



ISRAEL NEWS

*A collection of the week's news from Israel
From the Bet El Twinning / Israel Action Committee of
Beth Avraham Yoseph of Toronto Congregation*

Commentary...

Military Focus is Paramount By Mati Tuchfeld

We have come full circle. Following the disappointment and general sense of bitterness at the lack of action taken in the Gaza Strip despite the barrage of rockets that pummeled Israel in recent weeks and reports that the people of Israel would understand the need to hold fire in the south – a move that earned scattered support among cabinet ministers – everything finally makes sense. After a long period of preparation, the IDF cannot allow the operation to neutralize Hezbollah's cross-border attack tunnels to be disrupted due to the military being bogged down in a conflict down south.

But now the question surrounding Avigdor Lieberman's decision to resign as defense minister has become more acute. This is also true of Education Minister Naftali Bennett and his fellow Habayit Hayehudi member and Justice Minister Ayelet Shaked's threat to do the same. Today these moves appear just a little more detached from reality and a little less responsible.

Unlike most of us, these three cabinet members knew what was going on behind the scenes. They knew about the operation to neutralize Hezbollah's terror tunnels, its timing and its scope. They had heard the IDF's assessment that the northern and southern fronts could not be optimally managed at the same time and the assurances from senior military officers that once the operation on the northern border came to a close, events in the south would be completely different, in that they would be more aggressive.

One can still criticize the government's decision to neglect the south and argue that, despite the military's concerns, it will have severe consequences for both the south and the north. What is not clear is just what went through Lieberman's head when he resigned. Even if we assume he believed his resignation would lead to early elections and instability for the coalition, the question is: How would an election campaign help him? If anything, the opposite has proven to be true. His irresponsible actions will only serve as material for his rivals' election campaign.

What was once unthinkable is now reality. While the sense of bitterness over what transpired remains, today, that sense is slightly less intense. (Israel Hayom Dec 5)

The US is Israel's Ally, not its Sponsor By Eyal Zisser

Last week, U.S. President Donald Trump surprised quite a few people when he said that with Arab oil no longer a significant factor, the United States has no reason to remain in the Middle East, but U.S. forces would remain in the region out of a commitment to Israel. This statement comes a week after he said he would support Saudi Crown Prince Mohammed bin Salman, despite the prince's involvement in the murder of Saudi journalist Jamal Ahmad Khashoggi, in order to "ensure Israel's interests" in the region.

Indeed, Israel has a true friend in the White House who is deeply committed to its security.

But although this was certainly not the president's intention, these statements should be a warning sign for Jerusalem. Ever since the U.S. became Israel's closest ally in the mid-1960s, Israel has made every effort to make it clear to the world that it would not ask American soldiers to fight its battles. This principle was also acceptable to U.S. administrations, Republican and Democrat alike, which were willing to provide Israel with financial aid and with the best of U.S. weapons and technology so that the Jewish state would maintain its qualitative edge over its enemies.

President Harry Truman was the first to recognize Israel when the state was established in 1948, despite serious opposition from the State Department and the Defense Department. Then-Defense Secretary James Forrestal feared the U.S. would be forced to send in troops to save the Jews, just as it did in World War II. He also claimed that Israel's establishment would destroy U.S.-Arab ties.

Over time, Israel proved it had the ability to defend itself and, beyond that, was a regional ally and genuine strategic asset for the United States. And as history has shown, U.S.-Israel ties did not harm the U.S. relationship with the Arab states.

But the winds of political division are now blowing through Washington. Democratic legislators attack longtime U.S. ally Saudi Arabia in an attempt to lay into Trump. Meanwhile, conservatives on the Republican side continue to insist the U.S. adopt a policy more focused on internal affairs.

Against the background of these attacks, the president chose to employ his "doomsday device" and explain that his foreign policy was aimed at protecting Israel.

However, this statement could make Israel a target for criticism, as from now on, it will be blamed for U.S. tax dollars being wasted overseas, and worse, will be held responsible for every American soldier killed across the Middle East.

Trump's statement is also problematic because it is not precise. The U.S. does not maintain a military presence in the Middle East because of Israel, but to protect its national security. It was when the U.S. ignored the fact that al-Qaida was establishing itself in Afghanistan that it found itself under attack by the organization in September 2001. A retreat to U.S. borders, then, does not guarantee immunity from the threat of terrorism and radical Islam. And if the United States considers itself to be a leading world power, it must necessarily intervene in overseas affairs.

