

Strategic Alert for Israel: Background Paper

The Legislative Processes Regarding the Judicial Overhaul Constitute a Serious Threat to National Security



The Internal Dimension: Undermining Israel's National Resilience

Many in Israel refer to the so-called “judicial reform” as “regime change.” The purpose of the proposed legislation is to concentrate power in the hands of the government, while significantly reducing the powers of the judicial authority and the capability of the gatekeepers to supervise the government. This process represents a significant threat to Israel’s social resilience and national security.

Therefore, and in view of the growing social unrest, the Prime Minister, together with the President, must now focus on achieving a broad consensus and finding a framework to curb this unprecedented crisis in Israel, which could rapidly deteriorate into a social calamity. It is only by achieving calm and working toward an agreement that it will be possible once again to address seriously the reciprocal relations between the branches of government – a principle that must be anchored in a Basic Law: Legislation.

The accelerated drive to legislate major changes in the judicial system has aroused widespread and severe popular protests, deepened the rifts in society, created an ugly wave of hostility between parties in dispute, and undermined for many the sense of confidence in Israel’s essence as a democratic regime and the preservation of its identity as a Jewish and democratic state. A recent public opinion poll on national security carried out by the Institute for National Security Studies (INSS) indicates a high positive correlation between a sense of dissolving social solidarity and a decline in feelings of personal security. It is already possible to say that this is the most profound crisis experienced by Israeli society in recent years, or perhaps ever.

Significant Weakening of Social Resilience at the National Level

Israel’s prolonged political crisis of recent years has left its negative mark on the level of social resilience and is reflected in cumulative damage to the components of social solidarity. Israeli society has long been characterized by profound polarization, as seen in the ongoing decline in public confidence in state institutions, the level of governance, and the rule of law, as well as in the retreat of the state and its leadership from commitment to the public interest, replaced by the promotion of narrow party and personal interests.

The events of recent months have created a significant risk to social resilience, approaching social disintegration. Social and political disagreements have assumed a character of fierce though not yet physical hostility. But it is impossible to rule out the prospect of descending into an abyss of widespread violence between extremists in the hawkish camps, including the use of violence. Such a development would be a national disaster, and the recovery, if any, would be long and hard.

Therefore, the most important and urgent national task now, superseding any other issue, is dialogue, toward a halt to the current social emergency. There is no other matter, either internal – including interrupting the moves to change the judicial system and calming the protests – or external, with the same degree of importance or urgency.

Economic Impact

The judicial overhaul and its ramifications are expected to cause serious damage to Israel's economy. Israel has a small, open economy that is particularly dependent on international capital transactions and developments of advanced technology. These features make it especially vulnerable to capital flight and brain drain.

The economy has already experienced some of the consequences of the changes included in the legislative process, including: a weakened shekel against the dollar and other currencies, the transfer of money abroad by Israeli companies, and a noticeable flow of capital in February from the Israeli shares and bonds market to their overseas equivalents. These developments testify to what could unfold with greater intensity if the judicial overhaul is passed in the proposed format and Israel's internal stability continues to be undermined. Warnings from international bodies about a reduction in Israel's credit rating and the threat of a decrease in foreign investments in Israel have been heard clearly by the Bank of Israel. The threat to the local economy is developing within a particularly challenging macroeconomic environment, where inflation is felt in every household in Israel. These ramifications join developments in the international arena that are unrelated to the legislative process in Israel, such as the collapse of the Silicon Valley Bank, which could have an adverse effect on the local hi-tech sector.

Arab Society

The Arab public in Israel has thus far remained aloof from the mass demonstrations against the government's legislative moves, notwithstanding their awareness and concern over the implications for their status in the country. Leaders of the Arab parties have expressed clear opposition to the judicial changes, but any calls to their voters to join the demonstrations were too late and tentative, and failed to include any proactive, party-based, and/or public action to encourage the participation of the mass of Arab citizens. If this pattern continues, it could be evidence of the Arab public's apathy and detachment from what happens in the country. If the Arabs continue to avoid the protests, questions may arise about their adherence to the concept of integration that characterized Arab society in recent years. This represents a significant risk in a sensitive area for national security. A retreat from integration signifies growing isolationism, hostility, and a widening gulf between Arabs and Jews. Such a situation could strengthen radical groups on both sides and encourage violence based on religious and nationalist motives. This scenario is particularly plausible if there are new restrictions on the Arab public, damage to the five-year plans, indifference to crime and violence in Arab society, and racist rhetoric. A special case is that of East Jerusalem, one of the most prominent points of friction in Israel, which could have an impact on what happens between Jews and Arabs in the country as a whole, particularly at sensitive times such as the approaching period between Passover and the month of Ramadan.

