

# Constitution of Threads & Knots

## Prologue

- Article 1. Whereas the State of Israel has been established to protect the Jewish people from persecution<sup>1</sup>
- Article 2. And whereas the signatories recognize the moral and practical imperative of protecting the rights of minorities<sup>2</sup>
- Article 3. And whereas the signatories recognize the centrality of Threads within the State of Israel<sup>3</sup>
- Article 4. The following shall be the Constitution of the State of Israel

## Chapter I. The State Assembly

### Section 01 The Combined Houses

- Article 5. The State Assembly shall consist of two Houses, the Knesset and the Constitutional Assembly<sup>4</sup>.
- Article 6. Members of both Houses shall receive appropriate annual payment from the national treasury in accordance with law.
- Article 7. Both Houses shall select their own president and other officials. They shall establish their own rules pertaining to meetings, proceedings and internal discipline, and may punish members for disorderly conduct.

### Section 02 The Knesset

- Article 8. The Knesset shall have the power to pass any law. However, the Judiciary shall reserve the right to overturn laws passed by the Knesset on the basis of this Constitution<sup>5</sup>.

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<sup>1</sup> This makes no mention of Israel as a 'Jewish State.' The reason is simple, we can't agree on what 'Jewish State' means, we fight about it a *great* deal and there is no practical benefit to this fight. At the same time, attempts to be a 'Jewish State' trigger condemnation from others.

<sup>2</sup> This is aimed not only at existing minorities, but potential future minorities whether they are Ethnic (e.g. Jews) or ideological (e.g. Secular).

<sup>3</sup> Threads already exist in Israel, with distinct groups managing welfare, education and even law far more extensively than the State 'sees'. This would formalize and integrate these systems.

<sup>4</sup> This is not a traditional upper and lower house. The Constitutional Assembly does not weigh in on ordinary laws except in extraordinary situations. Its job is to wield overriding powers in very specific situations.

<sup>5</sup> This is an oversight role that is critical to preventing democratic runaway.

- Article 9. Membership in the Knesset shall be granted to the individual who receives the most votes within a Knot<sup>6</sup>.
- Article 10. The term of office of members of the Knesset shall be five years. However, the term shall be terminated before the full term is up in case the Knesset is dissolved<sup>7</sup>.
- Article 11. When the Knesset is dissolved, there must be a general election of members of the Knesset within one hundred and twenty (120) days from the date of dissolution, and the Knesset must be convoked within thirty (30) days from the date of the election<sup>8</sup>.
- Article 12. Members may not be expelled without the dissolution of the Knesset. This includes members indicted or convicted of any crime.<sup>9</sup>
- Article 13. Members may become ineligible if:
- 1) The Constitutional Assembly removes them from the Knesset<sup>10</sup>.
  - 2) They are deceased.
  - 3) They resign.
  - 4) They join the Cabinet or assume the position of Prime Minister, President, leadership of any branch of the security services or a judiciary appointment.<sup>11</sup>
- Article 14. If a Knesset member becomes ineligible, a special election within their Knot shall be conducted within 30 days.<sup>12</sup>
- Article 15. The Knesset may conduct investigations in relation to government, and may demand the presence and testimony of witnesses, and the production of records.
- Article 16. The existing Knesset shall have the power to ratify this Constitution with a super-majority of 66% of the Knesset<sup>13</sup>.

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<sup>6</sup> As Knots are composed of representative numbers of all Threads with a geographic concentration, this concept provides for elections that reward big tent politicians. This is not a multi-round election, so narrowly-focused (or extreme) politicians can't win one major thread and use that to push past another narrow politician. You have to win in the first round, so whoever can draw the widest support will win.

<sup>7</sup> This is much less likely to occur in a Knesset effectively formed of more balanced politicians. The possibility of dissolution could probably be struck altogether.

<sup>8</sup> The timelines are somewhat long to allow time to refactor the Knots, thus giving politicians time to focus on those identified as being a part of their constituency.

<sup>9</sup> This isn't a Netanyahu item, but a protection of politicians from the use of political prosecution (which does occur in some democracies). Members *can* be removed by the Constitutional Assembly, but it requires a significant majority to do so.

