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THE CURRENT: How is the US weighing in with Israel's new hardline government?

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PITA: You are listening to The Current, part of the Brookings Podcast Network. I'm your host, Adrianna Pita.

Secretary of State Antony Blinken visited Israel and the Palestinian territories this week following recent escalations in violence and the inauguration of Israel's new far-right government. With us to discuss recent developments is Natan Sachs, senior fellow and director of the Center for Middle East Policy here at Brookings. Natan, thanks for being with us again.

SACHS: Thanks for having me, Adrianna.

PITA: January was one of the bloodiest months in recent history in Israel and Palestine. 35 Palestinians have been killed, and a recent attack on a Jerusalem synagogue killed seven Israeli citizens. And that follows on 2022 being one of the deadliest years in recent history. Natan, what can you tell us about Blinken's visit, how that signals how the Biden administration is approaching both the escalating violence and the new hardline government in Israel?

SACHS: Secretary Blinken headed to the region for a very difficult task to begin with. The main task was to set the table for a relationship between the Biden administration and the new Netanyahu government. And that was complicated. First, Netanyahu himself is not beloved, of course, on many in the administration, but he is a known quantity. He's Israel's longest-serving prime minister and a cautious man, and one that certainly the president can work with. But Netanyahu has a very different kind of coalition than he did in the past, including some very extreme elements, especially two members, the minister of finance and the minister in charge of the police, who represent really a very different breed of Israeli ministers than we've seen in the past, and one that complicate things for the Biden administration.

There's also a judicial reform, or I would say a revolution, in Israel under the works. And that's something that the Biden administration generally would stay away from. It's a domestic issue in Israel, but it is so wide, so sweeping that it actually does rise to an issue that touches on the shared values as democratic states between the two countries.

So Blinken was coming in already with a difficult task. And then you add to that this violence that has already started to erupt, something that was simmering, as you said, for over a year now and was anyway, a major concern for the Biden administration. Blinken was worried that, just as the Israelis have been worried, that the West Bank, in particular, more than the Gaza Strip, actually, was in danger of blowing up. The Palestinian Authority there has lost a lot of its control in the northern West Bank in particular, and relations between Israelis and Palestinians have come to such a low where really very few people see any prospect of conflict resolution anytime soon. And those who do are probably not reading events correctly. And as a result, with very little hope, there is all the fodder there already for an explosion.

And then, of course, you add the new ministers and particularly the minister in charge of police who he himself just a year and a half ago was one of the provocateurs on the street in May 2021, helping to foment the violence. Of course, he wasn't alone or even the main instigator by any means, but he was there, now is in charge of the police. All of that is on Blinken's mind. And of course, in the end, he came with violence already starting. Hopefully will not continue now, and we never know if it will blow up in the near term. But the risk is high and it's one that the Biden situation is taken very seriously.

PITA: Was there any news that came out of this trip, any concrete proposals or new announcements, anything new from it?

SACHS: It was a combination of more of the same. But there is a real twist. The first is that Blinken tried to set the table and make clear the Biden administration's priorities, and they are a mix of continued very close support for Israel and a very close relationship with Israel, including with the Netanyahu government. That comes from the president himself. It's a longstanding position, to the consternation of some people on the left in the Democratic Party, but certainly very much in line with Biden's policies for decades in the Senate and then as vice president.

Nonetheless, we heard some blunt words from Blinken, of course, couched in American diplomatic tone, which is not the same tone that Israelis and Palestinians usually use, but nonetheless, quite strong words, both in terms of America's view of the two-state solution as still the only viable solution to the conflict, and is a goal that America strives for, and for equal measures of dignity and opportunity for life for Israelis and Palestinians.

Secondly, a strident call for calm. And Secretary Blinken left behind him some very senior officials, including the assistant secretary, Barbara Leaf, and the deputy assistant secretary, Hady Amr, our former colleague. And they are there now also trying to calm things down. The United States, of course, has not only a role at the macro level, but often a role really mediating at the tactical and operational levels.