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Defense and Security Bodies: The Danger of the Constitutional Crisis and the Threat to the People's Army

As a result of legislative moves and government policy, considerable changes have occurred in the IDF operational environment and in its underlying social fabric. Assessments are that these changes create a genuine threat to the military's human resources, its ability to operate based on broad public consensus, and even its continued existence as the people's army – which has always been the basis of its strength. The constitutional crisis could disrupt the proper operation of the defense and security bodies.

The protest by reservists against the government's legislative moves, in which hundreds of reservists serving in essential units have sent letters threatening to stop serving because of what they see as a material change in the regime in Israel, is unprecedented, even when compared to the period following the Yom Kippur War or during the First Lebanon War. The widespread and powerful protest by the reservists led to severe condemnations by senior members of the coalition, as well as a fierce dispute in society over the limits of protest. There is a sense that the contract between the army and society in general and the reservists in particular is dissolving, which also underscores how unequally the burden is shared, and has led to cracks in the confidence in the state and the government, especially in the air force and the special units.

This situation could become far more serious if, as stipulated in Article 90 of the Coalition Agreement between the Likud and the United Torah Judaism faction, within a few months (according to the Article, when the state budget for 2023 is approved) the Basic Law: Torah Study is passed. According to the agreement, the law is supposed to include a practical clause whereby yeshiva students will be deemed, for the purposes of their rights and obligations, to be providing a vital service to the state. If such a law is passed, it is likely to arouse a response that will destroy the basis for mandatory military service in Israel. Large sections of the public that enlist in the army will have difficulty accepting a situation in which an entire sector, currently representing about a sixth of potential male recruitment, receives an explicit exemption in law. The intended legislation has already prompted many reservists to announce that if it is passed, they will not report for reserve duty. This would mean the actual, immediate, and uncontrollable collapse of the IDF as the people's army.

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Moreover, the continuation of this process could create further severe damage: it endangers the force buildup necessary to face both immediate and more long-term challenges, and undermines the IDF's image of strength that acts as a deterrent to its enemies. In such conditions, there will be serious doubts about the army's ability – not only to implement its long term plan for force buildup, but also to complete some of its tasks.

Another danger emerging from the current legislative process could be reflected particularly severely in the activity of the various security agencies: this is the risk of a possible constitutional crisis in the event the political echelon orders a certain action in direct contradiction to a High Court directive, or legislation reintroduced by the Knesset, by virtue of the "override clause," after its rejection by the High Court.


Such a situation would be intolerable for the IDF and other security entities, since acting in accordance with the law and justice is at the heart of their ethos and the core of the consensus that enables its fighters to risk their lives; it is also what protects them from external legal threats. A constitutional crisis will present the IDF commanders and heads of the security agencies with difficult dilemmas and in any case put the army's national character in great danger.

The damage to the Israel Police is already perceptible. Tension between the Minister in charge of the police and the police commanders, from the Commissioner to senior officers, and signs of the politicization of processes erode public trust in the Police, which was already low, and damage its ability to function properly. The Israel Security Agency could also face challenges similar to those confronting the IDF and the Israel Police, in the sense of the dilemmas created by the constitutional crisis and inadequate separation of powers.

The worst damage that has already been caused by other items in the coalition agreement is the problematic division of powers between the Defense Minister, the minister in his office (who is also the Finance Minister), and the National Security Minister, on matters of policing and the use of force in the West Bank, a region where the danger of conflagration is evident every day in clashes between IDF forces and armed terrorists, against a background of constant friction between the Palestinian population and the Israeli settlers.

The Chief of Staff and other members of the General Staff are refraining, and rightly so, from expressing an opinion in public over the burning public dispute, apart from their absolute rejection of any kind of refusal to serve. However, it is their duty to present to the politicians the harsh implications of the current and future situation, and to clarify to the Prime Minister and the relevant ministers their responsibility in the event that these possibilities are realized. This also applies to the heads of the other security organizations.

