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Israel and the Middle East News Update

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News Excerpts

March 26, 2020

Times of Israel

In defiance of High Court Order, Edelstein Refuses to Hold Knesset Vote

Shortly after resigning as Knesset speaker, Yuli Edelstein kicked off a constitutional crisis Wednesday when he openly refused to heed a High Court order mandating that he call a plenum vote on Wednesday to choose a new speaker. The Knesset's legal adviser, Eyal Yinon, told Edelstein that his resignation did not free him from the obligation to call the plenum vote for Wednesday, adding that if he didn't do so he would be in contempt of the court ruling. Shortly thereafter, Yinon informed the High Court that Edelstein, an MK from Netanyahu's Likud party, had told him he had no intention of calling a vote on the matter. Edelstein's resignation will only come into effect in 48 hours; until then, he is still bound by the court ruling. See also ["Edelstein refuses legal adviser's call to obey court, hold vote for speaker" \(Ynet News\)](#)

Ha'aretz

High Court Appoints Temporary Knesset Speaker to Elect Replacement

The High Court ruled Thursday overnight that chairman of the Labor Party Amir Peretz will be appointed as the interim Knesset Speaker and will lead the plenary to elect a permanent speaker on Thursday, to replace the newly resigned Yuli Edelstein. The justices ruled that Peretz would have "a limited and defined authority," to convene the plenary session Thursday to elect a permanent Knesset speaker. Peretz will not be able to exercise other powers of the Speaker except those instructed by the High Court. Following the Court's decision, Avi Nissenkorn, who chairs the Knesset's Arrangements Committee, said the panel would gather at 11:30 A.M. to approve the vote, which would then take place at 4:00 P.M. See also ["Vote for Knesset Speaker to be held on Thursday, High Court decides" \(JPost\)](#)

Jerusalem Post

Netanyahu, Gantz Restart Emergency Unity Talks

PM Netanyahu and Blue and White leader Benny Gantz spoke by phone on Thursday night and then ordered their coalition negotiating teams to meet on Thursday to try to form a unity government. Representatives of both sides have been speaking secretly but now the talks will become more official. In a statement released simultaneously by Likud and Blue and White, they cited the coronavirus and President Reuven Rivlin's calls for unity. "I appeal to you from here, leaders of the main parties, to find a way to present a shared leadership, a responsible leadership, for Israeli society in its time of crisis," Rivlin said. "I know how short the distance is between you. Each side must understand the other's red lines and to be flexible on them, we simply do not have – an alternative."

Ynet News

Israel's Coronavirus Cases Rise to 2,495, More in Serious Condition

Another 325 people have tested positive for coronavirus in Israel, bringing the country's total to 2,495, health officials reported Thursday. There has been another increase in the number of serious cases, which have been rising daily. The number of Israelis who have died from complications resulting from COVID-19 remains at five, with four patients passing away within hours on Tuesday and Wednesday. Of the latest number, 41 are in serious condition, 68 are in moderate condition and 2,315 have light symptoms. At least 66 people have recovered from the illness. See also ["Number of coronavirus cases up to 2,495, including 41 in serious condition" \(TOI\)](#)

Jerusalem Post

Netanyahu: Full Lockdown Possible Within Days if Virus Doesn't Slow

Prime Minister Benjamin Netanyahu warned Wednesday that a full closure of the country could be introduced within days to curb the coronavirus pandemic, hours after further restrictions on Israelis' movement were put into effect. "The number of those infected doubles every three days," he said. At that rate, "in two weeks we'll have thousands — many of them in life threatening condition." "If we don't see an immediate improvement in the trend, we will have no choice but to declare a full closure," except for purchases of food and medicine, Netanyahu said in an address from his office in Jerusalem. "It's a matter of days [away]," he added, saying preparations for such a scenario were already underway. See also ["Health Ministry D-G predicts 200 critical coronavirus patients in one week" \(JPost\)](#)

Ynet News

Streets Empty as Police Begin Enforcing New Movement Limitations

The government's new regulations meant to stave off the spread of coronavirus went into effect on Wednesday evening with police forces deployed all over the country in order to ensure the public complies with the new regulations which have effectively halted everyday life in Israel. In Jerusalem, police officers blocked all entrances to the ultra-Orthodox Mea Shearim (hundred Gates) neighborhood, while ordering owners of non-vital businesses to close their stores. "When we see the police and the special patrol unit, it makes us want to go out even more," said an infuriated local with the increased police presence at the neighborhood. In Ashdod, city inspectors began enforcing the new regulations as well, while in Tel Aviv, the Carmel and Tikvah markets were shut down completely on Tuesday, while police officers were seen telling visitors to "go home immediately."

Jerusalem Post

Hezbollah Deploys Medics, Hospitals Against Coronavirus in Lebanon

The Lebanese paramilitary group Hezbollah is mobilizing some 25,000 people including frontline medics and readying hospitals as part of a plan to help confront the coronavirus in Lebanon, it said on Wednesday. "It is a real war that we must confront with the mindset of a warrior," Sayyed Hashem Safieddine, head of the Shi'ite group's executive council, said. "Our role is to complement the government apparatus and not to stand in its place," he said, presenting Hezbollah's plan on its al-Manar TV. Lebanon has recorded 333 coronavirus cases so far. Six people have died from the respiratory disease. The government, formed with backing from Hezbollah and its allies, has declared a medical emergency.

