

Opinion

The System of Restraints in the West Bank Is Eroding, and Israel Is Endangering Its Security and Democratic Character

Shaul Arieli • Head of the “Tamarur–Politography” research group focusing on the Israeli–Palestinian conflict

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For many years, Israel’s security establishment explained to the public and to the world that despite the exceptional reality of military control over millions of Palestinians in the West Bank, a system of institutional restraints existed to prevent a descent into arbitrary use of force. These were not mere slogans; there were concrete mechanisms: the Jewish Division in the Shin Bet, which fought Jewish terrorism; the Israel Police, tasked with enforcing the law on Israeli civilians in the West Bank; the Civil Administration, which worked to safeguard Palestinian rights; the Military Advocate General’s Corps, which set legal boundaries; the senior IDF command, which sought to maintain balance amid pressure from settler leaders and political officials; the political echelon, which defined operational limits; and the public atmosphere in Israel, which, despite political disagreements, maintained a red line against civilian violence.

This system of restraints has eroded, and in recent years this erosion has become tangible and documented in reality. The change deepened with the establishment of the current government and intensified after October 7. Each of the restraints has been weakened, diverted, or subordinated to political pressure.

The Jewish Division of the Shin Bet was for years an important link in combating settler violence, but in recent years it has become a political target. Ministers and Knesset members from the right have accused it of ideological persecution and even called to limit its powers. A notable step was the decision by Defense Minister Israel Katz to reduce and even halt the use of administrative detention against far-right activists — a tool that had previously been central in preventing Jewish terrorism.

The Israel Police is also supposed to be one of the main restraints; Israeli civilians in the West Bank are subject to Israeli law, and the police are meant to investigate criminal offenses by settlers. However, enforcement data point to failure. Reports by Yesh Din show that only about 3% of investigation files concerning ideological offenses by Israelis against Palestinians lead to indictments. In other words, in the overwhelming majority of cases of violence — arson, assaults, property destruction — no one is brought to trial. Even when investigations are conducted, they often end with cases closed due to lack of evidence. An enforcement system led by Minister Itamar Ben Gvir effectively enables the continuation of violence.

The Civil Administration was for years a professional body within the security system, intended to manage civilian life in the West Bank and serve as a moderating factor against security activity that harms Palestinian rights. Under the coalition agreements of the current government, extensive powers were transferred from the Civil Administration to Minister in the Defense Ministry Bezalel Smotrich, who is responsible for settlement affairs. This is a dramatic structural change. Smotrich is one of the leading ideological proponents of settlement expansion. When a professional body is effectively subordinated to a political actor committed to expanding settlements, it is difficult to see it as an effective restraint.

The Military Advocate General's Corps was also one of the key oversight mechanisms — it determined the legality of military actions, initiated investigations, and at times blocked operational initiatives. In recent years, and especially since the war in the Gaza Strip, political and public pressure to limit legal oversight of the military has intensified. The rhetoric about “tying the hands of soldiers” has become widespread.

Above all stands the senior IDF command. For years, Central Command generals emphasized that settler violence is not only a moral problem but also a security threat. However, in recent years tension between the military echelon and the political echelon has grown. The appointment of Avi Bluth as head of Central Command has been perceived by many as politically significant. Bluth is identified with the religious-Zionist public and the settlement movement, and critics fear that his appointment signals

greater willingness to accommodate settlement expansion and the presence of violent settlers.

The most significant restraint is the political echelon. When senior ministers publicly back settler actions or attack law enforcement authorities, the message permeates. When the political echelon ceases to function as a restraint, all other mechanisms weaken.

Finally, there is the public atmosphere. For years, Israel maintained a debate over settlements and the future of the West Bank, but there was broad consensus against civilian violence. Even most of those who supported settlement opposed “price tag” attacks. However, October 7 changed the public climate and led to hardened positions. Surveys indicate a decline in support for a political process and an increase in support for the use of force. When the public atmosphere becomes more tolerant of violence, institutional mechanisms struggle to act against it.

When examining the seven restraints, a troubling picture emerges. None of them has collapsed all at once. The Jewish Division still exists, the police still investigate, the Civil Administration still operates, and the Military Advocate General still reviews actions — but each has lost strength.

Many studies on protracted conflicts point to a consistent pattern: when oversight mechanisms erode and violence becomes more frequent, a dynamic of escalation develops. Such a process is occurring in the West Bank. The number of violent incidents has increased significantly, both from settlers and within military activity. The implications are not only moral or legal; they are also security-related.

The history of the Israeli–Palestinian conflict shows that escalation in the West Bank does not remain local but tends to rapidly evolve into a broader confrontation. Therefore, the erosion of restraints is not merely a rule-of-law issue; it is a strategic problem. Ultimately, the question is not whether the State of Israel has the right to defend itself — that is a basic right of any state — but whether it succeeds in maintaining limits on the power it exercises.

The restraint mechanisms were created precisely for this purpose. If they erode, Israel not only loses an essential tool for managing the conflict; it also endangers its security stability and its democratic character.