



THE ISRAEL  
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## ➤ Summary of 2025

# A Review of the Main Steps to Weaken Democracy in Israel

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January 2026



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## Introduction

This document presents an overview of the key steps taken by the government, coalition and other actors to weaken Israeli democracy in 2025. The document is based, among other things, on periodic reviews that we conducted over the past year, which highlighted the escalation of the steps taken to weaken democracy.<sup>1</sup>

The document reviews the main actions advanced by the government and the coalition to weaken democracy in six main arenas: (1) undermining the independence of the judicial system; (2) eroding the rule of law and weakening the institution of the Legal Advisor to the Government; (3) politicization of the Israel Police and the civil service; (4) violations of basic rights; (5) weakening of the free press, civil society, and academia; and (6) potentially undermining electoral integrity. Each of these arenas saw significant steps taken this year through legislation, government decisions, and administrative measures, some of which have already had tangible effects.

The patterns of action described in this review continue to align with findings in the scholarly literature on democratic backsliding. Numerous studies have found that democracies rarely collapse suddenly but rather are gradually eroded over time. Various scholars have identified the similarities characteristic of democratic erosion,<sup>2</sup> and observed that they tend to progress along several parallel paths: erosion of the competitiveness and fairness of elections; systematic weakening

1 Anat Thon Ashkenazy and Daphne Benvenisty, "[Review No. 8: The Government and the Coalition Are Urgently Advancing a Series of Moves That Dramatically Harm Israeli Democracy](#)," *Israel Democracy Institute* website, April 6, 2025; Anat Thon Ashkenazy and Daphne Benvenisty, "[Review No. 9: The Main Steps to Weaken Democracy During the Summer Session of the Knesset](#)," *Israel Democracy Institute* website, July 23, 2025.

2 See, for example: Kim Lane Scheppele, "Autocratic Legalism," *University of Chicago Law Review* 85, no. 2 (2018): 545; Rosalind Dixon and David Landau, *Abusive Constitutional Borrowing: Legal Globalization and the Subversion of Liberal Democracy* (Oxford University Press, 2021).

of the rule of law, particularly of the judiciary; the restriction and silencing of independent media; and the restrictions on the civil society's ability to operate.

According to a growing body of scholarly knowledge, these actions do not occur randomly, but rather, they are intertwined. They result in a cumulative erosion of the checks and balances within a democracy and pave the way for political actors to take control of state institutions.<sup>3</sup> The research shows that democratic backsliding typically occurs through legal and constitutional changes that provide a democratic façade for the dismantling of democratic structures. This often occurs alongside the capture of state institutions, which enables the practical implementation of this process.<sup>4</sup> Academic studies have also highlighted the two-way relationship between democratic backsliding and states of emergency: emergencies exacerbate the deterioration of democracy, while in countries experiencing democratic backsliding, leaders are more likely to exploit emergency situations extensively.<sup>5</sup>

3 Thomas Carothers and McKenzie Carrier, *Democratic Recovery After Significant Backsliding: Emergent Lessons* (Carnegie Endowment, 2025); Anna Luhrmann and Staffan I. Lindberg, "A Third Wave of Autocratization is Here: What is New About It?" *Democratization* 26, no. 7 (2019): 1095.

4 See, for example: Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (Routledge, 2018), 78–81.

5 Nadav Dagan and Daphne Benvenisty, "Autocratization and Emergencies in a Comparative Perspective," *Israel Democracy Institute*, awaiting publication; Anna Lührmann and Bryan Rooney, "Autocratization by Decree: States of Emergency and Democratic Decline," *Comparative Politics* 53, no. 4 (2021): 617.

## Key Trends in Democratic Backsliding in Israel in 2025

In 2025, democratic backsliding in Israel was characterized by a more aggressive and extensive promotion of measures to undermine democracy, even at the height of the war.<sup>6</sup> While for most of 2024, the coalition advanced these measures more indirectly, often described as a “quiet reform,” as the Gaza war prolonged, there was an escalation in both the intensity and the determination to advance these measures, particularly on the administrative level. The war itself was used to justify actions against institutional gatekeepers and to intensify rhetoric targeting the judiciary and professionals in the civil service. Following the return of the living hostages and the declaration of a ceasefire in October 2025, on the one hand, and the entry into the election year, on the other, there was a further, significant acceleration of actions across all arenas.

Throughout 2025, efforts to weaken democracy were concentrated in six main arenas:

First, there was a deepening **erosion of judicial independence**. Two laws passed in March were particularly noteworthy: the law to politicize the Judicial Selection Committee, and the law altering the selection process for the Ombudsman of the Israeli judiciary. Both laws threaten to change the nature of the judicial system and to deeply politicize the entire court system. Other moves undermining judicial independence included the Minister of Justice’s refusal to recognize the president of the Supreme Court, and the rise in threats against the Supreme Court, including repeated disruptions during High Court of Justice hearings. In the final days of 2025, a dangerous escalation became evident, when the Minister of Finance, Bezalel Smotrich, threatened the President of the Supreme Court that “we will

6 Yaniv Roznai, “The Judicial Overhaul Post-October 7: Populist Constitutionalism in Israel Under the Fog of War,” *VerfBlog*, September 21, 2025.

run him over,” and the Minister of Communications, Shlomo Karhi, went so far as to back him and called for Smotrich’s words to be taken “from theory to practice.”

Second, there has been an **unprecedented escalation in attacks on the rule of law, particularly targeting senior gatekeepers**.<sup>7</sup> The government passed a decision to dismiss the Attorney General, that has been struck down recently by the High Court of Justice, and is refusing to cooperate with the Attorney General’s Office in a substantive and ongoing manner. Simultaneously, bills are being advanced in the Knesset to split the powers of the attorney general. The government also dismissed the head of the Shin Bet, and has sought to undermine the status of other heads of the security branches and the independence of other gatekeepers, such as the governor of the Bank of Israel. The Military Advocate General (MAG) affair also undermined the rule of law, from suspicions of offenses against detainees, through the break-in to an IDF base, the leaking of the video, and misleading the High Court of Justice by a senior official in the judicial system, to the insistence on appointing an external figure to oversee a criminal investigation contrary to the Court’s ruling.<sup>8</sup> In addition, the government continues to act to prevent the establishment of a State Commission of Inquiry into the events of October 7.

Third, there has been an expansion of efforts aimed at **politicization of the police and the civil service**. The Minister of National Security deepened his interference in the work of the police, in contravention of a High Court ruling. The civil service has suffered from considerable efforts to weaken it, including the use of

7 Yuval Shany and Amichai Cohen, "Back Into the Abyss: Israel's Government Fires Attorney General, Supreme Court Blocks the Move," *Lawfare*, August 19, 2025.

8 For further information regarding the leak affair and the investigation that followed it see: Eran Shamir-Borer "[Explainer: The 'Sde Teiman' Video Leak Affair and the Process of Appointing a New Military Advocate General](#)" (The Israel Democracy Institute, November 1, 2025); Suzie Navot "[What is Missing from the Court's Decision on the MAG Leak Investigation](#)" (November 17, 2025).



temporary appointments, as well as blatant non-compliance with the High Court of Justice's ruling, which had found that the state violated the law by failing to appoint women as directors-general in government ministries. Despite this, since that ruling, eight male directors-general have been appointed, and not a single woman has assumed such a position.

Fourth, **violations of basic rights** have been evident in a number of ways: from the advancement of bills that curtail rights (such as the exemption from military conscription bill, proposal to introduce a mandatory death penalty for terrorists, and attempts to institutionalize gender segregation in academia); through efforts to freeze budgets of the five-year plan for Arab society, contrary to the positions of all professional bodies in government ministries; to the ongoing infringements on the right to protest by the police.

Fifth, there was a full-scale attack on **the free press**, particularly through measures targeting news broadcasting. Central to this was the approval of the closure of the IDF radio, an action that could eliminate nearly half of the public radio news programs, which has since been halted by the High Court of Justice, as well as the accelerated promotion of a large reform of the Israeli broadcasting market, which threatens independent news broadcasts in Israel. Alongside these legislative and regulatory measures, threats against journalists intensified. In addition, steps were taken to undermine civil society organizations, including the advancement of the "NGO-Law" to tax civil society organizations that take critical actions toward the government.

Finally, with the country entering an election year, the number of **bills and actions that could potentially alter electoral laws** at a sensitive political moment has increased, in a way that could benefit the current political majority.

It should be noted that alongside a number of dramatic laws that have been passed, as detailed below, legislative activity remained relatively slow. In 2025, 37 bills undermining democracy were tabled in the Knesset, and an additional 47 bills were advanced in committee discussions. In total, seven laws that undermine democracy were passed in the past year. However, primarily due to the boycott

imposed by the ultra-Orthodox parties on the coalition over the law granting exemptions from military service to yeshiva students, many bills have yet to be approved. In recent weeks, this trend has begun to shift, even though the ultra-Orthodox parties have not officially announced the lifting of the boycott. In December alone, nine democracy-undermining bills were approved in preliminary readings, and Knesset committee discussions accelerated significantly. It should be added that if all restrictions on legislative promotion by the coalition are lifted, numerous highly problematic bills could move forward rapidly.

Looking ahead to 2026, the risks are clear: continued undermining of the Supreme Court's authority; advancement of the conscription law affecting the principles equality and national security; intensification of measures against the institution of the Legal Advisor to the Government and the attorney general; the need to pass the state budget; and above all, the approaching elections. All of these may incentivize a deepening of the trends described above. Indeed, similar patterns have been observed in other countries experiencing attacks on democracy, where election years represent particularly sensitive tests for institutional resilience.

At the same time, there remains a substantial path for democratic restoration in Israel. This possibility relies first and foremost on institutions that succeed in maintaining their functions and professional norms even during this period—particularly the Supreme Court, which continues to annul unlawful appointments and administrative decisions; and the institution of Legal Advisors to the Government, which upholds the rule of law and defends democratic values, despite personal attacks and political efforts to weaken it. This is complemented by the active engagement of many citizens, who continued to defend democracy in 2025. These and other factors could serve as a vital basis for the future reconstruction of Israeli democracy.

## Snapshot of Legislation that Undermines Democracy in 2025

The following graphs present a quantitative overview of legislative activity in 2025.<sup>9</sup> Though this provides only a partial picture, it offers insight into the trends that the coalition has advanced this year.

**Figure 1**  
**Legislation that undermines or may undermine democratic institutions, norms and values by legislatives process in 2025**

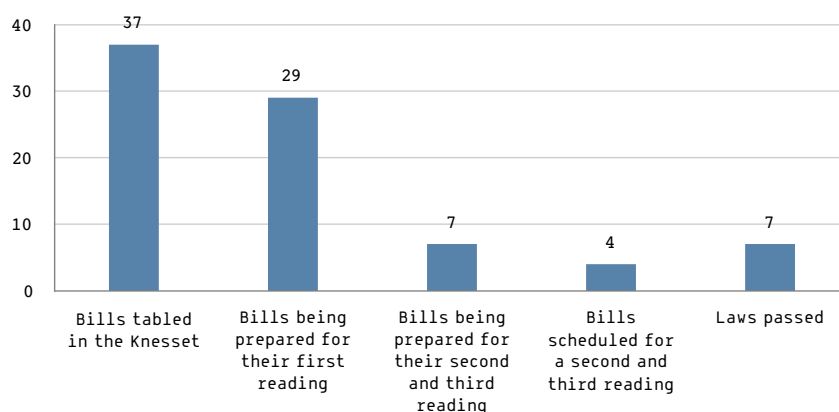


Figure 1 illustrates the number of bills that undermine democratic institutions, values, and rights that were introduced or advanced in 2025, as well as their progress through the various legislative stages. The data indicate that nearly 50

<sup>9</sup> The data is taken from Demonitor, which identifies legislative initiatives that harm, or are likely to harm, Israeli democracy. For more information, see: [www.demonitor.org.il](http://www.demonitor.org.il).

bills were advanced during the year, alongside an additional 37 bills that were tabled in the Knesset but not yet advanced. As noted, seven laws undermining democracy were enacted by the Knesset this year, and four additional bills are pending second and third readings. The figure below illustrates the considerable scale of legislative activity and the pace at which these measures are advanced, showing that they are not restricted to the declarative level, but rather include legislation that is being actively advanced through the Knesset.

