



# NETANYAHU'S ULTRA RIGHT-WING COALITION GOVERNMENT: A DOSSIER

January 13, 2023

---

## I. EXTREMIST MEMBERS OF NETANYAHU'S COALITION GOVERNMENT

The new government of Prime Minister Benjamin Netanyahu has rewarded some of the most extreme figures in Israeli politics with key roles. The bigoted and anti-democratic views of the individuals below go far beyond the usual range of mainstream Israeli politics. Information regarding additional notable members of the new coalition government can be found in this [paper](#), and Cabinet ministers are noted [here](#).

- **Itamar Ben-Gvir:** A convicted supporter of terrorism, Ben-Gvir was [found guilty](#) by an Israeli court of racist incitement and supporting the Jewish supremacist Kahanist terror organization. Famous for his threats against Prime Minister Yitzhak Rabin before the latter's assassination, he was [exempted](#) from compulsory military service due to extremist activities. A proponent of unilateral West Bank annexation by Israel and revoking the citizenship of Palestinian Israelis deemed "disloyal," Ben-Gvir has [personally](#) provoked and sought to escalate clashes with Palestinian residents of sensitive neighborhoods of occupied East Jerusalem. Netanyahu crafted the enhanced position of National Security Minister for Ben-Gvir, in which he will oversee Israel's police, including its border police. The latter is a force with both military and police functions which is used in demonstrations and riots, and operates in Israel's non-Jewish and "mixed" cities and in the occupied Palestinian territory.
- **Bezalel Smotrich:** During Israel's disengagement from Gaza in 2005, Smotrich was [arrested](#) by the Shin Bet on suspicion of planning to blow up cars on a major highway; he was caught in possession of 700 liters of gasoline. Smotrich co-founded [Regavim](#), a right-wing NGO which works to prevent development by Bedouins and Palestinians in Israel and the West Bank. He is a self-proclaimed "[proud homophobe](#)" and has called for segregated maternity wards in hospitals for Jews and Arabs. He published [Israel's Decisive Plan](#), in which he advocated for the annexation of the entire West Bank, and he [threatened](#) to expel an Israeli Arab MK and other Muslims who do not "know that the Land of Israel belongs to the Jewish people." His far-right Religious Zionism Party advocates for Israel to become a Jewish [theocracy](#). He serves as Minister of Finance and will oversee the major functions of the military regime in the West Bank as a new, additional minister in the Defense Ministry.
- **Avi Maoz** chairs the anti-Arab, anti-LGBTQ [Noam faction](#), which pushes for strict interpretation of Jewish religious laws. He opposes gay pride parades and calls LGBTQ people a threat to the family. He opposes mingling between Jews and Palestinians and

went to the “mixed” city of Lod during a recent period of intercommunal violence to warn that “the blurring of the Jewish identity is the cause of the Arab enemy raising its head.” He sees Israel’s future as a battle between Israel’s religious and secular Jewish communities. As a Deputy Minister in the Prime Minister’s Office, he will run a “Jewish identity” agency which carries authority within the Ministry of Education and oversee Jewish immigration to Israel from former Soviet states.

## II. WHAT THE NETANYAHU COALITION GOVERNMENT HAS PLEDGED TO DO

Following general practice, the Likud Party and the other parties that now compose Prime Minister Netanyahu’s government signed [coalition agreements](#) that set guidelines for the new government. One thing that is particularly noteworthy about this set of agreements is their level of specificity. More than is typical, they in many cases appear to provide detailed work plans. From those coalition agreements, we highlight the following pledges by the Netanyahu government. Additional information is available in [this report](#).