Ha'aretz

Orthodox Sephardic Rabbis Greenlight Video Conference Seders

In a startling ruling, a group of prominent Sephardic rabbis in Israel has permitted the use of Zoom videoconferencing at the upcoming Passover seder so that families can convene virtually without violating restrictions on gatherings mandated by the coronavirus pandemic. The rabbis who issued the ruling, among them the spiritual leaders of several towns and communities in Israel, are all Orthodox. The ruling has not been endorsed by Israel's chief rabbis or the Orthodox religious establishment. Indeed, Shmuel Eliyahu, the chief rabbi of Safed and a member of the Chief Rabbinate Council (perhaps best known for his vicious remarks about Israel's Arab minority) called the ruling "a grave error" that would "destroy the spirit of the seder night." See also, ["Reports of rabbinic 'ruling' allowing Passover seder video-conference were inaccurate" \(WIN\)](#)

A Perfect Storm

By Ben Caspit, political commentator at Ma'ariv

- **We are in the midst of a perfect storm. If someone were writing the screenplay of these terrible times, they would kick it over to the sci-fi department. The State of Israel has been working without an elected government, a police commissioner, a Justice Ministry director general, Prisons Service commissioner, a state attorney, an elected prime minister, a Knesset speaker, a state budget, a National Emergency Management Authority, masks, protective gear, (sufficient) ventilators, the rule of law, cotton swabs, or the National Information Directorate.**
- **What does it have? The coronavirus, a stupid fight between the prime minister and the defense minister over credit, senior ministers calling to disobey the instructions of the High Court of Justice, a Knesset speaker who has flouted the High Court of Justice's instructions, unprecedented governmental chaos, hundreds of thousands of unemployed, an almost total lockdown on the streets and in the cities, and two addresses to the nation in one night: one from the president, the other from the (unelected) prime minister.**
- **Binyamin Netanyahu spoke in biblical terms yesterday. If an alien came to Earth for a moment, he would think that we were in the year 1347, when the bubonic plague (the "Black Death") erupted, which killed between one third to 60% of the population of Europe and tens of millions of Chinese. Just a reminder: currently only five people in Israel have died [of the coronavirus]. All of them were very elderly and had preexisting conditions. Thirty-nine people in Israel are seriously ill at the moment. The only certain statistic in the chaos of the coronavirus is the number of seriously ill. All of them are known, accounted for and hospitalized.**
- **Well, here's an amazing datum: the number of seriously ill in Israel has regularly accounted for about one to two percent of the number of known cases. Now for something further: the number of people who really are sick and who are out and about in Israel is several times larger than the number of people who have been identified as sick. According to Prof. Itamar Grotto, it's a case of 50,000 sick people. According to other experts, it's approximately 100,000 sick people. According to groups of Israeli analysts, who have been poring over all the information that has accumulated all over the world, it is far higher than that: somewhere between 300,000-400,000 Israelis who are out and about with this virus, most of whom aren't aware of it at all. That leads to the conclusion that the true death rate of the coronavirus is much lower than Netanyahu's prophecies of doom. There won't be 10,000 deaths here. It's not a sure bet that Prof. Michael Levitt's prediction will come true (he spoke of ten deaths), but the thousands of deaths from the scaremongering won't happen.**
- **So why is Netanyahu scaring us? He could be scared himself. Netanyahu has a tendency to panic. All his acquaintances, close associates and advisors are familiar with this. Usually it's cool. Better to be prepared than unprepared, even if the catastrophe winds up not coming. This time, it could be that he has a few hidden agendas: first, constructing the narrative. If he talks about 10,000 deaths and ultimately "only" 150 people die, he'll come off as a magician. Second, his personal interest. Using the coronavirus as an excuse, he keeps pushing Blue and White to accept his leadership in a unity government. When everything's on fire, what does bribery-**

shmibery matter? Join the government and we'll save the people of Israel. If not, I can always drop the case on you later.