**Figure 2**  
**Number of bills submitted or advanced in 2025, by institution that is affected or may be affected**

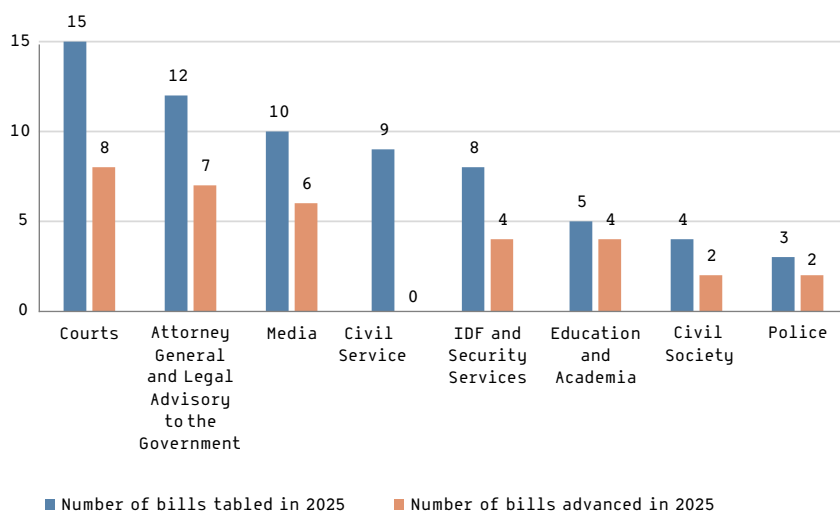


Figure 2 focuses on the democratic institutions that may be affected by bills whose status changed over the past year in the Knesset. For each institution, the graph presents all bills that were advanced this year—whether initially tabled in the Knesset table or moved on through the legislative process, up to and including passage into law. The data paint a clear picture, which is also reflected in the rest

of this overview: the legislative measures being advanced are directed at core institutions of the democratic system, particularly the judiciary and the Office of the Attorney General, as well as at the media.

**Figure 3**  
**Number of bills submitted or advanced in 2025,**  
**by basic right affected or potentially affected**

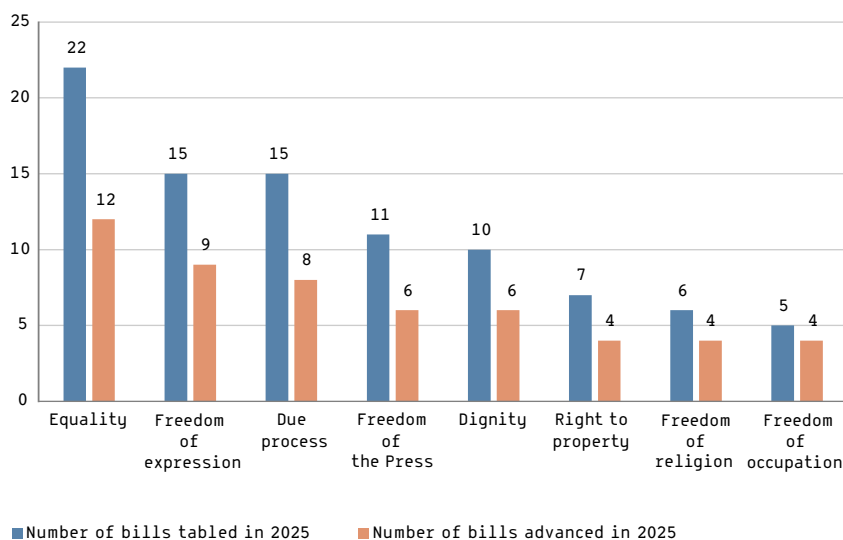
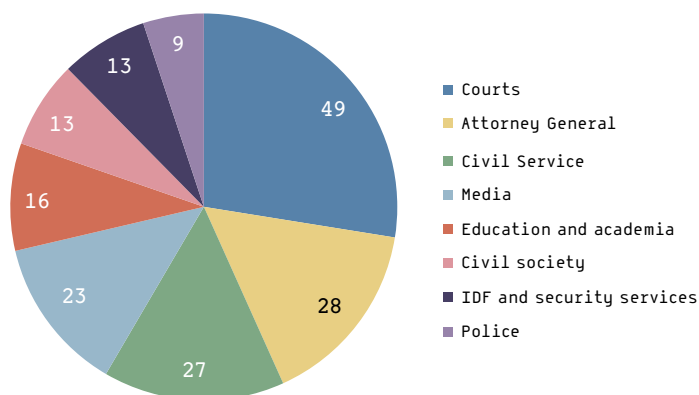
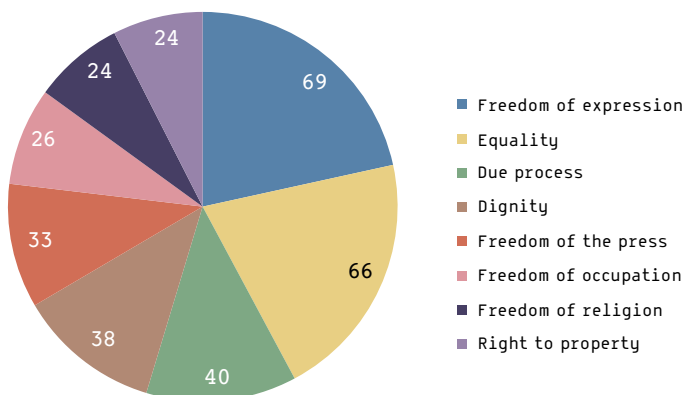


Figure 3 focuses on the democratic rights that may be affected by bills whose status has changed over the past year in the Knesset. For each right, the graph shows the total number of bills that were advanced this year—whether initially tabled in the Knesset table or moved on through the legislative process, up to and including passage into law. The data show that the potential harm spans a broad range of basic rights. Particularly striking are infringements on freedom of expression and freedom of the press, the rights to equality and human dignity, and to the right to due process.

**Figure 4**  
Total number of bills submitted between 2023 and 2025,  
by institution affected or potentially affected



**Figure 5**  
Total number of bills submitted between 2023 and 2025,  
by basic right harmed or potentially harmed



Figures 4 and 5 present all bills introduced between 2023 and 2025, disaggregated by the institution or basic right potentially affected. The data include three stages of legislation: bills that have been tabled and have not yet been advanced in the Knesset, bills that have been advanced, and laws that have been passed. The figures illustrate the main areas that have been the focus of the coalition's legislative initiatives during the current Knesset, across both institutional structures and basic rights.

## The Review in Detail

### 1. Undermining the Independence of the Judiciary

**Approval of the law to politicize the Judicial Selection Committee.** In March, the Knesset approved an amendment to the Basic Law: The Judiciary, that fundamentally alters the composition of the Judicial Selection Committee. The amendment replaces two representatives of the Israel Bar Association with two public representatives who are jurists—one to be selected by coalition parties, and the other by opposition parties. In addition, the amendment states explicitly that of the two Knesset members on the Committee, one will be selected by coalition parties and the other by opposition parties.

The rules governing appointments by the Committee were also substantially changed. The appointment of Supreme Court justices will require the consent of a majority of Committee members, provided that this majority includes one representative of the coalition and one representative of the opposition, without the need for the consent of any of the judges on the Committee (and will not require a special majority of seven committee members, as is currently the case, which makes the support of at least one judge essential). The appointment of judges to the lower courts, as well as the appointment of the president and deputy president of the Supreme Court, will require a majority that includes at least one representative of the coalition, one of the opposition, and one judge. In cases of deadlock regarding appointments to the Supreme Court, and where two seats on the Court remain vacant, the minister of justice will be empowered—once in each Knesset term—to activate a deadlock-breaking mechanism: The coalition representatives on the Committee will propose three candidates, from whom the remaining Committee members will select one, and the opposition representatives will likewise propose three candidates, from whom the remaining members will select one. The amendment is scheduled to enter into force at the beginning of the term of the next Knesset.



Though the application of this amendment has been deferred to the next Knesset, it grants politicians veto power over the appointments to the Supreme Court, and reduces the weight of professional considerations in the selection process.<sup>10</sup> As such, it is expected to lead to deep politicization of judicial appointments in all courts. It also raises concerns that the amendment may not be altered even by the next Knesset. Thus, the amendment will severely harm judicial independence, which is one of the basic principles of the State of Israel as a Jewish and democratic state, and a prerequisite for the realization of the system's other democratic values.<sup>11</sup> It will also undermine the principles of checks and balances and separation of powers, which are themselves fundamental pillars of Israeli democracy.<sup>12</sup>

Moreover, there is concern that the amendment is already affecting the process of judicial appointments, as since it was enacted, no new judges have been appointed, despite dozens of vacant positions across various courts. This includes four vacancies on the Supreme Court, which is currently operating under an extremely heavy case load. According to media reports, the Minister of Justice has avoided convening the Committee until the amendment enters into force.<sup>13</sup>

10 Guy Lurie, Amir Fuchs, and Amichai Cohen, "[Explainer: The Sa'ar-Levin Plan for Changing the Judicial Selection Committee](#)," *Israel Democracy Institute* website, February 13, 2025.

11 Aharon Barak, "Judgment, Law and Democracy," from *Selected Writings 3-Constitutional Studies* 90 (2017); Administrative Appeal 3908/11 State of Israel Courts Administration v. The Marker newspaper, paras. 27–28, September 22, 2014.

12 Amichai Cohen, Guy Luria and Amir Fuchs, "[Opinion: Proposed Basic Law: The Judiciary \(Amendment No. 3, 'The Levin-Sa'ar Plan'\)](#)," *Israel Democracy Institute* website, January 20, 2025. See also: Uri Aharonson and Yair Sagi, "Position Paper No. 61: The Levin-Saar Bill," *Israeli Law Professors' Forum for Democracy* website, January 20, 2025.

13 Amiram Gil, "[Supreme Court justices to Levin: Dozens of judges needed; convene the Selection Committee](#)," *Globes*, May 15, 2025.

Though the amendment was presented as a compromise relative to earlier legislative proposals advanced by the coalition, in practice, it still poses a very real danger of politicization of the judicial system.

A petition against the amendment was filed with the High Court of Justice, and an order nisi was issued. It was also decided that the petition would be heard before the full bench of 11 Supreme Court justices.<sup>14</sup>

**Approval of the law leading to politicization of the process for selecting the Ombudsman of the Israeli Judiciary.** In March, the Knesset approved the Ombudsman of the Israeli Judiciary Law in its second and third readings. Prior to the amendment, the Ombudsman was appointed by the Judicial Selection Committee, with candidates determined by agreement between the Minister of Justice and the President of the Supreme Court. The new law stipulates that the Ombudsman will be appointed by a different committee, which is composed of two ministers, a Knesset member selected by the Knesset, the chief public defender, two retired judges (one to be chosen by the Supreme Court justices and the other by the presidents of the district courts), and a retired rabbinical-court judge. As a result, three members of the committee are representatives of the coalition, and one is a rabbinical-court judge chosen by the chief rabbis, who are themselves politically affiliated. In other words, only three committee members are independent professional representatives.<sup>15</sup> Thus, the selection process has become political—indeed, tilted toward the ruling coalition—in a way that undermines the principle of judicial independence. An additional concern raised by the amendment is that the appointment procedure was altered in the midst of an ongoing process to appoint a new ombudsman. For nearly a year the

<sup>14</sup> HCJ 70604-03-25, *The Movement for Quality Government in Israel v. The Knesset* (ruling of December 2, 2025).