- **Annexation of the occupied West Bank:** The coalition agreements make clear that Israel is moving toward the annexation of the occupied West Bank, in what might be characterized as creeping *de jure* annexation, complementing galloping *de facto* annexation on the ground. While it is unlikely that there will be an announcement of annexation or enactment of a specific annexation law by Knesset due to the anticipated international reaction to such a patently illegal move, Likud’s coalition agreements with the Religious Zionism and Noam parties expressly mention “applying sovereignty” in the West Bank. “Application of sovereignty” is [synonymous](#) with (and a euphemism for) annexation. Specific measures outlined in the coalition agreements which together amount to annexation include the following:
  - *Declaration of Jewish supremacy in Israel and the occupied Palestinian territory:* The first guiding principle of the new government [states](#), “The Jewish people have an exclusive and indisputable right to all parts of the Land of Israel. The Government will promote and develop settlement in all parts of the Land of Israel - the Galilee, the Negev, the Golan and Judea and Samaria [the West Bank].” In other words, Jews alone have rights to settle “the Land of Israel,” which includes not only the sovereign state of Israel, but also the occupied territories it controls.
  - *Implementation of structural changes to Israel’s military regime governing the West Bank:* The coalition agreements provide for several structural changes to Israeli military regime in the occupied territory, among the most consequential of which is the creation of an additional minister in the Ministry of Defense – who has authority over the Coordination of Government Activities in the Territories

(COGAT) and the Civil Administration. Under the previous status quo, laws applying to [Palestinians in] the West Bank were drafted by military lawyers, who answered to the General of Central Command – the governing authority of the West Bank, per international law. Now, these laws will be written by civilian lawyers who will answer to the new additional minister in the Ministry of Defense – a civilian leader with a political agenda. This minister, Bezalel Smotrich, can be expected to use his position to further violate Palestinian rights and expand Israeli presence and permanent control in the occupied territory.

- *“Legalization” of unauthorized settlement outposts:* Included in several of the coalition agreements between Likud and its partners are provisions for “legalizing” or “regularizing” unauthorized settlement outposts and unauthorized construction that extends authorized settlements. The government will form a ministerial team tasked with regularizing outposts – the Ministerial Team for the Regulation of Young Settlement in Judea and Samaria [the West Bank] – to be headed by the Prime Minister. The agreements indicate that the government will use a variety of tactics to “regularize” *all* illegal Israeli construction in the West Bank – including not only outposts, but also farms, shepherding and grazing areas, and the extensions to existing settlements. Settlers motivated by the ideology of securing the entire West Bank for Israel and preventing the establishment of a Palestinian state establish the wildcat outposts, choosing specific locations that help to advance these goals. Thus, “legalization” of outposts would significantly extend the amount of the West Bank consumed by settlements – and would represent a clear step toward annexation by the Israeli government. The coalition agreements specifically call for “regularization” of the Homesh outpost and also mention promotion of the Evyatar settlement plan.
- *Vast expansion of the illegal settlement enterprise:* There are several clauses in the coalition agreements that indicate the new government will incentivize large-scale migration of Israelis to the West Bank. These include tax breaks for settlers, massive funding for road development and services, removal of barriers to the construction of settlements, incentives for Israeli farmers in Area C, and inclusion of settlement enterprise needs in national planning. In addition, there are plans for expanding the settlement in Hebron.
- *Expanding application of Israeli law to Israeli settlers:* The coalition agreements reference systematic application of Israeli laws to Israeli settlers in the West Bank via military orders. Within the West Bank, this would further institutionalize a dual legal system in which a system of military law (without political rights or civil liberties) applies to Palestinians, while Israel’s civilian legal system (with the full range of such rights, liberties, and protections) applies to Israeli settlers.

- **Radical weakening of Israeli democracy:** The new government’s guiding principles specify planned reforms of the judicial system – in particular the enactment of an “override clause” – that will undermine judicial oversight of the government and thus drastically weaken the powers of the only institution with the ability to act as a check and balance on Israel’s essentially fused legislative-executive branch. Justice Minister Yariv Levin announced a package of radical reforms within the new government’s first week in power that put this guiding principle into an action plan. (See the first bullet point in Section III below.)
- **Provision of immunity to settlers and security forces for anti-Palestinian violence:** While Israeli soldiers already benefit from [de facto impunity](#), the new government has pledged in its coalition agreements to enact laws resulting in immunity for soldiers who harm Palestinians and their property. They also indicate that the Minister of National Security (Itamar Ben-Gvir) will examine, and have the power to change, the open-fire regulations governing the actions of police in the West Bank. Ben-Gvir has been granted extensive powers over police policies and priorities – including provision of impunity for Israeli settlers who commit offenses against Palestinians.
- **Targeting of Israeli human rights and civil society organizations:** The coalition agreements contain several provisions regarding the reduction of freedom of political expression of critical voices within Israel. In particular, they outline steps for targeting Israeli human rights and civil society organizations that challenge government policy in the West Bank – by delegitimizing them, targeting them financially by [taxing](#) their foreign donations, and limiting their operations.
- **Curtailing of the Law of Return by amending the “grandchild clause”:** Under the coalition agreements, the new government has pledged to review and possibly amend the Law of Return’s clause which guarantees Israeli citizenship to any person with at least one Jewish grandparent who does not practice another religion. Likud’s coalition partners, and even some Likud lawmakers, favor amending or repealing the clause – despite [strong opposition](#) from Diaspora Jews, who have emphasized both the symbolic and practical impacts of such a move.

