

Ben Shapiro Defends Israel's Planned Judicial Reforms: 'The System is Undemocratic'

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Conservative political figure Ben Shapiro backed Israel's proposed judicial reforms on his show for the Daily Wire on Tuesday, blasting claims the reforms would make Israel "more fascist" as "ridiculous."

"Benjamin Netanyahu has come under fire from the left-wing for pursuing a plan to democratize the Supreme Court of Israel," Shapiro said.

Shapiro highlighted that Supreme Court justices in Israel are not approved by the Knesset, contrary to the American system in which the U.S. president nominates a candidate to be approved by the U.S. Senate's Judiciary Committee, prior to the appointment being put to a vote in the full Senate.

In Israel, Supreme Court justices are selected and approved with limited consent from elected officials. The Judicial Selection Committee is comprised of nine members: The justice minister, another minister chosen by the Cabinet, two Knesset members (traditionally one from the coalition and one from the opposition), two members of the Bar Association and three current Supreme Court justices. Appointment of Supreme Court judges requires a majority of seven of the nine committee members.

The proposed reforms would have the prime minister nominate candidates and the Knesset decide whether to confirm the nomination, a system similar to that of the U.S.

Shapiro highlighted that there is no written Constitution in

Israel, which allows the Israeli High Court to declare laws it doesn't approve of as "unconstitutional."

"In the United States, the Supreme Court says, 'We are speaking in the name of the Constitution, we are striking down an unconstitutional piece of legislation.' Israel's Supreme Court says the same thing, but there is no Constitution in Israel, so they're basically just saying, 'Whatever we don't like, we can strike down,'" Shapiro said.

Israel has a set of Basic Laws which function in a similar way to the Constitution as guiding legal principles. These laws were intended to be the basis for a written Constitution, but this development never took place.

The Supreme Court in Israel has declared that it has the power of judicial review over any Knesset law and also over the operations of the Israel Defense Forces. Critics argue that this is an unprecedented level of power for the court.

The Netanyahu government's proposed reforms would limit, but not eliminate, the Supreme Court's jurisdiction over judicial review, and would allow the Knesset to override a Supreme Court decision by a simple majority vote.

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