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## Research Report

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# SWP Comment

NO. 18 APRIL 2025

## Israel's Radical Government

**Dismantling the Separation of Powers, Takeover of the State Apparatus, and Accelerated Annexation**

*Muriel Asseburg and Peter Lintl*

**Israel's government is rapidly dismantling the separation of powers and expanding its control over the state apparatus. The military response to the attack by Hamas and other armed groups on 7 October 2023 appears to be leading to a permanent reoccupation of the Gaza Strip. The "voluntary" emigration of the Palestinian population is seen as an option for resolving the conflict. At the same time, the Netanyahu government is pushing ahead with the settlement project in the West Bank with renewed vigor. Whether in domestic policy, towards the Palestinians or towards neighboring states, it sees itself encouraged by the Trump administration. Israel is thus moving further away from a liberal democracy. A resolution of the Palestinian question is thwarted and the region destabilized. Germany must not ignore these developments.**

The Israeli government's internal policies and its actions on the Palestinian issue are closely linked. Various motives play a role. Firstly, against the backdrop of the criminal proceedings against him, Benjamin Netanyahu has been looking for majorities that enable him to take action against the judiciary. After five elections between 2019 and 2022 he managed to form a coalition that is willing to support him on this issue, including the far-right parties led by Bezalel Smotrich (Religious Zionism) and Itamar Ben-Gvir (Jewish Power). Secondly, despite all their differences, the members of the coalition are united by a decidedly anti-liberal stance and the objectives of reducing checks on government and restructuring the state apparatus. Thirdly, there is a consensus to implement the settlement agenda

in the West Bank. There, as in the Gaza Strip, the radical approaches of Netanyahu's far-right coalition partners, on which he depends to remain prime minister, are increasingly prevailing.

### **The subjugation of the state**

This Netanyahu government is radical. It is trying to subordinate the state apparatus and abolish all checks on the executive. In doing so, it insists that it has an electoral majority. Yet, it has not enjoyed majority support in any serious poll since March 2023. The focus is not on the guiding principles of liberal democracy or good governance. Rather, large parts of the government (with the partial exception of the ultra-



Orthodox parties) conceive everything in terms of power politics and friend-foe schemes.

According to Netanyahu, the aim is to end the “rule of the bureaucrats”. He considers all those who do not implement the will of the government as illegitimate — as part of a “deep state” that is in league with the opposition. When office holders adhere to professional standards or criticize government policy, they are accused of undermining the will of the voters. This applies to leading civil servants such as Attorney General Gali Baharav-Miara, the head of the domestic intelligence service Shin Bet, Ronen Bar, former army chief Herzi Halevi, Supreme Court judges, and even Likud politicians such as former Defense Minister Yoav Gallant.

However, the endeavor goes much further and potentially applies to all state institutions. Since taking office in December 2022, the government has attempted to replace the head of the public broadcaster, fill the Council of Higher Education with loyal supporters and replace the head of the Israel Postal Company, the Civil Service Commissioner, and the heads of the Yad Vashem Holocaust memorial, the National Bureau of Statistics and the National Library, among others.

As well as criticism of their performance, the targeted figures are also confronted with delegitimizing campaigns from the ranks of the government and its supporters. Critics of the government refer to this as Netanyahu’s “poison machine”. In many cases, however, lawsuits against dismissals have been successful. In response, the government usually tried to achieve its goal in other ways — by changing the appointment process, blocking appointments, or removing those who oversee government action.

## Neutralizing the judiciary

The fight against the judicial system is central to the restructuring of the state, because the judiciary is often the hurdle that prevents the government from implementing its policies and personnel politics.

In fact, there is no other authority in Israel that can effectively limit the power of a government. There is no elaborate constitution, no second chamber, no federal system, no higher instance such as the EU — only the Supreme Court. This is why judicial overhaul was one of the current coalition’s most important projects when it took office.

The government was forced to delay key elements of the project following months of mass protests in 2023. After the terrorist attack on 7 October of that year, it seemed to have halted its efforts. But in the shadow of the war, the overhaul of the justice system has picked up speed again. This includes the efforts of Justice Minister Yariv Levin (Likud) to change the composition of the Judicial Selection Committee and to abolish the seniority principle for the presidency of the Supreme Court.