It would be appropriate for Trump to emphasize that, unlike other U.S. allies such as Europe, Japan and South Korea, Israel does not require the protection of American soldiers. It is capable of defending itself and even assisting in the promotion of U.S. interests in the region and throughout the world.

That has always been Israel's unique advantage, and it should be noted in the heated internal debate now underway in Washington over U.S. foreign policy and America's role in the world. (Israel Hayom Dec 5)

Airbnb: Feeble Excuses For Blatant Bigotry By Peggy Shapiro

Airbnb is defending its decision to delist properties owned by Israelis/Jews in Judea/Samaria (West Bank) with their defense as feeble as their decision is bigoted. As a college professor for 31 years, I have heard my fair share of flawed logic and lame excuses, but never as ludicrous as those offered by Airbnb, a company with aspirations of earning the necessary investor trust to launch an IPO and go public in the next few months.

In a recent interview, Airbnb spokesman Chris Lehane said, with a straight face, that Airbnb's exclusion of Jewish homes, and only Jewish homes, isn't antisemitic or anti-Israel because the company doesn't discriminate against all Jews. He touts the fact that the company is still listing properties in other parts of Israel. In other words, Airbnb doesn't always discriminate against Jews.

When is it justified to say we discriminate only in location A and not location B? Would we support a company that employs gay people in San Francisco but not in Alabama? I read his statement and recalled the most outrageous excuse I ever heard to explain cheating on an exam. "I don't cheat on all my exams." That nonsensical excuse didn't absolve the student, and it certainly doesn't absolve Airbnb.

Airbnb's second excuse was as flimsy as the first. They make the point that international hotel chains don't operate the West Bank. Again, it reminds me of the college student whose excuse is that everyone else does it. There is a not-so-minor flaw here: Hiltons and Hyatts don't have hotels in other disputed areas. That is true. However, Airbnb is not an international hotel chain! Airbnb is an online service for private homeowners to list, and its competitors such as booking.com do not make the religious distinction when listing in Judea/Samaria (West Bank.)

After attempts at convoluted logic, Airbnb resorts to outright fabrication in claiming that targeting Jewish/Israeli-owned properties is part of its framework, which they are "applying to disputed territories globally."

Even the most truth-challenged student never excused cheating by saying that it was acceptable in other classes. So far, Airbnb has not pulled out in other regions where territory is disputed. Should Airbnb opt to cover up for their discriminatory policy against Jews and designate another spot on the planet where they will not list, it is highly unlikely that they will run a religion/ethnic test anywhere else. For example, I seriously doubt that if Airbnb delists Western Sahara, the company will do a demographic analysis to determine which homes are owned by villagers who stem from Morocco or have Polisario descent. Or perhaps Airbnb will exit from its listings in northern Cyprus, which was invaded by Turkey. They certainly will not check the ethnic identity, Turkish or

Greek, of the homeowners.

There is no way to implement the Airbnb policy than with an ethnic/religious test of villages. This village is Jewish, no listings. That village is not Jewish, list away! To call this action anything but anti-Semitism is absurd.

Airbnb announced that it will discriminate against Jews and only Jews and now is running for cover with ridiculous justifications: We don't always discriminate. Everyone does it. We are not really singling out Israelis/Jews. It is small wonder that governors and other legislators are beginning to speak out against endangering their states by investing in Airbnb if/when it becomes publicly traded. Airbnb will need to disclose its policies and censures by state, federal, and municipal officials to prospective investors. Wise investors will think twice before committing to a company whose actions have earned it condemnation from diverse institutions and governments. Wise investors will also be hesitant to enter into business with a company that exhibits bigotry and defends the bigotry by insulting our intelligence. (Jerusalem Post Dec 5)

The writer is the Midwest executive director of StandWithUs.

It's Time for Britain to Follow Trump's Lead on Israel

By Michael Fabricant

It has now been a year since US President Donald Trump's announcement that the United States would be moving its embassy to Jerusalem and recognizing it as the capital of Israel. Over the past 12 months, the US has not only carried through this commitment, but it has also withdrawn from the notoriously anti-Israel UN Human Rights Council.