### III. WHAT THE NETANYAHU COALITION GOVERNMENT HAS DONE TO DATE

- **Justice Minister Levin’s draft plans for radical changes to Israel’s judiciary:** Minister Yariv Levin announced plans to dramatically weaken Israel’s Supreme Court in a move that would essentially give Israel’s governing coalition nearly [unlimited powers](#) and have been dubbed “[regime change](#)” and “[democratic dictatorship](#).” Levin’s [draft reforms](#) would hand the government complete control over judicial appointments, severely curb the Court’s ability to strike down legislation, and institute an “override

clause” for cases in which the Supreme Court does strike down legislation. It would allow a bare majority of Israel’s 120-member Knesset to overturn decisions by the Supreme Court – the sole institution with the power to check a parliamentary majority in Israel’s political system. This move would mean that a ruling coalition could, theoretically, close down newspapers, outlaw opposition parties, or change electoral rules in its own favor – and provided that 61 Knesset members were determined to push through those laws, it would be impossible to challenge them. In addition, Levin’s draft abolishes the “reasonableness doctrine,” which it has used in the past to annul problematic political appointments. Significantly, [Palestinians in the West Bank](#) will be impacted by the Court’s weakening, as it is the only institution to which they can turn to defend their rights under occupation.

- **Netanyahu government’s moves to “legalize” the West Bank outpost of Homesh:** Newly sworn-in, the Netanyahu government [indicated](#) it would reverse prior state policy and allow Israeli settlers to remain in the unauthorized outpost of Homesh, which is built on private Palestinian land. The government also stated that it would amend the 2005 Disengagement Law under which Israel withdrew from the Gaza Strip and from Homesh and three other settlements in the occupied West Bank in order to “legalize” the outpost subsequently erected at Homesh. Israel’s Supreme Court [responded](#), requiring the government to explain within 90 days why the illegal outpost should not be evacuated and why it should not take steps to provide the Palestinian owners access to their land. The [Biden administration affirmed](#), “The Homesh outpost in the West Bank is illegal. It is illegal even under Israeli law.”
- **National Security Minister Ben-Gvir’s visit to Temple Mount/Haram al-Sharif:** In the “[first international incident](#)” sparked by the Netanyahu government less than a week after coming to power, National Security Minister Itamar Ben-Gvir visited the Al-Aqsa Mosque compound on January 3. The move was seen as an attempt to undermine the critical “Status Quo” on the Temple Mount, according to which Muslims would enjoy freedom of access and prayer, while Jews would have freedom of access to the Temple Mount platform, but worship at the base of the Western Wall (where Palestinians are not permitted). While prime minister in 2015, Netanyahu had [directed](#) Israeli police to bar Israeli politicians from entering the site. Previous visits by senior Israeli political figures to the Temple Mount and other perceived challenges to the Status Quo have triggered clashes and even sustained rounds of violence. Ben-Gvir’s visit has so far provoked [international condemnation](#) and led to a [special meeting](#) of the UN Security Council.
- **Netanyahu government’s imposition of sanctions on Palestinians over ICJ appeal:** In response to the Palestinian Authority’s formal request for an advisory opinion from the International Court of Justice (ICJ) on Israel’s occupation of the West Bank, the Netanyahu government imposed [expansive punitive sanctions](#) against Palestinians and

their leadership. The announced measures include diverting millions of dollars of Palestinian taxes [collected by Israel on behalf of the PA](#) to a fund for Israeli victims of terror attacks by Palestinians, prohibiting any new construction by Palestinians in Area C of the occupied West Bank, revoking Palestinian officials' VIP privileges, and taking action against human rights organizations operating in the occupied territory. In signing the decree to block the transfer of Palestinian tax revenue to the PA, Finance Minister [Smotrich remarked](#) that he was not concerned that the move could bring about the PA's collapse. To the contrary, he indicated that he has "no interest for it to continue to exist."