In March 2025, the Knesset passed a reform of the Judicial Selection Committee. This new law is not as radical as a previous bill, as the required majority in the committee now also necessitates one vote from the opposition. Yet the government has pursued its objectives undeterred. The Bar Association is no longer represented on the committee; instead, the government and opposition appoint lawyers of their choice. In addition, the representatives of the Supreme Court will be stripped of their blocking minority. Critics warn that this will lead to a strong politicization of the judiciary, as careers will now depend primarily on political considerations.

The dismantling of control mechanisms also includes the dismissal of Attorney General Baharav-Miara, which was initiated in March 2025. Levin accused her of being a tool of the government’s opponents and of thwarting the will of the electorate. The Attorney General is not only the chief prosecutor, but also a legal advisor to the government. In this role, she provides opinions on the legality of legislative proposals and executive actions. In other words, she issues warnings when she believes the government may be in breach of the law — which has occurred frequently in recent years. Last

but not least, she decides whether to pursue or discontinue criminal proceedings. So she also decides whether cases against Netanyahu should go ahead.

## **Politicizing the police**

Immediately after Ben-Gvir was appointed Minister for National Security at the end of 2022, the coalition passed an amendment to the Police Ordinance. The amendment gave the minister extensive new powers, such as the authority to issue instructions on what the police should investigate. It also restricted the obligation to make certain directives to the police public. In January 2025, the amendments were partially overturned by the Supreme Court. However, the reform had already led to disputes with the most senior officers in the police and prison service, Kobi Shabtai and Katy Perry. Their terms were not renewed, with Perry being charged with “insubordination”, among other accusations.

Following the appointment of Danny Levy, a confidant of Ben-Gvir, as the new police chief, several high-ranking officers were immediately replaced by others loyal to the minister. When officers were promoted, they were asked whether they were loyal to Ben-Gvir. In an interview, he emphasized: “I openly admit that I am looking for officers who adhere to my policies.” By now, Ben-Gvir has transformed the Israeli police into an apparatus run by those loyal to him. This can be seen, for example, in the contrast between the lack of police action against violence and organized crime in Israel’s Palestinian-Arab community and the massive and heavy policing of anti-government demonstrations. Prisoners are treated ruthlessly. In addition, the police give violent settlers in the West Bank a virtually free hand.

The latter in particular has repeatedly led to tensions with the domestic intelligence service. In August 2024, the media quoted from a letter to Netanyahu in which Shin Bet chief Ronen Bar warned that Jewish extremists in the West Bank were trying to provoke a conflagration. He noted that the

police were looking the other way and secretly supporting the settlers.

In March 2025, the Israeli TV station Kanal 12 published an internal document from Bar in which he ordered the Shin Bet to check the police for infiltration by Kahanism – the extreme ideological movement to which Ben-Gvir belongs. Bar urged caution because the “political level” might be involved. This illustrates the dramatic nature of the current situation. The Shin Bet’s work of monitoring all kinds of extremism, including Jewish extremism, is obstructed by having an extremist at the head of the police force who is restructuring it as he pleases. At the same time, the government prevents Shin Bet from fulfilling its duties. Instead, Bar was also dismissed. However, this dismissal was provisionally overturned by the Supreme Court in March 2025, too.

## **Establishing media dominance**

In its dealings with the country’s media, the government’s approach is three-pronged. Firstly, it attempts to mollify critical organs (significantly, two of the three corruption charges against Netanyahu concern his – albeit less recent – entanglement with media outlets). Secondly, it seeks to delegitimize certain journalistic voices and, thirdly, it strives to build alternative media, often together with like-minded private investors. “I need my own media,” Netanyahu was quoted as saying after his election defeat in 1999.

This does not mean that there was no conservative journalism in Israel before. But the newly created media are notable for their political activism and lack of criticism of Netanyahu. They include the free newspaper “Israel Hayom,” which was established in 2007 and was financed by the late US billionaire Sheldon Adelson (and now by his widow). “Israel Hayom” is today the most widely circulated newspaper in the country. Even more tendentious is the TV station Channel 14, which is financed by Yitzchak Mirilashvili, son of a Russian-Israeli billionaire, and received a news license under

pressure from Netanyahu. Channel 14 has only praise for the prime minister. When it comes to the Gaza war, the station disseminates incitement, defends government positions, and discredits opponents. Communications Minister Shlomo Karhi (Likud) has promoted the channel in various ways, for example through a law that includes the channel — along with three others — in the private cable network, while the public sector covers the substantial costs.

