



| Flash |

Israel's Judicial Overhaul and Associated Mass Protests

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Classification: TLP:CLEAR

Criticality: High

Intelligence Requirements: Government, Social Unrest

June 9, 2023

Scope Note

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| Executive Summary

Since January 2023, ZeroFox's Geopolitical Working Group has observed 22 consecutive weeks of mass protests in Israel denouncing a planned overhaul of the judiciary by the government of Prime Minister Benjamin Netanyahu.¹ At their peak in March, the protests attracted hundreds of thousands of demonstrators nationwide and included blockades of major roadways and ports, disruption of Netanyahu's overseas diplomatic visits, and refusal by military reservists to report for duty, culminating in a one-day general strike on March 27 that impacted most sectors of Israel's economy.² Following the strike, Netanyahu announced the temporary suspension of the overhaul while his government negotiated with Israel's opposition—which largely supported the protesters—to find a compromise.³ Those negotiations remain ongoing with few concrete announcements; in the meantime, mass protests have continued every Saturday.

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[hXXps://www.timesofisrael\[.\]com/on-22nd-week-anti-overhaul-protests-enjoy-bump-in-turnout-amid-anger-at-police/](https://www.timesofisrael.com/on-22nd-week-anti-overhaul-protests-enjoy-bump-in-turnout-amid-anger-at-police/)

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[hXXps://www.lemonde\[.\]fr/en/international/article/2023/03/27/call-for-general-strike-in-israel-over-netanyahu-s-plans-to-reform-the-justice-systems_6020827_4.html](https://www.lemonde.fr/en/international/article/2023/03/27/call-for-general-strike-in-israel-over-netanyahu-s-plans-to-reform-the-justice-systems_6020827_4.html)

³ [hXXps://jewishunpacked\[.\]com/what-is-going-on-with-israels-planned-judicial-reforms/](https://jewishunpacked.com/what-is-going-on-with-israels-planned-judicial-reforms/)

| Analyst Commentary

The proposed reforms would weaken the Supreme Court's ability to overturn legislation passed by Israel's parliament, the Knesset. Under the plan, the Knesset would be able to overturn a Supreme Court ruling through a simple majority vote of 61 votes out of the 120-seat Knesset.⁴ This could be undone if all 15 court justices vote unanimously to keep the ruling in place.

Additionally, the reforms would give the ruling government the power to appoint most members of the panel that selects new Supreme Court judges. The proponents of the reform justify the change by the fact that, currently, the country's legal establishment—and not the elected officials—are controlling judicial appointments, which can result in arbitrary standards, aka "test of reasonability." Prime Minister Netanyahu and his supporters claim that these reforms are necessary to deter an overactive and unelected Supreme Court, which no longer represents the will of the Israeli people. They also argue that the Supreme Court's power has grown over the past 30 years, and it has canceled 22 Knesset-created laws.

Opponents argue that the reforms would disrupt the separation of powers by allowing lawmakers to pass legislation regardless of constitutionality. Opponents also note that Netanyahu, who is under investigation for corruption, stands to benefit from the reforms personally.

Some members of Israel's business community have argued that the reforms would hurt foreign investment in Israel. Critics claim that if too much legal power is vested in the government, international businesses will be less likely to invest in Israel because legal protections could become less predictable.⁵ Some legal experts have also noted that although the reforms apply primarily to the Supreme Court, they could have trickle-down effects that would weaken lower courts as well.⁶ The International Monetary Fund (IMF)

⁴ <https://www.ajc.org/news/what-to-know-about-israels-judicial-reforms>

⁵ <https://www.jpost.com/business-and-innovation/all-news/article-729246>

⁶ *Ibid.*

has also flagged the reforms as a potential economic risk that could hinder Israel's economic growth in the long run.⁷

| Timeline of Events

December 29, 2022	• Benjamin Netanyahu was sworn in for his sixth term as prime minister.
January 4, 2023	• Prime Minister Netanyahu's government proposes judicial reforms. Protests begin almost immediately and grow over time.
January 14, 2023	• Up to 80,000 protesters assemble in major cities to resist the judicial overhaul. Weekly mass protests begin, with scattered disruptive actions taking place on weekdays. Israel's opposition political party announces its support for the actions.
February 12, 2023	• President Isaac Herzog warns Israel is "on the verge of legal and social collapse" as protests escalate and become more disruptive.
March 26, 2023	• Prime Minister Netanyahu fires Defense Minister Yoav Gallant after he calls for suspending the overhaul, spurring even greater turnout in protests. Netanyahu later reinstates Gallant.
March 27, 2023	• Israel's top trade union calls a general strike to protest Gallant's firing. Most sectors of Israel's economy are affected by the one-day walkout. In addition, Netanyahu announces the temporary suspension of the reform to negotiate with Israel's opposition.
April 2023-Present	• Weekly protests continue to draw large support in Tel Aviv and elsewhere. Few concrete details have been announced as negotiation continues.