Sadly, the bold decisive steps taken in Washington have not been repeated in London.

In June, I raised the issue of the Human Rights Council in the House of Commons. While the government has been content to admit the Council's flaws, it has so far opted against further action, with then-Foreign Secretary Boris Johnson stating, "We are committed to working to strengthen the council from within."

The problem with this approach, of course, is that the Council has proven time and time again to be beyond any kind of meaningful reform.

Since its inception in 2006, the Council has not only failed to promote human rights, but even indirectly aids the worst abusers allowing them to cover up their crimes. Currently, 47 member states serve on the Council, and all are elected onto it by the UN General Assembly.

The problem? Among its current members, the Council includes some of the most oppressive and illiberal countries in the world, including: China, Cuba, Pakistan, Qatar, Saudi Arabia and Venezuela. As recently as October, serial abusers such as Eritrea and the Philippines were elected to the Council to serve three-year terms. Clearly, the British position of "reform from within" is not working.

This farce would at least be partially admissible if the Council made a sincere effort to promote human rights; and took an objective stance on calling out gross rights violations wherever they occur.

But they do not. According to the NGO UN Watch, between 2006 and 2016 the Human Rights Council issued 68 specific condemnations of Israel, far more than any other country. Syria, whose government routinely massacres its own civilians, followed in second with 20 condemnations, while Burma and North Korea followed with 11 and 9 respectively.

A number of states didn't receive a single condemnation, despite regular and extreme human rights violations. These included: China, Russia, Venezuela, Yemen and Zimbabwe. The issue here is not so much the criticism of Israel. The problem is that Israel is routinely singled out by the Council to a disproportionate extent, while countries that commit far worse acts often receive no criticism whatsoever.

How can Israel, a modern democracy with an independent press, judiciary and parliament – a country where LGBT pride parades are accepted and gay soldiers serve in the armed forces – be condemned several dozen times while Iran, a place where homosexuals are relentlessly persecuted up to and including execution, receive just six condemnations?

How can Eritrea, a country routinely ranked as one of the single most repressive nations on the planet, be condemned less than a tenth as frequently than Israel, the only full democracy in the Middle East?

Despite Israelis enjoying freedoms and rights in their own country which the majority of the world's governments have yet to grant, the so-called Human Rights Council have somehow come to the conclusion that it is Israel which is by far the world's worst human rights violator.

The outgoing US ambassador to the UN, Nikki Haley, was right when she condemned the council for its "unending hostility" towards Israel. And Trump didn't mince his words. He went further, referring to the Council as a "cesspool of political bias."

It is already clear that those on the Council who wish to advance the cause of Human Rights everywhere are outnumbered by those who seek to whitewash violations when it doesn't suit their political agenda.

Trump has more than his fair share of faults. His policies on Israel, however, have been spot on.

The UK should follow his lead and not only withdraw from the UN Human Rights Council but move its embassy to Jerusalem, too.

Despite some bumps in the road, the United Kingdom and Israel have a long history of friendship and cooperation.

Friends don't like to see their friends attacked, particularly in the case of Israel, which is subjected to more exaggerated and superfluous judgments than any other nation on Earth.

But we should also deepen our ties to Israel because it is in Britain's own interests to do so. We owe it not just to ourselves but to the entire world to encourage liberal democracy to flourish and to oppose the spread of tyranny. Israel is one such democracy, surrounded by illiberal and often totalitarian dictatorships. If the rest of the Middle East were like Israel, the entire region would be a more prosperous and peaceful place. On this issue, the British government could do so much more.

(Jerusalem Post Dec 3)

The writer is a veteran British Conservative Party Member of Parliament.

What Israel Needs is a Real Weekend By Libby Reichman

When a vital resource has to be shared by different groups of people who each need to use that resource in profoundly different ways, it's only natural that each group will claim that resource as its own while trying to delegitimize the claims of all others. Great rivalry is sure to ensue as a result of this competition, as each group attempts to prove the validity of its claim by showing how this resource is integrally connected to the group's value system.

In Israel we have a resource which different groups try to claim as their own – Shabbat. Shabbat is viewed in totally different terms by different groups in our society, who each try to prove to all others – unsuccessfully – that their philosophy of Shabbat is the valid one.