At the same time, the government is targeting public broadcasting. Back in 2016, Miri Regev (Likud), then Minister of Culture and now Minister of Transport, remarked that state broadcasting “that we don’t control” was unthinkable. In March 2025, Netanyahu questioned why there should be state-funded broadcasting at all and argued for a purely private model. Communications Minister Karhi also declared his aim to dismantle public broadcasting in Israel. and called for a media strategy to advance right-wing politics. To this end, Karhi wanted to reorganize the relevant broadcasting body, but the Supreme Court prohibited him from doing so. He countered that the court order had been issued “without authority,” and was therefore “void, non-binding and meaningless.”

## Expansion of the war in Gaza

The ceasefire collapsed on 18 March 2025. It had been agreed between Israel and Hamas in mid-January, after more than 15 months of armed conflict, and had come into force on 19 January. The agreement — whose text has not been published — stipulated that fighting would cease, Israeli hostages would be exchanged for Palestinian prisoners, and the Israeli army would withdraw from the Gaza Strip. The aim was to achieve a permanent ceasefire, the opening of border crossings, and reconstruction within three to five years.

Yet, the details of phases two and three of the agreement were disputed from the start. This concerned in particular the questions of who would ensure security after

the withdrawal of the Israeli army, who would be responsible for internal order, administration, and reconstruction, and to what extent a post-war order for Gaza would be embedded in a diplomatic process to settle the wider Israeli-Palestinian conflict. Prime Minister Netanyahu rejected any form of Palestinian control over the territory and called for Hamas to be disarmed and its leaders and fighters exiled. At the same time, he reserved the right to intervene militarily at any time. According to Netanyahu, Washington had promised Israel that it could return to military operations after the end of the first phase and would not have to withdraw from the Philadelphi Corridor (the border strip with Egypt) or from the buffer zone along the border with Israel.

Three factors caused the collapse of the agreement. Firstly, after the ceasefire came into force Hamas re-emerged as the dominant force in the Gaza Strip. Its civilian police ensured public order, and the Qassam Brigades staged hostage handovers as propaganda spectacles. This demonstration of power reinforced the view in Israel that Hamas must not play any role in a possible post-war order and had to be dismantled.

Secondly, US President Donald Trump, who had initially generated pressure to bring about the agreement even before taking office, undermined its further implementation himself. At the beginning of February 2025, he presented a vision in which Gaza would be developed into a “Riviera of the Middle East” and a large part of its population would be resettled in countries such as Egypt and Jordan. Even if the initiative was only intended to make the Arab states assume more responsibility for Gaza’s future, it caused a shift in the discourse by sanitizing the war crime of forced displacement. Netanyahu subsequently described Trump’s vision as the only viable option.

Thirdly, the shift in the discourse suited Netanyahu’s domestic political interest in terminating the ceasefire. This step allowed him to bring Ben-Gvir back into his coalition, who had left the cabinet in January

because of the agreement. Anyway, it was questionable whether Netanyahu would have had a majority in his own government to implement the measures of phase two — in particular the army’s complete withdrawal from the Gaza Strip.

## Rejection of the Arab plan

This made conflict resolution and reconstruction of severely destroyed Gaza a very distant prospect. The Arab states had presented a reconstruction plan at the beginning of March, proposing to rebuild Gaza without moving its inhabitants out. It is therefore a counter-proposal to Trump’s “Riviera” vision, which threatens the national security of Egypt and Jordan in particular, as they are named as host states. The plan envisages handing over the Gaza Strip to a reformed Palestinian Authority (PA) after a transitional period and deploying a UN-mandated force in the Palestinian territories, and it upholds the ultimate goal of a two-state settlement. As such it is unacceptable to the Israeli government, which immediately rejected it — as did the White House.

On 18 March, Israel launched new air strikes and soon afterwards another ground offensive. From now on, Netanyahu said, negotiations would only take place under fire. The aim of the military operation was to force Hamas to release all remaining hostages and agree to the disarmament and exile of its leaders and fighters.

On 2 March, Israel had imposed a complete closure of the Gaza Strip — similar to the beginning of the war. In order to put pressure on Hamas no more aid deliveries were permitted. As a result, the humanitarian situation deteriorated dramatically once again. At the beginning of April, the World Food Program (WFP) had to close all its bakeries in the Gaza Strip. In mid-April, the UN warned that the Gaza Strip was now likely facing the worst humanitarian crisis since October 2023.