<sup>15</sup> Amir Kurtz, "Rotman's new trick: Chief rabbis will have the casting vote in the selection of the ombudsman of the Israeli judiciary," *Calcalist*, February 18, 2025.

Ombudsman's Office functioned without an ombudsman, due to disagreements between the Minister of Justice and the President of the Supreme Court.<sup>16</sup>

Pursuant to the new law, in early May, the retired District Court, Judge Asher Kula, was appointed to this position. Though no claims have been voiced regarding Kula's qualifications, this appointment already reflects a deviation from established practice, according to which the ombudsman is traditionally a retired Supreme Court judge.

**Continued boycott of the President of the Supreme Court.** After many months during which the Judicial Selection Committee was not convened to appoint a president to the Supreme Court, and following a High Court of Justice order requiring that the matter be put to a vote, Justice Amit was appointed President of the Supreme Court in January 2025. Despite this, the Minister of Justice has, in practice, boycotted the President.

For example, in February, the Minister of Justice refused to attend the inauguration ceremony of the Supreme Court president, which was held at the President's Residence. Further, throughout the year, the regular weekly meetings between the Minister of Justice and the President of the Supreme Court – in which routine issues concerning the administration of the judiciary are discussed – were entirely suspended. The boycott has taken place against the backdrop of a severe shortage of judges throughout the justice system, including four vacancies on the Supreme Court; the Central-Lod District Court has been operating without a president for four months; and nearly 20 deputy president positions in the various courts remain unfilled, due to the minister's refusal to establish search committees. In addition, a considerable number of laws requiring the establishment of advisory

16 Guy Lurie and Amir Fuchs, "[Opinion: The Ombudsman of the Israeli Judiciary Bill](#)," *Israel Democracy Institute* website, February 20, 2025; Amir Fuchs, "[There are grounds to disqualify the Ombudsman of the Israeli Judiciary Law](#)," *Ha'aretz*, March 4, 2025.

committees are not being implemented, since the minister refuses to consult with the Supreme Court president, as required by law.

The Speaker of the Knesset also refuses to recognize Justice Amit's status as President of the Supreme Court. Accordingly, at official ceremonies in which it is customary to invite the Supreme Court president as part of the state's senior leadership, the speaker either did not invite Justice Amit (for example, President Trump's address to the Knesset), or chose to refer to him as a judge rather than as Supreme Court president (as occurred at the opening of the Knesset's winter session).

Recently, several petitions were filed seeking to instruct the Minister of Justice to cease this boycott and to act in accordance with the law, in cooperation with the president of the Supreme Court. This relates, *inter alia*, to the appointment of judges to the Parole Board, the appointment of associate judges, the appointment of a president of the Jerusalem District Court, and the appointment of court registrars.<sup>17</sup>

**Violence and threats against the Supreme Court.** In recent months, there has been a major increase in threats against the Supreme Court. In early June, one day after a demonstration against the judicial system was held in front of the Supreme Court, a window in the court building was found shattered as a result of an air rifle. In addition, disruptions during High Court hearings – particularly those involving high profile cases – have become almost routine, including repeated outbursts by Knesset members. The president of the Supreme Court has stated in a number of cases that such conduct constitutes an attempt to obstruct the judicial process, which directly undermines the separation of powers and strikes at the core of democracy, noting that “there is no court in the world, certainly no Supreme Court, in which such a phenomenon exists.”<sup>18</sup>

17 H CJ 27381–07–25 Zulat: Equality and Human Rights v. Government of Israel.

18 Netael Bandel, "[Disturbances in the High Court, at least seven removed—including Gotliv. Amit: 'Nothing like this happens anywhere else in the world,'](#)" *Ynet*, November 10, 2025.

Recently, the High Court of Justice addressed the severity of the phenomenon, stressing that its purpose is to intimidate the Court, the parties to cases, and their attorneys. It also noted that while the phenomenon is particularly prominent in the Supreme Court, it is also spilling over into lower courts. Accordingly, it ruled that when there is “a well-founded concern that a legal hearing may be accompanied by disturbances, disorder, or outbursts of a degree that is expected to make it materially difficult to conduct the hearing properly, it is permissible and appropriate for the court to take steps in advance to limit the physical presence [of the public] in the courtroom, while also arranging for the live broadcast of the hearing.”<sup>19</sup>

In the final days of 2025, a dangerous escalation was evident in the harsh rhetoric directed against the judicial system, when the Minister of Finance, Bezalel Smotrich, described the President of the Supreme Court as “megalomaniacal, violent, and predatory,” and that the result would be that “we will run him over.” The Minister of Communications, Shlomo Karhi, backed the Minister of Finance, and called for Smotrich’s words to be taken “from theory to practice.” In response, Supreme Court President Amit sent an open letter to all members of the judicial system, in which he emphasized that “the message implied by these statements seeks to undermine the status and role of the courts in a democratic state. Statements of this kind will not weaken us.”

**Weakening of the Israel Bar Association.** In January, a law was passed to impose restrictions on the level of membership fees that the Israel Bar Association is allowed to charge, and on the purposes for which such fees may be used.<sup>20</sup> The law limits the use of membership fees and other fees to a narrow set of functions,

19 HCJ 18225-06-25 Gilon v. Government of Israel (ruling of December 1, 2025). See also: Suzie Navot, “We came to blow it up: Violence in the High Court of Justice is out of control,” *N12*, November 29, 2025; Mordechai Kremnitzer, “The High Court is right: Holding a proper legal hearing is more important than allowing public attendance in the courtroom,” *Ha’aretz*, December 2, 2025.

20 Israel Bar Association Law (Amendment No. 45), 5785-2025.

while other activities of the Bar are permitted only with the consent of all the chairs of the Association's district committees and must be financed through other sources of funding.<sup>21</sup>

This law interferes in the management of the Association's budget and its ability to set membership fees, thereby undermining its ability to act independently and professionally. There is serious concern that its goal is not to improve the administration of the Association, but rather to reduce its independence and weaken the leadership elected in its internal elections in 2023. The infringement of the Bar's independence is particularly severe given its role in maintaining the professionalism of the judicial system, and, at present, its membership in the Judicial Selection Committee. In addition, the law is part of broader steps against the Bar, which also include another bill to expropriate its powers and transfer them to a new council under government control.<sup>22</sup>

In November, the High Court of Justice issued an order nisi against the new legislation and ruled that the amendment's entry into force would be suspended until another ruling is issued.<sup>23</sup>

## 2. Harms to the Rule of Law

**Moves to dismiss the Attorney General.** At the beginning of July, the government unanimously approved the dismissal of the Attorney General. The process that led to this decision was tainted by various procedural failures. The Minister of Justice did not properly staff the public-professional committee responsible for

<sup>21</sup> It was also determined that the provisions will come into full effect only in 2026, but that membership fees for 2025 will be reduced by 20%.

<sup>22</sup> Guy Lurie, Amir Fuchs, and Daphne Benvenisty, "[Opinion: Who will determine the membership dues? The new battle for the independence of the Israel Bar Association](#)," *Israel Democracy Institute* website, January 8, 2025.

<sup>23</sup> HCJ 75050-01-25 Israel Bar Association v. The Knesset (ruling of November 13, 2025).

appointing and examining the dismissal of the Attorney General immediately after the formation of the government. He was unable to staff this committee due to the refusal of former ministers of justice and former Attorneys General to join it. Therefore, the government chose to create a new, entirely political mechanism, comprising only serving ministers (most of whom had expressed support for the Attorney General's dismissal even before they joined the committee), which guarantees the government's exclusive control over the process of dismissing the Attorney General.<sup>24</sup>

Petitions were filed against the decision to change the mechanism for dismissing the Attorney General and against the decision to dismiss her. An order nisi was issued, with the panel of judges unanimously recommending a return to the framework for ending the term of the Attorney General that was in place since 2000 that involves a public-professional vetting committee, since no reasons were presented that would justify deviating from that decision.

In addition, an interim order was issued providing that the decision to dismiss the Attorney General would not enter into force, with all that entails, until a different decision was rendered. Despite the order, it was reported that the government, and the Minister of Justice in particular, ceased meeting with the Attorney General and her deputies, similar to the minister's decision to stop meeting with the President of the Supreme Court. The Minister of Justice also replaced the locks on the office that, pursuant to a long-standing practice, is used by the Attorney

<sup>24</sup> The attorney general clarified that the significance of establishing a political committee to examine the dismissal of the attorney general is to make the Attorney General's Office and the State Attorney's Office into "an institution that depends on the mercy of the political echelon," and that this step will lead to "the removal of restrictions on the power of the government, and severe harm to the rule of law, equality before the law, human rights, and the ability of the law enforcement system to deal with cases of government corruption." See the letter from the attorney general to the members of the ministerial committee (established by Government Resolution 3125 of June 8, 2025) on the subject of "[Hearings in Violation of the Law](#)," July 14, 2025.

General and her staff. This appears, on its face, to constitute a violation of the judicial order, which instructed that existing work arrangements not be altered. In addition, the government and the Speaker of the Knesset also stopped copying the Attorney General on matters in which her participation is required.

Subsequently, the High Court of Justice—unanimously, in an expanded panel of seven justices—granted the petition in full, leading to the annulment of the new mechanism for dismissing the Attorney General and the annulment of the decision to remove her from office. The panel emphasized that the new mechanism constitutes a “substantial structural change” to a component intended to establish formal limits on the government’s authority in procedures for appointing and terminating the tenure of the Attorney General. The existing mechanism is designed to ensure that the Attorney General—acting as a gatekeeper—can perform her role in a professional and independent manner. The Court further emphasized that the new mechanism was approved “in a truly expedited process,” within only two working days, without an orderly staff process, without consultation with professional bodies, and without obtaining an opinion from the Attorney General’s Office. The justices also noted the internal illogic in selecting the mechanism, since the declared aim was to address a specific difficulty in staffing a committee member who had not yet publicly expressed a position on the matter, while, on the other hand, a body was chosen whose members had all already expressed support for dismissing the Attorney General.

Following the annulment of the dismissal mechanism, the basis for the decision to dismiss the Attorney General fell away. Regarding the violation of the order instructing the respondents not to change working arrangements with the Attorney General, the panel clarified that this “raises great unease,” adding that “the rule of law does not pass over any person, and this applies equally to state authorities and their organs.” It was further clarified that the Attorney General continues to serve lawfully in her position, and that any change in her status, her powers, or her modes of operation is inconsistent with this judgment, “with all that this entails.” Finally, relatively exceptional costs were imposed on the government.



In response, the Minister of Justice called on the government to reject the judgment outright, and even accused the Supreme Court of attempting to sabotage the investigation concerning the Military Advocate General. The Minister of Communications likewise called on the government to definitively dismiss the Attorney General, bar her from entering government offices, and appoint an acting replacement.