For some, Shabbat is expected to supply all the functions of a "weekend" in a Western society – a day for rest and relaxation, for shopping, for pursuing hobbies, for cultural and social activities, for get-togethers on a family, national and even international level. Then there's another group that sees Shabbat as a spiritual, regenerative day, a day of turning inward to self, to family, to community. This group feels that the spiritual nature of Shabbat preserves the uniqueness of the Jewish people and is concerned that allowing the official national dilution of the essence of the day will divest the country of all vestiges of spirituality.

There's clearly little room for compromise or sharing in this situation. But more importantly, it's not healthy that Israelis should have to choose between one type of day or another. Relaxation, recreation, and spirituality fulfill different needs in a person, and Israelis mustn't be forced to choose between them; rather they need to be able, if they wish, to choose all of them.

Shabbat is a wonderful spiritual day, but in the reality of our lives today, a relaxed Sunday following Shabbat is a basic necessity for all of us. What this country needs therefore, is a real weekend, not the excuse of a weekend we have now, which is euphemistically called "sof shavua" but really means a little of Friday and Shabbat. As every Israeli knows, having Friday or part of Friday off is not a rest – Friday is finishing off the week and getting ready for Shabbat; it is a day of intense activity and often of tension. In addition, six months out of the year, Shabbat starts in the afternoon hours. Any attempt to turn Friday into a day of formal recreational activities will just result in additional arguments around activities that start on Friday and continue into Shabbat.

The combination of Shabbat and Sunday would make an incredible difference in our tense, Israeli lives.

People would have a serious break from work, they would be more relaxed, more energized to go back to work on Monday. There would be a day when religious and secular could relax and enjoy each other in natural leisure activity as opposed to the current effort of artificially bringing different kinds of people together for "events" limited in depth and scope. As things stand today, there is no leisure day of the week to hold various national and international conferences and happenings, and so the religious public misses out on countless important experiences and opportunities, while the society at large misses opportunity after opportunity to bridge the religious and cultural divides.

There would be a convenient day to have weddings and assorted smachot, as well as a real weekend for visits to friends and relatives in other parts of the country. There would be a shopping day when malls and kibbutz stores would have an even broader available clientele that would not conflict with the desire to have a national day of rest on Shabbat. Sports players and spectators, religious and secular alike, would be able to pursue their passions, guilt-free. It is also relevant to note that as Sunday is a day of rest in all the Western world and Friday is a regular day of work, this change would bring us more in sync with international business activity. Of course, there are many reasons why this unoriginal suggestion is not practical. Friday is at best a half day of work and accommodation has to be made for Moslems for whom Friday is a day of prayer. Yet because of the social benefits resulting from a two-day weekend, every other Western country has figured out a way to overcome obstacles, which certainly existed in different forms in every country that made the switch.

Ultimately, it's critical that we decide on priorities. If we maintain the status quo, we ensure the continued fragmentation of our society, as each side pulls in diametrically opposed directions to have Shabbat be its type of day of rest, causing ever-increasing strife and outrage. On the other hand, if we recognize that we all need both types of days, we will be taking the most significant step possible toward a harmonious and

respectful co-existence.

The writer is the founder of Big Brothers Big Sisters of Israel. Her great-grandfather, Dr. Samuel Friedman, worked with Samuel Gompers during the years 1920-1930 to achieve the five-day labor week in the United States. (Jerusalem Post Dec 3)

The Netanyahu Cases: A Propaganda Machine By Haim Shine

Israelis have been subject to a 24/7 campaign by a Bolshevik propaganda machine for the past several years. Politicians, so-called intellectuals, and various media talents have tirelessly tried to further their own agenda, and the hell with integrity, truth, and justice. As part of this effort, they have thrown by the wayside the notion that people who do not share their views should be awarded at least minimal respect.

The modus operandi of this machine has been fully on display in recent days. The purists on the Left have hogged the airwaves, insisting that Public Security Ministry Director General Maj. Gen. (ret.) Moshe Edri was rendered unfit to serve as police commissioner by the Senior Appointments Advisory Committee, headed by retired justice Eliezer Goldberg. But they are deliberately misleading us. The committee was evenly split, with two saying he was fit, the other two saying he should be disqualified. Because of this deadlock, the chairman got to cast the tie-breaking vote, essentially voting twice. Thus, the so-called rejection was a pure technicality.

