



S. DANIEL ABRAHAM
CENTER FOR MIDDLE EAST PEACE

Israel and Middle East News Update

Thursday, December 31

Headlines:

- Ashkenazi Quits Blue & White, Takes 'Break' From Politics
- Likud Scraps Primaries: Lapid, Bennett Lose Votes to Huldai
- Convicted Spy Pollard Welcomed to Israel by Netanyahu
- Palestinian Airlines to Shut Down After 25 Years of Activity
- US B-52 Bombers Fly Over Middle East in Show of Force
- Trump Working on Another Normalization Deal in January
- IAF Chief Expresses Concerns, Over Sale of F-35 to UAE
- IDF Reveals It Attacked 50 Targets in Syria Throughout 2020

Commentary:

- **Ma'ariv: "Eisenkot Opts Out of the Race"**
 - By Ben Caspit
- **Yedioth Ahronoth: "An Unnecessary and Harmful Hearing"**
 - By Daniel Friedman

News Excerpts

December 31, 2020

Ynet News

Ashkenazi Quits Blue & White, Takes 'Break' From Politics

The Blue & White party's No. 2, Foreign Minister Gabi Ashkenazi, announced that he will retire from the party and "take a break" from politics. "I have decided to not continue with Blue & White and to take a break and calculate my future life," the former IDF chief said. Ashkenazi is the latest in a line of officials to depart ahead of the March 23 elections, including Asaf Zamir, Miki Haimovich and outgoing justice minister Avi Nissenkorn. As his party appeared to fall apart around his ears, a defiant [Benny Gantz](#) announced that he would remain as the head of Blue & White and would work to oust his current coalition partner, Prime Minister Netanyahu. He paid tribute to his departing second in command, who like himself led the Israeli military before entering the political fray. [See also "Israel's Right, Left Disintegrate Ahead of March Elections" \(AI-Monitor\)](#)

Times of Israel

Likud Scraps Primaries: Lapid, Bennett Lose Votes to Huldai

A Likud committee approved Netanyahu's request to cancel party primaries ahead of the upcoming elections, agreeing to keep the slate it had in the previous three elections other than six spots that will be reserved for the premier's picks. Meanwhile, a new batch of TV opinion polls showed Netanyahu's Likud ahead of its [rivals](#), but the various anti-Netanyahu parties potentially capable of mustering a majority were they to agree to sit in government together. Netanyahu is reportedly considering recruiting outgoing Israeli Envoy to the US Ron Dermer and former prime minister Ariel Sharon's son Gilad Sharon, in a possible effort to strengthen the Likud among center-right voters against the threat posed by breakaway Likud MK Gidon Sa'ar's, New Hope. [See also "Israel Needs to Form a Jewish-Arab Party to Change the Game" \(Jerusalem Post\)](#)

AI-Monitor

Convicted Spy Pollard Welcomed to Israel by Netanyahu

Jonathan Pollard, the former US Navy analyst convicted of spying for Israel, arrived at Ben Gurion Airport together with his wife, Esther. Coming out of the airplane, Pollard got on his hands and knees to kiss the tarmac in the Jewish tradition of kissing the ground of the holy land. The Pollard couple arrived aboard a private jet owned by US billionaire Sheldon Adelson, a major backer of Netanyahu. Awaiting him at the tarmac, Netanyahu said, "Now you can start life anew, with freedom and happiness. Now you are home." Pollard responded by saying, "We are excited to be home at last. There is no one who is more proud of this country or its leader than we are. We hope to become productive citizens as soon as possible." [See also "Netanyahu Confident Mass Vaccines Will Be Shot in the Arm Needed to Win Election" \(Times of Israel\)](#)

Palestinian Airlines to Shut Down After 25 Years of Activity

The Palestinian Authority (PA) announced it will be closing its airlines services - Palestinian Airlines - after 25 years of limited activity, the Palestinian News Network (PNN) reported. The company has been operating in a very limited scope for years. Its fleet of two operational aircrafts have been leased to other airlines over the last few years, with one currently located in Cairo and the other in Amman. Palestinian Airlines became operational in 1997. Its fleet included two Fokker 50 aircrafts which were donated by the Netherlands and a Boeing 727 which was donated by Saudi Prince Al-Waleed bin Talal Al Saud. The airline reached its peak in 2000 but was forced to halt all flights in October of the same year, once the Second Intifada broke out. In 2012 the airline started working in a limited scope and operated two weekly flights to Sini and Jordan. In 2017 it leased its aircrafts and halted most of its activity. [See also "Palestinians Say Virus Vaccine Set to Arrive Within Two Weeks" \(Ynet News\)](#)

