



Israel: New Clash Between the Government and the Supreme Court

Summary

- The planned sale of a private television station to a group of investors critical of the government has plunged Israel into an institutional crisis.
- The reason is the government's refusal to accept a ruling by the Supreme Court.
- The government's announcement has been strongly criticized not only by the court itself and by opposition parties, but also by President Yitzhak Herzog.
- Prime Minister Benjamin Netanyahu's government and the Supreme Court have long been at odds with one another.

By Sacha Wigdorovits [i](#)

One of Israel's "original sins" in 1948 is that the Jewish state does not have a written constitution, unlike, for example, the United States, Germany, France, Italy, or Switzerland. This lends additional weight to the Supreme Court's rulings. The Supreme Court plays an important role in the politics of the Jewish state—in the spirit of a healthy system of "checks and balances."

This has been particularly important since the current government took office. In the past, the Supreme Court in Jerusalem has repeatedly either imposed decisions on the government or overturned its decisions. The most politically explosive ruling was that of June 25, 2024. At that time, the court unanimously ruled that there was no legal basis for the general exemption of ultra-Orthodox Jews (Haredim) from military service. Since then, Prime Minister Benjamin Netanyahu's government has been avoiding passing a law that would make military service mandatory for the Haredim—not just on paper, but in practice as well.

Just how contentious this issue is for the Jewish state is illustrated by the countless political statements and demonstrations for and against mandatory military service that have since become a regular feature of the public agenda. Compulsory military



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service for the ultra-Orthodox will also play a major role in the parliamentary elections, which will take place in three and a half months at the latest —along with the question of what responsibility the government bears for the fact that the terrorist organization Hamas was able to carry out a massacre in Israel on October 7, 2023, in which 1,200 people were murdered.

Sale of a TV station critical of the government blocked

Compared to that, the issue at the heart of the current dispute between the government and the Supreme Court is, at best, of secondary importance. It concerns the sale of the television station “Channel 13.” It is one of Israel’s most popular TV stations and is critical of the current government. To ensure that this remains the case, a group of investors from the high-tech sector, led by Assaf Rappaport—an entrepreneur critical of the government—wants to buy “Channel 13.” This is much to the displeasure of Prime Minister Netanyahu’s government, which seeks to secure as much influence over the media as possible.

So far, the sale to the investor group led by Rappaport has not gone through. For that to happen, it would first have to be approved by the relevant state media regulatory authority. However, that authority refuses to review the sale of the television station. The reason: In its own view, it does not have a quorum. Following six recent resignations, the media regulatory authority currently consists of only nine members instead of the 15 required by law. Consequently, the two-thirds quorum necessary for passing a resolution has not been reached.

The Supreme Court has now ruled that the media regulatory body is nevertheless quorate and must begin its work. This is because the six commission members resigned—under pressure from the government—solely to derail the sale of “Channel 13.” The government subsequently stated that this court ruling violates the law and that it therefore does not accept it.

An institutional crisis has been brought about

It is unprecedented for the Israeli government to publicly declare that it will not comply with a Supreme Court ruling. Even in the case of the decision—which it considered far more serious—to introduce universal military service for the ultra-Orthodox, it did not dare to do so; instead, it submitted a bill that effectively amounts to a further exemption of the Haredim from military service.



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It comes as no surprise that the Supreme Court and the opposition strongly condemned the government's announcement. But President Yitzhak Herzog also criticized the government's conduct in no uncertain terms. "Statements that call for disregard of Supreme Court rulings strike at the very heart of our nation's unity," Herzog stated on "X." "I have made this clear before and will repeat it again and again: Refusal to comply with a court ruling is a red line that must not be crossed under any circumstances."

As a result, the dispute over the sale of the television station "Channel 13" has taken on the proportions of an institutional crisis. Ultimately, the issue at stake is whether Israel will remain a democratic state governed by the rule of law or be ruled authoritatively by its government. Given the ongoing threat from Iran and its proxies, Hezbollah and Hamas, as well as the increasingly evident rift with U.S. President Donald Trump, the Jewish state truly has other problems than tearing itself apart yet again. But the current government seems not to care.

Sacha Wigdorovits is President of the Fokus Israel und Nahost association, which runs the website fokusisrael.ch. He studied history, German and social psychology at the University of Zurich and has worked as a US correspondent for the SonntagsZeitung, was editor-in-chief of BLICK and co-founder of the commuter newspaper 20minuten.