Israel and Middle East News Update

Tuesday, August 1

Headlines:

- Gallant Warns Judicial Overhaul May Harm National Security
- Court Sets Date for Historic Judicial Reform Bill Hearing
- 138 Victims: Israeli-Arab Teen Murdered in Kafr Qara
- Israel to Build Security Barrier on Jordan Border
- IDF Enters Jenin for the First Time Since Large-Scale Operation
- Deadly Clashes in Palestinian Camp Rage for Third Day
- Official: Israel Won’t Block Saudi Civil Nuclear Program
- Shooting in Egypt’s Sinai Peninsula Kills at Least 4 Officers

Commentary:

- Ma’ariv: “Putting Out Feelers for Unity”
  - By Anna Barksy

- Ha’aretz: “An Unholy Trinity of Incompatible Interests”
  - By Alon Pinkas
**Gallant Warns Judicial Overhaul May Harm National Security**

Israeli Defense Minister Yoav Gallant warned at a closed-door meeting of the Knesset’s Foreign Affairs and Defense Committee that national tensions over the government’s controversial judicial overhaul plans could harm Israel’s security, amid heightened tensions on all fronts. According to a spokesperson for the committee, Gallant said that “there is harm to national resilience that may lead to harm to national security.” He also warned that the unity of the military had been damaged as protests against the overhaul have roiled the ranks of the Israel Defense Forces. Thousands of reservists have said they will end their volunteer reserve duty in protest of the overhaul. Military officials warned that Israel’s “enemies see the situation as an opportunity to attack,” according to leaks by Hebrew media.

**Court Sets Date for Historic Judicial Reform Bill Hearing**

Israel’s High Court set a date for hearing petitions on the recently passed judicial reform bill with all 15 justices presiding over a hearing for the first time in the court’s history. The hearing is scheduled for September 12. The justices will hear at least seven petitions against the reasonableness law which was passed by the Knesset last week. The bill is part of the coalition’s judicial overhaul plan which limits the court’s review of governmental decisions. The voting, which was boycotted by the opposition, sparked mass protests across Israel which are still ongoing. Leaders of the protest movement vowed to continue fighting against the legislation on the streets and in court. *Dig Deeper “Unprecedented 15-Judge Panel to Hear Petitions Against Coalition’s Reasonableness Law” (Times of Israel)*

**138 Victims: Israeli-Arab Teen Murdered in Kafr Qara**

An 18-year-old youth was killed and two others were wounded in a shooting incident in the Arab city of Kafr Qara. According to police, the three were sitting in a vehicle when shots were fired from a passing car. Investigators believe that the background to the shooting is criminal. According to Haaretz’s tally, 139 Israeli Arabs have been murdered so far this year, including a record-breaking number in July alone. Earlier, a 39-year-old man was shot and killed in Lod, a mixed Arab and Jewish city in central Israel. The victim was critically wounded during the shooting. He was taken to Shamir Medical Center where he was pronounced dead. Police have opened an investigation into the deadly shooting. In June, the government approved a ministerial committee on the Arab community to address the ongoing rampant violence and murder occurring in the community throughout Israel. It will be led by Prime Minister Benjamin Netanyahu and a slate of his far-right allies, but will only feature one Arab invitee.
Israel to Build Security Barrier on Jordan Border

Israel will build a security barrier on the border with Jordan, to prevent the smuggling of weapons to the West Bank, Israeli Defense Minister Gallant. Speaking at the closed discussion of the Committee on Foreign Affairs and Security, he noted that Tehran has intensified efforts to transfer arms to Palestinian terrorist groups. "We recognize an increase in Iranian involvement in attempted arms transfers and intelligence gathering in the West Bank," Gallant said. The idea of building a security barrier on the Israeli-Jordanian border, similar to those that were constructed on the border with Egypt and the Gaza Strip, has been discussed for a few years. However, due to funding issues and other priorities, the project hasn’t been implemented. Read More “Probability of War in North Highest Since 2006, IDF Says” (Ynet News)

IDF Enters Jenin for the First Time Since Large-Scale Op

The IDF, Shin Bet (Israel Security Agency), and Border Police made arrests in Jenin this week for the first time since the massive Jenin operation in early July. Although only two Hamas terrorists were arrested in a raid, it was significant because the IDF has unofficially stayed out of Jenin for the past few weeks to give the Palestinian Authority (PA) an opportunity to reassert its authority. The IDF has been concerned about taking action again in Jenin, which could undermine the PA’s legitimacy by making it seem that the PA is working directly with the IDF. At the same time, the IDF has been adamant that it would continue to take action anywhere the PA fails to act. So far, it seems that the PA is more comfortable arresting and enforcing order in Jenin in general, where nearly 40,000 people live, as opposed to operating in the Jenin refugee camp, which is a much smaller area, but also more volatile. Read More “Palestinians in Gaza Protest Economic Hardship, Call to End Hamas Rule” (Jerusalem Post)