And the third point, which stands out is that Blinken did touch on domestic issues in Israel, something that America really is loath to do, of course, for another democracy. But he did talk about, he phrased it as "the need for consensus before major changes." And he was referring or alluding to the judicial reform or revolution, as I would call it. And he, in fact, met with some civil society leaders, something that the secretary of state rarely would do in a in a country like this. It's certainly not something that you generally would do in Israel. He did in sort of a tacit, again, very American, polite, subtle kind of way of voicing concern with what many, very many in Israel perceive as an attack on Israel's democratic nature.

PITA: In another interview that you gave, you referred to Netanyahu as the most moderate, most left-wing member of his coalition, which is, of course, a little alarming. Can you talk to us a little bit more about some of these, the sweeping judicial revolution, as you called it, and some of these efforts to change the balance of power within Israel and what those could mean going forward?

SACHS: Sure. So the Netanyahu coalition really is a unique one. And Netanyahu usually in the past has always tried to be not quite on the center, but closer to the center of his own coalition. He's always tried to include certainly the right and also ultra-Orthodox parties that are not necessarily considered the very right wing in Israel, but the ultra-Orthodox parties as well. But he's usually also had someone to his left, including sometimes rivals from the Labor Party. Ehud Barak was a senior member of his coalition in the past and many others. This time that's simply not the case. This time it's a coalition of his own Likud Party and all the way to the right via the ultra-Orthodox parties and then two parties that really represent the extreme right, headed by the finance minister, Betzalel Smotrich, and the minister for national security who's in charge of the police, mostly, Itamar Ben-Gvir. They in the past would have been persona non grata, especially Ben-Gvir would have been persona non grata in polite society. The Likud itself shunned his predecessor. Itamar Ben-Gvir sees himself as a disciple of Meir Kahane, a virulently racist leader back in the eighties, who was shunned by both his native America and by Israel, his adopted country. And his organization was regarded as a terrorist organization by both countries after he was assassinated. Ben-Gvir is not Kahane, but he does call himself a disciple of Kahane. And that is a dramatically different reality than we've seen in the past. It's something that the Likud as a center-right party never did in the eighties. Certainly Netanyahu hadn't done it in the past and now has done so.

So it's a very different coalition. One element of this has less to do with the right and left, as we usually define them in Israel. Right and left there usually has to do with the conflict with the Palestinians and the Arab-Israeli conflict to the degree that it still exists. Here we have a attempt at what they call judicial reform, led by the justice minister, Yariv Levin, who was a close ally of Netanyahu in his own Likud Party. It is one of the issues on which the coalition has the strongest consensus within the coalition and the widest opposition from everyone else, from the opposition which represents about half of the country. The reform is meant to weaken the Supreme Court in its relation to the parliament, and as the proponents of this reform would put it, is to balance things in favor of parliament, in favor of elected officials. Some of the language is familiar from the United States, that people should not be legislating from the bench, etc.

However, Israel is a very different case from the United States. Israel is not a federal system. It's only one jurisdiction. There's no states or provinces, so, the national politics determine everything. The national judiciary is only one jurisdiction. It has only one chamber of parliament. It's a parliamentary system, meaning that the executive, almost by design, has a majority in parliament. So you never have a case, as we do in the United States now with the House of Representatives and the president are of different parties. That would almost never happen and there is no presidential veto. In other words, the prime minister comes out of one single chamber of parliament, leads a majority almost by design. If you think of that kind of majority trying to pass something that in the United States we would consider unconstitutional, in Israel, there is no formal Bill of Rights. There are some basic laws that serve the same function to a degree, but they serve that function only through one channel. And that channel is that the Supreme Court, no other court, only the Supreme Court, especially with a special hat that it wears as the High Court of Justice, that court can deem things as violating a basic law, in particular a basic law of human dignity. If you take away the possibility of the Supreme Court to overrule legislation, for example, there in theory is no boundary to what a simple majority in the Knesset could do, in the Israeli parliament. That parliament could decide someone does not have the right to vote or in theory doesn't have the right to life for anything else.