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Against the backdrop of the internal crisis in Israel, actual policy changes are underway in the Palestinian arena, heightening danger in another important dimension of Israel's national security. The government is leading a revolution intended to erase the possibility of any future agreement between Israel and any Palestinian entity. This is reflected in the Smotrich-Ben-Gvir strategy to quash the national aspirations of the Palestinians and to eliminate the option of a political agreement, while preparing the conditions for annexation of all Area C in the West Bank by Israel, thus creating a situation of one state with Jewish control.

The Smotrich-Ben Gvir strategy has five pillars:

- Generate chaos and anarchy in the West Bank, by exploiting the escalation in terror to justify “a suitable Zionist response” – establish more settlements, recognize unauthorized outposts, create facts on the ground, and even excuse violent reprisals by settlers.
- Promote Minister Smotrich's plan to subdue the Palestinians: “Sear into the minds of the Arabs and the entire world that there is no chance of establishing an Arab-Palestinian state in the Land of Israel.” Smotrich outlines three options vis-à-vis the Palestinians: encourage “migration”; “combat” terror – terrorists will be handled with greater severity by the security forces; “surrender” – Palestinians who renounce their national aspirations can live under Israeli rule in autonomous cantons, as residents without full national and civil rights.
- Prepare the conditions to annex Area C, with the transfer of civilian powers in Area C from the military commander to civilians in government ministries; repeal the law on disengagement from northern Samaria, and eliminate the word “occupation” from the national lexicon; at the same time, undertake massive demolition of illegal Palestinian construction in Area C and push Palestinian agricultural activity off “state (i.e., not private) land.”
- Strengthen sovereignty and governance in Jerusalem by changing the status quo on the Temple Mount – extend the visiting hours for Jews and allow Jewish prayers, and undertake massive demolition of illegal building in the east of the city – without offering housing solutions to thousands of East Jerusalem residents. Such moves are already underway and are planned to continue during Ramadan, in spite of the potential for escalating violence. Also advocated is collective punishment for neighborhoods that are home to terrorists.
- Pursue a variety of means to defeat terror: the death penalty for terrorists; expulsion of terrorists (after their term of imprisonment) and their families; immediate sealing of the homes of terrorists after an attack, followed by their demolition; harsher prison conditions for security prisoners.

The war for democracy unites groups in the Israeli public; the Palestinian issue divides and polarizes. Repression mechanisms are also at work in the public, including the assessment that Prime Minister Benjamin Netanyahu holds the reins, and the security establishment will not allow the chaos sought by extremist elements in the right wing-

ultra Orthodox government – without the public aware of the consequences of these policies and ignoring the fact that it is impossible to vanquish Palestinian national aspirations. The greater public (over 60 percent) supports political, geographic, and demographic separation from the Palestinians, but is unable to muster the necessary forces to protest simultaneously on two fronts, and is using defense mechanisms and denial to ignore the consequences of the dispute over the character of the State of Israel. Most people feel that they are not responsible for the results of the demographic complexity; they have been persuaded that there is no Palestinian “partner” for an agreement and there is no achievable solution. This provides an opportunity for elements of the government on the extreme right to promote their "Decisive Plan."

The depressed situation of Palestinian society and leadership is another element facilitating the promotion of the "Decisive Plan." Among the most prevalent components comprising this situation are the split between the Fatah-led Palestinian Authority, which controls the West Bank, and Hamas, which controls the Gaza Strip; the PA's decline and the collapse of governance; and the ongoing and mounting wave of terror – 14 Israelis have been murdered in terrorist attacks and 90 Palestinians killed in IDF actions to foil attacks in the West Bank since the start of 2023. The wave of terror springs from the weakness of the Palestinian Authority, its loss of both legitimacy in the eyes of the Palestinian public and hopes for an end to the occupation, and the aggressive behavior of groups of settlers (seen, for example, in the events in Huwara). The violence is led by young Palestinians who are drawn into the vacuum created by the lack of governance and the helplessness of the Palestinian security apparatuses and their lack of motivation to prevent terrorist attacks. A more entrenched and better armed Hamas in the Strip encourages terrorism in Jerusalem and in the West Bank, building strength for the fight against Israel and for control of the Palestinians.