Since mid-March Israel has expanded its military operation in Gaza and yet again ordered extensive evacuations. According to

Defense Minister Israel Katz (Likud), the aim is now to enlarge the Israeli-controlled buffer zone and completely destroy Hamas’s military capabilities. In March, the Israeli army recaptured the Netzarim corridor, which divides the Gaza Strip in two; at the beginning of April, Israel established another east-west corridor in the south of the coastal area. In addition to more than 50,000 Palestinian fatalities since the beginning of the war, around 1,600 more (as of early April) were killed in the bombings following the collapse of the ceasefire. It now appears that the aim was to concentrate the population in a “humanitarian zone” and turn the rest of the Gaza Strip into a no-go zone, uninhabited and without any buildings or agriculture. Today this buffer zone takes up a little over one third of the Gaza Strip — about 16 per cent along the border with Israel and about 20 per cent south of the second east-west corridor. Moreover, at the end of March, a migration directorate was set up in the Israeli Ministry of Defence to organize the “voluntary” emigration of Gaza’s Palestinian population. It is, of course, dubious to speak of anything being voluntary in a war situation. Indeed, at a conference on Jewish resettlement of the Gaza Strip in January 2024, Communications Minister Karhi cynically commented that in war, “‘voluntary’ is at times a state you impose [on someone] until they give their consent.”

Katz also called on the people of Gaza to banish Hamas and free the hostages. He was referring to the protests in which, since the last week of March, thousands of Palestinians had been calling for an end to the war and chanting “Hamas out.” Yet it is unrealistic to think that Palestinian activists could organize an uprising against Hamas in the face of massive bombings, evacuation orders and a deteriorating humanitarian situation. Nor does it seem plausible that Hamas would comply with Israeli demands under military pressure and without reliable assurances. Hamas representatives have signaled that they would be prepared to relinquish control of the territory and participation in its government. However,

they are only prepared to disarm, if at all, within the framework of a long-term conflict settlement.

## Escalation in the West Bank

Since 21 January 2025, Israel has also been taking military action against armed Palestinian groups in the West Bank. So far, Operation Iron Wall – in which tanks and fighter jets have been used in such a heavy-handed fashion in the West Bank for the first time since the end of the Second Intifada (2000–2005) – has focused principally on the refugee camps in the northern West Bank. Defense Minister Katz emphasized that the experience gained from waging war in the Gaza Strip would now also be applied in the West Bank.

The Palestinian Authority had previously tried and failed to regain control of the Jenin refugee camp. Since the beginning of December 2024, the PA security forces had been conducting operations against the Jenin Brigades. These had united various armed groups and recruited new fighters, beginning in 2021, and had gained significant support among the population. As a result, the number of Israelis killed in attacks in Israel proper and the West Bank rose continuously (2021: 11, 2022: 21; 2023: 37). After the Israeli military operation began, the PA units were ultimately forced to withdraw.

According to UNOCHA, 109 Palestinians have been killed by Israeli security forces and settlers in the West Bank since the beginning of the year (as of April 10), most of them in the refugee camps in the north of the territory. Almost 40,000 Palestinians were displaced from the Jenin, Tulkarem, and Nur Shams camps. This is the largest expulsion in the West Bank since 1967. Israel's defense minister has ruled out the return of those affected in the foreseeable future. In any case, most of the homes and infrastructure have been destroyed and the camps are currently virtually uninhabitable. It is to be feared that further operations (such as the one that began on 9 April

in the Balata camp near Nablus) will lead to similar destruction and displacement in other places in the West Bank. The point – first and foremost – is control of territory.

## “Application of sovereignty”

In its December 2022 guidelines, the Israeli government laid out the exclusive and inalienable claim of the Jewish people to the entire land of Israel – including Judea and Samaria (the biblical term for the West Bank). At the same time, it announced that settlement activities would be expanded. A two-state solution was no longer an option. Encouraged by Trump's election victory, Finance Minister Smotrich (who also holds a ministerial post in the Ministry of Defense) announced that 2025 would be the year of “implementing sovereignty in Judea and Samaria” – i.e. annexation.

