



S. DANIEL ABRAHAM
CENTER FOR MIDDLE EAST PEACE

Israel and the Middle East News Update

Tuesday, December 5

Headlines:

- **Trump Delays Jerusalem Verdict as Pressure Mounts**
- **Macron to Trump: Worried About Jerusalem Recognition Move**
- **Report: Israel Attacks Military Research Center in Syria**
- **State Department warns of violence ahead of Jerusalem decision**
- **Report: Saudis Offer an Alternative Palestinian Capital**
- **Court: Government Must Defend Law Seizing Palestinian Property**
- **State Attorney Opens Investigation Against UN Envoy Danon**
- **Official: 'Bitan's Career is Finished, he Just Doesn't Know It Yet,'**

Commentary:

- **New York Times: "Ehud Barak: We Must Save Israel From Its Government"**
– By Ehud Barak
- **Jerusalem Post "Trump and Jerusalem: Breaking a Consensus"**
– By Herb Keinon, contributor to the Jerusalem Post

News Excerpts

December 5, 2017

i24 news

Trump Delays Jerusalem Verdict as Pressure Mounts

Facing dark warnings of a historic misstep and widespread unrest, US President Donald Trump on Monday delayed a decision on whether to recognize Jerusalem as the Israeli capital and move the US embassy there. The White House said Trump would miss a deadline to decide on shifting the embassy from Tel Aviv, after a frantic 48 hours of public warnings from allies and private phonecalls between world leaders. The mercurial president has yet to make his final decision, officials said, but is expected to stop short of moving the embassy to Jerusalem outright, a central campaign pledge which has been postponed once already by the new administration. "The president has been clear on this issue from the get-go: It's not a matter of if, it's a matter of when," said White House spokesman Hogan Gidley. See also, ["PALESTINIANS CONTINUE TO LOBBY AGAINST POSSIBLE TRUMP MOVE ON JERUSALEM" \(JPost\)](#)

Ha'aretz

Macron to Trump: Worried About Jerusalem Recognition

French President Emmanuel Macron told U.S. President Trump that he is worried the U.S. will unilaterally recognize Jerusalem as Israel's capital. "The French President expressed his concern over the possibility that the United States would unilaterally recognize Jerusalem as the capital of Israel," the statement said, after Macron and Trump spoke over the phone. "Mr. Emmanuel Macron reaffirmed that the question of Jerusalem's status had to be dealt with in the framework of peace negotiations between Israelis and Palestinians, with the aim in particular to establish two countries, Israel and Palestine, living in peace and security side by side with Jerusalem as capital." See also, ["Emmanuel Macron Warns Trump Over Plan to Recognize Jerusalem" \(New York Times\)](#)

Ynet News

Report: Israel Attacks Military Research Center in Syria

Israel reportedly attacked a military scientific research center in the Jamraya area on the outskirts of Damascus late Monday night, according to media affiliated with the regime of Syrian President Bashar Assad. According to Al Mayadeen, which is affiliated with Hezbollah, Israel fired six missiles, with three of them intercepted by Syria's aerial defense systems. So far, there have been no reports of casualties or damage. Meanwhile, the Syrian Observatory for Human Rights reported "violent explosions" shaking Damascus area caused by missiles fired by Israeli warplane and targeting places near Jamraya. See also, ["Israel Strikes Assad Regime Military Target in Syria, Foreign Media Reports" \(Ha'aretz\)](#)

Times of Israel

S. Department warns of violence ahead of Jerusalem decision

The US State Department is reportedly bracing for violence at its embassies and consulates should President Donald Trump follow through on his reported intention to recognize Jerusalem as the capital of Israel. Diplomats fear an announcement by Trump, expected in a major policy speech Wednesday, could provoke anger in the Muslim world, setting off protests at US missions around the world, the Politico news site reported Monday. See also, ["State Department warns of violence ahead of Trump Jerusalem decision" \(Politico\)](#)