**Dismissing the head of the Shin Bet in contravention of the law and despite a conflict of interest.** In its ruling, the High Court of Justice emphasized that the head of the Shin Bet is a “primary gatekeeper” who owes a duty of loyalty to the public rather than to the political leadership. Regarding the dismissal procedure, the Court ruled in a majority opinion,<sup>25</sup> that the government’s decision to dismiss the head of the Shin Bet was unlawful, because the dismissal process was procedurally flawed, conducted in contravention of the law and tainted by conflicts of interest, especially in light of the investigations involving the Prime Minister’s Office. In addition, the ruling emphasized that though the government has the authority to dismiss the head of the Shin Bet, this does not negate judicial review of the exercise of that authority. Principles of the rule of law and administrative law also apply to this decision.

**Bills to dramatically weaken the institution of legal counsel to the government.** The Knesset Constitution, Law and Justice Committee is discussing a backlog of no fewer than nine bills that, according to their description, seek to split the

25 H CJ 54321-03-25 *The Movement for Quality Government in Israel v. The Government of Israel* (May 21, 2025). It should be noted that Supreme Court Vice President Sohlberg agreed that the dismissal process raises significant difficulties, but believed that due to the resignation of the head of the Shin Bet, the court hearing had become redundant and there was no need to decide on the issues raised by the petitions. See Amichai Cohen and Eran Shamir-Borer, [“Explainer: The High Court of Justice’s Judgment on the Dismissal of the Head of the Shin Bet and the Procedure for the Appointment of a New Head of the Shin Bet—Principles and Significance,”](#) *Israel Democracy Institute* website, June 4, 2025.

role of the attorney general. In practice, however, if passed, these bills would unrecognizably change the institution of legal counsel to the government and put it completely under the control of political actors. According to the main proposal currently being advanced by the Constitution Committee (with the Committee chairman, MK Simcha Rothman, being one of the sponsors of this bill), the role of the attorney general would be split into three separate roles: the General Prosecutor, the Government Legal Advisor, and the State Representative in the Courts. Under the terms of the proposal, the Government Legal Advisor would be appointed by the government as a completely political appointment and would be subject to the Justice Minister's oversight. Their legal opinion would be considered authoritative only if adopted by a government decision, effectively granting the government the power to determine the interpretation of the law. The General Prosecutor would be appointed by the minister of justice, with the approval of the Constitution Committee, and the government could remove them from office under various conditions. The State Representative in the Courts would also be appointed by the Minister of Justice and would be empowered to decide, among other things, whether the government may be represented separately. It is also proposed that this representative and members of their staff would not be subordinate to the Government Legal Advisor.

This proposal, despite its name, not only splits the role of the attorney general, but is designed to undermine the roles played by the Attorney General's Office and the State Attorney's Office in maintaining the rule of law. This bill would remove checks on the government in a way that would fundamentally undermine Israeli democracy.<sup>26</sup> The bill is currently in preparation for its first reading and is being intensively advanced in multiple meetings of the Constitutional Committee.

**Rise in threats by members of the government not to comply with Supreme Court orders.** Over the past year, there has been a major increase in calls by coalition

26 Division of the Role of the Attorney General Bill, 5785–2025, P/5808/25.

See also: Guy Lurie and Amir Fuchs, "[Opinion: Splitting the Role of the Attorney General](#)," *Israel Democracy Institute* website, October 27, 2025.

members not to comply with Supreme Court orders. Thus, after the High Court of Justice suspended the dismissal of the head of the Shin Bet (before a final judgment was issued), the Prime Minister and other ministers hinted that they would not abide by a ruling invalidating the dismissal. Since then, calls to violate rulings have become even more explicit: The Minister of Transportation declared that if the High Court intervenes in the decision to dismiss the Attorney General, “we will not respect the ruling”;<sup>27</sup> the Minister of Communications announced that he would not comply with an interim order that extended the term of office of a board member of the Public Broadcasting Corporation;<sup>28</sup> and the Minister of Education appointed a director general to the Council for Higher Education, despite an interim order prohibiting such an appointment. In several cases, ministers and the Prime Minister have argued that it is the government that determines the law, not the courts.

This trend gained a particularly salient expression in another exceptional incident: The Minister of Communications sent a letter to all of his Ministry’s employees, claiming that “the only binding guidelines are those of the minister,” and that the guidelines issued by the Attorney General’s Office, both to the government and to the ministry, have no binding legal status. He also stated that the Attorney General’s Office is no longer authorized to issue legal opinions, and that the Ministry’s employees “are required not to comply with legal opinions by the Attorney General’s Office without the approval of the [minister’s] bureau.” In response, the Ministry’s legal advisor made it clear to the employees that they are obligated to comply with the High Court of Justice and to cooperate with the Attorney General. The Minister’s letter constitutes a direct challenge to the foundations of the rule of law in Israel, contradicts the law and the Supreme

27 Moran Azoulay, “Miri Regev: ‘The attorney general will go home. If the Supreme Court says no, we will not respect the ruling,’” *Ynet*, June 9, 2025.

28 HCJ 48695–06–25 The Movement for the Promotion of a Fair Society v. Minister of Communications (ruling on granting an interim order, July 6, 2025).

Court's rulings, and risks leaving the Ministry's employees in a state of limbo with regard to which guidelines are legally binding.<sup>29</sup>

**Undermining of the rule of law in the Sde Teiman affair and its investigation by the Military Advocate General (MAG).**<sup>30</sup> The affair began with an investigation into suspicions of severe violence committed by soldiers against detainees at the Sde Teiman base. After videos documenting the events were leaked to the media, the state told the High Court of Justice that "not even a single indication has been found regarding the source of the information."<sup>31</sup> However, in October 2025, the MAG admitted that she had herself approved the release of the videos to the media, despite the statement given to the High Court that the Military Prosecution has been unable to locate the source of the leak.<sup>32</sup>

In response, the Attorney General ordered the opening of a criminal investigation, inter alia against the MAG. Following this, the Minister of Justice informed the Attorney General that she and her subordinates were barred from dealing with the affair and from appointing a replacement for the MAG.<sup>33</sup> After it was determined that the Attorney General was prevented from handling the investigation, in order

29 Suzie Navot and Yohanan Plesner, "[This is not 'just a letter'-it is an attack on the rule of law](#)," *Israel Democracy Institute* website, August 5, 2025.

30 For further information regarding the leak affair and the investigation that followed it see: Eran Shamir-Borer "Explainer: The 'Sde Teiman' Video Leak Affair and the Process of Appointing a New Military Advocate General," The Israel Democracy Institute, November 1, 2025) Suzie Navot, "What is Missing from the Court's Decision on the MAG Leak Investigation," November 17, 2025.

31 See the factual details in H CJ 3545-11-25 Boaron v. Attorney General (November 16, 2025).

32 Letter from the MAG Maj. Gen. Yifat Tomer-Yerushalmi, to the IDF Chief of Staff on the subject of "Notice of Termination of My Position as MAG," October 31, 2025.

33 Letter from Minister of Justice MK Yariv Levin to Attorney General Adv. Gali Baharav-Miara, on the subject of "[Notice under Section 23A of the Civil Service \(Appointments\) Law, 5719-1959](#)," November 1, 2025.

to ensure the independence of the investigation process, if only for the sake of appearances, she transferred the responsibility for conducting the investigation to the State Attorney's Office.<sup>34</sup> The Minister of Justice then sought to appoint Ombudsman of the Israeli Judiciary, Asher Kula, to oversee the interrogation.<sup>35</sup>

The High Court of Justice ruled that, given the exceptional circumstances of the affair, the Justice Minister has the authority to assign the role of overseeing the investigation to someone outside the Attorney General's Office or the State Attorney's Office, but only subject to specific conditions. However, the appointment of the Ombudsman to the position was invalidated due to the statutory provisions regulating the Ombudsman's role. The Court also ruled that a senior civil servant should be appointed to this role—specifically, a prominent jurist whose field of practice involves the exercise of discretion in the field of prosecution or criminal investigation, and who has no political affiliation in the past or present.<sup>36</sup>

Only four days after the ruling was published, the Minister of Justice announced the appointment of retired judge Yosef Ben Hamo to the role, but this decision

<sup>34</sup> Letter from the legal advisor to the Ministry of Justice, Adv. Yael Kotik, to the deputy attorney general, Dr. Gil Limon, on the subject of "[Addressing Allegations of Conflict of Interest by the Attorney General—Public Inquiries and Petition to the High Court of Justice 3545-11-25](#)," November 6, 2025.

<sup>35</sup> Letter from the deputy attorney general, Dr. Gil Limon, to Minister of Justice and Deputy Prime Minister MK Yariv Levin, on the subject of "Improper Political Interference in a Criminal Investigation," November 6, 2025; Tova Zimuki, "[Attorney general: I will transfer oversight of the MAG investigation to the state attorney; Levin registers his opposition](#)," *Ynet*, November 6, 2025.

<sup>36</sup> H CJ 3545-11-25 Boaron v. Attorney General (November 16, 2025). Subsequently, the High Court decided to hold a further hearing with a full panel of 11 Supreme Court justices, but clarified that the hearing would deal only with questions of principle, and not with the application of the rule to the circumstances of the case in question. See: H CJ 58525-11-25 Israel Democracy Guard v. Minister of Justice (December 4, 2025).

was also revoked, after it was determined, *inter alia*, that the judge is not a senior civil servant.<sup>37</sup>

All the stages of this affair—from the suspicions of offenses against detainees, to the leak of the videos and lies to the High Court of Justice by such a senior legal official, to attempts to intervene in a criminal investigation by appointing a person to oversee the investigation who does not meet the requirements set by the High Court—pose a serious threat to the independence of law enforcement institutions, harm public trust in the system, and open the door to the exertion of political pressure on the investigative authorities. Against this background, members of the political establishment have presented the appointment as a step intended to bring about an investigation of the Attorney General, in a way that would facilitate her dismissal.<sup>38</sup> Subsequently, the Ministerial Committee for Legislation recently approved the advancement, for a preliminary reading, a bill that would allow the Justice Minister to appoint a prosecutor if the police become aware of an offense allegedly committed by the Attorney General or the State Attorney, and the appointed prosecutor would be granted all the powers vested in those officials related to investigation and prosecution.<sup>39</sup>

**Avoidance of establishing a state commission of inquiry.** Following a hearing on a petition seeking to compel the government to establish a state commission of inquiry, the High Court of Justice ruled that “there is no real dispute regarding the need to establish a state commission with broad investigative powers and the authority to determine findings and formulate recommendations in all matters

37 H CJ 58681-11-25 Israel Bar Association v. Minister of Justice (December 3, 2025).

38 Michael Hauser Tov, “[Saada after the Supreme Court ruling: It's over-the attorney general must be investigated and dismissed](#),” *Ha'aretz*, November 16, 2025.

39 Criminal Procedure Bill (Amendment—Prevention of Conflicts of Interest in the Investigation of the Attorney General and the State Attorney), 5786-2025, P/6330/25.

related to the events of October 7, 2023.”<sup>40</sup> Subsequently, an *order nisi* was issued instructing the state to explain why it has not acted to establish a state commission of inquiry, and required it to submit affidavits in response by January 4, 2026.

Despite this, and despite the fact that the war has ended, the government decided to push forward a non-state commission of inquiry that it would establish itself.<sup>41</sup> To this end, it was decided to appoint a ministerial team to determine “the issues to be included in the mandate that will be given to the committee to investigate the events of October 7, 2023, as well as preceding events.” The team is headed by the minister of justice and includes ten other ministers who have held office since the formation of the government in 2022. Some of the ministers who are members of the team have already declared that all the events that preceded the massacre, including the Oslo Accords and the 2005 disengagement from Gaza, should be investigated.<sup>42</sup> So far, the committee has not yet convened and no date has been set for it to meet.<sup>43</sup>

Subsequently, a bill was approved in its preliminary reading, seeking to establish a non-state commission of inquiry to examine the events of October 7 and the circumstances that led to them. Contrary to the existing mechanism, under which the President of the Supreme Court appoints the members of the commission and a justice of the Supreme Court or a District Court serves as its chair, the bill proposes to transfer the authority to determine the composition of the commission to political actors.