US B-52 Bombers Fly Over Middle East in Show of Force

US B-52 bombers flew over the Middle East in a show of force aimed at Iran, the US Central Command (CENTCOM) said. According to CENTCOM, the two bombers took off from the Minot Air Force Base in North Dakota to complete the lengthy round-trip mission. The move was designed to showcase "the US military's commitment to regional security" and its "unique ability to rapidly deploy overwhelming combat power on short notice." The deployment marks the third time the strategic bombers have flown over the Persian Gulf in the past 45 days. The flight comes ahead of the anniversary of the US drone strike in Baghdad that killed Qasem Soleimani, head of Iran's Quds force, in January 2020. The US diplomatic compound was hit in a rocket attack, with about 21 projectiles launched into Baghdad's high-security Green Zone. President Trump has threatened Iran that he could order retaliation for any attack to which it was linked, either directly or through one of its proxies. [See also "Rouhani: Iran Reserves Right to Avenge Soleimani Death" \(Al-Monitor\)](#)

Trump Working on Another Normalization Deal in January

The US is pushing for another Arab or Muslim state to normalize relations with Israel before President Trump leaves office, a Trump administration source said. In the past four months, the UAE, Bahrain, Sudan and Morocco have all joined the Abraham Accords establishing – or in the case of Morocco renewing – open and official [diplomatic](#) ties with Israel. Sources in Jerusalem and Washington have said that Indonesia, Mauritania, Niger or Oman could be next to join the accords. All three have had a certain level of secret or unofficial ties with Jerusalem in the past. There have also been reports of progress with Pakistan. Secret ties between Israel and Saudi Arabia have been warming to the extent that Netanyahu and Crown Prince Mohammed bin Salman met in Saudi last month. Trump approved the sale of \$290m in precision-guided bombs to Saudi Arabia this week, and Israeli officials have speculated that the Saudis would seek maximum benefit from the US in exchange for normalization. [See also "Can Bibi, Biden Work Together?" \(Jerusalem Post\)](#)

IAF Chief Expresses Concerns, Over Sale of F-35 to UAE

Israeli Air Force chief Amikam Norkin expressed the military's lingering ambivalence toward the planned sale of F-35 fighter jets by the US to the UAE following its normalization agreement with Israel. Though the air force chief expressed his concerns over the F-35 purchase and the damage it caused to Israel's military advantage, he lauded the normalization agreements as a boon to regional security. Earlier this month, the US Senate voted to reject a pair of resolutions aimed at blocking the Trump administration's planned arms sale to the UAE. Splitting mostly on party lines, opponents failed to convince a majority of 50 senators in two procedural votes that US President Donald Trump was acting hastily before President-elect Joe Biden takes over next month to bolster the UAE, which has been heavily criticized for its role in the Saudi Arabia-lead offensive in Yemen. Because the transfer of such weapons takes years to come about, an incoming Biden administration could also block the deal, but there's little precedent for a president to scrap such agreements made by a predecessor. [See also "Was UAE Behind Israeli Decision to Allow Palestinian Farmers Access to Jordan Valley?" \(Al-Monitor\)](#)

IDF Reveals It Attacked 50 Targets in Syria Throughout 2020

The Israel Air Force carried out 50 strikes against targets in Syria throughout 2020, the IDF revealed in its annual statistics report released. The latest attack that was attributed to Israel in Syria took place on Tuesday, in which one Syrian soldier died and three others were wounded. Also, on the Syrian front, the report revealed, two IED (improvised explosive device) attacks were thwarted. On the Lebanese border, the report mentioned, there were two attempts by Hezbollah to carry out attacks into Israel, and both were prevented by the IDF. On the Gaza front, 176 rockets were launched by terrorist organizations toward Israel during 2020. 90 of the rockets landed in open fields, and 80 were intercepted. One terrorist tunnel along the Gaza border was exposed this year. The tunnel was dug by Hamas and crossed into Israel. During that time, some 300 targets in Gaza were hit by the IAF. Also, according to the report, there were some 1,500 rock hurling incidents in the West Bank during the past year. This is a small increase in comparison to 2019, during which 1,469 incidents were reported. There were 31 cases of live-fire incidents in the West Bank during the year – 12 more than in 2019. Nine stabbing attacks were reported, three fewer than in 2019. [See also "Israeli-Syrian Peace Failure Lessons for Future" \(Jerusalem Post\)](#)