Report: Saudis Offer an Alternative Palestinian Capital

Saudi Arabia has reportedly proposed a peace initiative which offers the Palestinians the Jerusalem-adjacent village of Abu Dis as an alternative capital in their future state, in an effort to overcome competing Israeli and Palestinian claims over the holy city that pose a major hurdle in reaching any peace agreement between the two sides. According to a report by *The New York Times* published Sunday, the proposal offers the Palestinians a non-contiguous state in the West Bank and Gaza Strip over which they will have only partial sovereignty. The plan is said to leave the majority of Israeli settlers in the West Bank in place and will not grant Palestinian refugees and their descendants living in other countries the right of return to Israel. Saudi Arabia's Crown Prince presented the proposal to Palestinian Authority President Mahmoud Abbas during his surprise visit to Riyadh last month, the *Times* said. See also, ["Talk of a Peace Plan That Snubs Palestinians Roils Middle East" \(New York times\)](#)

Jerusalem Post

Court: Gov't Must Defend Law Seizing Palestinian Property

The government must explain in writing by February 25, 2018, why it has not struck down the Settlement Regulations Law, which authorizes settler homes illegally built on private Palestinian property while offering to compensate the Palestinian landowners. The High Court of Justice also said on Monday that it planned to hear the case before nine judges, the broadest possible legal panel, which expedites the proceedings, said representatives for both the plaintiffs and the defendants. The High Court extended its injunction freezing the law until a judgment is rendered on the controversial legislation approved by the Knesset in February. Attorney-General Avichai Mandelblit has argued that it is unconstitutional. He told the High Court it was discriminatory toward the Palestinians.

Ynet News

State Attorney Opens Investigation Against UN Envoy Danon

State Attorney Shai Nitzan instructed the Israel Police on Monday to examine the corruption allegations made against Israel's Ambassador to the UN Danny Danon. According to an investigative report by the Israel Television News Company, Danon used public funds and donations to create a mechanism of paying millions of shekels in "salaries" to dozens of Likud activists and their families in return for supporting him in the party's primaries. Danon, who serves as the World Likud chairman, allegedly used his power in the organization to take hold of a non-profit organization called Making Zionism ("Osim Tzionut") and placed his confidant Yaakov Hagoel at its helm. See also, ["Police to open corruption investigation into UN Ambassador Danon" \(TOI\)](#)

Times of Israel

Official: 'Bitan's Career is Finished, he Just Doesn't Know it Yet,'

Coalition chairman David Bitan's political career is "finished, though he doesn't know it yet," a top law enforcement official told Channel 10 news on Monday, citing the breadth of evidence against the Likud MK in a newly revealed corruption probe. The unnamed official told Channel 10 that investigators, who on Sunday questioned the Bitan for 13 hours, "have yet to present him with a fraction of the material against him, and he is set for further questionings. This is a strong case." The source added that this was not an ambiguous case of a politician receiving illicit benefits, but grave allegations of "bribery and money laundering." See also, ["Coalition chair's wife named as suspect in bribery probe" \(TOI\)](#)

Ehud Barak: We Must Save Israel From Its Government

By Ehud Barak

- For anyone who cares about Israel, this is no time for niceties. What we need now is plain speaking, even pained speaking — and action. For all of Israel’s great achievements in its seven decades of statehood, our country now finds its very future, identity and security severely threatened by the whims and illusions of the ultranationalist government of Prime Minister Benjamin Netanyahu.
- In its more than three years in power, this government has been irrational, bordering on messianic. It is now increasingly clear where it is headed: creeping annexation of the West Bank aimed at precluding any permanent separation from the Palestinians.
- This “one-state solution” that the government is leading Israel toward is no solution at all. It will inevitably turn Israel into a state that is either not Jewish or not democratic (and possibly not either one), mired in permanent violence. This prospect is an existential danger for the entire Zionist project.
- The government realizes that carrying out its one-state plan must entail steps and practices that necessarily clash with Israeli and international law — which is why it has effectively declared war on the Supreme Court of Israel, the free press and civil society, as well as the Israel Defense Forces’ ethical code.
- This disrespect for the rule of law permeates other aspects of the government, too. It helps to shield the prime minister, his family and his aides from corruption investigations. Mr. Netanyahu’s Likud Party recently introduced legislation that would explicitly forbid the police from recommending indictments at the end of high-profile investigations. To clear up any question about its intentions, the law would apply even to inquiries that are already open — like the one into the prime minister’s dealings.
- The same inclination toward self-preservation is evident in Mr. Netanyahu’s capitulation to ultra-Orthodox parties on religious issues, damaging Israel’s crucial relationship with American Jews. That relationship has grown even more strained since Mr. Netanyahu reneged on a deal that would have expanded egalitarian prayer space at the Western Wall in Jerusalem, Judaism’s holiest site. This is a longstanding demand for recognition from Reform and Conservative Jews, who together make up about half of the Jewish-American community.
- The Middle East is certainly a tough neighborhood. The threats to Israel are real and none can be ignored. Our country, however, has built an “iron wall” of military and economic power that has made us into the strongest player in the region. This accomplishment, together with bipartisan American support, enables Israel to shape its own future.
- Despite the right-wing government’s actions, there is a broad consensus among Israelis that rests on three pillars. First and foremost, security comes before everything; every Israeli understands this. Second, the unity, solidarity and integrity of the people take priority over the unity of the land — namely, the wish to possess the entirety of our historic homeland. Third, the principles of the 1948 Declaration of Independence, which lay out a vision for a democratic Israel based on freedom, justice and peace, are the foundation of our country’s de facto constitution.