<sup>10</sup> The Knesset itself can't remove members, only the extraordinary actions of the Constitutional Assembly can. I'd expect this would only be triggered in the case of gross and widely accepted malfeasance or incapacity.

<sup>11</sup> The goal is separation of powers. Currently, Knesset members serve dual roles, but the Legislative and Executive should be separate. The Executive Branch is free to choose Cabinet members who are not members of Knesset. I'm not passionate about this separation, but the whole concept of building a government about people whose central skill is big-tent politics would deny the Executive the most effective office holders – who need not be politicians.

<sup>12</sup> The Knesset needs to be maintained and constituents need their representatives. However, the 2<sup>nd</sup> highest vote receiver might be surpassed by another successful builder of big tent relationships.

<sup>13</sup> This self-actualizing clause requires broad support to implement this fundamental document.

## Section 03      The Constitutional Assembly

Article 17.      The Constitutional Assembly shall have the following powers:

- 1) Confirmation of Supreme Court justices, which shall require 66% approval from the Constitutional Assembly.<sup>14</sup>
- 2) Confirmation of lesser court justices, which shall require 51% approval from the Constitutional Assembly.<sup>15</sup>
- 3) Amendments to this Constitution, which shall require 75% approval from the Constitutional Assembly.<sup>16</sup>
- 4) Overriding of Supreme Court decisions, which shall require 66% approval.<sup>17</sup>
- 5) Removal of Judges from the Supreme Court, which shall require 75% approval.<sup>18</sup>
- 6) Removal of members of Knesset, which shall require 75% approval.
- 7) Selection of the President, which shall require 51% approval.<sup>19</sup>

Article 18.      Every Thread shall have two votes within the Constitutional Assembly, plus one additional representative for each 500,000 people in a Thread<sup>20</sup> one year prior to the vote or at the date of the Threads inception, whichever is later<sup>21</sup>.

Article 19.      Voting decisions shall be made by the Thread governments by the terms of their own Constitutions.<sup>22</sup>

Article 20.      Voting power per vote for each Thread within the Constitutional Assembly shall be adjusted according to the following rules with voting power per vote rounded down to the nearest tenth:

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<sup>14</sup> This could lead to absences. More likely, it will require candidates who are broadly accepted.

<sup>15</sup> Lesser courts do the routine business of judging. Keeping their positions filled overrides the concern of having more politically-focused members.

<sup>16</sup> This is a huge threshold, meant to protect minorities. As smaller Threads receive outsized representation this protects minorities, including a possible Jewish minority.

<sup>17</sup> Again, very broad support is needed for this. It is somewhat like a veto override in the U.S. Constitution.

<sup>18</sup> Removal of judges or Knesset members is a massively powerful tool and thus heavily restricted.

<sup>19</sup> The President is not powerful and so the bar is low to support his or her appointment.

<sup>20</sup> A Druze thread of 100,000 would have 2 votes while a Liberal thread of 4,000,000 would only have 10. Despite being 40 times larger, there would only be a 5X increase in power. Choosing to form very small Threads will come with other costs – namely more common subjection to State law (as more disputes will involve others) and a weakness in Knots as a locally concentrated population will be spread across Knots nationally as they need members of your Thread to be representative. In essence, Constitutional power is gained but regular Knesset power is lost. Small Threads would only form where there is a strong desire for self-defined law.

<sup>21</sup> This is a critical check. Thread governments have votes, but those votes can be decimated if the population of the Thread decides to abandon it. The time delay is built in to prevent people switching Threads just to influence particular votes.

<sup>22</sup> There is no election here. This reflects that Threads themselves may not be democratic. Of course, people can leave the Thread, reducing its voting power. In an extreme case, non-Democratic Threads may try to adjust the Constitution to empower their leaders – but a wide vote is needed to accomplish this. Threads may also determine to have every Constitutional Assembly vote conducted by a vote of their own members.

- 8) One multiplied by the percentage of the eligible draft-age population made available for Army Service over the prior two calendar years. This is irrespective of whether the Army drafts their members<sup>23</sup>.
- 9) Plus 0.7 multiplied by the percentage of the eligible draft-age population made available for National Service but not Army Service over the prior two calendar years. This is irrespective of whether the National Service drafts their members.
- 10) Plus 0.5 multiplied by the percentage of the eligible draft-age population not made available for either Army Service or National Service over the prior two calendar years.<sup>24</sup>

Article 21. Adjustment of voting power per vote shall be reassessed every 2 years<sup>25</sup>.