Anyone listening to Goldberg's interviews in the wake of the decision would conclude that he is prejudiced against Edri. First, he claimed that Edri did not pass the lie-detector test, but when the other committee members told him he was wrong, he retracted that comment. In another interview, he hung up on the interviewer after he was asked about the controversial meeting Edri had with the lawyer of someone who complained against the would-be commissioner.

If we had an objective media, it would have slammed Goldberg for his treatment of "Mr. Edri," as he often refers to him. But because outlets share Goldberg's views, they have stayed silent. They know how to skewer those who do not serve their agenda, as well as to treat with kid gloves anyone who serves advances their worldview.

The media's conduct in the Edri affair is similar to how it derailed the appointment of Brig. Gen. (res.) Gal Hirsch as police commissioner several years ago. This is the same, tried and tested modus operandi aimed at impeaching someone's record and ending his career. The ratings war of the mainstream media against the social networks have led to the discarding of common decency. The hard-working reporters of the good old days are now reckless hunters. As far as they are concerned, a person from the right should be disqualified from serving by definition, and thus one must find his flaws. This has become a strategic problem because it means that good and talented people are increasingly wary of entering public service. In light of this conduct, people are going to steer clear of positions that put them in front of sensation-driven journalists who would sling mud on them while colluding with law-enforcement agencies.

By law, the attorney general is supposed to provide the government with legal counsel so that it could advance its agenda. If he disagrees with a certain policy, he can choose to recuse himself. He is not the High Court of Justice's representative in the cabinet; the exact opposite is true. The attorney general is supposed to represent the government in the High Court of Justice and to help it realize its objectives. But the way Attorney General Avichai Mendelblit has backed Deputy Attorney General Dina Zilber underscores a systemic failure. I am baffled by this.

Zilber recently lashed out against elected officials and voiced her political views. This disqualifies her from the job, and in any other country, she would have long tendered her resignation in order to pursue a career in politics. Back in the early 1990s, then Justice Minister David Libai terminated Plia Albeck, a senior official at the State Attorney's Office, after she leaked a document outlining her views on an MK. The self-proclaimed defenders of the rule of law on the Left stayed silent when she was fired, but when a public servant serves their cause, they give him or her their full backing.

The ongoing leaks on the investigations against Netanyahu, as part of the witch hunt he is facing, have severely undermined law enforcement's credibility in the eyes of the public. The attorney general says that the police is not out to get Netanyahu, but I would advise him to step out of his office and listen to what the people on the street are saying. Any decent individual would conclude that there is a campaign to take down the prime minister without going to the polls. There is no greater threat to democracy.

For the umpteenth time, this week the evening news began with leaks on the Netanyahu investigations. These leaks put into question the logic behind those who leak and their good judgment. A police organization that lets investigative documents leak like a flooded roof is an organization that has lost the public's trust.

"Justice justice you shall pursue," the Bible tells us. But even when one pursues justice against the prime minister, the fundamental underpinnings of due process must be upheld. Let me dispense some advice to all left-wing purists in the legal system, academia and the media: Let the people decide whether you have the right vision for the country. Convince the public that you are better, don't destroy Israeli democracy just so you can further your fake agendas. (Israel Hayom Dec 4)

The Mission to 'Palestine' will Hurt J Street, not AIPAC

By Jonathan S. Tobin

At first glance, it's a one-sided struggle.

On the one hand, you have incoming House Majority Leader Rep. Steny Hoyer of Maryland. On the other, there is freshman Michigan Rep. Rashida Tlaib. Both Hoyer and Tlaib are Democrats, but they represent very different visions about the way their party should approach the Middle East.

Hoyer is the second-most powerful Democrat in the House and a prodigious fundraiser. He is also a longstanding supporter of Israel and plans to once again lead a trip to the Jewish state in 2019, where many freshmen members of Congress will learn about the importance of the alliance between the two democracies.

