



By: *Tomorrow's Affairs Staff*

# Netanyahu's government slides toward collapse, whilst Israel defends its liberal traditions



Benjamin Netanyahu and his ultra-conservative government have been trying to take a breather from the pressure of hundreds of thousands of people in the streets who oppose their idea of subordinating the Supreme Court to the will of the parliamentary majority.

This week, the prime minister and his cabinet made a concession to opponents for the first time, and pressed a pause button on their initiative to pass legislation on the Supreme Court, creating a major crack in their ranks.

This withdrawal may soon prove to be the first major step towards the fall of the government and pave the way for early parliamentary elections.

Since taking office last December, Netanyahu's government has essentially only dealt with so-called judicial reform, or the reducing of powers and independence of the Supreme Court.

The coalition of ultra-right parties did not address their pre-election promises about deepening ties with Arab neighbours, responses to security threats from Iran, and in particular there were no economic measures to ease the increased cost of living.

## Prime minister's personal motives

One of the solutions in the package of laws that the government put before the Knesset, which caused a massive street revolt, envisages changes in the constitution of the committee that elects judges, providing that the majority of members on the committee are appointed by the government.

The proposed laws introduce the so-called "override clause", which gives the parliament the opportunity to adopt the law, regardless of whether the Supreme Court had previously ruled it invalid.

It is a deep intrusion into the independence and powers of the judicial branch of government and the parliament taking over those powers, which would thereby establish control over the highest court in the country.

This turned out to be too much for the Israelis, who are committed to the liberal traditions of their democracy.

The self-confidence of Prime Minister Netanyahu and his far-right partners has been shattered by the most widespread internal discontent since the founding of Israel.

For months, thousands of people from all spheres of life and professions, including members of the military and protestors from Tel Aviv's Ben Gurion Airport, blocked traffic.

The final straw was the dismissal of the Minister of Defence, Yoav Gallant, Netanyahu's partner from the Likud party, because he was the first to request that, due to mass dissatisfaction, the adoption of controversial laws should be stopped, and that a solution be found in talks with the opposition.

## The government shows weakness

Netanyahu's attempt to demonstrate a firm hand only lasted a few days, as the removal of Gallant brought hundreds of thousands of people to the streets.

Given that he has buckled under the strain of mass discontent, the removal of the defence minister could be a prelude to the downfall of Netanyahu and his government instead of a show of resolve.

It is widely believed that the right-wing prime minister has been advocating the disempowerment of the Supreme Court because he is personally interested in it, due to the fact that the process in which he was accused of corruption, bribery and breach of trust is still active.

That is why laws require a two-thirds majority vote in parliament, for a decision that would declare the prime minister unfit to perform his duties.

The so-called reform of the judiciary is an extremely populist step, which is justified by the desire to entrust control over the judiciary to the parliament, as a body that has the direct legitimacy of citizens, and not to judges for whom no one voted.

The fact that the government refers to similar solutions, which exist in the world and even in the US, has long been unsustainable, particularly because of the reaction from the US that broad consent should be sought for such major changes in Israel's democratic order.

"Democratic societies are strengthened by genuine checks and balances, and that fundamental changes should be pursued with the broadest possible base of popular support", US President Joe Biden told Netanyahu in a mid-March phone call, according to the White House.

## Dissatisfaction greater than street protests

Mass protests have been a compelling public response to the Netanyahu government's plans. But research shows that dissatisfaction is widespread.

According to a survey by the Israel Democracy Institute from February, nearly three-quarters of Israelis want a compromise on the judicial laws, rather than solutions in the form proposed to the Knesset.

Two-thirds of Israelis believe that the Supreme Court should still have the authority to overturn the law, despite the government's request to strip it of that authority. Also, two-thirds of citizens believe that the method of electing judges should remain as it has been until now.

Having apparently ignored this public pulse and continued to push the legislation through parliamentary procedure, Netanyahu faced a massive outpouring of discontent on the streets and a general strike.

By stopping the procedure of adopting the law, Netanyahu showed the weakness of his government's position and his inability to implement his priority.

The protesters have announced that they would not withdraw from the streets, which means that they would not allow the Prime Minister to buy time and possibly consolidate.

Netanyahu wants precisely that: to discuss a compromise with the opposition and other interested parties by July, which essentially means that he wants to remove the pressure, which is becoming unbearable, from himself and the cabinet.

Pushing these laws speaks to the autistic nature of Netanyahu and his right-wing partners in relation to the deep-rooted

commitment to democracy and the liberal nature of the national order.

## The judiciary is only part of the problem

The revolt against the judicial "reform" is actually a response to a whole package of restrictive policies that Netanyahu's cabinet intends to implement, both in terms of narrowing human rights (particularly in the LGBT community), and a radical attitude towards Israel's close environment.

"If the overhaul passes unchanged, the impact for Israel will be severe", wrote David Daoud, researcher for the publication of The Atlantic Council.

Its direct effect will be to cripple Israeli democracy, effectively ushering in a majoritarian tyranny through the legislature, for the judiciary's power is currently the Israeli system's only check on the equally unlimited power of the Knesset".

Netanyahu and his right-wing coalition are definitely heading downhill, which could end with the fall of the government, early elections, and a different composition of any future majority.

He has against him unprecedented mass dissatisfaction of persistent protestors on the street, a very negative attitude of the entire public, and by showing a willingness to compromise, he inevitably loses the support of his own ultra-right electorate.

The break for agreements and reaching compromises, which he himself requested, is not going well for Netanyahu. It is difficult to imagine that he could maintain his legitimacy intact after these compromises, even if they are reached.

If he and his partners still have any rationality left, they should use the pause in passing controversial laws to correct their policies, so they could expect some kind of result in the new elections.

Otherwise, they will go further into burying themselves in populism and coming close to autocracy, which Israel, and particularly its big traditional partners in the world, do not want.