- There's something else: although the pandemic is (probably) not nearly as bad as you've been told (and we still need to be prepared and to uphold all of the instructions to the letter), Netanyahu's problem is linked to the state of the Israeli healthcare system: even a reasonable showing by the pandemic is liable to create a situation where there aren't enough ventilators. The system is being exhausted, starved, drained and strained to the very limit of its capabilities. The ratio of nurses to patients, the ratio of beds per capita, the amount of manpower and the years of neglect have left their mark. Better to avoid these grim pictures later on. So, Netanyahu projects an incident at a biblical scale, frightens the people of Israel with the danger of a second Holocaust, and he does all of this because he can, because he knows and because he has nothing to lose.
- Throughout his speech yesterday, Netanyahu didn't bother to address the unprecedented constitutional crisis that he has led Israel into. The Knesset speaker's refusal to obey the High Court of Justice's ruling flew right by him, like a pesky fly. In the past, Netanyahu meticulously stated the obvious every time one of his associates tried to undermine the rule of law or the basic rule of obeying court rulings. That's what he did in 2015, that's what he did even in 2019, with a curt and exhaustive tweet that read, "Everyone must obey the rulings of the court."
- In 2020, he's ignored the incident as if it never occurred. As if Edelstein did not try to shutter the gates of Israel's legislature in the faces of the elected officials. As if Edelstein had not refused to heed the demand of 61 MKs to elect a new Knesset speaker (as is customary after an election). As if Edelstein had not shown contempt for the Supreme Court and as if other senior ministers had not publicly urged him to do so. Not only were they not ashamed of this, they took pride in it. The fact that this inconceivable act is supposed to shoot Edelstein forward in Netanyahu's war of succession is Netanyahu's legacy. It's a good thing Netanyahu didn't mention this yesterday, but he need not worry. This legacy will pursue him.

Summary: Throughout his speech yesterday, Netanyahu didn't bother to address the unprecedented constitutional crisis that he has led Israel into. The Knesset speaker's refusal to obey the High Court of Justice's ruling flew right by him, like a pesky fly. In the past, Netanyahu meticulously stated the obvious every time one of his associates tried to undermine the rule of law or the basic rule of obeying court rulings. That's what he did in 2015, that's what he did even in 2019, with a curt and exhaustive tweet that read, "Everyone must obey the rulings of the court." In 2020, he's ignored the incident as if it never occurred. As if Edelstein did not try to shutter the gates of Israel's legislature in the faces of the elected officials. As if Edelstein had not refused to heed the demand of 61 MKs to elect a new Knesset speaker (as is customary after an election). As if Edelstein had not shown contempt for the Supreme Court and as if other senior ministers had not publicly urged him to do so. Not only were they not ashamed of this, they took pride in it. The fact that this inconceivable act is supposed to shoot Edelstein forward in Netanyahu's war of succession is Netanyahu's legacy. It's a good thing Netanyahu didn't mention this yesterday, but he need not worry. This legacy will pursue him.

Mark of Moral Turpitude for Edelstein

By Ben-Dror Yemini, commentator at Yedioth Ahronoth

- The majority of the right-wing ministers and MKs expressed an unequivocal opinion: no matter what their opinion was about the High Court of Justice's ruling—it must be obeyed. There is no need to praise them, just as there is no need to praise someone who stops at a red light. But Yuli Edelstein—he--not the right wing, decided that he doesn't stop on red. His resignation as speaker, while refusing to comply with the ruling of the High Court of Justice, bears a mark of moral turpitude.
- He concluded his remarks in the Knesset yesterday saying that he was resigning “for the sake of the State of Israel, to restore the spirit of stateliness.” Unbelievable. A decade and a half ago, during disengagement, the right wing was facing a difficult dilemma: disobedience or stateliness. The right wing was opposed to the policy of disengagement—but the overwhelming majority chose stateliness. Edelstein is marching with the small minority that is trampling stateliness and choosing disobedience. And if Edelstein is being disobedient, what will the man in the street say? That he didn't vote for this government and will therefore not heed the lockdown orders? And what will the criminals say—that they don't trust the law enforcement agencies and will therefore not show up for their trial?
- The High Court of Justice's ruling, Edelstein argued, undermines the foundations of democracy. The High Court of Justice's ruling? After all, it was Edelstein who decided to trample the Knesset majority. He is sticking to the speaker's chair out of political interests. He wants to put Netanyahu in a position of strength in the coalition negotiations. He knows that there are 61 MKs who want to elect a new speaker. But Edelstein is using his authority to force himself on the majority. He is the one undermining the foundations of democracy, not the High Court of Justice.
- Edelstein attempted to explain his decision as being based on Knesset protocol, which supposedly states that the Knesset speaker must be elected shortly before the coalition is formed. There is nothing of the sort in the protocol. There is no convention that would obligate such an interpretation. And there is no protocol that gives Edelstein the authority to disregard a majority of MKs, and basically, to disregard the election results. Most commentators say that Edelstein's action was meant to serve the interests of his party. The underlying assumption, in Edelstein's approach, is that the Likud registered members are a bunch of scofflaws who would give support to someone who will reach rock bottom and declare that he is disobeying a ruling of the High Court of Justice. There is cause to criticize the High Court of Justice. It must be criticized. But disobedience is a different scenario. Government policy can be criticized by the right wing or by the left wing. But disobedience belongs to the few who refuse to accept the rules of the game.
- Their criticism of government policy is legitimate. Disobedience is only--absolutely only--justified when a black flag that is raised due to a blatant violation of human rights flies over policy. Is Edelstein trying to tell us that there is black flag flying over the High Court of Justice's ruling? The only black flag in this saga is his decision to deny the wishes of a majority of MKs. The High Court of Justice did the right thing when it clarified the true situation for Edelstein. If there is an ounce of stateliness left in Edelstein's veins, he must utter two words: I erred.