Jerusalem has become more volatile, and the convergence of all elements of the conflict – religious and national drives, the struggle for sovereignty on the Temple Mount, group and neighborhood punishment following terror incidents, the demolition of homes in Arab neighborhoods, and the overlap between Jewish festivals and Ramadan, when the area is simmering – increases the potential for escalation.

The government is leading a revolution intended to erase the possibility of any future agreement between Israel and any Palestinian entity.

Restraint instead of “Decision”

Israel is on the brink of losing control of unfolding events in the Israeli-Palestinian arena, which itself is influenced by developments in the Israeli judicial system. Over the years, the Supreme Court has prevented unlawful moves against Palestinians and provided judicial protection for IDF soldiers and commanders against charges in international forums. This accordingly enabled activity balancing Israel's security needs with Palestinian rights; preservation of the morals of warfare; and modus operandi whereby soldiers and security personnel with different opinions can work together, believing in the justness of their cause. Without this belief, internal resistance against certain measures is more likely. In addition, judicial oversight that guarantees activity according to law is an important element that has allowed Israel to rebuff moves against it in the international arena, including calls for sanctions and boycotts. Weakening the Court will remove these mechanisms for defense and reinforce pending processes against Israel in the international courts, namely, the ICC and ICJ. At the same time, Iran and its proxies have noticed Israel's internal weakness and are energetically encouraging the continuation of terror and the undermining of stability in the Palestinian arena. The attack in Megiddo is an example of this, as

well as the reference by the commander of the Quds Force of the Iranian Revolutionary Guards to Israel's weakness and the fact that more than half the order of battle of the "Zionist regime" army is pinned down in the West Bank. It is also possible to discern increasing Iranian activity in the Palestinian arena – setting up intelligence networks, establishing terror infrastructures under the guise of civilian organizations, and sending explosives, weapons, and cash to encourage the terrorists.

It is the job of the Institute for National Security Studies (INSS) to present the consequences of Israeli government policy – including in the Palestinian arena – and certainly if the doctrine of Minister Smotrich is taken forward, and he and Minister Ben-Gvir are given the "match" to ignite the Palestinian issue. Israel is moving toward a reality of apartheid, which will cause it to be boycotted and isolated in the international system.

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Israel requires an immediate plan to block the descent into anarchy, from which it would be hard to recover. The following restraining steps are needed:

- Continuation of the security dialogue that was begun in meetings in Akaba in Jordan and Sharm in Egypt, to outline understandings on how to strengthen and stabilize the Palestinian Authority's ability to govern and improve the function of its security apparatuses, to the extent that the IDF will be able to scale back its activity in the PA areas – if and when the Palestinian security forces exercise their responsibility for the fight against terror and to impose law and order.
- Avoidance of unilateral steps and implementation of Minister Smotrich's "Decisive Plan," particularly in the context of imposing sovereignty on parts of the West Bank (i.e., annexation), creating new settlements, and approving illegal outposts. The repeal of the Disengagement Law, if accompanied by renewed establishment of outposts and settlements in northern Samaria, is expected to increase terror and hurt relations between Israel and the United States (since it will constitute a breach of a commitment by the Sharon government to the Bush administration). The Biden administration is opposed to any annexation, and thus moves in this direction will cause severe damage to relations with the United States and Europe; they will also damage the peace treaties with Jordan and Egypt, the Abraham Accords, and the possibility of extending and intensifying them; Fatah and Hamas will be encouraged to join forces around their violent opposition; there will likely be international recognition (in the Security Council) of a Palestinian state within the 1967 borders, with its capital in East Jerusalem; there is likely to be stronger condemnation of Israel in international forums, perhaps even the imposition of sanctions.
- Efforts to stabilize the Palestinian arena: the United States has imposed restraints on the government of Israel and the Palestinian Authority, and also launched the Akaba and Sharm summits in order to promote dialogue between the parties. In order to calm the situation, it is important to involve Jordan and Egypt (which have considerable influence on Palestinian political circles and administration) and to bring in European partners – in order to ensure the proper function of the PA, with allocation of the necessary resources.
- The Palestinian Authority must be involved in regional arrangements based on the Abraham Accords. This could revive the shaky normalization process between Israel and Arab countries. Saudi Arabia must be an important part of this strategy – it is the center of gravity for Arab diplomacy and is a desired target for the normalization of relations. The United States must be in direct contact with Riyadh to ensure that it remains a constructive actor in this effort.

