

## Analysis

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## Washington Watch

## Why I'm glad Netanyahu won

By Dr James J Zogby

I'm glad Benjamin Netanyahu won reelection. Since I realize that saying this won't sit well with many folks, let me explain: As the election developed, it became clear that Benny Gantz, the leader of the opposition "Blue and White" coalition, for a number of reasons, had come to be seen as the darling of the liberal set - especially here in the US.

Some, for example, were justifiably upset by Netanyahu's gross corruption or unnerved by his authoritarian actions designed to intimidate the press, silence non-governmental organizations, and strip the courts of their power. Others were optimistic that should Gantz win, Israel's image would improve in the US and there would be the possibility of a "reset" in the US-Israel relationship. One publication described a Gantz victory as creating "a fresh slate and an opportunity to re-energize support for Israel."

Driving this support for Gantz was the concern of liberal Democrats who have been troubled by recent polls showing a significant erosion of support for Israel among core Democratic constituents - especially millennial and minority voters - including American Jewish millennials. This growing alienation from Israel has in part been due to both Netanyahu's repressive policies and his close relationship with Donald Trump.

There could be no doubt that Trump had been excessive in his support for his Israeli partner: canceling the Iran Deal; moving the US Embassy to Jerusalem; the "gift" of the Golan Heights; cutting all US aid to the Palestinians; and remaining silent in the face of settlement expansion and Netanyahu's declared intent to apply Israeli sovereignty to West Bank settlements. This virtual Trump/Netanyahu marriage most certainly had a role to play in the embrace of Gantz by many liberals.

Because American liberals have embraced the mantra of a "two-state solution" and see Netanyahu's aggressive settlement construction and his pledge to "annex" the settlements as obstacles to that goal, they also fretted that a Netanyahu victory might spell the end of their idea of two states - one "Jewish and democratic" and one for the Palestinians. At the same time, American Jews had an additional frustration with Netanyahu as a result of his accommodation of the illiberal policies of Israel's ultra-Orthodox religious community on issues of marriage, conversion, and women's rights.

It was in this context, that Gantz became the "great hope." I, however, never believed that he was. In the first place, on the issue that mattered most to the future of peace - the treatment of Palestinians in the occupied territories - there was little that separated Netanyahu from Gantz. In fact, Gantz' opening campaign advertisement featured Gaza in rubble (Gantz had been in charge of the most brutal and devastating of the Gaza wars), boasting the he had reduced parts of Gaza "back to the Stone Age."

And right before the election, an American Jewish publication reported on a Gantz speech laying out his "seven pillars" for peace with the Palestinians: "he said his priority was to ensure a Zionist 'end state' - Jewish and Democratic - and not a binational state, while keeping the Jordan Valley, a united Jerusalem, and modifying the 1967 lines...I don't want to rule the Palestinians."

In addition to these goals, he added keeping the settlements and maintaining security control west of the Jordan River. In other words, Gantz might have been a "fresh face", but, on the central issue of dealing with Palestinians and the occupied territories, he was no different than the prime minister he was seeking to replace.

In addition to the positions he espoused, I felt that it was important to look at the composition of the governing coalition Gantz would have assembled had he emerged victorious. While the press routinely referred to Gantz as the "center-left" candidate, in reality, only a small fraction of his potential partners could be seen as "left." In fact, most of his eventual partners were quite comfortable with Gantz's "seven pillars".

And because Israeli politics have moved so far to the right, even if he had won the opportunity to form a government, Gantz never could have assembled a coalition of 61 Knesset Members without adding the parties representing the Palestinian citizens of Israel - something that, early on, Gantz had said he would never do.

This avoidance of Arabs was in response to the negative anti-Arab campaign waged by Netanyahu. Recognizing that Gantz couldn't have formed a government without Arab support or acquiescence, Netanyahu advanced the slogan that the voters' choice was "Bibi (Netanyahu's nickname) or Tibi" (referring to Ahmed Tibi, the leader of one of the Arab parties). Instead of pushing back against this patently racist Arab-baiting, Gantz made a pledge not to consult with the Arab parties in the Knesset or include them in his government.

NOTE: Dr James J Zogby is the President of the Arab American Institute

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US President Donald Trump waves upon arrival at Palm Beach International airport in Florida on April 18, 2019. — AFP

## How Mueller's decision helped save Trump

The US Attorney General decided that President Donald Trump did not obstruct a probe into whether his campaign colluded with Russia, but some legal experts said prosecutors laid out a wealth of evidence to the contrary and that they intended to leave that determination to Congress. Special Counsel Robert Mueller's report revealed new details about Trump's attempts to impede his investigation on Thursday. They included how the president tried to fire Mueller and limit his investigation, kept details of a June 2016 meeting between senior campaign officials and a Russian under wraps, and possibly dangled a pardon to a former adviser.

Democrats said on Thursday the report contained disturbing evidence of wrongdoing by Trump that could fuel congressional investigations. Some legal experts echoed that view. They said the evidence should have given prosecutors a strong basis for bringing an obstruction case against Trump, but Mueller demurred because a long-standing Department of Justice policy against indicting a sitting president. Jens Ohlin, a law professor at Cornell University, said the evidence laid out by the Mueller report was "really exhaustive in terms of the number of incidents and how severe they are."

In his report, Mueller focused on a series of actions, including Trump's conduct toward law enforcement officials and witnesses. At one point, Mueller says the Congress has powers to check a president. At least half a dozen legal experts said the special counsel intended Congress to take up the matter. "There is a

wink, and a nod, and another wink to Congress that I have a lot of evidence and now the ball is in your court," said Jessica Levinson, a professor at Loyola Law School in Los Angeles.