That would seem fantastical and of course, is mostly fantastical. It's not something the parliament is about to do, but a functioning democracy does not depend on what the majority might or might not do. It doesn't depend on whether Netanyahu decides to be democratic or not. He himself probably would not want to violate most rights, but it is supposed to be a system where he or his predecessors or anyone else would not have the ability to form a small majority and violate anything that we would consider as a basic right and democracy. It would create, in other words, pure majoritarianism, unbridled majoritarianism. And contrary to common perception, democracy is not majoritarianism. Democracy is the rule of the people, not the rule of the majority. The possibility of curtailing the tyranny of the majority is part and parcel of the very essence of democracy. And without it, Israel would find itself in a much more Hungarian or Polish model with unbridled majoritarianism, something that, to my mind and many minds in Israel, is an extremely alarming moment in Israel's democratic history and one that does rise to the level of American interest.

PITA: So what sort of leverage does the U.S. have here, either in terms of Israel's potential democratic backsliding or in terms of quieting the more immediate violence and restraining things there or some of the more de facto efforts at annexation and settlement across the West Bank? Obviously, the U.S. provides plenty in aid to Israel, but what's the likelihood of the administration actually using that as leverage in this case?

SACHS: Well, the United States has a lot of leverage in theory. And, of course, this was not the only target of the leverage. The problem here is that you also need the Palestinians -- and that's not just one body of the Palestinians, it's also sometimes individual Palestinians, it's also Hamas, which is another government of the Palestinians in Gaza -- you need all of these different elements to cooperate to some degree, which is a very, very difficult task. Nonetheless, the United States has a lot of leverage if it chooses to use to choose to use it. With Israel in particular, of course. It is not likely to use all the leverage for many reasons. Partly, as I said, the president has no special interest in a fight with Israel, but also because objectively, the United States objectively and subjectively truly does have very different priorities in the world right now. It is focused on what it calls the pacing challenge, China; it's focused, of course, on the war in Europe, on Russia and the Russian invasion of Ukraine. And even in the Middle East, it's focused on Iran's nuclear program and on much else in which Israel is also an important player, and often on Israel and the United States side and all of that, well beyond the question of Israelis and Palestinians or Israel domestically.

Nonetheless, an outbreak of widespread violence in the West Bank would certainly complicate things for the administration, and they are trying to use some of their leverage. And in Israel in particular, they also have the leverage of voice. The United States is seen by average Israelis and certainly by its Labor leaders as the most important part of, quote unquote, the world. And they care deeply what the United States thinks. It's not lost on the Israelis that the United States supports Israel not only in aid, which frankly, Israel could do without, not only in supply of weapons or sales of weapons, which would be more important to Israel, but also a diplomatic cover for the U.N. Security Council or elsewhere, and is a very important ally for Israel in avoiding the wrath of some of the rest of the world, which is much more hostile to Israel. In all of this, the United States has an important voice. If you look in particular at judicial reform inside Israel, that's a hotly

contested and deeply polarizing issue right now in Israel. We're seeing tens of thousands of people in the streets. And it's not just classic opposition types; it's also people who perhaps even voted for Netanyahu himself. That's causing deep concern in the in the economics and sort of in high tech and other industrial sectors. And one where there is real, there is real leverage to be had if the United States is willing to use it. And I think it was a good move by Blinken to at least signal, even if quite diplomatically, America's concern on this issue.