- These pillars should indicate how to proceed toward peace. Accordingly, the Jewish neighborhoods of East Jerusalem and the “settlement blocs” — suburban communities built just across the Green Line, which include some 80 percent of the total settler population — will remain in Israel no matter what. In any future peace agreement, these areas can be offset by land swaps with the Palestinians. Similarly, overall security responsibility in the West Bank will remain in the hands of the Israel Defense Forces as long as necessary.
- The entire debate, then, is actually only over the fate of the isolated settlements, fewer than 100 small communities deep in the West Bank, containing around 100,000 settlers. Even if it is not possible to solve the Israeli-Palestinian conflict at this stage — and it probably is not — it is obvious that continued construction in those isolated settlements directly damages Israel’s vital interests. The settlements are a security liability, not an asset. They aim to block the option of a “divorce” from the Palestinians, which the overwhelming majority of Israelis support.
- Mr. Netanyahu’s coalition claims to support the three pillars of Israeli consensus but the truth is it is determinedly undermining all three. The prime minister degrades our security rather than enhancing it. He prefers a Greater Israel with an Arab majority, violence and division over a united, self-confident Israel with a solid Jewish majority, together facing whatever challenges may arise. He sanctifies the Land of Israel before the People of Israel. And he systematically erodes Israel’s democracy and liberal norms of governance.
- In the service of this agenda, Mr. Netanyahu elevated fake news, alternative facts and whataboutism into art forms in Hebrew, long before those terms gained any traction in English. His government jeopardizes Israel’s very future, while dividing and inciting us against each other and maligning those abroad who genuinely care about Israel. This must be stopped.

SUMMARY: For anyone who cares about Israel, this is no time for niceties. What we need now is plain speaking, even pained speaking — and action. For all of Israel’s great achievements in its seven decades of statehood, our country now finds its very future, identity and security severely threatened by the whims and illusions of the ultranationalist government of Prime Minister Benjamin Netanyahu. In its more than three years in power, this government has been irrational, bordering on messianic. It is now increasingly clear where it is headed: creeping annexation of the West Bank aimed at precluding any permanent separation from the Palestinians. This “one-state solution” that the government is leading Israel toward is no solution at all. It will inevitably turn Israel into a state that is either not Jewish or not democratic (and possibly not either one), mired in permanent violence. This prospect is an existential danger for the entire Zionist project.