Article 22. As the Constitutional Assembly can only be seated once Threads have been established, the Constitutional Assembly would first be seated two years after this Constitution is accepted.<sup>26</sup>

## Chapter II. Cabinet and Executive

Article 23. Executive power shall be vested in the Cabinet<sup>27</sup>.

Article 24. The Cabinet shall consist of the Prime Minister, who shall be its head, and other Ministers of State, as provided for by law.

Article 25. The Prime Minister and other Ministers of State must be civilians.

Article 26. The Prime Minister shall be designated by a resolution of the Knesset. This designation shall precede all other business<sup>28</sup>.

Article 27. The Prime Minister shall appoint the Ministers of State. However, they must be confirmed in their roles by a majority of the members of Knesset. The Prime Minister may remove Ministers of State only with a majority vote of the Knesset.<sup>29</sup>

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<sup>23</sup> The goal here is to allow the Army and National Service to decide who they actually want – but to grant the Threads a ‘credit’ for submitting to the process.

<sup>24</sup> This rewards those who are committed to the maintenance of the State through Army or National Service. A Thread might have 5 votes, but those votes may only have voting power of 2.5 if there is no willingness to perform Army or National Service. The impact of this is somewhat muted by the wide votes needed to accomplish critical business, but it reflects the impact of different State relationships.

<sup>25</sup> This is to enable an uptick in drafting to quickly result in greater representation.

<sup>26</sup> The delay is necessary because the Threads need time to establish their initial systems.

<sup>27</sup> I borrowed heavily from the Japanese Constitution. I used this as a more modern example concerned with more modern concerns although I removed Sections specifically dealing with Japanese issues.

<sup>28</sup> This is an unusual clause. There is no election for Prime Minister (as today). But the Prime Minister *doesn't even have to win a seat*. The job of the Prime Minister is to manage the State and an effective administrator is not necessarily a great politician – and you wouldn't want to lose a great Prime Minister because they couldn't win a particular district. That said, big tent Knesset politicians might run for office on the basis of supporting particular candidates for the job of Prime Minister.

<sup>29</sup> The idea is that Ministers would be vested with some independence and the Prime Minister couldn't simply repeatedly dismiss ministers until the Knesset approves who he or she really wants.

- Article 28. If the Knesset passes a no-confidence resolution, or rejects a confidence resolution, the Prime Minister and Cabinet shall resign en masse and the Knesset shall be dissolved within ten (10) days.<sup>30</sup>
- Article 29. When there is a vacancy in the post of Prime Minister, or upon the first convocation of the Knesset after a general election of members of the Knesset, the Cabinet shall resign en masse.
- Article 30. In the cases mentioned in the two preceding articles, the Cabinet shall continue its functions until the time when a new Prime Minister is appointed.
- Article 31. The Prime Minister, representing the Cabinet, submits bills, reports on general national affairs and foreign relations to the Knesset and exercises control and supervision over various administrative branches.
- Article 32. The Cabinet, in addition to other general administrative functions, shall perform the following functions:
- 1) Administer the law faithfully; conduct affairs of state.
  - 2) Manage foreign affairs.
  - 3) Conclude treaties. However, it shall obtain prior or, depending on circumstances, subsequent approval of the Knesset.
  - 4) Administer the civil service, in accordance with standards established by law.
  - 5) Prepare the budget, and present it to the Knesset.
  - 6) Enact cabinet orders in order to execute the provisions of this Constitution and of the law. However, it cannot include penal provisions in such cabinet orders unless authorized by such law.
  - 7) Decide on general amnesty, special amnesty, commutation of punishment, reprieve, and restoration of rights.
- Article 33. All laws and cabinet orders shall be signed by the competent Minister of State and countersigned by the Prime Minister.
- Article 34. The Ministers of State, during their tenure of office, shall not be subject to legal action without the consent of the Prime Minister. However, the right to take that action is not impaired hereby.<sup>31</sup>

## Chapter III. The Judiciary

- Article 35. The whole judicial power is vested in the Supreme Court and in such inferior courts as are established by law. No extraordinary tribunal shall be established, nor shall any

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<sup>30</sup> This is a relatively standard no-confidence motion in Parliamentary systems. The government can be dismissed, but only at the cost of the Knesset being dismissed.