40 H CJ 4889/24 The Movement for Quality Government in Israel v. Government of Israel (ruling of October 15, 2025).

41 Government Decision No. 3503, November 16, 2025.

42 Nir Gontarz, "On the line with Ze'ev Elkin: What do you think the committee that will be established should investigate? 'First of all, the Oslo Accords and the disengagement'," *Ha'aretz*, November 19, 2025.

43 Avishai Grinzig, "Exclusive: Netanyahu's Plan to Dilute the Commission of Inquiry into the October 7 Massacre," *i24*, December 1, 2025.

Under the proposal, at the first stage, the Speaker of the Knesset would propose the composition of the commission, subject to approval by a majority of 80 Members of Knesset. In the absence of such a majority, the Speaker of the Knesset would appoint three members of the commission with the consent of the coalition factions, and the Leader of the Opposition would appoint three members with the consent of the opposition factions. If this mechanism also fails to be implemented, the authority to appoint the members of the commission would revert to the Speaker of the Knesset, this time without requiring the approval of the Knesset.

This appointment mechanism could lead to a commission composed exclusively of coalition representatives, given the reasonable possibility of a lack of cooperation on the part of the opposition. Even if a quasi-parity commission were to be established, there is a substantial concern that its work would lead to the formulation of competing political versions of “the truth,” rather than to a state-level, objective clarification of the events.

### 3. Concerns Regarding the Integrity of the Elections

**Politicization of the Public Committee for Party Financing.** In July, the new composition of the Public Committee on Party Financing, whose role is to determine the relative share of public funding for political parties, was published. In addition to the chair of the committee—the former president of the Tel Aviv District Court—the speaker of the Knesset appointed two members who are currently active in the Likud Party and who do not possess the relevant academic background for the Committee’s work.<sup>44</sup> This decision deviates from established practice whereby Knesset speakers refrained from appointing members to the Committee who are active in their political party (in the past, even when candidates with party affiliation were appointed, they were no longer politically active). To this, it should be added that when appointing Committee members, the speaker of the Knesset is bound by principles of administrative law, and it is doubtful

<sup>44</sup> Notice Regarding the Composition of the Public Committee in Accordance With the Party Funding Law, *Reshumot* 5785, 8252.



whether the appointment of two Likud Party activists meets the administrative obligation to act impartially. This raises concerns about the politicization of the Committee's decisions, given that according to the Political Party Financing Law, any decision to reduce the funding unit rate must be unanimous, but a decision to increase the funding rate can be made by a majority vote.<sup>45</sup> A petition on the matter was filed with the High Court of Justice and has not yet been adjudicated. During the proceedings, it became known that the Committee chair had resigned from her position.<sup>46</sup>

**A series of bills to amend election laws in an election year.** In recent weeks, several bills have been tabled in the Knesset that seek to amend the election laws. A prominent example is a proposal to impose personal responsibility on political party leaders for the debts of parties that have ceased to exist.<sup>47</sup> In addition, there have been announcements of intentions to advance bills that would lower the electoral threshold and reduce the voting age to 17. The proximity to the upcoming elections raises concerns of illegitimate interference in the electoral process.

In addition, there are a number of bills to expand the grounds for disqualifying participation in elections, which were advanced in previous sessions of the Knesset, and may be advanced further during the election year.<sup>48</sup> What these steps have in common is that they seek to reshape the democratic rules of the game at a

45 Assaf Shapira and Moran Kandelstein-Heine, "[Opinion: Dear Knesset: On Politicization in the Public Committee on Party Financing](#)," *Israel Democracy Institute* website, July 17, 2025.

46 HCJ 50152-08-25 The Academy for a Democratic Israel v. Speaker of the Knesset.

47 The Party Funding Bill (Amendment-Liability of the Party Chair for the Debts of a Faction That Has Ceased to Exist), 5785-2025. See also: Assaf Shapira and Amir Fuchs, "[Opinion: The Party Funding Bill \('Bennett Law'\)](#)," *Israel Democracy Institute* website, October 26, 2025.

48 See, for example: Proposed Basic Law: The Knesset (Amendment-Expansion of the Grounds for Preventing Participation in Elections), P/1176/25.

highly sensitive political moment, in a way that may benefit the existing political majority.<sup>49</sup>

**Moves to disqualify political parties ahead of the elections.** In November, the Prime Minister referred to the US President's decision to outlaw the Muslim Brotherhood, noting that "the State of Israel has already outlawed part of the organization, and we are working on completing this process soon." This was interpreted as a declaration of intention to outlaw the Arab political party Ra'am.<sup>50</sup> Although the Prime Minister later qualified his remarks, his statement contributes to the delegitimization of the political participation of the Arab public and its representatives.<sup>51</sup>

#### 4. Undermining the Independence of the Israel Police and the Civil Service

**Intervention in police activity by the Minister of National Security.** The past year has been marked by unprecedented involvement by the Minister of National Security in the work of the Police. This has occurred against the backdrop of the High Court of Justice ruling that ordered the nullification of section 8(d) of the Police Ordinance, regarding ministerial involvement in police investigations,<sup>52</sup> and despite an agreement between the Minister and the Attorney General, intended

49 Assaf Shapira and Amir Fuchs, "A Law Against Bennett Is a Law Against Democracy—Election Laws Should Not Be Amended in an Election Year," *Ha'aretz*, October 29, 2025.

50 Idan Kweller, "Will Netanyahu outlaw Mansour Abbas's Ra'am party?" *Walla*, November 23, 2025.

51 Muhammed Khalaily, "'Enemies at Home': Netanyahu's Big Plan Before the Elections," *Walla*, November 26, 2025.

52 HCJ 8987/22 The Movement for Quality Government in Israel v. The Knesset (January 2, 2025). See also: Eran Shamir Borer, Yael Litmanovitz, and Mirit Lavi, "The Response of the Israel Democracy Institute: The High Court of Justice Ruling Regarding the Amendment of the Police Ordinance ('The Ben Gvir Law')," *Israel Democracy Institute* website, January 2, 2025.

to demarcate the boundaries of his involvement in police work. Shortly after this agreement was reached, the Attorney General warned that the Minister had already deviated from it.

More recently, the Attorney General informed the Prime Minister that the Minister of National Security is continuing to violate the law, court rulings, and of the principles to which he had expressly committed himself, in such a way as to render meaningless the principle of police independence. The Minister continues to act as a “super commissioner,” in complete contradiction to the High Court ruling. Therefore, according to the Attorney General, the evidentiary basis on which the High Court relied in the first place when it approved the appointment of MK Ben Gvir as minister of national security has changed substantially.<sup>53</sup>

The deviations from the agreement that she noted are divided into three main categories: First, the minister continues to refer frequently and publicly to current investigations in a manner that aligns with his own interests and political position, and that may convey a message to law enforcement officials regarding the “desired” course of action.<sup>54</sup> Recently, in the context of the MAG affair, it was reported that the Minister demanded that the Police Commissioner transfer the investigative materials to the Ombudsman of the Israeli Judiciary, who had been appointed by the Minister of Justice to oversee the investigation, even as a petition on the matter of this appointment was pending before the High Court of Justice.

Second, the Minister continues to interfere in police appointments. A prominent recent example was the Minister’s unprecedented refusal to approve the promotion of an officer who was involved in the investigations against the Prime

<sup>53</sup> Letter from Attorney General Adv. Gali Baharav-Miara to the Prime Minister of Israel, MK Benjamin Netanyahu, on the subject of “[Response to Petitions Regarding the Tenure of the Minister of National Security](#),” December 2, 2025.

<sup>54</sup> HCJ 9037-08-24 Hacohen v. Prime Minister (update notice from the attorney general dated September 9, 2025); Letter from the attorney general to the prime minister, December 2, 2025, *supra* note 57.

Minister. The Police Commissioner warned that this conduct could “intimidate police officers who testify in criminal investigations.”<sup>55</sup> The Knesset National Security Committee even held a discussion that explicitly and in detail focused on the officer in question, contrary to the position of the committee’s legal advisor that any discussion of individual cases should be avoided, especially when there are proceedings pending in court.<sup>56</sup> In addition, for several months, the Minister refused to approve the appointment of the candidate who won a tender for the position of officer in charge of confidential investigations at Police National Headquarters, with the aim of appropriating the powers to authorize confidential investigations to his own office. The Attorney General warned that the delay is causing severe and ongoing harm to law enforcement proceedings, and has even led to the release of dangerous detainees. Only in November did the Minister announce the temporary appointment of an acting officer in charge of confidential investigations.

A third example constitutes a further peak in the Minister’s intervention in police work, and relates to the regulation of demonstrations. The Minister published a “policy document” on demonstrations that limits the police’s independent discretion regarding the location and content of demonstrations, issues that are at the heart of the exercise of freedom of expression. The document sets a particularly low threshold (“reasonable suspicion”) for infringing on freedom of expression, and may lead to improper censorship and to the use of disproportionate force. The document contradicts the agreement of principles signed by the Minister, and was published without substantial consultation with the Police Commissioner or the Attorney General’s Office. It was later reported that the Minister had met with

55 Josh Breiner, “Police Commissioner: Ben Gvir’s Refusal to Promote Female Officer Who Testified in Netanyahu’s Trial Could Intimidate Corruption Investigators,” *Ha’aretz*, November 11, 2025.

56 *Knesset News*: The National Security Committee’s discussion on “the legal representation received by Superintendent Rinat Saban from the Movement for Quality Government, as well as legal advice and representation provided by various associations to serving officers in general,” November 18, 2025.

the Police Commissioner regarding the implementation of the policy document, after the Attorney General had determined that it was invalid.

**Bill to politicize the Department of Internal Police Investigations (Mahash).** The Knesset Constitution Committee and the National Security Committee have approved the first reading of a private bill that seeks to remove the Department of Internal Police Investigations from the State Attorney's Office, to make structural changes to the Department, and to alter its powers, in a way that could harm its independence.<sup>57</sup> According to the text approved by the committee, the Police Internal Investigations Department (PID) would be removed from the State Attorney's Office and established as a separate department within the Ministry of Justice. The head of the department would be selected by a committee, a majority of whose members are appointed in affiliation with the Minister of Justice. In addition, the bill seeks to grant PID prosecutors independent prosecutorial powers that are not subject to the Attorney General, and to expand the department's disciplinary authority, including the power to file indictments before the disciplinary court against police officers.

The bill may undermine the independence and autonomy of investigations and prosecutions against police officers and introduce political influence into mechanisms that are meant to be professional. Moreover, severing the PID from the general prosecution system and from the Attorney General is expected to weaken the uniformity of criminal enforcement and to harm the principle of equality, as the application of the law to police officers may differ from its application to other citizens. On a broader level, the bill fits into a troubling trend of undermining the independence of the law enforcement system and subordinating it to the political echelon, similar to moves to change the method of judicial selection and attempts to weaken the status of the Attorney General.

57 Mordechai Kremnitzer, Guy Lurie, and Amir Fuchs, "Opinion: Subordinating the DIP to the Minister of Justice Will Harm Its Independence, the Independence of the State Attorney's Office, and the Rule of Law," *Israel Democracy Institute* website, March 12, 2023.