Timeline of Israeli Judicial Overhaul and Subsequent Protest Activity

Source: ZeroFox Intelligence

| Implications

Though protests have become less severe since the suspension of the reforms, they continue to attract large numbers of demonstrators and remain potentially disruptive. Kaplan Street in Tel Aviv has been the epicenter of the protest movement since its inception, though most major cities—and even some smaller villages—regularly host

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[hXXps://www.reuters\[.\]com/world/middle-east/imf-flags-israels-judicial-reforms-downside-economic-risk-2023-05-10/](https://www.reuters.com/world/middle-east/imf-flags-israels-judicial-reforms-downside-economic-risk-2023-05-10/)

their own protests.⁸ Demonstrators still often block highways during the weekly Saturday protests, including on June 2 when they briefly blocked the Ayalon Highway in Tel Aviv before being cleared by police.⁹ Supporters of the reforms have also staged protests in Jerusalem, while both sides regularly picket the houses of opposing lawmakers and hold smaller protests at government functions where they are in attendance.¹⁰

If the overhaul emerges from negotiations relatively intact, protests will likely return to the level of severity seen earlier this year, with the potential for additional general strikes that could affect port and airport operations in Tel Aviv, Haifa, and elsewhere.¹¹ Even a weakened overhaul could spur additional unrest due to fears that Netanyahu's government would incrementally strengthen it over time. Protesters routinely blocked access to airport and seaport terminals at the height of the protests and could do so again if demonstrations resume in earnest. Elevated unrest could also affect national security by attracting attention from Israel's regional rivals, particularly in the cyber realm. Anonymous Sudan has recently stepped up activity targeting Israeli government websites, including that of the Supreme Court, and in May, claimed to have disrupted targeting sensors used by the Iron Dome missile defense system.¹² Until official announcements are made regarding the future of the reforms, protests will likely continue on their current weekly cadence.

⁸ [hXXps://www.nytimes\[.\]com/2023/01/12/world/middleeast/netanyahu-israel-judicial-reform.html](https://www.nytimes.com/2023/01/12/world/middleeast/netanyahu-israel-judicial-reform.html)

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[hXXps://www.timesofisrael\[.\]com/on-22nd-week-anti-overhaul-protests-enjoy-bump-in-turnout-amid-anger-at-police/](https://www.timesofisrael.com/on-22nd-week-anti-overhaul-protests-enjoy-bump-in-turnout-amid-anger-at-police/)

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[hXXps://www.timesofisrael\[.\]com/government-elected-for-this-pro-overhaul-protesters-back-coalition-urge-compromise/](https://www.timesofisrael.com/government-elected-for-this-pro-overhaul-protesters-back-coalition-urge-compromise/)

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[hXXps://aviationsourcenews\[.\]com/incident/israels-ben-gurion-airport-closes-amidst-violent-protests/](https://aviationsourcenews.com/incident/israels-ben-gurion-airport-closes-amidst-violent-protests/)

¹² [hXXps://www.jpost\[.\]com/israel-news/article-741869](https://www.jpost.com/israel-news/article-741869)

Appendix: Traffic Light Protocol for Information Dissemination

	Red	Amber
WHEN SHOULD IT BE USED?	Sources may use TLP:RED when information cannot be effectively acted upon by additional parties and could lead to impacts on a party's privacy, reputation, or operations if misused.	Sources may use TLP:AMBER when information requires support to be effectively acted upon but carries risks to privacy, reputation, or operations if shared outside of the organizations involved.
HOW MAY IT BE SHARED?	Recipients may NOT share TLP:RED with any parties outside of the specific exchange, meeting, or conversation in which it is originally disclosed.	Recipients may ONLY share TLP:AMBER information with members of their own organization and its clients, but only on a need-to-know basis to protect their organization and its clients and prevent further harm. Note that TLP:AMBER+STRICT restricts sharing to the organization only.
	Green	Clear
WHEN SHOULD IT BE USED?	Sources may use TLP:GREEN when information is useful for the awareness of all participating organizations, as well as with peers within the broader community or sector.	Sources may use TLP:CLEAR when information carries minimal or no risk of misuse in accordance with applicable rules and procedures for public release.
HOW MAY IT BE SHARED?	Recipients may share TLP:GREEN information with peers and partner organizations within their sector or community but not via publicly accessible channels.	Recipients may share TLP:CLEAR information without restriction, subject to copyright controls.