<sup>31</sup> In other words, you can prosecute them but the prosecutions can't take effect until they have left office.

organ or agency of the Executive be given final judicial power. All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.<sup>32</sup>

- Article 36. Decisions of the Supreme Court may not be overturned or overruled except by the Constitutional Assembly.
- Article 37. The Supreme Court is vested with the rule-making power under which it determines the rules of procedure and of practice, and of matters relating to attorneys, the internal discipline of the courts and the administration of judicial affairs. The Supreme Court may delegate the power to make rules for inferior courts to such courts.
- Article 38. Candidate Judges for any courts shall be selected by the Cabinet.
- Article 39. Candidate Judges shall only be appointed to any Court when confirmed by the Constitutional Assembly.
- Article 40. Judges shall not be removed except through:
- 1) 75% vote of the Constitutional Assembly.
  - 2) Being deceased.
  - 3) Voluntary retirement.
  - 4) Joining the Cabinet, or assume the position of Prime Minister, President, leadership of any branch of the security services or joining either House.
- Article 41. The Supreme Court shall have 15 members.<sup>33</sup>
- Article 42. The initial membership in the Supreme Court shall be the current members of that court.
- Article 43. All such judges shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.
- Article 44. The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.
- Article 45. Trials shall be conducted and judgment declared publicly. Where a court unanimously determines publicity to be dangerous to public order, a trial may be conducted privately.<sup>34</sup>

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<sup>32</sup> There is no provision for administrative courts.

<sup>33</sup> I think this is high, but it already exists which makes it simpler.

<sup>34</sup> This is modified from the Japanese Constitution. That Constitution had a higher bar for private trials. For national security purposes – and due to a desire to have trials rather than legalistically corrosive extra-legal sentences – I lowered that bar.

# Chapter IV. Knots (קשרים), Threads (חוטים) and Cultural Identities

## Section 01 Threads (חוטים)

- Article 46. Every ten years, two years prior to the election of the Constitution Assembly, a national Thread selection process shall occur.<sup>35</sup>
- Article 47. Independent adult citizens shall be able to select their own Thread by order of preference with up to 5 Threads being selected. If the Thread they select has fewer than 100,000 members, then those who voted to join it would be assigned to the next Thread in their order of preference<sup>36</sup>. If none of their selections cross the 100,000-person threshold, then they would not belong to a Thread<sup>37</sup>.
- Article 48. Each independent adult shall be able to select their own Thread. They shall only be able to select the Threads of their dependents if all the parents and/or guardians of the dependents choose the same Thread<sup>38</sup>. Otherwise dependents will not be considered members of that Thread for civil law purposes.
- Article 49. Adult individuals can also elect to change their Thread at any time.<sup>39</sup>
- Article 50. For the purposes of numerical apportionment and education and welfare budgeting, dependents whose parents and/or guardians select distinct Threads shall be partially counted towards each parent/guardian Thread on the basis of proportionality<sup>40</sup>.
- Article 51. To be eligible for selection by citizens, a Thread must have a written Constitution with legislative, legal, administrative and clauses that determines how it will manage its own governance. These Constitutions must include methods for selecting the management of the Thread's various functions.
- Article 52. Any Thread with more than 100,000 members at the end of the national Thread selection process would be recognized by the State.
- Article 53. Thread administrations, with powers delineated by their Constitutions, shall:

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<sup>35</sup> The idea is to create a window for the creation of new Threads and Sunsetting of old ones. Only with national selection is there a chance for a new Thread to garner 100,000 members. That said, people can still leave a Thread or join an existing one at any time between national selections.

<sup>36</sup> The preferential selection exists to encourage people to be able to join a Thread, even if they take a risk on a new or low-population Thread. It might also encourage the creation of 'backup' Threads that embrace multi-culturalism with the goal of drawing together the members of smaller population groups (Christians, Druze, Beduin etc...).

<sup>37</sup> Not belonging to a Thread would leave one entirely under State law with Knesset governance. Because of the Knesset formation, this would end up being a plain vanilla outcome.