The Radical Axis: Iran on the Nuclear Threshold and Hezbollah Use of the Opportunity to Provoke Israel – the Risk of Miscalculation and Escalation

The increasing attempts by the radical axis to arouse Israel and take risks could lead to miscalculation and military friction on a number of fronts, even if the parties do not seek a broader escalation. At the same time, Israel's ability to gain the world's attention in the Iranian context is severely damaged; the ability to build the internal consensus needed for any action against the Iranian nuclear program is also significantly harmed.

The internal crisis and the widespread protests in Israel, together with the escalation of Palestinian terror, are perceived by the radical axis, particularly Iran and Hezbollah, as clear signs of Israel's ongoing weakness and of the potential to ignite a regional conflagration.

Events in Israel are widely covered by the Iranian media, including media identified with the regime. They present the internal developments in Israel as a reflection of Israel's growing weakness and widened rifts in Israeli society. According to the Iranian-led axis, Israel is on the brink of an implosion, with its citizens experiencing existential fears; significant erosion of public confidence in the army, the political leadership, and the judicial system; and increasing signs of desertion and emigration. Moreover, the Israeli economy is weakened, and the country's international support is declining. All these parameters weaken Israel and its military preparations against its enemies, who feel increasingly confident of their ability to deter the IDF and confront it successfully.

In his public statements, Hezbollah leader Hassan Nasrallah claims that Israel is on the verge of a "civil war" and that its end is near, based on his well-known concept that Israel is a "spider web country" that is destined to dissolve and disappear. In addition to the clear propagandist aspect, public references to Israel's internal problems by members of the radical axis also reveal their growing certainty that Israel's disappearance from the world map is a matter of time, and can be hastened by persevering with the "resistance" and the armed struggle.

The continuation of present trends could lead to a miscalculation and military clashes on several fronts, even though this is not the intention of the parties.

At present it appears that the radical axis is not yet interested in an all-out military conflict with Israel, although there are increasing signs of attempts to provoke Israel and take risks, with the emphasis on initiating attacks within the country as well, relying on broader coordination with Palestinian elements. Thus, the continuation of present trends could lead to a miscalculation and military clashes on several fronts, even though this is not the intention of the parties.

In these circumstances, while Iran itself is under criticism and sanctions because of the violent repression of its own internal protests, Tehran could interpret the developing criticism of Israel in the international arena – in the US administration and European capitals – as a possible source of "relief" from the pressure it faces. The renewal of its relations with Saudi Arabia, the visit to Abu Dhabi by Ali Shamkhani, the secretary of the Iranian Supreme National Security Council, and the efforts to renew relations with Bahrain all contribute to Iran's confidence and its impression that it is no longer isolated.

As for the nuclear issue and sanctions, Iran has reached an understanding, even if temporary, with the IAEA, which has postponed the threat of taking the Iranian case to the Security Council. At the same time, it appears that Europe and the United States do not accept Israel's demand to activate the "snapback" clause in the nuclear treaty. Israel's overall standing in the international arena, bearing in mind its severe internal tensions, no longer offers them a convenient base for greater cooperation.

Presumably Iran's reference to Israel's internal situation as limiting its options influences the assessment in Tehran that threats of an Israeli attack have no basis at present, since Israel has great difficulty in engaging the world's attention in the Iranian context. It is also far less able to create the internal consensus required for any action against the Iranian nuclear program.

The Regional Dimension: Possible Damage to Peace Agreements and Normalization Efforts

The progress of the judicial overhaul in Israel and its possible implementation, particularly against a background of growing civil protest and the emerging policies of the Israeli government in the volatile Palestinian arena, could create shockwaves that damage Israel's international and regional standing, and undermine its relations with its "new" and "old" peace partners and with other countries in the region that continue to sit on the fence.

While Israel's enemies in the region, mainly Iran, Hezbollah, and the Palestinians, view Israel's internal clashes as heralding the start of the fulfillment of their "spider web" theory of its approaching collapse, the peace treaty states have a different approach. In principle, they approve of a stable and authoritarian Israeli government, but not one that lacks strong internal and international backing. In addition, the perception that Israel is growing weaker – in terms of social cohesion and economic resilience – could affect long term relations between Israel and countries in the region: cooperation with a country that displays weakness is less attractive for existing and potential allies.