It matters little for the dynamics on the ground whether annexation takes place through a formal declaration or through practical measures. In any case, according to Israeli human rights defenders and lawyers, the government has already taken steps towards annexation by transferring settlement matters to a newly created administrative body within the Ministry of Defense, which has a civilian head reporting directly to Smotrich. The explicit aim is to normalize the situation of the settlers, i.e. to put them on an equal legal footing with Israelis in Israel proper. Organizational changes within the ministry have also considerably accelerated the approval of new settlements.

In the same vein, the government significantly increased the budget for settlement construction, allowed an unprecedented number of new outposts to be built, enforced the demolition of Palestinian buildings, and refused building permits for the Palestinian population in Area C (the 60 per cent of the West Bank where Israel has civil and security control under the Oslo Accords and is also responsible for spatial planning). The current government has declared more territory there as state land than ever before.

## Increase in settler violence

Since the Netanyahu government took office, settler violence against the Palestinian population, their olive plantations and livestock has also increased dramatically. The settlers have repeatedly carried out pogrom-like attacks on Palestinian villages, sometimes in retaliation for violence by Palestinian militants, which Shin Bet chief Bar described as “Jewish terror”.

Settler violence intensified after 7 October 2023. The Israeli military is increasingly standing idly and failing to protect the civilian population. It is reported to be overwhelmed, or even participating in the violence. The problem has been exacerbated as due to the war in Gaza increasing numbers of reservists are being deployed in the West Bank, some of whom come from the settlements there. The then IDF commander in the West Bank, Yehuda Fuchs, stated in 2024 that the government had effectively stopped preventing illegal settlement construction and that the army had failed to combat violence, including acts committed by settlers.

## The PA as enemy

At the same time, Israel’s government considers the PA less and less as a partner and more as an enemy to be fought against. It is not only the far-right Minister for National Security, Ben-Gvir, who accuses the PA of supporting terrorism and calls for cooperation to be stopped once and for all. Likud politicians such as Regional Cooperation Minister David Amsalem and Communications Minister Karhi, also share this stance. In September 2024, Defense Minister Katz threatened to dismantle the PA if it promoted a resolution against Israel at the UN. In connection with the proceedings before the International Criminal Court, Finance Minister Smotrich called the PA an “imminent danger to the state of Israel” and urged that it be dismantled. Accordingly, he repeatedly withheld the transfer payments to the PA stipulated in the Oslo Agreements and threatened to refuse waivers for Palestinian banks. As a result, the PA frequently

came to the brink of financial collapse. Its ability to pay salaries and provide public services was heavily impaired. This further damaged its already badly tarnished reputation among the Palestinian population.

In addition, Israel is increasingly aiming to restrict the work of international organizations and NGOs in the Palestinian territories. At the end of January 2025, two laws came into force against the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). They prohibit UNRWA from operating on Israeli territory – which under Israeli law includes East Jerusalem, which was annexed in violation of international law – and prohibit Israeli authorities and officials from having any contact with the agency. In March 2025, the government announced new regulations stipulating that all NGOs working in the Palestinian territories must re-register. The authorities have a great deal of discretion as to whether or not to approve the registrations. Two bills are also being discussed in the Knesset. The first would levy a tax of 80 per cent on foreign public funds received by NGOs and prohibit organizations receiving such support from taking legal action against the government. The second would make any cooperation with the International Criminal Court a punishable offense.

## Implications for German policy

This year, Germany and Israel are celebrating 60 years of diplomatic relations. Due to its history, Germany undeniably bears a responsibility for Jewish life and for Israel. However, in view of the dismantling of the separation of powers in Israel and Israel’s aggressive policy in the Palestinian territories (and also in Lebanon and Syria), it is becoming increasingly difficult to find common ground on values or on what best serves Israel’s security. Ultimately, the question is which forces in Israel Germany would like to support in the short and medium term: the radical government or the liberal opposition, peace actors, human rights defenders, and civil society.

Germany should ensure it lives up to both elements of its historical responsibility: its responsibility for Jewish life and Israel and its responsibility for human rights and international law. This will also continue to be an important issue for the credibility of German foreign policy in the eyes of international partners. Not least for this reason, Germany should not advocate a policy in the Middle East that undermines international law, or undermine international law itself.

Furthermore, German policymakers must realize that the US government is no longer a partner for resolving the Palestinian question on the basis of compromise and international law. Germany should therefore cooperate all the more closely with like-minded European and Middle Eastern partners. The priority must be to stop the bloodshed and prevent further destruction of lives and livelihoods in the Gaza Strip and the West Bank.



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