<sup>38</sup> In other words, children don't necessarily belong to a specific thread. If a mother leaves a Thread, then disputes over her children would fall under State law. Children who are not a member of a Thread could go to schools and receive welfare from any Thread that makes provisions for non-member education (as many might – especially as money follows multi-threaded children). The State could also elect to form its own institutions.

<sup>39</sup> People can leave, especially if concerned about their own Thread governments. This ability to move serves as a constant check on the quality of Thread governance.

<sup>40</sup> For example, if a father selects one Thread and a mother another, then a child will be counted as ½ of a member for each Thread.

- 1) Establish and maintain educational systems.
- 2) Establish and maintain courts to manage civil affairs that are solely between members at the time of the civil event. Threads can choose to partially exercise this power or not to exercise it at all.<sup>41</sup>
- 3) Establish and maintain systems of welfare.

Article 54. Any civil affairs affecting members of two or more Threads shall be subject to the civil courts of the State and not those of any Thread.<sup>42</sup> One exception is if the civil affair occurred when both members belonged to the same Thread, even if one or both members subsequently changed Threads.<sup>43</sup>

Article 55. National budgets for education, welfare and civil justice are distributed on the basis of individual citizen's age, economic and disability status alone<sup>44</sup>. Funds attached to a particular citizen shall be distributed to the Thread they belong to. If they are children or dependents and belong to multiple Threads, their fund shall be distributed evenly among those Threads.<sup>45</sup>

Article 56. They shall not be unevenly distributed on any other basis, including ethnicity, cultural identity, race or Thread.

Article 57. Knesset shall allocate funds for the administration of each Thread on the basis of their numerical membership alone.

## Section 02      Knots (קשרים)

Article 58. Ninety (90) days prior to each Knesset elections, citizens shall be assigned to Knots<sup>46</sup>.

Article 59. There shall be 150 Knots, with each Knot being established with the number of adult citizens of the State divided by 150.<sup>47</sup>

Article 60. Each Knot shall be made up of a representative sample of the Threads within the State. This shall be achieved through the following process.

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<sup>41</sup> State legal systems can be accepted to a variant degree. A thread might choose to exercise its power in areas of Marriage, but not Tort law. This depends on their own choices. I can also conceive of Threads creating taxation systems – although they'd have to be well-established to pull it off.

<sup>42</sup> This serves as a break on the formation of micro-Threads. There is no provision for Threads making an agreement between them on how to cut the State out from their disputes. So an Islamic Thread can't make an agreement with a Beduin Thread to have their disputes settled in a special court system they establish between then. They would either need to form only a single Thread for this to occur or subject all such cases to State law.

<sup>43</sup> This is to prevent people from leaving a Thread just to change the legal framework of their preexisting interactions. The only case where this doesn't apply is in disputes about children, which are always 'contemporary' and in which the government can serve as a backstop.

<sup>44</sup> Welfare and education funds can unevenly target poor children or those with disabilities.

<sup>45</sup> Splitting such funds can result in underfunding of Thread education systems on an individual basis, but on a collective basis – with the parents choosing between available education systems, it should even out. Having a parental choice of where to apply the funds might be desirable but it would not only weaken Threads, it would require disclosure of Thread membership. A battered woman eager to escape a Thread's legal system may not want to disclose that they are no longer members of their husband's Thread.

<sup>46</sup> This gives time for campaigning.

<sup>47</sup> The body is made somewhat larger than today although this is somewhat arbitrary.



- 1) Create a Knot centered in the geographic center of the most populous Statistical Area (as defined by the Central Bureau of Statistics) – the Knot Under Assignment (KUA)<sup>48</sup>
- 2) Identify the Thread with the highest concentration of citizens in that Statistical Area – the Thread Under Assignment (SUA)<sup>49</sup>
- 3) If there are pre-existing KUA members who belong to that SUA, assign those closest to the geographic center of the KUA<sup>50</sup> to the KUA until the ratio of SUA members to the total KUA population (Knot-Thread-Ratio) for is equal to the ratio of the Thread membership nationally vs. the overall national population (Nation-Thread-Ratio).<sup>51</sup>
- 4) If additional members of the SUA are necessary to match the NSR, then randomly assign citizens based on their geographic proximity to the Statistical Area associated with the KUA.<sup>52</sup>
- 5) Repeat Steps 2-4 until all Threads have been assigned to the KUA.<sup>53</sup>
- 6) Repeat steps 1-5 until all 150 Knots have been created.