States that signed peace and normalization agreements with Israel have an interest in upholding them, irrespective of events in the Palestinian arena, with the expectation that the government will impose calm. However, the continuing escalation has already drawn some, partly without choice, to relate to Israeli policy vis-à-vis the Palestinians, particularly as Ramadan approaches. The escalation in terror attacks and IDF activity in the Palestinian arena, together with the emerging hardline policies of the right-wing-ultra-Orthodox government, challenges the ability of the Arab states, led by the United Arab Emirates, to balance the need to retain an image of concern for the Palestinians, while maintaining and promoting their own economic and security ties with Israel.

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The growing engagement with the Palestinian issue derives from the perception that Israel's current government is not interested in promoting the peace process, and from concrete actions such as National Security Minister Ben-Gvir's visit to the Temple Mount, and statements such as Finance Minister Smotrich's talk of the need to "erase" the Palestinian village of Huwara, plus the preparations for new settlements and continued construction. These events challenge the existing normalization agreements and the ability to bring other important Arab countries into the process, particularly Saudi Arabia. So far this has been a matter of more active support for the Palestinians and unusually harsh condemnations of Israel in international forums, mainly the UN. There have also been reports of canceled visits and suspension of deals by the UAE, which in an unusual move sent money for the reconstruction of Huwara. Since January, the Emirates, using its status as a non-permanent member of the Security Council, has also joined with the Palestinian delegation in the UN three times to issue a condemnation of Israel.

These developments do not yet pose an actual risk to the normalization agreements, nor do they rule out the possibility of recruiting other countries to join them. The responses of Abu Dhabi and Riyadh are intended to maintain their image as committed to a solution of the Palestinian problem. However, if this trend continues due to escalation in the Palestinian arena and above all a change in the status quo on the Temple Mount, the practical outcome could be a freeze of any possible

progress in Jerusalem-Riyadh relations, or even the end of the public “honeymoon” phase between Israel and the Emirates.

And in the background, escalation in the Palestinian arena brings condemnation from the oldest peace partners, Egypt and Jordan. Until recently Egypt tried to present itself as the “responsible adult,” brokering calm between the parties, but recently the tone has changed. At a conference in Cairo in February, President el-Sisi himself condemned what he defined as Israeli attempts to change the historic and judicial status quo in Jerusalem. The Egyptian Foreign Ministry, like that of many other countries, strongly criticized the statement from Minister Smotrich and denounced the “invasion of the Jenin refugee camp by Israeli forces.”

The continuing escalation could force Israel’s closest neighbors to increase their displays of solidarity with the Palestinians and restrict their normalization contacts.



At the same time, Cairo and Amman share weighty security, economic, and energy interests with Jerusalem, and would like to prevent any Israeli-Palestinian escalation that could stir up local public opinion, and to avoid direct friction with Jerusalem. Political initiatives under Arab sponsorship, such as the Akaba summit in February, could act as a restraint and help both sides reach understandings in order to prevent further deterioration of the situation. On the other hand, the failure of such efforts and continuing escalation could force Israel’s closest neighbors to increase their displays of solidarity with the Palestinians and restrict their normalization contacts, as shown by the postponement of the Negev Forum summit, apparently due to Egyptian pressure.

The International Dimension: The Danger to Israel’s “Special Relations” with the United States and its Relations with the West

Promoting the judicial overhaul is expected to undermine the ability of the United States administration to highlight Israel’s value for the US as the only democracy in the Middle East and a strategic partner. The US response could be reflected on a spectrum from public condemnation to real erosion in the backing Israel receives from the United States on various levels – political, economic, and security. In addition, if the current processes of legislation continue, Israel will find itself on a collision course with Europe.

The continuation of the legislative process in Israel on the one hand and the continuing protests on the other hand have drawn a wave of international responses, particularly from the United States. As of now, the efforts by the Foreign Ministry to stem the flow of statements from the prime ministers and foreign ministers of various countries have not succeeded, and the situation may get worse if the legislative process and the protests continue through the month of Ramadan.