Deadly Clashes in Palestinian Camp Rage for Third Day

Hundreds of residents of a main Palestinian camp in Lebanon fled as fighting between mainstream faction Fatah and radical Islamists raged for a third day, residents and security sources said. The fighting wrecked a ceasefire agreed on between rival Palestinian groups that included representatives of the pro-Iranian Hezbollah group and its ally Shi’ite Amal movement that hold sway in southern Lebanon. At least 11 people have been killed and 40 wounded in the clashes that broke out in Ain el-Hilweh camp, near the southern coastal city of Sidon, over the weekend, security and Palestinian sources said. The warring groups fired rocket-propelled grenades at each other in the crowded alleys of the camp. Both sides blamed the other for the breach in the ceasefire. Palestinian sources say the latest round of fighting on Saturday was triggered by a security clamp-down by Fatah, the main faction in the camp against hardline Islamists who have a foothold there. Dig Deeper “What’s Behind Palestinian Violence in Lebanon’s Ain Al-Hilweh Refugee Camp?” (Al-Monitor)
Official: Israel Won’t Block Saudi Civil Nuclear Program

Israel's national security adviser Tzachi Hanegbi said that Israel is not necessarily averse to an agreement that would allow Saudi Arabia to enrich uranium for research purposes. "Egypt and the [United Arab] Emirates operate nuclear research centers, and these are not dangerous," he stated in an interview with Israel’s public broadcaster KAN. Hanegbi addressed reports that Saudi Arabia is conditioning normalization with Israel on the United States helping it create a civil nuclear program, saying that Israel's consent was not needed. Recent reports in the United States and in Israel suggest Saudi Arabia is setting three main conditions for its agreement to a normalization deal. One is a defense treaty between Saudi Arabia and the US, including a commitment by the Americans to defend Saudi Arabia in case of an Iranian attack and the sale of F-35 fighter jets and advanced missile-defense systems. The second is for Israel to make meaningful concessions toward the Palestinians beyond pledging not to annex West Bank territories. The third is for Washington to facilitate Riyadh’s establishment of a civil nuclear program. Read More “Mossad Chief Visited White House to Discuss Saudi Normalization” (Times of Israel)

Shooting in Egypt’s Sinai Peninsula Kills at Least 4 Officers

A shooting at a heavily fortified security facility in the restive part of Egypt's Sinai Peninsula killed at least four police, including a senior officer, two security and health officials said. At least 21 other forces were wounded in the shooting at the National Security headquarters in el-Arish, the capital city of North Sinai province, they said. A list of casualties obtained by The Associated Press showed that some forces suffered from gunshots and others faced breathing difficulties from tear gas that was fired inside the facility. There were eight officers among the wounded, the list showed. The officials spoke on condition of anonymity because they were not authorized to brief the media. The circumstances surrounding the shooting were not immediately clear, and there was no immediate comment from the Interior Ministry, which oversees police forces. North Sinai is the scene of a yearslong battle against an insurgency led by Islamist militants who have carried out scores of attacks, mainly targeting security forces and Christians. The pace of militant attacks in Sinai’s main theater of operations and elsewhere has slowed to a trickle since February 2018, when the military launched a massive operation in Sinai and parts of the Nile Delta as well as desert areas along the country’s western border with Libya.
Putting Out Feelers for Unity

By Anna Barsky

- Amid increasing calls among Likud MKs to reach agreements with the opposition, Ma’ariv has learned that feelers have been put out behind the scenes to prominent left-wing figures outside the Knesset regarding chances of putting together a broad unity government. Individuals on the political right spoke to Ma’ariv and said the talks were not being held with parties that are currently in the parliamentary opposition. Rather, they were private talks being held behind closed doors with a range of left-wing and center-left activists who are concerned about the serious situation that has been created following the legislation and the protests against it. They want to work to expand the coalition in order to make it broader and less far-right. Sources on the right involved in the closed talks said “the feelers” have been put out in several different channels.

- One idea was to establish an alternating prime minister arrangement, but the idea was rejected out-of-hand by right-wing politicians. No member of the Likud would lend a hand to the principle of an alternating premiership between the prime minister and an alternate prime minister. That isn’t going to happen. What did come up in the talks, and what is definitely within the sphere of the possible, would be for the Justice Ministry to be given to an opposition party that joins the government. Were that to happen, the current justice minister, Yariv Levin, would be given a different senior ministry and would remain deputy prime minister.