Article 61. New adult citizens shall be assigned to the closest geographic Knot.<sup>54</sup>

## Section 03 Cultural Identity

Article 62. As the State of Israel has been established to protect the Jewish people from persecution, and in reaction to genocide in the Christian majority world and ethnic cleansing in the Muslim majority world, Jewish Cultural Identity shall provide for two specific rights:

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<sup>48</sup> I use Statistical Areas and not cities because I don't want a major area like Tel Aviv or Jerusalem to form the basis of all the Knots – or the basis of too few knots. The population of the Statistical Areas doesn't bias any particular area allowing for a more random distribution. The emphasis on 'from large to small' is just there for the purpose of choose a clear pattern.

<sup>49</sup> The order of highest concentration to lowest is again there just to provide a clear process.

<sup>50</sup> This helps the Knots retain their prior membership while slowing moving people who have physically moved into other Knots. Somebody could move and be part of a Thread that needs to grow and thus remain in a Knot that is geographically distant. Alternatively, geography could be made more important with this clause struck entirely and assignments made just on proximity. With this, if another nearby Knot gets populated earlier than this one, significant numbers of people could be reallocated.

<sup>51</sup> This keeps people in the same Knots, forming longer term relationships with their representatives. Only 'extra' people are moved out of Knots.

<sup>52</sup> This adds more people to the Knot, and will be the basis for the initial Knot creation. It biases towards those close to the geographic center. The assignment 'randomly' means that if two potential members are equally distant they would be randomly chosen between.

<sup>53</sup> Each Knot is thus filled with a representative mixing of Threads.

<sup>54</sup> This will result in some imbalance in Knot sizes, but there is no effect as Knots are redrawn before each election.

- 1) Immigration shall be open to those determined to have Jewish cultural identity as determined by the Jewish Cultural Identity Committee.<sup>55</sup>
- 2) The heads of three major security agencies shall have Jewish cultural identity. These include the Army (Tzahal), the External Intelligence Agency (Mossad) and the Internal Intelligence Agency (Shabak)<sup>56</sup>. All other agencies and positions in government shall be open equally to all citizens of the State.

Article 63. Jewish Cultural Identity shall be set for each citizen upon:

- 1) Birth (with Jewish Cultural Identity being an option if either parent is of that Cultural Identity)
- 3) Marriage (with Jewish Cultural Identity being an option for both partners if either partner had prior Jewish Cultural Identity)
- 4) Immigration (if immigration was conducted on the basis of Jewish Cultural Identity)
- 5) Conversion (as determined by rules established by the Jewish Cultural Identity Committee)
- 6) Exclusion (as determined by rules established by the Jewish Cultural Identity Committee)

Article 64. There shall be seven appointees to the Jewish Cultural Identity Committee.

Article 65. Each year, the candidate who received the most votes from members of the Jewish Cultural Identity shall be elected to the Jewish Cultural Identity Committee and immediately replace the longest tenured member of the court.<sup>57</sup>

Article 66. Should an appointee be deceased or resign, an election shall be held to replace them with the new appointee serving out their term.

Article 67. Upon acceptance of this Constitution, seven appointees shall be selected by popular election. The candidate with the highest total votes shall serve a seven-year term, the candidate with the second most votes a six-year term and so on.

Article 68. The Jewish Cultural Identity Committee shall not be considered a religious court. It shall exist solely for the purpose of recognizing Jewish Cultural Identity.<sup>58</sup>

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<sup>55</sup> This seems controversial, but isn't unheard of. For example, coming from a French-speaking country and speaking French as a mother tongue is important in becoming a French citizen. The Spanish have similar clauses. Many systems effectively have negative rights for those who aren't part of the culture but hide them. Being born in Germany or Japan isn't enough to be a German or Japanese citizen with all the rights that entails. These countries protect their Cultural Identity by denying a wide range of rights to those who don't share it.

<sup>56</sup> These agencies protect the State and Citizens from external and terrorist threats. Management of them protects the Jewish people – although an Arab-led government could conceivably select Jewish Army or intelligence chiefs who do not support the State. The Constitution does not otherwise spell out governance of these institutions. They fall under standard Knesset governance.