The promotion of the judicial overhaul is expected to undermine the ability of the United States administration to highlight Israel’s value for the US as the only democracy in the Middle East and a strategic partner. In the face of the judicial reform, the US administration, under President Biden, has sent unequivocal signals to Israel that the US will find it hard to ignore the moves and their possibly negative effect on the US assessment of Israel’s democratic character. In spite of the foundations underlying the relations between Israel and the United States and the deep friendship of President Biden, the administration has not hidden its disapproval with the processes spearheaded by the government, and the most prominent reflection of this is that Netanyahu has not been invited to the White House. In the immediate range, the administration is mainly worried about developments in the Palestinian arena and fears of further deterioration on the ground.

There are growing voices in Washington that do not accept Israel’s policy and demand a stronger American response – up to demanding to link aid to Israel to the preservation of “shared values.”

In public, the US administration stresses multiple messages whose common thread is as follows: with respect to the Palestinians, the administration supports the two-state solution to the Israeli-Palestinian conflict, and any moves that make this option more remote are dangerous to the long-term security of Israel and its Jewish identity. The administration is aware that at present the chances of achieving a political solution are limited, but it intends to maintain the option of promoting it in the future. For that reason, the administration is strongly opposed to unilateral moves that increase tension and reduce the likelihood of a political solution.

There are growing voices in Washington among Democrat legislators, and particularly among the progressive group, as well as sometimes from the center of the party, that do not accept Israel’s policy and demand a stronger American response – up to demanding linkage between aid to Israel and its policy on the Palestinian issue. At the same time, there are also calls in the United States to link aid to Israel to the preservation of “shared values.”

Moreover, the latest Gallup polls show for the first time that more Democrats identify with the Palestinians than with Israel. Even a pro-Israel administration would have difficulty ignoring

this negative attitude, and it will certainly not remain quiet if it estimates that Israeli conduct is defying the shared values that form the foundation for the special relations between the two states. The current administration has so far managed to ward off any crisis, but it cannot remain immune forever. The Jews of the United States have an important role to play in influencing administration attitudes, but even they are evincing signs of eroded support for Israel. Relations between Israel and Jewish communities in the United States will also be adversely affected by changes in the attitude of the Democratic administration to Israel.

Israel must bear in mind that the assessment in Washington (in the administration and in Congress) that the “shared values” have been damaged and that Israel is acting contrary to the immediate interests of the United States could have a direct impact on the closeness of relations between the countries – particularly at this sensitive time, when the security challenges, notably from Iran, which resolutely continues to pursue its nuclear program, require close coordination between them. The US response could be expressed on a spectrum from public condemnation to real erosion in the backing Israel receives from the United States at various levels – political, economic, and security.

The importance of the United States in the context of the judicial overhaul derives from its status as a source of exclusive innovative weapons and its ability to block anti-Israel resolutions on the Palestinian issue, mainly in the Security Council. Moreover, any loosening of its support for Israel will have serious consequences for the way other countries in the Middle East and Asia approach Israel. China and Russia have paid little attention to events in Israel, but a continuation of the legislative process and violent clashes in the Palestinian arena during Ramadan can be expected to prompt a response from Muslim countries.

Israel’s conduct and the nature of relations with the US will also have long term importance in view of demographic, economic, and social processes underway in the United States. Even if some are not directly linked to Israel, they could contribute to an erosion in the US commitment to Israel and affect the special relationship between the two countries.

Alongside the problematic significance for relations between Israel and the United States, negative outcomes will also have an impact on Israel’s relations with Europe. On March 14, the European Union held a meeting about Israel, where they discussed the proposed judicial changes and the deterioration in the Palestinian arena as one issue, notwithstanding the reservation of Foreign Minister Eli Cohen. If the current legislative processes continue, Israel and Europe will find themselves on a collision course.

Imposing sanctions on Israel requires consensus among the European Union members. However, the EU has other administrative means at its disposal, including suspension of the political dialogue at the highest level and suspension of the committees and work groups dealing with a wide range of subjects, while restricting bilateral contacts (Clause 2 of the EU-Israel Association Agreement (1995) stresses the principles of democracy and human rights as the basis for relations). In such a situation, the Israeli government would resume its former modus operandi, namely working with individual EU member states – Prime Minister Netanyahu’s former and recently revived modus operandi. The possibility of some EU member countries taking harsher steps cannot be ruled out, such as recalling their ambassadors, recognizing a Palestinian state, and failing to take action against attempts by BDS organizations to boycott all Israeli products, and not only those from the settlements.

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