Eisenkot Opts Out of the Race

By Ben Caspit

- After lengthy deliberations, the former IDF chief of staff, Lt. Gen. (res.) Gadi Eisenkot, decided not to enter the political fray at the current juncture in time. The former chief of staff informed Gidon Saar and Yair Lapid of his decision, after both had hoped to persuade him to join their parties, New Hope and Yesh Atid respectively. Avigdor Liberman was informed of Eisenkot's decision separately. The reasons for Eisenkot's decision attest to just how different he is from the people who normally populate politics and the top tiers of the security establishment. The first reason is that Eisenkot believes in the need for a cooling period between military service and entering the political fray. Eisenkot had been contemplating a foray into politics but hadn't anticipated that elections would be moved up to such an early date, coming less than two years after he retired from the military. Eisenkot believes two years to be insufficient and a decision to enter politics would therefore be improper and unseemly. He believes that it is important that he complete his cooling period.
- He may be trying to send a message with that decision to Mossad Director Yossi Cohen and Chief of Staff Lt. Gen. Aviv Kochavi. The law mandates a three-year cooling period, which is cut short automatically if early elections are called. From a technical standpoint, Eisenkot is eligible to run. He feels that it would be unethical of him to do so and possibly even improper on substantive grounds. Furthermore, he believes that any hasty entry he might make now into politics would position him with the rest of the herd that is making a mad dash towards an ill-defined objective. He hasn't yet formed a party and built a base of supporters. Seeing all of the new parties that have sprouted hasn't inspired him to join the race. Furthermore, he hasn't yet found a political home that he feels reflects his positions. Had Eisenkot joined the Likud thirty or forty years ago, he would have joined Menachem Begin's Likud. But Menachem Begin's Likud no longer exists. The Likud, as long as it is led by a man under indictment for bribery, fraud and breach of trust, is not an option for him. Eisenkot was inclined to join Gideon Saar's party, but it's my assessment that Zeev Elkin's inclusion on the list painted the party in excessively right wing colors for Eisenkot. Regarding Yair Lapid, he is uncomfortable with his disqualification of the Haredim. He met with all the party leaders for hours on end, but did not feel that any of them had truly opened the door to a political home that would justify him making a hasty and rushed decision to enter politics. He might do that at a later date. Notably, Eisenkot did not discuss jobs, the trappings of power, reserved slots [for allies] or a high place on the list for himself with any of his political suitors; he only discussed ideological and ethical issues with them. He also has watched closely to see how his other former colleagues—mainly Gabi Ashkenazi, but Benny Gantz and Moshe Yaalon as well—have fared in politics. He has seen what became of them and has decided that it would be wiser for him first to learn the lessons of their experience and to conduct a thorough post-mortem before moving forward. He was the same way during his military career: analytical, methodical, thorough and serious. To race forward now would simply be out of character for Eisenkot.bi-national state.

An Unnecessary and Harmful Hearing

By Daniel Friedman

- The nation-state law, which is a basic law, is unnecessary and damaging, in my opinion. However, the debate in the Supreme Court on its validity is no less damaging and unnecessary. For decades, nobody thought that the court was authorized to disqualify laws in general, and especially basic laws (aside from the time a law was passed by a majority of fewer than 61 MKs when that was the number required). However, in the framework of the judicial revolution, the Supreme Court came up with the idea that it had the power to disqualify regular laws that conflicted with a basic law. The court derives its own authority from a basic law and obviously it is not authorized to disqualify the source of its own authority and to chop down the branch on which the authority that it lays claim to sits. But the more the food, the greater the appetite.
- After the court grew accustomed to being able to disqualify ordinary laws, it wanted more, it wanted to address the matter of basic laws. In the course of the unnecessary hearing [on the nation-state law] the court posed the question, what would happen if a basic law were to deny women the right to vote? This question obviously had a subtext. It contained the assumption that the Knesset was capable of doing crazy things but that the Supreme Court, being judicious and reasonable and rational, should be granted superpowers in order to prevent that from happening. The flaw in this argument is the leap that it makes between what is claimed to be desirable (permitting the court to disqualify basic laws) and the conclusion that what is desirable is also permissible and lawful.
- I also dispute the fundamental premise that the court should have the power to disqualify basic laws. It's true that the Knesset is liable to pass strange basic laws, and just recently provided us with one that gave us two prime ministers, one regular and one alternate. Even so, the court was not authorized to disqualify this legislation. It is important to remember that the court is also not innocent of committing serious mistakes. Ben-Dror Yemini, in an article on December 25, listed several disastrous American rulings that caused huge damage, among them rulings that disqualified laws that were logical and reasonable.
- Rulings in Israel are also not always the embodiment of perfection either. It's enough to note the ruling that enabled Rabbi Meir Kahane and his racist movement to be elected to the Knesset, and the ruling that opened the gates of the Knesset to Azmi Bishara and his movement in contradiction of the clear and reasonable instructions of the basic law. The High Court of Justice is also signatory to the amazing ruling from 1993, of no compare anywhere in the world, which denied the prime minister of Israel his day in court and ruled that the attorney general was entitled to shut his mouth and deny him representation in court. I won't get dragged into addressing the court's extreme position and I will not ask the question as to what will happen if the Knesset denies the right to vote to a certain group.

- **Instead, I will ask, what will happen if, for example, the court decides that the Palestinian right of return should be recognized (incidentally, we were not far from that when the court, by one vote, rejected the possibility of recognizing the right of return by means of marriage). The court would be better served were it to desist from its attempt to grant itself extra powers and to place itself above the Knesset. There is also another reason. Holding hearings on the validity of basic laws from which—according to the court itself—it derives its “constitutional” power, contributes to the sense that there is no law and no rules in Israel. Instead, there is the High Court of Justice, where “everything is open,” and no law and no principle regarding the separation of branches poses an obstacle. That is the sense that has trickled to the public, and it is no wonder that some people have come to view the High Court of Justice as a substitute for the law and as being above all legislation. The result has been that the High Court of Justice finds itself deluged with petitions unrelated to the law, to consensus and to fundamental principles. There is no confidence in the justice system, everyone keeps bracing themselves for the next legal invention that will perhaps be visited on us, and not for the better.**