It should be noted that in April, a report was published by the team appointed nearly two years ago by the Minister of Justice to review the Department and its functioning. While the majority of the team support separating the Department from the State Attorney's Office and establishing it as an independent unit, the methods for doing so proposed in the bill are inconsistent with the recommendations of the team, which emphasized the need to set up mechanisms that will ensure immunity from extraneous influences and considerations. It is also worth noting that it is improper to advance the private bill before the government has been given an opportunity to formulate its own legislation following the published report.

**Legislative proposals that would lead to the politicization of government-owned companies.** The Knesset approved in a preliminary reading two bills that promote politicization in government-owned companies, for example by abolishing restrictions on the appointment of directors with political affiliations to ministers. These steps are particularly significant in light of the central role of government-owned companies in the Israeli economy—approximately 40 companies and several dozen subsidiary companies, which fulfill key functions in the fields of defense (Rafael, Israel Aerospace Industries), energy (the Israel Electric Corporation), water (Mekorot), transportation (Israel Railways, the ports of Haifa and Ashdod), communications (Israel Post), and more.

**Widespread use of temporary ministerial appointments.** Since it was formed, the government has made extensive use of temporary appointments of acting officials to senior positions in the public service. Since the resignation of the religious party, Shas, from the government, the Justice Minister has been appointed as acting minister in four other government ministries, thus gaining control of five government ministries. Similarly, the Minister of Tourism was appointed acting minister in three other government ministries, thereby taking control of four ministries simultaneously. With the expiration of these temporary appointments, the relevant government ministries—Health, Interior, Welfare, Labor, Jerusalem Affairs, and Religious Services—were left without a minister for a period of one month. However, the same ministers were then appointed to additional positions

again: one minister was given the Ministry of Religious Services, the Ministry of Labor, and the Ministry of Jerusalem Affairs, while the Minister of Tourism was also appointed Minister of Health and Minister of Welfare.<sup>58</sup> Ministers serving simultaneously in a large number of ministries, particularly in large, systemic ministries, undermines the public interest and the quality of public services.<sup>59</sup>

**Large numbers of key civil service positions left unfilled.** For example, the position of Commissioner of Budgets in the Ministry of Finance has remained vacant, after the candidate proposed by the Minister of Finance was disqualified three times by the Civil Service Commission's Appointments Committee—on the grounds that the minister had not appointed a single woman to a senior position in the ministry, and that all the Ministry's department heads were men. Only following the Appointments Committee's repeated decisions regarding the failure to appoint women, the Minister of Finance decided to appoint a woman as Accountant General. In addition, there is currently no permanent director general in the Prime Minister's Office, nor is there a permanent civil service commissioner, while several government companies are operating without a permanent chairperson or CEO, including Israel Aerospace Industries (which has been without a permanent chairperson for a year) and Israel Railways. Furthermore, the National Insurance Institute has continued to operate without a permanent director general for the past three years.<sup>60</sup>

**Failure to appoint women to senior positions in the public service.** In a landmark judgment in February 2025, the High Court of Justice ruled that the government

58 Noa Shpigel, "[Levin Appointed Minister of Religious Affairs, Minister of Labor, and Minister for Jerusalem Affairs; Haim Katz Appointed Minister of Health and of Welfare](#)," *Ha'aretz*, November 24, 2025.

59 Suzie Navot and Moran Kandelshtein-Haina, "[Sharing the burden, anyone? When one minister has five portfolios, taking care of Israel's citizens is left behind](#)," *Walla*, September 14, 2025.

60 Gad Lior, "[The senior managerial echelon of the public sector is not staffed—and the government is happy](#)," *Ynet*, October 30, 2025.

had violated its legal obligation to ensure adequate representation of women in senior positions in the civil service, and ordered it to formulate, within six months, guidelines for the implementation of the principle of adequate representation in the appointment of directors general to government ministries and other positions that are exempt from tenders.<sup>61</sup>

Despite this ruling, in the ten months that have passed since, not a single woman has been appointed as a permanent director general of a government ministry, while eight male directors general have been appointed. A report by the Knesset Research and Information Center, published in November, also found that in 2024, women held only 9% of the most senior positions in the civil service, even though they constitute a clear majority (64%) of civil service employees.<sup>62</sup>

In late December, the Civil Service Commissioner published an updated directive governing the work of the Advisory Committee for senior Civil service Appointments. This directive was determined that in the absence of adequate representation of women in senior management positions, any minister or director general seeking to propose an appointment must make diligent efforts to identify female candidates for the position, including actively approaching women who meet the threshold requirements and who have a reasonable likelihood of responding positively to the offer. If the candidate for the position is a man, the nomination submission form must include the details and curricula vitae of at least two women who were interviewed for the position, together with a justification for selecting the male candidate, including, inter alia, reference to the issue of adequate representation.

**Attacks on civil servants.** In the past year, there has been an increase in personal attacks against senior civil servants. Ministers and coalition members have

61 HCJ 1363/23 Israel Women's Network v. The Government of Israel (February 24, 2025).

62 Jerry Almo-Capital, *Representation of Women at the Senior Level in the Civil Service* (Knesset Research and Information Center, November 3, 2025).



launched vitriolic verbal assaults on the Attorney General and her deputies,<sup>63</sup> with some even calling for her arrest.<sup>64</sup> The Police Commissioner was also subjected to personal attacks and threats of criminal investigation by Knesset members, after he refused to hand over documents related to the MAG investigation to former Justice Kula, pending a High Court ruling.<sup>65</sup> A current example is provided by the discussions in the Knesset Constitution Committee regarding the bill to split the role of the attorney general. In these proceedings, coalition members have repeatedly lashed out at civil servants, such as the State Attorney and the Deputy Attorney General, and even threatened that they will be investigated and that they will end up in “the same place as the MAG.”<sup>66</sup>

This conduct reflects a particularly severe attempt to intimidate the professional echelon of the civil service and deter it from carrying out its duties independently, sometimes even threatening it with criminal prosecution. A further escalation was evident in the Knesset Finance Committee, when the Chair of the Committee displayed a dismissive and bullying attitude toward the Committee’s legal adviser and even attempted to prevent her from presenting her professional position.

63 JDN, “‘Simply crazy’: Ministers attacked the attorney general during the discussion,” August 4, 2025.

64 Amit Segal and Daphna Liel, “Amsalem called for the arrest of the attorney general: Regev on the demonstration in which a journalist was thrown to the ground: ‘The police are doing a wonderful job,’” *N12*, September 14, 2025.

65 Branu Tegene, “The police commissioner responds to the coalition’s attack: ‘I don’t take it personally, so that background noise doesn’t interfere with the work,’” *N12*, November 10, 2025; “‘Start giving us explanations’: Tally Gotliv in an unprecedented attack against Danny Levy,” *Ma’ariv*, November 10, 2025.

66 Dikla Aharon Shafran, “Saada slams Isman: There are allegations against you of ‘sexual statements to female employees,’” *Kan*, December 2, 2025; Amir Ettinger and Tova Zimuki, “‘You’ll end up like the MAG’: The threat to the attorney general’s representative in the Knesset—and the commotion,” *Ynet*, December 9, 2025.

## 5. Harms to Basic Rights

**Bill to exempt yeshiva students from military service.** The Knesset Foreign Affairs and Defense Committee recently began discussing a proposal from the incoming Committee chair, MK Boaz Bismuth, to provide a legal basis for the non-enlistment of yeshiva students in the IDF. This proposal would legalize substantive discrimination between population groups and violate the principle of equality. Instead of establishing equal f conscription for the ultra-Orthodox population, the bill sets minimal conscription targets. The targets set out in the law (around 5,400 to 8,500 draftees annually until 2030)<sup>67</sup> would constitute an increase compared to the average of the past decade (around 1,200 draftees per year for most of the decade before the war). However, in relation to the potential number of draftees—some 100,000 Haredi men of conscription age—they are a tiny percentage, and fail to meet the manpower needs of the IDF. Essentially, the bill effectively would give legal basis to non-enlistment of the vast majority of yeshiva students.

Furthermore, the definitions in the bill are exceptionally broad: first, the enlistment targets presented do not require conscription into combat roles, despite the fact that the IDF currently has an increased need for combat soldiers; second, around 10% of the targets may be allocated to service in civilian-security roles, rather than military service; and third, the definition of “Haredi” is deliberately broad, and includes those who do not define themselves as Haredi at the time of enlistment. The proposed sanctions regime is also relatively weak compared to previous frameworks, and it is doubtful whether it will be sufficient to motivate enlistment.<sup>68</sup> The bill is currently in preparation for its second and third readings.

67 The plan calls for 8,160 recruits to be drafted during the first year and a half (by mid-2027), followed by a decrease to 6,840 for the 2028 recruitment year, 7,920 for the 2029 recruitment year, and 8,500 for the 2030 recruitment year.

68 Yohanan Plesner, Shlomit Ravitsky Tur-Paz, and Noa Goshen, “[The Israel Democracy Institute's Response: The Coalition's Conscription Exemption Bill](#),” *Israel Democracy Institute* website, November 27, 2025; Shlomit Ravitsky Tur-Paz, “[Explainer: The Bismuth Plan for the Conscription Exemption Law](#),” *Israel Democracy Institute* website, October 29, 2025.

**Bill to impose a mandatory death penalty on terrorists.** In the past year, efforts have been increased to advance a bill imposing a mandatory death penalty on anyone who intentionally or indifferently causes death to an Israeli citizen “when the act is motivated by racism or hostility toward a group, and with the aim of harming the State of Israel and the revival of the Jewish people in its land.” According to the proposal, a military court would be able to impose the death penalty by a simple majority, rather than unanimously, as is currently the case. It would not be possible to reduce the sentence of a person sentenced to death in a final ruling. Beyond the issue of cruel and unusual punishment, this bill is designed to apply selectively only to Arab terrorists, and hence it is blatantly discriminatory.<sup>69</sup> Moreover, removing the ability of judges to exercise their discretion in imposing the death sentence is an overreach of the most punitive and severe punishment under law.

In the discussions leading up to the second and third readings, the Chair of the Knesset National Security Committee published principles for discussion, noting that the sentence would be carried out by the Israel Prison Service via lethal injection, which would require the involvement of doctors in the process. The Ethics Board of the Israeli Medical Association has clarified that it is strictly forbidden for Israeli doctors to actively or passively participate in executions,<sup>70</sup> creating a legal and ethical conflict in the medical field. The bill is in preparation for its second and third readings.

69 Yuval Shany, Mordechai Kremnitzer, Amichai Cohen, and Amir Fuchs, “Opinion: The Death Penalty for Terrorists Law Is Unconstitutional and Will Cause Severe Diplomatic Damage,” *Israel Democracy Institute* website, February 24, 2023.

70 Letter from the Israeli Medicine Association Ethics Board to the Chair of the National Security Committee, MK Zvika Fogel, on the subject of “[The Position of the Israeli Medicine Association Regarding the Penal Law \(Amendment No. 159\) \(Death Penalty for Terrorists\), 5786–2025](#),” November 19, 2025.

**Bill to expand the powers of the religious courts.** The Knesset has advanced two bills in this regard. The first, which became law in November, authorizes the rabbinical courts to adjudicate alimony cases even without the consent of both spouses, thus changing a long-standing rule that alimony claims can be bound up with divorce claims only with the consent of both parties.