Tlaib, a Palestinian-American who was just elected to represent a suburban Detroit district, is a supporter of the BDS movement. She has just announced that she not only plans on skipping the AIPAC mission, but will also lead her own trip to the region. She will take them to the West Bank, where, unlike those who accompany Hoyer, she won't meet any Israelis or even anyone from the Palestinian Authority. Instead, they will meet with a variety of Palestinians, including her own family members, who are dedicated to the "resistance" against Israel. Checkpoints and other areas of conflict will be featured.

Like her fellow congressional newcomer, Rep. Ilhan Omar—another Muslim-American who was just elected to the House from Minnesota—Tlaib is a supporter of the BDS movement that aims at isolating the Jewish state. Her goal is not to foster coexistence (hence, there will be no emphasis on peace projects), but rather to influence her colleagues to believe the lie that the condition of Palestinians is morally equivalent to apartheid or that of the Jim Crow South in the United States prior to the civil-rights movement.

Radicals like Tlaib, Omar and Rep. Alexandria Ocasio-Cortez of Queens, N.Y., have drawn the most attention among the new faces the Democrats will soon send to Washington. But most of the freshmen are more moderate. Most will also quickly realize that saying "no" to or challenging Hoyer is not the path to getting ahead.

Still, it would be a mistake to ignore Tlaib's effort. To the contrary, the willingness of Tlaib and Omar to become outspoken proponents of BDS is sending a strong signal that an increasingly noisy anti-Israel faction is prepared to challenge the Democrats' leaders on this issue. Just as important, it will undermine the liberal organization that has tried to establish itself as a rival to AIPAC: J Street.

It will be interesting to see how many Democrats join Tlaib because in doing so, even those who have not explicitly aligned themselves with and Omar on BDS, will be implicitly lending weight to that movement.

While some on the Jewish left and even in the organized Jewish world are committed to building relationships with Tlaib and Omar, their decision to go all in on BDS has drawn a line in the sand that no decent person should cross. If, instead of finding themselves isolated both within the Democratic House caucus and among Democrats in general, Tlaib and Omar join their Socialist comrade Ocasio-Cortez as the new young rock stars of the party, that will be a crucial sign that will tell us a lot about what is or is not acceptable discourse within its ranks.

BDS is not a movement that aims to merely criticize Israel's policies. Its purpose is the elimination of the sole Jewish state on the planet. Its modus operandi is economic warfare, which given the success of Israel's economy means it has been a colossal failure. Yet its strategic purpose is to legitimize discrimination against Jews and their state, as well as to stigmatize and isolate Israel's Jewish supporters. That is why BDS is not only a form of anti-Jewish bias that is indistinguishable from anti-Semitism, but also provides an easy explanation for why acts of anti-Semitism soon follow wherever the movement pops up.

This radical faction will not be determining how most House Democrats will be voting on Middle East issues like aid to Israel and the Palestinian Authority, or even terrorism. The Democrats' leadership is composed of elderly members like Hoyer and House Speaker Nancy Pelosi, who value their ties to AIPAC and the notion of a bipartisan pro-Israel coalition.

But as the 2020 presidential campaign begins in earnest in the coming months, this faction, which has more support among grassroots party activists than it does among members of Congress, may be in a position to influence both the large field of candidates and the nature of the debate about foreign policy among Democrats.

In the end, the real loser here probably isn't going to be AIPAC or Israel. The ability of Tlaib and Omar to function effectively despite their open embrace of an anti-Semitic creed will do more to undermine J Street than its mainstream competition.

J Street has never come close to making good on its initial hopes of rivaling AIPAC when it was established a decade ago. But it has been able to maintain a niche of support on the left as a voice of liberal Zionism.

Openly anti-Zionist groups like Students for Justice in Palestine, Jewish Voice for Peace and IfNotNow are outflanking J Street on the left on college campuses, and many of its members are increasingly open to the support of BDS in one form or another. But the decision of Tlaib and Omar—and those Democratic legislators who join them—to eschew J Street's trips to Israel and its efforts to influence Democrats to reject

Israel's government while still embracing the state are showing that the left-wing lobby's efforts on Capitol Hill are also failing.

