

As Druze officer is hailed as a hero, lawmakers join call to 'fix' Nation-State Law

Lieberman assails 'contradictions' in controversial legislation, despite supporting it in 2018; Blue and White party pledges to bring equality bill to committee hearing next week

By **TOBIAS SIEGAL** 

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Finance Minister Avigdor Liberman speaks at a conference of the Israeli newspaper "Makor Rishon" at the International Convention Center in Jerusalem, February 21, 2022. (Yonatan Sindel/Flash90)

Finance Minister Avigdor Liberman on Sunday declared that the government should amend the controversial 2018 Nation-State Law, which enshrined Israel as a Jewish state, due to what he called its “contradictions.”

Lieberman was addressing the recently [released identity of Lt. Col. Mahmoud Kheir el-Din](#), 41, an Israeli special forces officer who was killed in a covert operation in the Gaza Strip in November 2018.

Kheir el-Din, a member of the Druze community, joined the Israeli military in 1999 and served in the Paratroopers Brigade for three years before joining the Military Intelligence's Special Operations Division, where he served until his death.

In 2009 he established a nonprofit aimed at helping advance the Druze community in Israel and was a vocal advocate of youth leadership in his community.

Kheir el-Din was described by Prime Minister Naftali Bennett as an "Israeli hero."

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"There is a clear contradiction between the Nation-State Law in its current form and the praise given to Lt. Col. Mahmoud Kheir el-Din," Lieberman wrote in a tweet on Sunday.



Lt. Col. Mahmoud Khir al-Din (right) and his wife Nahed, in an undated photograph published by the military on May 15, 2022. (Israel Defense Forces)

Critics say the law discriminates against minorities and especially against Druze citizens, many of whom serve in senior positions in the Israeli military and other state agencies.

“We have an opportunity to fix the Nation-State Law and formalize the Declaration of Independence as a Basic Law,” Liberman argued, calling on both the opposition and coalition to reevaluate the contested law and “to do what’s necessary rather than settling for words like ‘brothers in arms’ in regard to the Druze community.”

Foreign Minister Yair Lapid backed Liberman, tweeting “I agree with every word.”

Quasi-constitutional Basic Laws, of which the Nation-State Law is an example, serve as Israel’s constitution and guide the country’s legal system. They are usually more difficult to repeal in a legislative process than regular laws.

Coalition member Blue and White faction chair MK Eitan Ginzburg also backed Liberman, saying that one way to “correct the injustice created by the Nation-State Law to parts of Israeli society” is via a bill his party is sponsoring to change Basic Law: Equality that defines all citizens as equal and states that nothing may be done to impact an individual’s rights due to his religion, sex, or any other form of discrimination.

In the wake of Liberman’s declaration, the Blue and White party planned to bring its equality bill for review by the Ministerial Committee for Legislation as early as next week, the Ynet news site reported.



Blue and White MK Eitan Ginzburg in the Knesset, Jerusalem on November 4, 2021. (Yonatan Sindel/Flash90)

Meanwhile, Labor MK Gilad Kariv said the Knesset Constitution, Law and Justice Committee, which he heads, will deliberate amending the law.

“Lieberman’s call is an important opening to anchoring the principle of equality in a Basic Law of the State of Israel, as well as strengthening the legal status of the Declaration of Independence,” Kariv wrote on Twitter.

The Labor lawmaker said the panel will convene in the coming days “to consider preparations on the matter.”

Transportation Minister Merav Michaeli, who leads the Labor Party, went further and called for entirely repealing the Nation-State Law. Noting she had in the past proposed a bill to remove it, she reiterated her commitment to see the law rescinded and “a return to the path of Zionism” as laid out in the Declaration of Independence.

Opposition Leader Benjamin Netanyahu objected to the calls, accusing the Islamist Ra’am party and Joint List of trying to amend the law in order to “flood Israel with millions of Muslim immigrants.”

“Their goal is clear: repealing the Nation-State Law will lead to the repeal of the Law of Return and the flooding of Israel with millions of Muslim immigrants who will abolish the Jewish majority in the country and make Israel a Muslim majority,” he wrote on Telegram.

“The State of Israel is the nation-state of the Jewish people and has equal civil rights for all citizens. However, the Nation-State Law must not be changed and it cannot be allowed to happen.”

Likud MK Avi Dichter, the lawmaker who sponsored the Nation-State Law passed by the Knesset, meanwhile, rejected Lieberman’s call to change it and insisted that in its current form the legislation doesn’t impact the rights of Israel’s minorities.



Likud MK Avi Dichter speaks in the Knesset on December 27, 2021. (Noam Revkin Fenton/Flash90)

Speaking to the Kan public broadcaster, Dichter said the law deals “only with Israel being the nation-state of the Jewish people, and it doesn’t impact any rights of the Druze citizens or any other citizen.”