<sup>57</sup> This means the members of this Cultural Identity can control membership without any bearing on Threads and their relationships.

<sup>58</sup> This is critical. This isn't about 'who is a Jew'. It isn't protecting the halachic definitions of Jewishness from non-Halachic approaches (this has already been lost with many non-Jews brought in under the law of return and a system that is broken). For many Israelis, volunteering in the army is a strong argument for accepting conversion. It has no

# Chapter V. Extension of the State

- Article 69. Additional municipalities and their residents shall be eligible to join the State of Israel<sup>59</sup>.
- Article 70. Territory shall be considered part of a municipality on the basis of 80% or more of that territory being owned by residents of the municipality or leased to residents of the municipality for a term of no fewer than 10 years<sup>60</sup>.
- Article 71. Candidacy to join the State of Israel would require 80% or more of the municipal residents voting to join the State of Israel and a 66% vote in the Knesset and Constitutional Assembly.<sup>61</sup>
- Article 72. Candidate municipalities that vote to become part of the State of Israel will undergo a three-year probationary period<sup>62</sup>. During that time:
- 1) Any individuals suspected by the State of violence against the State, any Thread, or the Jewish Cultural Identity shall be turned over to the State for criminal prosecution<sup>63</sup>.
  - 2) The educational system within the municipality's territory shall not incite violence against the State, any Thread, or the Jewish Cultural Identity.
  - 3) The leadership of the municipality shall not incite violence against the State, any Thread, or the Jewish Cultural Identity.
  - 4) Border controls must be established between the municipality and any areas that are not part of the State or candidates to join the State.<sup>64</sup>
- Article 73. Upon the end of the probationary period, the border of the State shall extend to include the Municipality and its territories.<sup>65</sup>
- Article 74. Municipal areas can be removed from the State<sup>66</sup> if:

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impact on Halacha or Haredi definitions. Trying to recognize it is putting serious strains on the incompatible definitions at play. This takes this dispute off the board.

<sup>59</sup> This is to allow integration and citizenship of Palestinians and residents of the Shtachim. As this state is no longer a 'Jewish State' – and as it allows Islamic or a Palestinian governance in select areas – the barriers to peace and acceptance are lowered. Some might never accept it even in this form, but this gives a way out from the conflict for anybody willing to join.

<sup>60</sup> There might need to be some sort of body to establish what these bounds practically are, although I am not averse to it being a decision by the courts. This definition exists to enable Palestinian cities to join with the lands they depend on. Leasing is used as a basis to reflect actual use of land as ownership can be very different, disputed, and less directly impactful (e.g. JNF).

<sup>61</sup> This is a very high bar. There needs to be very broad consensus for such a choice to actually go through. Also, the country may not want an additional region (say all of Lebanon votes to join, a level of change that could tear the country apart).

<sup>62</sup> It would be nice to say 'no terrorism' but that isn't feasible as anti-Israeli terrorists could choose to use the city as a base. Instead, integration into a system of prosecution is used as the baseline.

<sup>63</sup> This would apply to Shtachim as well as Palestinian towns.

<sup>64</sup> This is necessary to prevent incursions and the use of the land to launch attacks.

<sup>65</sup> The borders do *not* need to be continuous, although that is obviously more practical.

<sup>66</sup> The ability to leave blunts criticism that Israel is occupying places that want their own governance. The desire to leave is blunted by the freedoms granted by the Threads system.

- 1) 80% of their residents vote to leave the State, or
- 2) The Knesset, Constitutional Assembly, Cabinet and Supreme Court all vote to remove them with a minimum of 66% approval in each body.

## Chapter VI. Municipalities

- Article 75. Regulations concerning the organization and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy.
- Article 76. The local public entities shall establish assemblies as their deliberative organs, in accordance with law. The chief executive officers of all local public entities, the members of their assemblies, and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.<sup>67</sup>
- Article 77. Local public entities shall have the right to manage their property, affairs and administration and to enact their own regulations within law.
- Article 78. A special law, applicable only to one local public entity, cannot be enacted by the Knesset without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law.