If Tlaib and Omar become the loudest voices on the Democratic left, then it means that the "pro-Israel, pro-peace" mantra of J Street is being replaced by the hateful propaganda of the BDS movement. If so, it's a dark day for the Democrats—and all friends of Israel. (JNS Dec 12)

Hamans' Salvation through the Gutter By Reuven Berko

After Hamas and Palestinian Authority representatives met in Egypt for the umpteenth time, it seemed they were finally ready to issue conciliatory tidings. Lebanon's Al Mayadeen TV station, which is affiliated to Hezbollah, reported that the last meeting in Cairo, mediated by Egyptian intelligence officials, produced a breakthrough and that long-awaited reconciliation was imminent. The statement included a laconic message that Hamas had agreed to PA President Mahmoud Abbas' demand to let his Ramallah-based government operate in Gaza in accordance with understandings reached in 2017. This, on condition that the PA lift the economic sanctions it has imposed on Gaza.

Within the framework of these understandings, Hamas demanded the immediate establishment of a national unity government, comprising all Palestinian factions and organizations, within 45 days. This government would implement previously agreed-to steps and, within an allotted time frame, elections would be held – which Hamas is certain it will win.

A senior PA official described Hamas' situation as untenable, which is why it accepted the conditions for reconciliation. However, mere hours after the Egyptian statement, senior Hamas official Moussa Abu Marzouk tweeted an ultimatum: The temporary Palestinian government headed by PA Prime Minister Rami Hamdallah would not be the body to spearhead the implementation of the agreement "because it is a fundamental part of the problem, and worse – it created the problem." As a reminder, during the previous attempt at reconciliation, Hamas tried assassinating Hamdallah in Gaza and solving the problem that way.

The celebration, therefore, was premature. The PA wants to postpone elections as much as possible but wants to immediately assume control of Gaza and the weapons there. The collision was head-on. Despite the efforts of Egyptian intelligence chief Abbas Kamel, the meeting was destined for failure.

Hamas, however, deeply mired in Gaza's ruins, understood it had failed to achieve its fundamental vision of liberation Palestine – the missiles and tunnels – in which it invested the majority of the funds it received from Gulf emirates. The collapsed vision of an Islamic empire, on which Hamas had largely relied to complete its puzzle, hit the group especially hard. Unlike its terrorist sister groups, such as al-Qaida and Islamic State, Hamas is responsible for the welfare of the people of Gaza and its failings are evident in every open sewer, disease and drop of contaminated water, lack of electricity, fuel and medicine, rampant unemployment and hunger. In their desperation, Hamas leaders have pinned their hopes on the United Nations and on donations from Europe, Turkey, Qatar, Iran and who else. They can hear the impending implosion ticking away like a time bomb. The dead end, from the direction of Arab countries that are "normalizing relations with Israel," has relegated Hamas to begging. Even the cost of its survival (money and fuel from Qatar) was humiliatingly transferred via the Zionist enemy.

The inter-Palestinian reconciliation is analogous to a death from a thousand cuts. The Gaza Strip and West Bank, two hostile entities toward one another, are not united in anything other than their dream to destroy Israel. Yet despite their contrasting positions, it momentarily appeared that the timing for reconciliation would actually be more beneficial to Yahya Sinwar, Hamas' leader in Gaza. He postured as the victor as if graciously making concessions to Egypt and the PA. And what could salvage the honor of Palestine's liberator more than the pistol (allegedly plundered from IDF commandos) he proudly brandished at the victory rally?

The reconciliation and unity government with the PA would have allowed a deflated Hamas to explain, for the time being, why it ducked a fight with Israel. Israel Prize recipient Shlomo Giora Shoham touched on this motif in his book "Salvation through the Gutters." Sinwar is still stuck in the sewer, and Hamas' path to salvation is increasingly looking like a dead end. (Israel Hayom Dec 2)

After 25 Years, Israel's Government (Partially) Regains a Basic Right By Evelyn Gordon

Three weeks ago, attention in Israel was riveted on two dramatic events that ultimately changed nothing—a rocket barrage from Gaza that didn't lead to war and a cabinet resignation that didn't bring down the government. These dramas overshadowed a truly significant event that occurred that same week: The government stopped being the only entity in Israel deprived of the basic right to defend its positions in court.

To anyone unfamiliar with Israel's legal system, that probably sounds ridiculous. But it has been reality for the past quarter-century. And the fact that three Supreme Court justices finally rebelled against it indicates that Justice Minister Ayelet Shaked's efforts to foment a judicial counterrevolution are bearing fruit.