- The Defense Ministry is also potentially on the negotiating table, with that portfolio to be offered to National Unity Party Chairman MK Benny Gantz if negotiations are held with that party. If the price of unity is giving up the defense portfolio, the current defense minister, Yoav Gallant, won’t object.” In any event, say the sources, the Likud does not plan to hold national unity talks before reaching agreements on the subject of nominating judges. “From our perspective, that is an iron-clad requirement. We’re not going to leave the issue of the makeup of the Judges Selection Committee until after we form a unity government. First, we will reach clear agreements with the other side, and only then will we conduct substantive negotiations about a unity government.

- The senior official said, “Today, there is an understanding in the Likud that in order to avert disagreements you have to reach agreements on the long-term makeup of the Judges Selection Committee, and the agreements must be built on the basis of equality according to the Friedmann-Elbashan proposal. That will ensure that the justices also have a say—the right to vet candidates in order to ensure they are good jurists and to ensure there are candidates that are acceptable to both sides. In other words, [the goal is] to prevent a situation in which each side puts forward its candidates and then they will be colored as right- or left-wing judges. We are interested in one list that will be selected for an extended tenure and will be acceptable to everyone. And as noted, current Supreme Court justices will have the right to veto nominees they do not feel meet the suitable criteria to serve on the Supreme Court.”
Likud sources say there is serious support inside the party for the idea of a unity government. “There is a public [desire] to wrap this all up. It really is dangerous for the nation,” the sources said. One prominent Likud minister told Ma’ariv, “Things are currently in limbo, and a lot is riding on the opposition’s decisions. If they have the wisdom to climb down out of their high trees, show some flexibility, and come to negotiate with the coalition, that would take us and the entire country in the direction of calm and stability. In the current situation, there is a feeling that we will agree to freeze the rest of the reform for a longer period of time than was previously reported (the end of November).

But if no talks are held, that will take us to an entirely different script, much more hardened. You’ve got to understand: A situation of crisis and a lack of talks strengthens Levin and his partners who are demanding to move forward with the reform, even if it is unilateral.” Nevertheless, from the opposition’s perspective, there is no chance of forming a broad-based national unity government. Senior sources close to Opposition Chairman Yair Lapid strongly reject the possibility of talks with the governing coalition to bring Yesh Atid into a government headed by Binyamin Netanyahu. “That isn’t going to happen. There is no situation in which Lapid will sit under Netanyahu in government,” said Yesh Atid officials. “The alternating premiership idea also was born of very strange rumors that have been spread in order to give Netanyahu legitimacy. We’re not going to sit with him. That isn’t going to happen. Period.

Sources close to National Unity Party Chairman MK Benny Gantz also rejected out of hand the possibility of forming a unity government with the Likud and the other members of the current governing coalition. “It’s not feasible politically, not feasible publicly, and not substantively. It is simply not going to happen. There is no basis to these rumors,” clarified sources close to Gantz. Despite the complete denials, the sense within the governing coalition is that the public’s desire for unity and calmer tempers might influence politicians. In the meanwhile, the quiet talks about a possible unity government have continued well out of sight. For the moment, they aren’t likely to succeed.
An Unholy Trinity of Incompatible Interests
By Alon Pinkas

- Let’s start with the bottom line: curb your exaggerated enthusiasm. As enticing and lucrative as “The United States meditated an Israeli-Saudi peace agreement” sounds – and it does – political realities make it impossible and unattainable under current conditions. Now let’s get heretical and consider the following premise: Such a deal would be very good to have, even dramatic, but it would not be transformational for any of the sides in this particular triangle. In fact, the costs incurred may outweigh the potential effectiveness.

- From 40,000 feet, geopolitics makes a lot of sense. You are [mis]led to believe that you have a broad and clear perspective. So, from 40,000 feet, a transactional deal between the United States, Saudi Arabia, and Israel seems like a no-brainer, a pact that serves the mutual interests of all three parties. But 40,000 feet will always fail to provide the necessary high-resolution picture and fail to reveal and integrate all the complexities and exorbitant costs of such a deal. This is where the triangle might collapse under the weight of incompatible interests, an unwillingness to pay the political price required, and conflicting political considerations.

- At first glance, the logic and beauty of such a deal is compelling, and the benefits seem tangible: the United States further stabilizes the Middle East, projects diplomatic power and presence in a way that actually makes it easier to proceed with disengaging from the region and expanding its presence and priorities in the Indo-Pacific. Saudi Arabia gets a defense pact with the United States, reportedly also asking for a NATO-like “Article 5” on collective security (which means US assurances that it will actively defend the Kingdom).

