

Research Reports

Middle East and Africa Study Group

FY 2022-#4 2/3/2023

"Research Reports" are compiled by participants in research groups set up at the Japan Institute of International Affairs, and are designed to disseminate, in a timely fashion, the content of presentations made at research group meetings or analyses of current affairs. The "Research Reports" represent their authors' views. In addition to these "Research Reports", individual research groups will publish "Research Bulletins" covering the full range of the group's research themes.

Continuing Turmoil in Domestic Politics of Israel: Growing Resistance to Netanyahu's New Government

Ryoji Tateyama

(Professor Emeritus, National Defense Academy of Japan)

After Israel's fifth general election in the last three and a half years, the sixth Benjamin Netanyahu government was inaugurated at the end of December 2022. However, the domestic political turmoil in Israel is unlikely to end. The new government, in which far-right parties have a large voice, is trying to push extreme policies on judicial reform and the issue of occupied territories. This has been met with widespread criticism and opposition, including from within the legal profession and the military. Behind the rise of far-right forces is the reality of "one state, two nations" in which two nations continue to confront each other in Israeli-controlled areas, with no possibility of a solution to the Palestinian problem in sight. The policies of the new administration will have a seriously negative impact on the situation in Palestine and risk degrading Israeli democracy.

Far-right parties are becoming more outspoken in the new government

The most notable aspect of the general election held on November 1, 2022, was that the Religious Zionism/Jewish Power, a joint list of far-right parties that espouse Religious Zionism, more than doubled its seats from the previous election in March 2021. Religious Zionism is a form of Zionism

based on the religious interpretation that the strengthening of Jewish control over the "Promised Land (the Land of Israel)" will hasten the coming of the Messiah: politically, they have advocated the annexation of the West Bank and the promotion of settlement activities, as well as the expansion of Jewish rights in domestic politics.

As a result of the breakthrough by far-right parties, the total number of seats held by the traditional supporters of Netanyahu is 64, exceeding the majority (61), and Netanyahu's new government was established on December 29 of the same year. In addition to Netanyahu's Likud (32 seats), the coalition includes three far-right parties that dissolved their joint list after the election: Religious Zionism (7 seats), Jewish Power (6 seats), and Noam (1 seat), as well as Shas (11 seats) and United Torah Judaism (7 seats), both based on ultraorthodox Jewish beliefs. Netanyahu, who gave top priority to his own return to the prime minister's office, accepted the demands of the various coalition parties during negotiations. As a result, the new government began to implement extreme policies advocated by the far-right parties and others immediately after its inauguration.

Judicial system reform and appointment of two far-right party leaders as cabinet ministers

Policies related to judicial reform, changes in the administration of the occupation, and the sanctuary of Jerusalem have come under strong criticism because they involve too many problems.

The six parties in the coalition have long criticized the current judicial system, including rulings of the Supreme Court, as being too liberal and secular, and have advocated reform. The new administration thus submitted a proposal for judicial reform to the Knesset shortly after its inauguration. The most problematic of the reform proposals is the "override clause," which allows the Knesset to override a ruling of the Supreme Court with a majority vote. This clause would undermine the separation of powers, and the current chief justice of the Supreme Court, the attorney general who represents the government's interpretation of the law, and other top legal professionals have all expressed opposition to this provision. It is unusual for the legal profession to criticize the government's policies so publicly. Furthermore, large-scale opposition rallies and demonstrations have been held in Tel Aviv and other parts of the country on every weekend since the beginning of January.

Another major problem is that the leaders of two far-right parties have obtained ministerial posts on the occupied territories and police administration and are trying to translate their convictions into policy. The leader of Religious Zionism, Bezalel Smotrich, has been appointed to the post of "Second Minister of Defense," a newly created post within the Ministry of Defense that is distinct from the post of Minister of Defense, in addition to being the minister of finance. As a result, Smotrich is now responsible for civilian matters such as settlement activities, part of the overall administration of the occupation of the West Bank previously under the sole control of the Minister of Defense. However, the division of roles is not always clear, and the military has pointed out the danger of confusion in the chain of command and order in the Ministry of Defense and the military, as well as the danger of a transformation of the

military occupation. In fact, Smotrich on January 20 attempted to stop an order to remove an outpost of a settlement that had been declared "illegal," but Defense Minister Yoav Galant (Likud) had the military carry out the order, leading to an early confrontation between the two ministers.