Trump and Jerusalem: Breaking a Consensus

By Herb Keinon, contributor to the Jerusalem Post

- In business, they say, it's all about the leverage. This is something worth keeping in mind when considering what US President Donald Trump – who at his very core is a businessman – will do on the Jerusalem issue. Because if, as some are speculating, he will “split the difference” on the issue – meaning that he will not move the embassy from Tel Aviv to Jerusalem but will issue a statement in the coming days recognizing at least part of Jerusalem as Israel's capital – then this would give him leverage going forward with his peace plan with both the Palestinians and the Israelis.
- If the Palestinians prove inflexible in negotiations, he could hang over their head the prospect of not only issuing a declaration of recognition of Jerusalem as Israel's capital, but also actually moving the embassy. By the same token, he could threaten Israel – if he thought it was the recalcitrant party in negotiations – with not moving the embassy.
- Jared Kushner, Trump's son-in-law and his main point man on the Mideast diplomatic process, revealed nothing about the plan the administration is working on in an interview with Haim Saban on Sunday at the Saban Forum in Washington. Not only did he say that Trump was still “looking at a lot of different facts” concerning the Jerusalem decision, he provided no details at all about the parameters of the peace plan the team was considering.
- One thing he did say, however, is that his team – a team Saban spoke condescendingly of as one with lawyers but no Mideast experts – is trying to do things differently. “We've been deliberate about not setting time frames,” Kushner said, “about not trying to do this the way it's been done before, so we have more room and opportunity to hopefully be successful.”
- Recognizing Jerusalem as Israel's capital – even if it did not include moving the embassy to Jerusalem – would definitely constitute not doing things as they've been done before. At least not doing things the way the Americans have done them before. Moscow set a precedent for this in April when it announced that it was recognizing west Jerusalem as Israel's capital, though at the same opportunity it reaffirmed its “commitment to the UN-approved principles for a Palestinian-Israeli settlement, which includes the status of east Jerusalem as the capital of the future Palestinian state.” Still, Russia became the first country in the world to recognize Jerusalem as Israel's capital, and no one batted an eyelid.
- Obviously, a different reaction would await any similar American move, with the Palestinians threatening to cut the US out of the peace process, and both they and the Arab world warning of violence. Eran Lerman, the vice president of the Jerusalem Institute for Strategic Studies and a former deputy head of the National Security Council, said in a conference call put together by the Israel Project, that such threats are likely to have little impact on this administration. Furthermore, he said, “both sides of the Ramallah-Gaza divide have no wish for another round of violence, certainly not because of a symbolic reason that basically changes nothing on the ground.”
- As for the Arab world, nobody in the Arab leadership is eager to confront Trump at this stage, Lerman maintained, adding that he believes Saudi Arabia would “support an American initiative

that helps the Palestinians adjust their expectations to a level that is deliverable and implementable.” And that, in the final analysis, would be the true significance of a US recognition of Jerusalem as Israel’s capital: It would send a strong message to the Palestinians that their dream of rewriting history so that it does not include any Jewish historical ties to Jerusalem is simply not going to work. Such a recognition would correct a historical anomaly that denies Israel the right to say where its capital is, and it would serve as important recognition of Israel’s claim to the city.

- With such recognition, Lerman said, the US would go a long way toward debunking the idea “that somehow this is not a negotiation between two sides, but an international court of law in which Israel is in the dock.” In other words, it is doing things differently.
- Not all, however, are thrilled about the prospect of a different approach. *The New York Times* reported on Sunday that under the plan being drawn up by the White House, “The Palestinians would get a state of their own but only noncontiguous parts of the West Bank and only limited sovereignty over their own territory. The vast majority of Israeli settlements in the West Bank, which most of the world considers illegal, would remain. The Palestinians would not be given East Jerusalem as their capital and there would be no right of return for Palestinian refugees and their descendants.”
- The tone of the report was one of being aghast that the Trump administration would consider a plan that did not meet Palestinian maximalist demands, or fall into line with how the peace process has been handled for the last 25 years. “But the news on Friday that Mr. Trump would recognize Jerusalem as the Israeli capital suggested that ideas once considered beyond the pale are now seriously being considered,” the *Times* said. “Recognizing an Israeli capital there, even without explicitly denying the Palestinians one, would overturn decades of consensus among international peacemakers that any change in Jerusalem’s status must come as part of a negotiated deal.”
- What is worth noting, however, is that the “decades of consensus” among international peacemakers has led nowhere. Perhaps breaking with that decades-old consensus is what is needed, which is something Trump will do if he goes ahead and recognizes Jerusalem as the capital of the Jewish state.

SUMMARY: Recognizing Jerusalem as Israel’s capital – even if it did not include moving the embassy to Jerusalem – would definitely constitute not doing things as they’ve been done before. At least not doing things the way the Americans have done them before. Moscow set a precedent for this in April when it announced that it was recognizing west Jerusalem as Israel’s capital, though at the same opportunity it reaffirmed its “commitment to the UN-approved principles for a Palestinian-Israeli settlement, which includes the status of east Jerusalem as the capital of the future Palestinian state.” Still, Russia became the first country in the world to recognize Jerusalem as Israel’s capital, and no one batted an eyelid.