

# Israel: Netanyahu's nephew victimised for refusing military service

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Jonathan Ben-Artzi, a 20-year-old physics student, has served a total of 214 days in military imprisonment for refusing to fight in the Israeli army. He has now spent more time in prison—stretching seven sentences—than any other Israeli conscientious objector and was recently designated a prisoner of conscience by Amnesty International.

What has made Ben-Artzi's case especially sensitive for the Israeli authorities is that his uncle is the former prime minister and now Likud Finance Minister, Benjamin Netanyahu.

Jonathan Ben-Artzi expanded on his case in an interview with Britain's *Guardian* newspaper on March 11. His account underlines the brutal and intimidating treatment handed out by the Israeli state against its own citizens who refuse to participate in its murderous offensive against the Palestinians.

Ben-Artzi was first called up to join the army in 2001, on his eighteenth birthday. Having stated that he was a pacifist who therefore refused to serve, Jonathan requested to appear before one of the "conscience committees" (required by the International Human Rights Convention) to explain his reasons.

The committee studied his record of refusal to engage in military areas of his school curriculum and came to the two following bizarre conclusions: first, his record of opposition to the army showed he had the character of a "warrior" and was clearly not a pacifist; second, the best place for someone like him who refused to submit to authority and discipline was the army!

Several delays followed, including a lawsuit filed with the Supreme Court of Israel; which three months ago decided not to interfere with the Israeli Defence Force's decision that Ben-Artzi should not be recognised as a pacifist.

Jonathan appeared before the Army Induction Centre (AIC) on August 8, 2002, where he read out the following statement:

"I, Jonathan Ben-Artzi, am refusing to join the army on grounds of pacifism. My profound convictions in non-violence began when I was a small child, and developed

over the years into a broad political philosophy. Because of my beliefs, my own country is going to imprison me, in defiance of international laws, basic moral values and fundamental human rights. I will go to prison proudly, knowing that this is the least I can do to improve this country, and the cause of pacifism."

He was sentenced to his first 28 days in military prison.

Released on September 3, he was immediately sent back to the AIC. After again reiterating his conscientious objection to serving in the IDF, and requesting civil service instead, Jonathan was court-martialled the following day and given a second 28-day sentence.

Completing his second prison term on September 30, Jonathan was again sent to AIC, where he again requested civil service. Again this was rejected and he was sentenced a third time, to three weeks imprisonment.

When this sentence finished on October 18, Jonathan managed a short visit home to his family, before being summoned to the AIC. Again declining military service, he was sentenced to 21 days imprisonment.

Called up to the AIC on November 10 after completing his fourth sentence, Jonathan was not allowed to address the committee. According to his parents, Jonathan had prepared to read the following statement:

"According to Amnesty International, more than 50 children under the age of 12 have been killed by Israeli Army fire, during the first seven months of 2002 alone. You have not sentenced even one of the perpetrators of these crimes. But you're sentencing me for the fifth time, just because I refuse to take part in such activities."

On December 8, he received his sixth sentence, this time of 35 days. Released on January 8, he faced numerous interviews intended to persuade him to be drafted. His uncle, Netanyahu, also tried to convince Ben-Artzi not to make any further protests.

On January 16, Jonathan was again summoned, and again requested civil service. His request was rejected and he was sentenced to 35 days imprisonment.

In his interview, Ben-Artzi recalled a school trip made

when he was 14 years old: “We had a trip to the Sea of Galilee through the occupied territories. I told the teacher I wouldn’t go because it’s not OK to have kids on a trip going through villages where [Palestinians] are trapped in their homes under curfew. I always had arguments in school. It just grew until my last year when I was 17 or 18 when the first orders came to be interviewed by officers. I came to everything they told me to come to and said I wouldn’t serve.”

He went on to describe the militarisation of Israeli society and its impact on the youth: “In Israel, the army is a kind of god and I was expected to worship it from as young as I can remember.... There were military activities in school. High school students go to army ‘fire shows’ to convince them to join. They are making a bid for these children, to recruit them to the paratroopers or engineering corps or whichever. They are guided down a mental corridor to the military. There’s a lot of social pressure from the principal, teachers, friends.”

Ben-Artzi is only one of a growing number of people refusing to serve in the Israeli Defence Force (IDF) in protest at its brutal treatment of Palestinians in the Occupied Territories. Several hundred Israeli military reservists are refusing to serve in the West Bank and Gaza Strip, despite the possibility of jail sentences.

Israeli men are required to carry out three years of compulsory military service from the age of 18 and then at least a month a year of reserve duty until the age of 40. Women are also obliged to do military service, but are not required to serve in combat units. Those exempted from service include students of the Torah, Israeli Arabs and those with mental health problems or a criminal record. In total, around 45 percent of Israeli men avoid the draft.

The 10 other men held alongside Ben-Artzi at the end of last month included: Dror Baumel, who had served 173 days for refusing to wear a uniform at the Tel Hashomer induction base last August; Hagai Matar, 133 days; Yoni Yehezkel, 118 days; Shomri Zameret, 80 days; Adam Maor, 77 days; and Hillel Goral, 77 days.

Last month, Ben-Artzi was called in for a “chat” by a brigadier general who made him an offer. If Ben-Artzi agreed to enlist he would be granted “an easy service, without a gun, uniform or military training.” A job would be found for him in a hospital. Ben-Artzi replied that he would do three years service, but not in an organisation dedicated to killing.

Ben-Artzi was then told that he was already conscripted and so was refusing to carry out an order. He was told he could face a court martial—the first for an Israeli conscientious objector in three decades. The maximum sentence is three years—the same length as conscription.

At the initial hearing, the military prosecutor described Ben-Artzi as “no better than any deserter or drug addict,” and said the young prisoner was not a pacifist because “the competent military committee has already reviewed his case” and decided he was not. He added that to let Ben-Artzi go would “undermine discipline in the army”. Later the IDF prosecutor, Captain Elisha Caspi, insisted that Ben-Artzi posed a threat to “national security”. Releasing him would cause “countless others to choose the path of refusal in order to shirk military duty”.

On March 9, a few days before court martial procedures were due to begin, Ben-Artzi’s lawyers petitioned the High Court of Justice to have his case transferred from the military to the civilian court system. Avigdor Feldman and Michael Sfarad, acting for Ben-Artzi, argued that the question of whether a certain part of the population—particularly a group of pacifists—is eligible to be exempted from military service is a societal question of the first order.

Therefore, the lawyers continued, civil rather than military authorities must provide an answer to this question—either in the courtroom or via the passing of appropriate laws. Feldman and Sfarad further insisted that military interference in such a decision is as illegal as military interference in political questions. They claim that it is not possible that a military court—as a wing of the IDF—determine whether or not there is protection for conscientious objectors.

The court martial opens the way to the Supreme Court, where human rights lawyers believe the young refusenik will finally get to put his case before civilian judges—who are more likely to be persuaded that there is such a thing as a pacifist in Israel.

As of the writing of this article, a decision has not been released. Jonathan Ben-Artzi’s fate stands in the balance, and so to does the ability of the Israeli state to recruit significant numbers of young men to carry out its criminal policies in the occupied territories.



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