One last point on this. The role of the Supreme Court is also important even in international relations. Israel, of course, occupies the West Bank and some think also occupies the Gaza Strip, although it left it 15 years ago. Israel is always in danger of facing prosecution, and Israelis, Israeli leaders, are always in danger of facing prosecution in international fora. The main defense they have always used is that Israel has a functioning, a well-functioning and highly regarded judicial system that applies also to international law. And the Supreme Court is, of course, the core of that. If that is weakened dramatically, that legal defense, which is a very important one, is taken away. And the chances that Israel and Israeli leaders individually would face international prosecution rises. That's something on which the United States has limited leverage, certainly in international criminal fora, but nonetheless is one that America is a player at a certain degree and is one that also matters a lot to Israelis internationally.

PITA: Okay. I want us to wrap up coming back to an unfortunately more pessimistic note that you referenced at the beginning about the about a loss of hope, particularly on the Palestinian side. And it was something that Secretary Blinken referenced as well. The line that he used was, "what we are seeing now for Palestinians is a shrinking horizon of hope." We are talking right now about these visits from administration officials and actions at the leadership level. And it's difficult to imagine what kind of actions could be taken at the leadership level that would reverse that shrinking horizon of hope, particularly in the near term. And unfortunately, that usually means that violence is likely to continue. What do you foresee in this near term about the likelihood of stabilization, the likelihood of actions being taken to help quiet some of the or at least diminish the spikes that we're seeing right now?

SACHS: So we have two different problems here. They're deeply intertwined, as you suggested, but they are distinct. One is the possibility, the high possibility of violence in the short term. How much violence? We don't know when it will break out. We certainly don't know if it will. But the risk is certainly high. And there there's a very important role to be played by everyone in terms of calming the situation down. And that doesn't mean just avoiding provocation. It means actively trying to de-escalate on the ground. Ramadan will be coming in late March. Israeli Jerusalem Day will be coming after that. There are many points, flashpoints and times where we will need everyone involved to de-escalate. And this includes actors who are not prone to de-escalation. For example, the minister in charge of police I mentioned earlier. That is something the United States will be actively involved in, including a bit of a cat and mouse game around the seemingly small events in neighborhoods in my hometown, Jerusalem. It's funny to have the superpower chasing specific streets, but it is the case often and certainly in Jerusalem.

There's a second issue, and that is the growing and accelerating sense that the two-state solution is gone, that there is little hope on the horizon, as you said, for conflict resolution, and for the Palestinians, for an end of military rule in much of the West Bank and for the prospect of freedom and security for them as well. This is a trend that will be much harder to reverse, even if calm can be reached and even if the worst of the violence can be avoided. There's a deep problem with many different factors. I certainly don't think we should lose hope that things can be dramatically better. What exactly it would look like is another question, but certainly dramatically better. But it would take the Palestinian Authority getting its house in order in the sense of what succession after Mahmoud Abbas, the president of the Palestinian Authority, after he leaves his role. He's, of course, not young or healthy and has lost a lot of legitimacy in Palestinian eyes. What does the Palestinian Authority look like after that? Can it reestablish its authority in the West Bank and perhaps one day in the Gaza Strip as well, and then also negotiate in Israel in a serious way? It's not impossible, but that's a tall task and will take time and a lot of effort and hopefully not too much bloodshed. On the Israeli side, this government, as currently constituted, is simply not interested in a two-state solution. There are very few members of this coalition who would even use that phrase ever. Netanyahu is probably the only one who has done so prominently, and it was always very, very qualified and still remains so. So there would have to be a political change in Israel as well for that to go forward. But stranger things have happened, I'll just say.

The idea that this all is lost and therefore we should simply think of nothing but doom or the worst case scenarios or fantastical solutions that have no chance of ever materializing, that I disagree with dramatically, even though the prospect in the short term, certainly we should have no illusions. It's going to be a tough road ahead and it will take very difficult statesmanship to try and navigate that with minimal bloodshed.

PITA: All right, Natan, thank you very much for talking to us today about this.

SACHS: Thank you so much, Adrianna. My pleasure.