The second bill seeks to grant the rabbinical and Sharia courts the authority to resolve civil disputes through arbitration, subject to the written consent of both parties.<sup>71</sup> This proposal may undermine the integrity of the law and the legitimacy of Israel's state judicial system. It raises serious concerns that in many cases, especially in situations of power imbalances or among disadvantaged populations, it will not be possible to guarantee informed consent to the process.<sup>72</sup> The most immediate harm will be to women. In addition to the fact that in many contexts, their economic situation puts them at high risk of coerced consent, they are also barred from serving as judges in rabbinical courts. Moreover, the proposal greatly blurs the difference between legal proceedings and arbitration, and substantially expands the areas on which the religious courts will be authorized to rule. The proposal is in preparation for its second and third readings.

**Proposal to amend the Counter-Terrorism Law that would restrict freedom of expression.** The Knesset is advancing a proposal that would allow the police to open investigations into offenses of incitement to terrorism without the approval of the State Attorney's Office, in contravention of the current State Attorney guidelines which require the approval of the State Attorney's Office for launching

71 Religious Courts Jurisdiction (Arbitration) Bill, 5785–2025, P/1178/25.

72 Anat Thon Ashkenazy and Daphne Benvenisty, "[Supplementary Opinion on the Question of Informed Consent in the Updated Version of the Religious Courts Jurisdiction \(Arbitration\) Bill From the Chair of the Constitution, Law and Justice Committee](#)," *Israel Democracy Institute* website, June 30, 2025; Mordechai Kremnitzer, Anat Thon Ashkenazy, Amir Fuchs, and Daphne Benvenisty, "[Expanding the Powers of the Religious Courts Is a Violation of the Rule of Law](#)," *Israel Democracy Institute* website, December 3, 2024.

investigations into incitement offenses (as with all offenses relating to expression). Though the wording of the bill has been softened so that this power would be given only to senior police officers, the arrangement is still likely to broaden police discretion to intervene in cases of expression, and may lead to substantial violations of freedom of expression.<sup>73</sup> The bill has been tabled in the Knesset for its second and third readings.

**Bill to legalize gender segregation in academia.** In May, the Knesset approved at first reading a proposal to amend the Student Rights Law, which significantly expands the conditions in which the separation of women and men in institutions of higher education is permitted “for religious reasons.”<sup>74</sup> This proposal, if approved, would significantly infringe the basic right to equality and would undermine the quality of academic studies, due to restrictions and prohibitions being applied to where and how studies are held. The bill is in preparation for its second and third readings.

**Violation of the right to protest.** Over the last year, there have been many cases of excessive use of police force against demonstrators, particularly arrests without legal grounds and attempts to silence political messages. The courts canceled a series of arrests, including the arrest of a man who was calling out the names of hostages from his car in front of the Knesset speaker’s home, after it was determined that there were no grounds to break into his car and arrest him. Courts have also repeatedly ruled that protests that include reading out hostages’ names using a megaphone do not justify the imposition of restrictions by the police. In addition, the courts have made it clear that the police are

<sup>73</sup> Amir Fuchs and Mordechai Kremnitzer, “[Opinion: Granting the Police the Authority to Open Investigations for Incitement to Terrorism Without the Approval of the State Attorney's Office Will Open a Window to False Investigations and Arrests](#),” *Israel Democracy Institute* website, June 9, 2025; Counter-Terrorism Bill (Amendment No. 12), P/3157/25.

<sup>74</sup> Student Rights Bill (Amendment No. 10) (Separate Study Tracks in Graduate Degrees), 5785–2025.

not allowed to confiscate signs with political messages, even when they are critical or provocative.<sup>75</sup> Recently, the police were even required to compensate a demonstrator whose sign was confiscated and to publicly declare that this confiscation was “due to mistake and without legal grounds.” In another case, the police—in a blatant violation of freedom of expression—barred Hapoel Tel Aviv soccer fans from entering a stadium while wearing shirts bearing a protest message against the police, even though the fans pose no threat to public order. Police officers even admitted to fans that their entry was being denied because the shirts were considered incitement against the police.<sup>76</sup> Following a petition to the High Court of Justice, an interim order was issued prohibiting the police from denying entry to stadiums solely on the basis of wearing shirts protesting against the police.

In other cases, a demonstration in Tel Aviv calling for an end to the war and recognition of a Palestinian state was dispersed, even though it had received prior approval, and the Department of Internal Police Investigations opened an investigation following the arrest and strip search of a demonstrator who had shouted at the Minister of National Security during a graduation ceremony at the Hebrew University. In recent months, there have also been reports of a number of cases in which female demonstrators were required to undress after their arrest and were subjected to strip searches.<sup>77</sup> Taken together, these cases indicate an ongoing pattern of curbing the right to protest and of disproportionate use of force. In some instances, strip searches appear to be used as a tool against

75 Israel Police, [Attorney General's Directives: Flags and Signs at Protests](#), May 28, 2024.

76 Yotam Koren and Neta Yaron, ["The police banned anti-police t-shirts at Bloomfield, Hapoel Tel Aviv fans exited the stands,"](#) *Ha'aretz*, December 6, 2025.

77 Nitzan Caspi Shiloni, ["Gender Violence in Demonstrations,"](#) *Zulat: Equality and Human Rights* website, November 27, 2025; Bar Peleg, ["Three demonstrators arrested in Tel Aviv were required to take off their clothes for a body search at the police station,"](#) *Ha'aretz*, August 15, 2025.

demonstrators as a tool to suppress protest, which undermines freedom of expression in the public sphere.

**Violation of the right to vote and to be elected, through an attempt to remove Members of Knesset from office.** In June, the Knesset began a procedure to remove MK Ayman Odeh (Hadash-Ta'al) from office, on the basis of section 42(c) (1) of Basic Law: The Knesset. The Attorney General's Office and the Legal Advisor to the Knesset expressed strong opposition to the proceedings, noting that the statements made by MK Odeh did not meet the threshold set in case law for using the extreme tool of expulsion. Ultimately, the required majority for expulsion, of 90 Knesset members, was not reached. However, the conduct surrounding this procedure emphasized the problematic nature of the parliamentary power to expel sitting Knesset members, an exceptional power from a comparative perspective.<sup>78</sup>

**Cuts to the budgets of the five-year plan for Arab society:** The government passed a decision to transfer to the authority of the Acting Director General of the Prime Minister's Office the approval of the reallocation of approximately NIS 3 billion from the five-year plan for the socio-economic development of Arab society ("Taquadum"), without any grounds or justification for doing so. In the background to this decision was an intention to transfer the budget to the Ministry of National Security, under the heading of "urgent responses to crime in Arab society," without any demonstrated budgetary need.

78 Amir Fuchs, Avital Friedman, and Lital Piller, "[Overview: The Impeachment Law-Israel, the World, and the Process for Impeachment of Ayman Odeh](#)," *Israel Democracy Institute* website, July 11, 2025; Knesset Committee, "[Committee news: The Knesset Committee today began discussing the request to terminate the term of MK Ayman Odeh](#)," June 24, 2025; Knesset Committee, "[Committee news: At the end of a stormy debate that began last week and continues today, the Knesset Committee accepted the request of MK Avichai Boaron to recommend to the Knesset plenum to terminate the term of MK Ayman Odeh](#)," June 30, 2025.

The significance of this move could be a broad-based harm across all areas of life in Arab society—education, employment, transportation, welfare, and health—and there is concern that if the budgets are frozen, this could lead to the suspension of the five-year plan and its non-renewal at the end of the period in 2026.

At an emergency discussion held in the Knesset Committee on the Advancement of the Status of Women on this issue, from which representatives of the Ministry for Social Equality and the Ministry of National Security were absent at the ministers' instruction, representatives of the other government ministries stated one after another that, with the backing of their ministers, they opposed the cuts due to the program's success.

Despite the opposition of the ministers and of all professional bodies and civil society, the government approved the transfer of NIS 220 million from the budgets of the five-year plan to the police and the Israel Security Agency (Shin Bet). This was done without any demonstrated budgetary need. Those funds were intended, for example, for the construction of classrooms and the funding of cultural institutions and youth centers in local authorities—Some of the transfers were conditioned on approval by the Knesset Finance Committee. The committee approved the transfers; however, due to a flawed procedure, in which the Chair of the Committee did not allow the Committee's legal adviser to present her professional position while launching a blunt attack against her (and even removed opposition members of Knesset who sought to ask questions), the Knesset's legal adviser, in an unusual step, invalidated some of the votes. Ultimately, a repeat vote was held, and all of the transfers were approved.

#### **Violation of artistic freedom due to changes to the regulations of the Israel Prize.**

The Minister of Education amended the regulations governing the Israel Prize so that the prize may not be awarded to anyone who has initiated legal or political action outside of Israel (for example: in an international court), either against IDF soldiers for actions performed in the course of their duties, or against the State of Israel, including through complaints, petitions, systematic legal representation, or



fundraising efforts.<sup>79</sup> This change may lead to the exclusion of artists who criticize the government, and may also contradict a High Court ruling that restricted the use of non-professional considerations in selecting nominees for the prize.<sup>80</sup> This step also undermines the non-partisan character of the Israel Prize, and risks turning it into a political award, given only to those whose views find favor with the Minister of Education.<sup>81</sup>

## 6. Harms to the Freedom of the Press and to Civil Society

### Steps to Harm the Freedom of the Press

The Knesset and the government are simultaneously advancing measures aimed at undermining the free press and competition in the media market, thereby weakening independent journalism in the country.

First, **the Communications Minister's broadcasting bill**, which passed its preliminary reading, proposes a far-reaching reform that would fundamentally change the broadcasting market in Israel, in terms of its guiding principles, its structure, and its regulation. The bill does contain certain necessary arrangements—such as consolidating regulators, ensuring the independence of the regulator, streamlining the regulatory burden, applying obligations for investment in original productions in a more balanced manner, and opening the market to more flexible options for products and services. However, it also includes problematic elements, first and foremost the repeal of the obligation to operate news companies separate from regular broadcasters. The bill does not present any alternative that would protect

79 Section 27 of the Israel Prize Regulations.

80 HCJ 8076/21 The Jury Committee for the Israel Prize for Computer Science Research 5781 v. Minister of Education (March 29, 2022). See also: HCJ 2199/21 The Jury Committee for the Israel Prize for Mathematics Research and Computer Science Research 5781 v. Minister of Education (August 12, 2021).

81 Edna Harel Fischer, "[Opinion: The Amendment to the Israel Prize Bylaws Will Harm the Prize's Non-Partisan Character and Make It a Political Award](#)," *Israel Democracy Institute* website, August 13, 2025.

the independence of news broadcasters from economic or political pressures. In addition, the bill grants the regulator broad powers to impose high fines, that may serve as a control instrument over actors in the market.<sup>82</sup>

The bill is being advanced in a special committee that was established specifically for this purpose, chaired by MK Galit Distel-Atbaryan; this is despite the legal opinion given by the Legal Advisor to the Knesset, according to which the only committee that is appropriate and empowered to prepare the law for the second and third readings is the Economic Affairs Committee. According to the Knesset's Legal Advisor: "The preparation of this bill in an unauthorized committee, bypassing the Economic Affairs Committee, will constitute a flaw in the legislative process."<sup>83</sup>

**Second, the government's decision to close Army Radio by March 1, 2026.** Under existing law, the authority of the Minister of Defense with respect to the Army Radio is limited to military programming only, while news and current affairs broadcasts fall under the responsibility of the public broadcasting corporation. Closing the station constitutes a severe infringement of freedom of expression and effectively erases half of public news broadcasting on radio. Accordingly, the closure requires primary legislation.