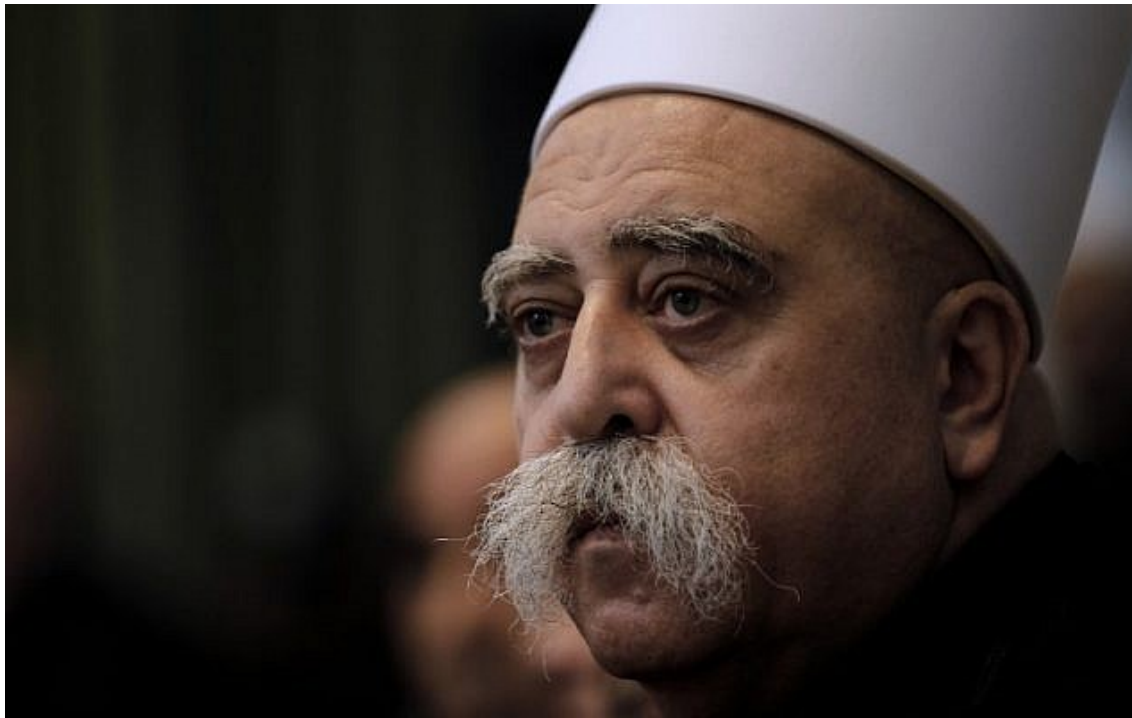
He said separate legislation should be introduced to define the status of Druze citizens.

Fellow Likud MK Fateen Mulla, a Druze lawmaker, slammed Liberman’s remarks as “a false declaration that we have heard many times,” the Israel Hayom daily reported.

Mulla said that if Liberman was serious about changing the law he would propose a bill to do so.

But Sheikh Moafaq Tarif, the spiritual leader of Israel’s Druze community, welcomed Liberman’s call and urged all parties in the Knesset to back changing the Nation-State Law to ensure “equal national and social rights, and full

citizenship, and to also anchor the status of the Druze community and its rights,” according to the report.



The head of the Druze community in Israel, Sheikh Moafaq Tarif , attends a celebration at the holy tomb of Nebi Shu'eib in northern Israel on April 25, 2018. (AFP Photo Jalaa/Marey)

However, actually changing either of the Basic Laws is reportedly unlikely, as Yamina is believed to be opposed to any change, and the government is already teetering on the brink of collapse.

Liberman has voiced opposition to the law in the past.

Last year, Liberman said in an interview with Channel 12 that the law should not have been enacted and should be amended to reflect “word for word” the 1948 Israeli Declaration of Independence, applying the value of “equality” to Israel’s Basic Laws.

In 2017, as the law was being discussed, Liberman argued it could compromise the standing and rights of Israel's non-Jewish minorities and turn Israel into a theocracy.

However, despite his apparent vocal opposition to the law, Liberman did not try to prevent it from passing during the legislative process, with his Yisrael Beytenu party eventually supporting it.

The Nation-State Law passed in 2018 [defines Israel as the nation-state of the Jewish people](#). Its present form was opposed by Israel's Druze and other Arab minorities, who insisted it effectively defined them as "second-class citizens."



Activists wave copies of the Declaration of Independence during a special session about the nation-state law at the Knesset on August 8, 2018. (Yonatan Sindel/Flash90)

A series of petitions filed by a variety of groups against the law to the High Court of Justice, including by the Meretz and the Joint List parties, were rejected by the court last year, as an expanded panel of 11 justices ruled that the law

did not conflict with Israel's democratic character and can stand as a quasi-constitutional Basic Law.

The court stated at the time that the law “is a chapter in our emerging constitution, which is intended to anchor the components of the state's identity as a Jewish state without detracting from the components of the state's democratic identity enshrined in other Basic Laws and constitutional principles.”

Ten of the justices wrote that “although it would have been better if the principle of equality had been explicitly enshrined in the Basic Law,” its omission “ultimately does not detract from its status and importance as a fundamental principle in our doctrine.”



Supreme Court President Esther Hayut and justices arrive to hear petitions against the Jewish Nation-State Law, at the Supreme Court in Jerusalem on December 22, 2020. (Yonatan Sindel/Flash90)

Supporters of the law have said it places Israel's Jewish values and democratic values on equal footing. Critics have long argued that the law contravenes the basis of Israel's legal system, as well as its Declaration of Independence, and

solidifies inequality among its citizens.

Former president Reuven Rivlin, despite his mostly ceremonial role, issued stark criticism of the law after its passing, arguing it was “bad for the State of Israel and bad for the Jews.” He argued at the time that the law was “part of a broader trend, a global one perhaps, that seeks to silence the debate.”

“[It] strives for a reality in which there are two options: Either you are with me, or you are against me. Either you are with me, or you are a traitor, an enemy. [This holds] whether you are a leftist, or whether you are the president,” he said.

Amy Spiro and Times of Israel staff contributed to this report.