- **National Security Minister Ben-Gvir's ordering the removal of Palestinian flags from public spaces:** In his Twitter announcement of the move, Ben-Gvir made clear that he defines waving the symbol of Palestinian national identity as an act of terrorism. He [wrote](#), "Today, I directed the Israeli police to enforce the prohibition of flying any PLO [Palestinian Liberation Organization] flag that shows identification with a terrorist organization from the public sphere and to stop any incitement against the State of Israel. We will fight terrorism and the encouragement of terrorism with all our might!" Flying the Palestinian flag is [not illegal](#) under Israeli law, but Israel's attorney general ruled in 2014 that police may confiscate a flag if they believe its display is disrupting public order or indicating support for terrorism.

#### IV. WHAT EXPERTS AND KEY PARTIES ARE SAYING

##### Israeli Security Experts:

- [Commanders for Israel's Security "Generals Letter"](#): "The seemingly technical, administrative decision to appoint a second minister in the defense ministry...conceals a major change of strategic proportions, one with grave legal, military and international implications. Not only will it impair Israel's operational military capability, but it will detract from our ability to manage civilian life for Israelis and Palestinians alike, including our capacity to ensure security... Enforcement and supervision agencies are now likely to pursue explicitly political agendas rather than working in concert with military authorities. This will also be the case in matters such as construction in Israeli settlements, the takeover of Palestinian private, public or abandoned lands, building permits for Palestinians, trade between the Palestinian Authority, Israel and the world, communications, and agriculture. Basically, **it will mean de facto annexation.**" [emphasis original]
- [Brigadier General \(res.\) Udi Dekel](#): "The subordination of the Civil Administration to the Minister of Settlement [Bezalel Smotrich] and the subordination of the areas it oversees to other government ministries connotes that this is no longer a slow process of

annexation, but rather, accelerated annexation. In face of increasing and extensive criticism from the international community, Israel will find it difficult to provide explanations and claim that the future of the West Bank has not yet been decided...”

- [Israel Air Force veterans' letter](#) (sent by 1,198 IAF veterans, including former IDF Chief of Staff Dan Halutz, to Israel's top legal echelon): “We were all prepared to sacrifice our lives for the country during the years of our service as combat pilots... The common denominator among all of us today is the fear that democratic Israel is in danger. You are the last line of defense, and you have the ability to stop the process of destroying democracy. Israel won't be able to continue in the spirit of the Declaration of Independence if it yields its liberal democratic character. We expect you to use all the legal tools at your disposal, without fear, and do everything in your power to stop the tragedy suddenly happening to the country.”
- [Commanders for Israel's Security Letter to PM-Elect Netanyahu](#): “Recently, statements by politicians who are slated to serve in your government, have challenged the judgment of commanders and incited against them. In so doing, they have compromised IDF discipline and chain of command. If not stopped, this will end in internal divisions and conflict between officers and troops, insubordination, anarchy and ultimately, the disintegration of the IDF as an effective fighting force.”

#### **Israeli Diplomats:**

- [Ambassador Yael German's letter to PM Netanyahu](#), resigning her post as Israeli ambassador to France: "The statements of the ministers in your government and the intentions of their legislation go against my conscience, my worldview, and the underlying promises of the Declaration of Independence of a Jewish and democratic state."
- [105 Ambassadors and senior diplomats' \(retired\) letter to PM-Elect Netanyahu](#): “We the undersigned, retired Ambassadors and senior Foreign Ministry officials who have proudly dedicated their lives representing Israel abroad in the service of Israel express our profound concern at the serious damage to Israel's foreign relations, its international standing and its core interests abroad emanating from what will apparently be the policy of the incoming Government. This concern is compounded by public statements made by potential senior office-holders in the Government and the Knesset, by reports of expected changes in Israeli policy in Judea-Samaria/the West Bank, by some possible extreme and discriminatory laws which are oppressive to minorities and by the potential damage to free speech and democratic values in Israel.”