- The Saudis get F-35 jets and, most importantly, a civilian nuclear reactor with a uranium enrichment fuel cycle. Israel, meanwhile, gets a peace agreement with Saudi Arabia – which was never really active in Arab-Israeli wars – that conceivably deters Iran and allows Prime Minister Benjamin Netanyahu to brag about his diplomatic prowess. It also demonstrates how, despite the criticism, he masterminds relations with the United States, distracts from his flagrant constitutional coup, and vindicates his position that “It was never about the Palestinians.” Win-win-win, right? Not really. It is far from being that simple or straightforward.

- In the United States, Democrats’ profound dislike and distaste for Saudi Crown Prince Mohammed bin Salman is matched only by their feelings about Mr. Netanyahu. Republicans aren’t enthusiastic about Crown Prince Mohammed either – not after 9/11 or the state-sanctioned assassination of Jamal Khashoggi in 2018. Nor are they fans of President Joe Biden getting a glitzy photo-op and major diplomatic accomplishment in an election year. And the appetite to provide the Saudis with a defense pact is perhaps limited to defense contractors, not to politicos who are suspicious of Saudi-Chinese relations. The US-Saudi relationship may be “too big to fail,” as Aaron David Miller rightly and repeatedly points out, but Saudi Arabia is no longer seen as a credible ally.
For their part, the Saudis would love US defense assurances but don’t need a formal, ceremonious upgrade of relations with Israel. Defense and intelligence cooperation, as well as tech companies doing business, has been quietly going on for quite some time. As for Israel, acceding to a Saudi nuclear program is considered reckless by the defense establishment, given Riyadh’s relationship with nuclear-capable Pakistan and China. But the big stumbling block would be the Palestinian factor. The phrase “The Saudis don’t really care about the Palestinians” seems to roll easily off Israeli tongues. Right. But they will insist, as will Biden and other Democrats, for a significant change in Israeli policy.

Netanyahu is both incapable of and unwilling to do so given his extremist right-wing ruling coalition. The question remains: Why the US urgency in examining the viability of such a deal? Is it a means to force Netanyahu to change his coalition? He will not do so. Biden has been fooled by him before, as he was by Crown Prince Mohammed on oil prices. Biden is too experienced and savvy to fall for these two again.

Last week, Thomas Friedman wrote an op-ed in The New York Times titled “Biden is weighing a big Middle East deal.” In the wildly melodramatic world of Israeli media and politics, this was instantly misinterpreted as a sign that an Israeli-Saudi normalization deal was just around the corner. Angry pro-democracy protesters and political rivals instinctively saw this as Biden bailing out Netanyahu, enabling him to sidestep an unpopular, dangerous, and failing constitutional coup and instead present some major diplomatic achievement. Others construed this as if the United States had turned Saudi-Israeli relations into a top foreign policy interest, while others who actually read the little that is known about the contours of such a deal casually dismissed its feasibility.

All of them would be well advised to re-read Friedman’s column or listen to his CNN interview with Fareed Zakaria. This is what he wrote that is relevant: “The president is wrestling with whether to pursue the possibility of a US-Saudi mutual security pact that would involve Saudi Arabia normalizing relations with Israel, provided that Israel make concessions to the Palestinians that would preserve the possibility of a two-state solution. ... The president still has not made up his mind whether to proceed, but he gave a green light for his team to probe with Crown Prince Mohammed bin Salman of Saudi Arabia to see if some kind of deal is possible and at what price.”

In other words. Biden is probing, has not made a decision, is fully aware of the intricacies and impediments, and did what any president would do: send top emissaries to survey the geopolitical landscape. The idea of upgraded Saudi-Israeli relations, even normalization and full diplomatic relations, is not new. Imagine that Israel would have accepted, or at least expressed a willingness to entertain as a basis for dialogue, the 2002 “Arab Peace Initiative” – a concise and clear plan presented by Crown Prince (and later King) Abdullah. It called for the normalization of relations in return for a full Israeli withdrawal from the occupied territories (including the Golan Heights) and the establishment of a Palestinian state with East Jerusalem as its capital. It was not easy to digest in the midst of the second intifada and less than a year after the 9/11 attacks, but it was everything Israel had hoped for and wanted since 1967.
In fact, Saudi Arabia has a history of presenting such initiatives – going back to the 1981 Crown Prince Fahd plan that Israel rejected on delivery. Saudi-Israeli relations will at some point mature and evolve. But given the current circumstances and conditions, particularly in Israel, it is difficult to see this happening along the lines of this three-sided deal.