## Chapter VII. The President

- Article 79. The President shall be the symbol of the State and of the unity of the People, deriving his position from the will of the people with whom resides sovereign power.<sup>68</sup>
- Article 80. The President shall be selected by the Constitutional Assembly with a 10-year-term.
- Article 81. The advice and approval of the Cabinet shall be required for all acts of the President in matters of state, and the Cabinet shall be responsible therefor.
- Article 82. The President shall perform only such acts in matters of state as are provided for in this Constitution and he shall not have powers related to government. The President may delegate the performance of his acts in matters of state as may be provided by law.
- Article 83. The President shall appoint the Prime Minister as designated by the Knesset. The President shall appoint the Chief Judge of the Supreme Court as designated by the Cabinet and confirmed by the Constitutional Assembly.
- Article 84. The President, with the advice and approval of the Cabinet, shall perform the following acts in matters of state on behalf of the people:

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<sup>67</sup> This is copied from the Japanese Constitution. Note that Threads and Knots have no impact on municipal governance.

<sup>68</sup> This section is almost word-for-word from the Japanese Constitution with 'President' replacing 'Emperor'.

- 1) Promulgation of amendments of the constitution, laws, cabinet orders and treaties.
- 2) Convocation of the Knesset.
- 3) Dissolution of the Knesset.
- 4) Proclamation of general election of members of the Knesset.
- 5) Attestation of the appointment and dismissal of Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors and Ministers.
- 6) Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.
- 7) Awarding of honors.
- 8) Attestation of instruments of ratification and other diplomatic documents as provided for by law.
- 9) Receiving foreign ambassadors and ministers.
- 10) Performance of ceremonial functions.

Article 85. No property can be given to, or received by, the President, nor can any gifts be made therefrom, without the authorization of the Knesset.

Article 86. All Presidents shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

## **Chapter VIII. Fundamental Rights**

Article 87. No person shall be held in bondage of any kind. Involuntary servitude, except as punishment for crime, is prohibited.

Article 88. Freedom of thought and conscience shall not be violated.

Article 89. Freedom of religion is guaranteed to all.

Article 90. Freedom of assembly and association as well as speech, press and all other forms of expression are guaranteed. No censorship shall be maintained, nor shall the secrecy of any means of communication be violated except as determined to be appropriate by the Knesset with the agreement of the Supreme Court.

Article 91. Thread membership, cultural identity, ethnicity or sect shall not be used by any municipality or property owner to deny residence to any individual in any Municipality. Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.

Article 92. All people shall have the right to receive an equal education correspondent to their ability, as provided by law. All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law.

- Article 93. The right to own or to hold property is inviolable. Private property may be taken for public use upon just compensation therefor.
- Article 94. The people shall be liable to taxation as provided by law.
- Article 95. No person shall be deprived of life or liberty, nor shall any other criminal penalty be imposed, except according to procedure established by law.
- Article 96. No person shall be denied the right of access to the courts.
- Article 97. No citizen shall be apprehended except upon warrant issued by a competent judicial officer which specifies the offense with which the person is charged, unless he is apprehended, the offense being committed.
- Article 98. No person shall be arrested or detained without being at once informed of the charges against him or without the immediate privilege of counsel; nor shall he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel.
- Article 99. The right of all persons to be secure in their homes, papers and effects against entries, searches and seizures shall not be impaired except upon warrant issued for adequate cause and particularly describing the place to be searched and things to be seized, or except as provided by Article 33. Each search or seizure shall be made upon separate warrant issued by a competent judicial officer.
- Article 100. In all criminal cases the accused shall enjoy the right to a speedy and public trial by an impartial tribunal. He shall be permitted full opportunity to examine all witnesses, and he shall have the right of compulsory process for obtaining witnesses on his behalf at public expense. At all times the accused shall have the assistance of competent counsel who shall, if the accused is unable to secure the same by his own efforts, be assigned to his use by the State.
- Article 101. No person shall be compelled to testify against himself. Confession made under compulsion, torture or threat, or after prolonged arrest or detention shall not be admitted in evidence. No person shall be convicted or punished in cases where the only proof against him is his own confession.
- Article 102. No person shall be held criminally liable for an act which was lawful at the time it was committed, or of which he has been acquitted, nor shall he be placed in double jeopardy.