.



The IDF is composed of a small standing army (a cadre of career officers and N.C.O.'s as well as men and women draftees), and reserve officers. The reserve forces, which make up the bulk of IDF manpower, are regularly called up for training and service. Thus, the IDF is a citizen's army, with those in and out of uniform virtually interchangable.

While the IDF's primary task is to defend the country, it is also responsive to the needs of the society at large. Over the years, it has assumed a variety of national-social functions. The IDF helps in the absorption of new immigrants, the upgrading of soldiers' educational levels, the supplying of teachers to development areas and the operation of many other projects that focus on society's areas of greatest need. Thus the IDF has become a vital agent of integration, education and socialization in Israeli society.

- Israelis are a politically conscious people, reflecting a wide range of outlooks and beliefs. The country's political life is characterized by a proliferation of political parties, with two dominant political blocs: the Alignment, made up of social-democratic liberal elements, and the Likud, made up of right-wing and *laissez-faire* political elements. The two major blocs, similar in size, control altogether about two thirds of the Knesset.
- Most of Israel's political parties represent fundamental ideological philosophies or religious convictions; some have been established in response to national challenges or particular issues; others have emerged to represent special interest groups. Splits and mergers, often based on ideological issues, occur frequently on Israel's parliamentary scene.
- The absence of direct representation and the multiplicity of splinter parties, resulting from the electoral system of nationwide proportional representation with a 1% qualifying threshold, have caused concern among Israelis. Electoral reform has been raised as one possible solution to these problems.
- The democratic tradition of a free press is an integral part of Israeli society. Newspapers are owned either by political parties or private enterprises, and both radio and television are supervised by the Israel Broadcasting Authority, an independent public body. Israel's nearly thirty regular newspapers (in more than ten languages), as well as its radio and television broadcasts, present not only local and international news, in the best tradition of investigative journalism, but also a wide variety of opinion. Military and security matters only are subject to censorship; restrictions are seldom applied.
- Listening to hourly radio bulletins, viewing nightly television news broadcasts, and reading one or more newspapers are part of most Israelis' daily routine. This constant flow of information and views generates free and open debate on local, national, and international issues.



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Photo on page 19 from the book The Emblem of the State of Israel by Nogah Hareuveni. Published by Neot Kedumim, The Biblical Landscape Reserve in Israel.



