



New Israeli government could transform U.S.-Israeli relationship

January 17, 2023 **Lawrence J. Haas** *The Hill*

Prime Minister Benjamin Netanyahu's new government — and its suspected efforts to fundamentally transform the nature of Israel's democratic system — could significantly weaken the U.S.-Israel relationship over time.

That relationship, dating back to Israel's founding during the Truman years, is rooted in shared values and shared interests. Israel remains the Middle East's lone democracy, and the United States has enthusiastically supported it as a fellow free nation. Washington and Jerusalem have long worked together on such goals as constraining Iran's expansionism and preventing it from developing nuclear weaponry; confronting terrorist groups and their state sponsors in Tehran, Riyadh, and Baghdad; and, during the Cold War, containing the Soviet Union and limiting its regional footprint.

At the moment, of course, Washington and Jerusalem have plenty of reasons to continue working together. Iran has ramped up its nuclear activities while strengthening its conventional forces, threatening Israel as well as U.S. interests in the region and beyond. Tehran's warming ties to Moscow and Beijing also complicate U.S. interests — such as in Ukraine, where Tehran is supplying Moscow with drones. Washington and Jerusalem would be wise to seek wider Arab-Israeli peace under the Abraham Accords, strengthening the region's anti-Iran coalition and further isolating Tehran.

The question is whether — with Netanyahu's new government perhaps planting the seeds of an authoritarianism to come — the U.S.-Israeli relationship will remain rooted as deeply (or at all) in shared values. That's important because it is shared values that lie at the root of support for Israel among America's leaders and people, and that make U.S. strategic cooperation less complicated to justify and pursue. Netanyahu and his coalition should not forget that reality as they plot their next moves.

Fanning fears of a burgeoning authoritarianism, Netanyahu's right-wing government is proposing a sweeping judicial reform that would tip the balance of power in Jerusalem toward the government and away from the judiciary, which traditionally has served as a check on governmental overreach.

The proposal, which has prompted nationwide protests, would limit the ability of the High Court of Justice to strike down laws and government decisions; enable the Knesset (parliament) to re-legislate some such laws; limit the grounds under which the court can strike down laws; and give the government control over the process for choosing judges.

Netanyahu's new government is proposing to weaken the judiciary at a time when an Israeli court is hearing felony corruption charges against the prime minister and the High Court itself must decide whether to annul the appointment of Shas Party leader Aryeh Deri as interior and health minister due to his conviction on tax charges. The timing is fueling fears that the judicial proposal is driven by politics, amounting to a raw effort to shield Netanyahu and his acolytes from legal accountability.

A weakened judiciary could empower the government to enact policies that threaten U.S. support for the Jewish state. The government, for instance, told the High Court recently that it plans to re-authorize a hilltop Jewish settlement in Samaria that was one of four West Bank settlements (along with all Gaza settlements) that Israeli Defense Forces destroyed as part of the 2005 Disengagement Law. The High Court ruled in 2013 that Palestinians own the hilltop land, further complicating matters.

President Biden has sought to reinvigorate freedom and democracy around the world after nearly two decades of decline, and his administration expressed concern over the Israeli government's judicial proposal and its plan to reauthorize the hilltop settlement.

Further raising fears of a burgeoning authoritarianism, a parliamentarian from Itamar Ben-Gvir's far-right Otzma Yehudit party (which is part of Netanyahu's coalition) urged the government last week to arrest opposition leaders Yair Lapid and Benny Gantz and others for opposing the judicial plan.

"It was obvious that this would come," Lapid, whom Netanyahu replaced as prime minister, tweeted in response. "In non-democratic countries, the leadership always threatens to arrest opposition leaders."

Like all Israeli coalition governments, of course, the new government is complicated. Though solidly right-wing, it nevertheless elected the Knesset's first openly gay Speaker, helping to dampen fears that the government would restrict the rights of gays and others.

Still, Netanyahu's new government has taken office at a time when U.S. support for Israel is growing increasingly controversial within the halls of Congress. Support has grown more partisan, with Republicans walking mostly in lockstep with Jerusalem while the Democrats' activist wing sympathizes more with the Palestinian cause and sees Netanyahu as a right-wing lightning rod.

Now, signs of creeping authoritarianism in Jerusalem could further drain support for Israel in Washington, across America, and among U.S. Jews who are already split over Israeli behavior. In essence, the U.S.-Israeli partnership could become less enduring and more transactional — akin to the complicated relationships between America and non-democratic nations in the region and beyond.

That's something that Israel, with all its global challenges, should never welcome — and that its new government should try to avoid.