The Attorney General's Office likewise clarified that in this case primary legislation is required in order to close the station. While a 2022 legal opinion adopted by the then-Attorney General, Avichai Mandelblit, allowed for an order to close the station even without primary legislation, this was subject to the condition that public broadcasting be "functional and stable." As the Attorney General's Office

<sup>82</sup> Tehilla Shwartz Altshuler, Yael Mittelman, and Elad Man, "[Opinion: The Communications Bill \(Broadcasting Law\)](#)," *Israel Democracy Institute* website, July 27, 2025.

<sup>83</sup> Letter from the legal advisor to the Knesset, Adv. Sagit Afik, to the members of the Knesset Committee, on the subject of "[Appointment of the Committee for the Discussion of the Communications \(Broadcasting\) Bill, 5786–2025 \(M/1898\)](#)," November 30, 2025.

has currently clarified, public broadcasting in Israel does not meet this condition, but is rather “weakened, threatened, institutionally paralyzed, and its future is shrouded in uncertainty. This is the result of an explicit and deliberate government policy.” This policy is reflected, inter alia, in government efforts to shut down the Israeli Public Broadcasting Corporation, and therefore “the primary legislative route for closing the station becomes the sole route.”

A petition was filed against the government’s decision to close Army Radio, and an interim order was issued instructing the freezing of the government’s decision, with all that this entails.

Third, in the past year there has been an increase in initiatives to undermine the **Israel Public Broadcasting Corporation**:

- A bill seeking to hold an annual public hearing for the chair of the Public Broadcasting Corporation Council before the Knesset Economic Affairs Committee has been tabled in the Knesset for its second and third readings.<sup>84</sup>
- **Attempt to take over the Israel Broadcasting Corporation Council:** A bill proposing to abolish the search committee mechanism to appoint members of the Israel Broadcasting Corporation Council, and to place these appointments in the hands of the minister of communications and the government, is being prepared for its first reading.<sup>85</sup> This proposal represents a political takeover of public broadcasting in Israel.<sup>86</sup>

<sup>84</sup> Israeli Public Broadcasting Bill (Amendment No. 10 and Temporary Order), 5785–2025, P/3776/25.

<sup>85</sup> Israeli Public Broadcasting Bill (Amendment–Method of Appointment of the Israel Public Broadcasting Corporation Council), 5785–2025, P/5389/25.

<sup>86</sup> Tehilla Shwartz Altshuler, Yael Mittelman, and Elad Man, “[Opinion: The Bill to Change the Method of Appointment of the Israel Public Broadcasting Corporation Council](#),” *Israel Democracy Institute* website, January 26, 2025.

In the background, there is an ongoing crisis regarding the composition of the Israel Broadcasting Corporation Council, which is tasked with overseeing the Corporation's activities. The Council is currently operating without a quorum, even though the High Court of Justice temporarily extended the term of some of its members, due to the Minister's refusal to appoint additional members chosen by the search committee. In August, the Minister announced the dismissal of the chair of the search committee, who had been appointed only a few months earlier, but the High Court of Justice issued a temporary order suspending the process of her dismissal.<sup>87</sup>

In June, the Ministerial Committee for Legislation approved a bill to shut down the news division of the Public Broadcasting Corporation and to privatize the broadcasts of the Corporation's Reshet Bet radio station, which would result in the simultaneous closure of two public broadcasting channels.<sup>88</sup> **Summoning journalists for police questioning.** In recent months, there have been exceptional cases of journalists being questioned by law enforcement authorities. Channel 13 legal correspondent, Aviad Glickman, was summoned for questioning under caution following an allegation that he pushed an employee of Sara Netanyahu when he attended a hearing in a lawsuit filed by Netanyahu. According to media reports, political officials pressured police officers to open the investigation.<sup>89</sup> This step contravened police procedures, which require the approval of the State Attorney's Office before opening an investigation against a journalist concerning their professional activities. The Attorney General instructed the police to consult with the State Attorney's Office before opening the investigation, but later approved the investigation.

87 H CJ 58591-09-25 Movement for the Promotion of a Fair Society v. Minister of Communications (ruling of September 28, 2025).

88 Bill to Change the Format of Public Broadcasting and to Regulate National Radio Broadcasting (Legislative Amendments), 5785-2025, P/5585/25.

89 Josh Breiner, "[Journalist Aviad Glickman summoned for questioning for allegedly pushing a female employee of Sara Netanyahu](#)," *Ha'aretz*, July 8, 2025.

In another case, journalist Israel Frey was arrested and held under conditions applicable to a security prisoner after expressing joy over the death of soldiers in Gaza (a shameful and outrageous statement that deserves unequivocal condemnation), at the direction of the Chief Commissioner of the Israel Prison Service, on the grounds that the offense attributed to him was incitement to terrorism.<sup>90</sup> The classification of a journalist as a security prisoner for making appalling remarks raises concerns about the use of criminal law as a deterrent tool against journalists.<sup>91</sup> There was also the questioning under caution and arrest of the editor-in-chief of the Jerusalem Post, Zvika Klein, in April, on suspicion of involvement in the Qatar-gate affair. Though the summons for questioning was properly approved by the Attorney General and the State Attorney, the very fact that a senior journalist was interrogated in connection with his journalistic work is disturbing and could harm freedom of the press.

**Lack of enforcement on attacks on journalists.** There has been a significant increase in threats and harassment against journalists, with the Union of Journalists in Israel even warning that “in light of the institutionalized incitement against the media in general and journalists in particular, these phenomena are likely to increase.”<sup>92</sup> In a discussion initiated by the opposition in the Knesset National Security Committee on “the lack of enforcement against those harassing journalists and serial demonstrators, with a real danger to human life,” the committee chairman blamed the journalists themselves, claiming that “when

90 Or Ravid, ["Israel Frey's detention has been extended, and he will be detained as a security prisoner,"](#) *N12*, July 10, 2025.

91 See letter from MK Meirav Ben-Ari, MK Gilad Kariv, and MK Naor Shiri to the legal advisor to the Israel Prison Service, Chief Warden Eran Nahon, the legal advisor to the Police, Deputy Commissioner Elazar Kahana, and State Attorney Adv. Amit Isman, on the subject of "The Classification of Israel Frey as a Security Prisoner," July 10, 2025.

92 Union of Journalists in Israel, ["Position Paper to the National Security Committee: Harassment and Violence Against Journalists,"](#) November 20, 2025.

journalists go back to doing their job of conveying to the public information rather than spreading malice, we will not have to hold such discussions.”<sup>93</sup>

### Measures Undermining Civil Society

**Bill to tax civil society organizations (the “NGOs Law”).** As part of the preparations for the bill’s first reading, an updated version of the proposed NGO Law was placed on the Knesset table, according to which a tax of 23% would be imposed on donations from foreign political entities, unless the reporting NGO signs an affidavit undertaking not to engage in various activities, for a period of three years from the date of receipt of the donations. These activities include “partisan political activity” such as organizing public assemblies of a political nature, participating in demonstrations or processions of a political nature, criticizing the policy of government ministries in any way; promoting activity in the Knesset, and undertaking actions that constitute “election activity,” such as encouraging voter turnout.<sup>94</sup>

In practice, this means that non-profit organizations will be required to refrain from legitimate activities, and from voicing almost any criticism in the democratic public sphere as a condition for tax exemption.<sup>95</sup> If the bill is passed in this form, it is expected to dramatically harm the work of civil society and its public legitimacy.

93 Knesset National Security Committee, "[Committee News: Discussion on the Lack of Enforcement Against Those Harassing Journalists and Serial Demonstrators and the Real Danger to Human Life](#)," November 24, 2025.

94 Updated version by the chair of the Knesset Constitution Committee ahead of a discussion on July 22, 2025: Preparation for the First Reading of the Associations Bill (Amendment– Donation from a Foreign Political Entity), 5785–2024, P/5222/25, by MK Ariel Kallner.

95 Mordechai Kremnitzer and Amir Fuchs, "Opinion: The Associations Bill (Amendment–Donation from a Foreign Political Entity)," *Israel Democracy Institute* website, October 20, 2025.

**Restricting the activities of civil society organizations.** According to reports, the Haifa municipality sought to prevent an event by the Jewish-Arab movement “Standing Together” at the city’s convention center.<sup>96</sup> Though these efforts were unsuccessful, the police raided the event, and according to activists who were present, claimed that they had arrived in order to “ensure that the messages were legal.” It was also claimed that the police demanded the removal of a sign calling for withdrawal from Gaza.<sup>97</sup> In addition, it was reported that the Haifa Municipality required the women’s organization “Isha L’Isha – Haifa Feminist Center,” without any justification, to prove that it does not support terrorism, incite racism, or deny the existence of the State of Israel as a Jewish and democratic state, as a condition for considering its request for financial support from the municipality. The organization was allotted only a 48-hour period to substantiate these claims and provide supporting documentation, despite the fact that it has been regularly funded by the Haifa Municipality for nearly two decades.

96 Adi Hashmonai, “Whoever was Haifa’s liberal hope undermines coexistence from the mayor’s chair,” *Ha’aretz*, November 27, 2025.

97 Adi Hashmonai, “Police raided a ‘Standing Together’ event in Haifa ‘to make sure the messages are legal,’” *Ha’aretz*, November 28, 2025.

## Afterword: From Democratic Backsliding to Democratic Recovery

In 2025, there has been a substantial escalation of efforts to undermine democracy in Israel in a variety of arenas: harming the rule of law by systematically weakening the state's gatekeepers; disregard for the Attorney General's binding legal opinions, and frequent threats to create a constitutional crisis; damage to the independence of the judiciary, particularly through the passing of the law altering the composition of the Judicial Selection Committee, in a way that will lead to extensive politicization of the judicial selection process; repeated intervention by the Minister of National Security in the operational work of the police; and profound harms to the civil service, academia, and civil society. These measures echo similar steps taken in other countries that experienced democratic erosion, leading to the weakening of checks and balances and the growing takeover of state institutions by the political echelon.

At the same time, it should be noted that there have also been recent developments in research into possibilities for restoring democracy after a period of democratic backsliding, and several key principles can already be identified. First, studies emphasize the importance of "islands of integrity"—institutions that have managed to maintain their professional norms, independence, and non-political character even in times of democratic decline. These institutions may serve as a foundation for rebuilding the democratic system.<sup>98</sup> In addition, the research points to a series of social and institutional factors that contribute to the democratic resilience, and that may also be essential in recovery processes: strong local government with broad powers; laws that guarantee the independence of the courts; a vibrant parliamentary opposition; a free press; and an active civil society.

<sup>98</sup> Tom Ginsburg and Aziz Z. Huq, "The Pragmatics of Democratic 'Front-Sliding,'" *Ethics and International Affairs* 36, no. 4 (2022): 437.



Comparative research indicates that democratic restoration cannot be reduced to a change in government or even legislative amendments, but rather requires a process of rebuilding constitutional culture and creating a broad social consensus around the foundations of the democratic regime. Most of the elements listed above can still be identified within the Israeli context. However, researchers also emphasize that the more systemic the damage to democracy, the more difficult it is to restore it.<sup>99</sup>

The year 2026, an election year, will be a sensitive test point, and may deepen the trends described. However, it also serves as an opportunity to begin the process of democratic recovery in Israel, while adhering closely to the rule of law and the basic principles of democratic rule.

<sup>99</sup> Rachel Beatty Riedl, Paul Friesen, Jennifer McCoy, and Kenneth Roberts, "Democratic Backsliding, Resilience, and Resistance," *World Politics* 77 (2023): 151; Robert R. Kaufman, *Backsliding and Democratic Resilience: Prevention, Resistance, and Recovery* (IGCC Working Papers, 2025).



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