## Israeli Jurists and Legal Experts:

- [Supreme Court President Esther Hayut](#): "Israel will soon mark 75 years of independence as a Jewish and democratic state. Unfortunately, if the people who made up this plan have their way, the 75th year will be remembered as the year in which Israel's democracy suffered a fatal blow. This is an unbridled attack on the judicial system, as if it were an enemy that must be attacked and subdued... The planned override clause allows the Knesset, with the support of the government, to enact laws that would harm [human] rights without hindrance. Therefore, whoever thinks that the override clause 'overrides' the court is wrong. In fact, it is about overriding the human rights of each and every individual in Israeli society."
- [Attorney General Gali Baharav-Miara](#): "Without judicial oversight and independent legal advice, we will be left with just the principle of majority rule, and nothing else. Democracy in name, but not in essence."
- [Former Supreme Court President Aharon Barak](#): Justice Minister Yariv Levin "has collected all the bad proposals made over the years and connected them into a sort of chain that will strangle Israeli democracy."
- [Former Supreme Court Justice and Attorney General Menachem Mazuz](#): "I don't know of anything in the literature of political science that will enable a country [with a separation of powers as delineated by Levin's plan] to be considered a democracy."
- [Former VP of the Supreme Court and Attorney General Elyakim Rubinstein](#): "I'm not sleeping at night. This is not just a figure of speech. I am truly anxious about the character of the country."
- [Head of the Israel Bar Association Avi Himi](#): "The public did not vote for changing the governmental regime, for crushing the courts and for tyranny. There are no liberal countries without judicial oversight and without limits on the power of the regime... If the fortress of the court falls, there is no more guarantee for democracy."

## Biden Administration:

- [US Ambassador to Israel Tom Nides](#) on possible attempts by the incoming Israeli government to annex all or parts of the West Bank: "Our position is quite clear. We do not support annexation. We will fight any attempt to do so... Most of the Arab countries [feel the same way]... We have to stand up for the things that we believe in — that's what American values are about... I will be pushing back aggressively on things that we disagree with." (Nov. 10, 2022)



- [US Ambassador to Israel Tom Nides](#) on settlement expansion: Prime Minister Netanyahu “understands the position of the United States, which is to keep the vision of a two-state solution alive. And he understands that we understand that massive settlement growth will not accomplish that goal... We've been very clear about the ideas of legalizing outposts, massive settlement expansion. It will not keep a vision of a two-state solution alive, [in] which case we will oppose it, and we'll be very clear about
- [US State Department Spokesman Ned Price](#) on Homesh and other illegal Israeli outposts: “The Homesh outpost in the West Bank is illegal. It is illegal even under Israeli law. Our call to refrain from unilateral steps certainly includes any decision to create a new settlement, to legalize outposts or allowing building of any kind deep in the West Bank, adjacent to Palestinian communities or on private Palestinian land.” (Jan. 4, 2023)

### **Leaders and Governments of Arab States:**

- [Jordan's King Abdullah](#) (regarding a potential Israeli push for changes to Jordan's custodianship of the Muslim and Christian holy sites in East Jerusalem): “If people want to get into a conflict with us, we're quite prepared. I always like to believe that, let's look at the glass half full, but we have certain red lines... And if people want to push those red lines, then we will deal with that... We have to be concerned about a next intifada. And if that happens, that's a complete breakdown of law and order and one that neither the Israelis nor the Palestinians will benefit from. I think there is a lot of concern from all of us in the region, including those in Israel that are on our side on this issue, to make sure that doesn't happen.” (Dec. 28, 2023)
- [United Arab Emirates](#): “The UAE today strongly condemned the storming of Al-Aqsa Mosque courtyard by an Israeli minister [Itamar Ben-Gvir] under the protection of Israeli forces,” reiterating “its firm position on the need to provide full protection for Al-Aqsa Mosque and halt serious and provocative violations taking place there... Moreover, the Ministry stressed the need to support all regional and international efforts to advance the Middle East Peace Process, end illegal practices that threaten the two-state solution, and establish an independent Palestinian state on the 1967 borders with East Jerusalem as its capital.” (Jan. 3, 2023)
- [Saudi Arabia](#): “Saudi Arabia condemns the provocative action of an Israeli official [Itamar Ben-Gvir] who stormed the courtyard of al-Aqsa mosque... The Ministry expresses the Kingdom's regret at the practices of the Israeli occupation authorities that undermine international peace efforts and contradict international norms and principles of respecting religious sanctities... [and stresses its] “firm position in standing by the brotherly Palestinian people, and supports all efforts aimed at ending the occupation

and reaching a just and comprehensive solution to the Palestinian issue that enables the Palestinian people to establish their independent Palestinian state based on the 1967 borders, with East Jerusalem as its capital." (Jan. 3, 2023)