The root of the evil was a 1993 Supreme Court ruling on a petition

against Prime Minister Yitzhak Rabin's refusal to fire a deputy minister, Raphael Pinchasi, whom the attorney general had tentatively decided to indict for corruption. Rabin wanted to wait for Attorney General Yosef Harish's final decision. But Harish sided with the petitioner (a nongovernmental organization) and refused to represent Rabin's position in court.

Pinchasi's attorneys therefore argued that the government's position hadn't been properly represented. But the court, astoundingly, asserted that the attorney general's position is the government's position, even if the government disagrees. "The attorney general is the authorized interpreter of the law for the executive branch," it said, and therefore, his opinion is binding on the government.

The result of this ruling was that the government effectively lost its right to defend its policies against legal challenges. If the attorney general happens to support a policy, then he'll obviously defend it in court. But if he opposes it, he can choose not to defend it, and then the government's position won't be heard at all. The government can't even hire an outside lawyer to defend it without the attorney general's consent, and needless to say, such consent is rarely given.

This has two obviously pernicious consequences. The first is that in any disagreement between the elected government and the unelected attorney general, the latter's view automatically prevails. Thus instead of being the government's lawyer, the attorney general became its ruler.

The second is that the government has been deprived of a fundamental legal right—the right to defend itself in court. Individuals, corporations and NGOs are all entitled to defend themselves against legal challenges. Only the elected government is not.

But after 25 years of upholding this blatant injustice, the court has finally started to question it. The case itself was minor. Science Minister Ofir Akunis had refused to approve a scientist's appointment to the board of a German-Israeli foundation because she once signed a letter supporting soldiers who refuse to serve in the West Bank. When the scientist and the council of university presidents challenged this decision in court, Attorney General Avichai Mendelblit refused to defend it.

Under the old norms, that should have ended the story: The government would automatically have lost. Instead, the three justices devoted much of the first hearing to criticizing the fact that Akunis's views weren't being heard. They then took the unprecedented step of allowing Akunis to represent himself at the next hearing.

Clearly, this isn't the same as having a trained lawyer represent the government. Akunis, having no legal background, couldn't advance any legal arguments in his defense. But he could at least explain his policy considerations, which is better than the court receiving no explanation whatsoever. And it's an important step in the direction of recognizing the government's right to full legal representation.

One justice also used the hearing to challenge another shibboleth long mandated by the court—that political considerations may not play any role in most government appointments. In other words, aside from a handful of senior office-holders, ministers have no right to appoint people who will support their own policies. This view that political considerations are illegitimate figured largely in Mendelblit's refusal to defend Akunis's decision. But Justice Alex Stein disagreed. "Akunis does have the authority to weigh political considerations," he said, because "the legislator chose to give the appointment power to the minister, and the legislator presumably knows that the minister is a political figure."

The justices haven't yet issued their final ruling, so they may still end up upholding the old order. Moreover, in any normal legal system, nothing about this case would even be an issue. In most democracies, it's a given that ministers have the right to make political judgments when making appointments; it's a given that the government is entitled to representation in court; and it's a given that the attorney general isn't the government's master. Like any other lawyer, he's expected to either represent his client or resign.

But for 25 years, none of the above has been true in Israel's legal system. Thus the fact that newly appointed justices are starting to rebel against the status quo is a major change. And judicial rebellion is the only remedy currently available because there's still no parliamentary majority for codifying the necessary reforms in legislation: The legal establishment has been too successful in convincing centrists that a legal system like that of all other democracies would somehow destroy judicial independence and democracy itself.

This sea change is a victory, above all, for Shaked, who has demonstrated unrelenting determination and political savvy in pushing through game-changing appointments. It's no coincidence that two of the three justices in this case are people she successfully pushed through the Judicial Appointments Committee despite fierce opposition, especially from the three sitting justices who comprise a third of the committee's members. Credit also goes to her party leader, Naftali Bennett, who could have chosen the justice portfolio for himself instead of the less prestigious education portfolio, but gave it to Shaked because he had the sense and the generosity to recognize that she had a passion for judicial reform, which he lacked.

But the biggest winner is Israeli democracy. After 25 years in which unelected legal officials have had near-dictatorial powers over the elected government, the ship of state is finally starting to turn. (JNS Dec 5)