Itamar Ben-Gvir, head of the other far-right party Jewish Power, was appointed to the newly created post of Minister of National Security. In addition to having more authority over police administration than the previous minister of public security, Ben-Gvir will also oversee police operations in the West Bank that had previously been under the direction of the defense minister. On January 3, just five days after taking office, Ben-Gvir entered the Temple Mount/Haram Sharif sanctuary in Jerusalem's Old City, which Jews have been allowed to enter since the Israeli occupation in 1967 but where they have been prohibited from praying, which has been maintained as the "status quo". However, Ben-Gvir has long argued for a change in this "status quo", including the right of Jews to pray. The Palestinian Authority, Jordan, Egypt, Saudi Arabia, and other Arab countries have strongly criticized Ben-Gvir's entry into the sanctuary as a "change to the status quo". An emergency meeting of the UN Security Council was also held at the request of the United Arab Emirates (UAE) and China, with most countries, including the presidency of Japan and the United States, expressing strong concern.

Supreme Court rules Shas leader "unqualified" for cabinet position

One of the issues that has made the future of Netanyahu's government even more uncertain is the appointment of Shas leader Aryeh Deri to two posts, those of Minister of the Interior and Minister of Health. Deri received a suspended conviction for tax evasion in January 2022. While it is forbidden in Israel for a person serving a prison sentence to hold a cabinet position, there is no clear provision regarding probation. To bring Shas into the coalition, Netanyahu's supporters amended the law just before he came to power to allow persons on probation to become cabinet members, paving the way for Deri to assume a cabinet member. However, a petition was filed against Deri's appointment and, on January 18, the Supreme Court ruled that the appointment was "unreasonable."

In response to the Supreme Court's decision, Netanyahu announced at a cabinet meeting on January 22 that Deri would be removed from his posts as Minister of the Interior and Minister of Health. In making the announcement, Netanyahu criticized the Supreme Court's decision as ignoring the "will of the people" as expressed in the elections. However, Deri will continue as head of the Shas party, so his influence as a veteran politician remains significant. Going forward, Netanyahu will have to work even harder to maintain the coalition government, including the appointment of Deri's successor and the relationship with Shas. In addition, the Deri issue symbolizes the coalition's distrust of the judiciary, as evidenced by Netanyahu's criticism of the Supreme Court. As efforts to reform the judicial system move into high gear, the relationship between politics and the judiciary will surely provoke greater debate and confrontation.

The fixation of "one state, two nations" and the deterioration of Israeli democracy

Since the dissolution of the parliament at the end of 2018, Israel has been unable to establish a stable government even after general elections. In addition to the electoral system of proportional representation, various social cleavages have spurred the emergence of smaller parties, destabilizing internal politics. In addition, the fact that the political parties have divided into two groups over whether they support Netanyahu's continuation or reappointment as prime minister has contributed to the instability.

Amid this political turmoil, Israel's Jewish community has been moving further to the right. In the 2022 elections in particular, far-right parties gained support, while leftist and center-left parties fell far behind. Two background factors can be identified here. The first is the growing tension and conflict between the country's two main ethnic groups, as seen in the numerous clashes between Jewish and Palestinian citizens in Israel during the large-scale military conflict between Israel and the Gaza Strip in May 2021. The second factor, related to the first, is the deterioration of the security situation in the West Bank throughout 2022, which resulted in a further increase in anxiety and hatred toward the Palestinians among Jewish voters. In fact, a 2021 attitude survey asking respondents to identify the most serious friction among the groups making up Israeli society found that Jewish-Arab friction was the most common response (46%), much higher than the 28% response in 2020.

The two-state solution pursued by the Middle East peace process since the Oslo Accords signed 30 years ago in 1993 has been, from the Palestinian side, an attempt to establish its own independent state and, from the Israeli side, an effort to disassociate itself from the Palestinian question. Because of the de facto failure of the peace process, however, the reality of "one state, two nations" in which Jews and Palestinians continue to confront each other in areas controlled by Israel, including the occupied territories, has become fixed, and the political situation in Israel and trends in Palestinian society, including the situation in the occupied territories, are increasingly intertwined. The new administration's policy of further promoting the de facto annexation of the West Bank is bound to further inflame the bi-national conflict and consequently act to degrade Israeli democracy as the counterreaction to such development.

([The original Japanese version](#) of this paper is dated January 24, 2023)