- [Egypt](#): Arab diplomatic sources indicated there was “resentment” and “embarrassment” in President Abdel Fattah al-Sisi’s office due to Prime Minister Netanyahu’s failure to fulfill his personal pledge to al-Sisi not to allow Minister Ben-Gvir to visit the Temple Mount/Haram al-Sharif. The sources added that Ben-Gvir’s visit complicated Egypt’s efforts to mediate a prisoner swap deal between Israel and Hamas, which is holding two Israelis and the remains of two Israeli soldiers. According to the sources, the lack of progress toward a deal “is a strong indication that Egypt’s mediation efforts have been affected by the formation of the most extremist government in Israel’s history.”

#### **American Commentators:**

- [The New York Times Editorial Board](#): “Mr. Netanyahu’s government...is a significant threat to the future of Israel — its direction, its security and even the idea of a Jewish homeland. For one, the government’s posture could make it militarily and politically impossible for a two-state solution to ever emerge. Rather than accept this outcome, the Biden administration should do everything it can to express its support for a society governed by equal rights and the rule of law in Israel, as it does in countries all over the world. That would be an act of friendship, consistent with the deep bond between the two nations.
- [Former US Ambassador to Israel David Kurtzer and Former State Department Negotiator Aaron David Miller](#): “The unprecedented nature of this coalition — democratically elected but possessing antidemocratic values inimical to U.S. interests — should prompt the White House to send clear messages... Israel should be told that, while the United States will continue to support its ally’s legitimate security requirements, it will not provide offensive weapons or other assistance for malign Israeli actions in Jerusalem or the occupied territories. The United States specifically should warn against efforts to change the status of the West Bank and the Noble Sanctuary/Temple Mount, to ‘legalize’ settlement outposts, and to build infrastructure for settlers that is designed to foreclose the possibility of a two-state solution... Israel has never before embarked on such a dangerous course. Political will matters, and this is a moment for Biden to show American strength and resolve.”

## Jewish Communal Leaders and Denominations:

- [Former National Director of the Anti-Defamation League Abe Foxman](#): “If Israel ceases to be an open democracy, I won’t be able to support it... If Israel becomes a fundamentalist religious state, a theocratic nationalism state, it will cut Israel off from 70 percent of world Jewry.”
- [President of the Union for Reform Judaism Rabbi Rick Jacobs](#): “The extremist political agenda of this new government is profoundly distressing, representing radical policy shifts that are antithetical to the core values of liberal Jews... We will not stand idly by while the most important project of contemporary Jewish life, the State of Israel, is led down the road of autocracy by extremists. Instead, we will renew our dedication to the State of Israel as a safe home for all her citizens and the democratic, pluralistic homeland of all Jewish people.”
- [Rabbinical Assembly \(Conservative Judaism\)](#): “We are deeply alarmed by the attempted subversion of the authority of Israel’s High Court by newly appointed Israeli Justice Minister Yariv Levin and his government... We call on lawmakers to speak out against these measures and others like them: the integrity of the State of Israel and the well-being of the entire Jewish people hang in the balance. We will continue to advocate against these measures and others like them in order to preserve Israel as the democratic and Jewish nation envisioned 75 years ago by the country's founders and for generations to come.”
- [Union for Reform Judaism](#) (response to Israel’s election results): “Including Ben Gvir and Smotrich in the government will likely jeopardize Israel’s democracy and will force the country to reckon with its place on the world stage. It will almost certainly lead to challenging moments in US-Israel relations and will be painful for Jews worldwide who will not see the Israel they love and believe in reflected in these leaders, nor in the policies they pursue.”
- [President of Reconstructing Judaism Rabbi Dr. Deborah Waxman](#) (response to Israel’s election results): “The prospect of Israel's next government raising up the far-right, racist Jewish Power party of Ben-Gvir is frankly horrifying... I respect the Israeli electoral process and, as an individual and Jewish communal leader, feel compelled to voice profound worry about what we're witnessing take place.”