House Democrats took that view as well. In a joint statement, the House chairs said "the Special Counsel undoubtedly anticipated" the Congress must assess the evidence. But Republican Congressman Doug Collins disputed that Mueller intended for Congress to decide on the view. "The report doesn't say Congress should investigate obstruction now. It says Congress can make laws about obstruction," Collins tweeted.

Trump's legal team called the report "a total victory" for the president. "If they thought they had an obstruction case they would have made it. They did not," said Jay Sekulow, a lawyer for Trump, in an interview. It is unclear whether the Democrats will push on Congressional censure. And even if the House votes to impeach, it is highly unlikely the Republican controlled Senate would convict Trump.

Attorney General William Barr, a Trump appointee, defended the president in a press conference Thursday by saying there was insufficient evidence to bring an obstruction case against Trump. In an earlier letter to lawmakers, Barr said the case was also undermined by Mueller's finding that the Trump campaign did not conspire with Russians to interfere in the election.

## Watergate-era opinion

Under US law, it is a crime to attempt "to influence,

obstruct or impede the due administration of justice." To prove obstruction, prosecutors must show an individual acted with a "corrupt" or improper motive - a specific intent to impede an investigation. Obstruction of justice is often coupled with some underlying wrongful act that is being covered up, legal experts said. With a sitting president, the issue takes on additional complications. A Justice Department policy dating back to the Watergate scandal in the early 1970s advises against indicting a sitting president. The US Constitution is silent on the question. In his report, Mueller said he "accepted" the department's legal opinion and was unable to come to a conclusion about whether there was enough evidence to charge Trump with obstruction.

## Question of motive

The president's actions and intent "presents difficult issues that prevent us from conclusively determining that no criminal conduct occurred," Mueller wrote. But Mueller added that his report "also does not exonerate" Trump of the crime. In reaching his decision not to charge Trump, Barr said the president had been "frustrated and angered" by a belief that the probe was undermining his presidency.

Despite this, Trump did not deprive Mueller of documents and witnesses needed to complete the investigation, Barr said. "Apart from whether the acts were obstructive, this evidence of non-corrupt motives weighs heavily against any allegation that the president had a corrupt intent to obstruct the investigation," he said. — Reuters

## Mueller report leaves Dems in a quandary

Democrats clamored for the speedy release of US Special Counsel Robert Mueller's findings of his probe into whether President Donald Trump's 2016 campaign colluded with Russia. Now they finally have them, and they are confronted with a choice - stay on the attack or move on. Progressives in the party used the report to renew their calls for action, but there was little immediate consensus on how to move forward.

Billionaire Tom Steyer, who has pumped millions of dollars of his own money into a campaign calling for Trump's removal from office, told Reuters that lawmakers in the Democratic-led House of Representatives should begin the process of impeaching Trump, a Republican, based on the evidence amassed by Mueller.

Mueller found no evidence of collusion between members of Trump's campaign and Russians, despite numerous contacts, but he amassed a wealth of evidence he said showed the president had sought to impede or control the FBI investigation. He stopped short of concluding that Trump had committed a crime but noted that the US Congress had the power to address that issue.

Democratic strategists said Democrats in the House, spurred on by progressives in the chamber, would continue their congressional investigations into Trump, but that Democratic presidential candidates, who hope to appeal to moderates and independents next year, are likely to take a less aggressive approach. "I don't think Bob Mueller's report is going to make a difference in Lordstown," said Robin Winston, a former chairman of the Indiana Democratic Party, referring to the auto plant in Ohio that auto giant General Motors shuttered last month.

Winston said economic concerns were far more pressing on voters' minds than the Russia probe and that breathless coverage of the nearly two-year-old probe had left voters "fatigued". Opinion polls show that the US public has also largely made up its mind about the probe before the report's release on Thursday. A Reuters/Ipsos poll conducted last month after Mueller's con-

clusions were first made public showed that about half of the country still believed Trump worked with Russia to influence the 2016 election. More than half said they believe Trump tried to block the probe.

Democrats in the House signaled their efforts to investigate Trump's actions would continue. It is unclear, however, what their efforts will yield. Any attempt to force Trump from office would likely be thwarted by the Republican-controlled Senate. The prospect of impeaching Trump has largely been downplayed by Democrats since House Speaker Nancy Pelosi argued it would be counter-productive. But Alexandria Ocasio-Cortez, a popular progressive Democratic lawmaker, raised the prospect again on Thursday in a tweet. "Many know I take no pleasure in discussions of impeachment. I didn't campaign on it, & rarely discuss it unprompted," she said on Twitter. "But the report squarely puts this on our doorstep."

## On the kitchen table

Those bidding for the 2020 Democratic nomination took a more cautious path on Thursday. While many called for Mueller to testify before Congress, there was no mention of the "I word." "It is clear that Donald Trump wanted nothing more than to shut down the Mueller investigation," US Senator Bernie Sanders, a Democratic candidate, said in a statement. "While we have more detail from today's report than before, Congress must continue its investigation into Trump's conduct and any foreign attempts to influence our election."

Democratic candidates are conscious that their voters are more interested in their positions on healthcare, the economy, immigration and climate change than whether or not Trump conspired with Russia or obstructed justice. Indeed, in a two-day swing through Iowa this week, Mayor Pete Buttigieg of South Bend, Indiana did not hear a question on the topic. That has been similar to the experience of other candidates who have campaigning in early voting states. Buttigieg's campaign said it has not been a subject on voters' minds.

Former US congressman Beto O'Rourke may have summed up the field's collective view most succinctly while campaigning last month. "I think the American people are going to have a chance to decide this at the ballot box in November 2020, and perhaps that's the best way for us to resolve these outstanding questions," he said. — Reuters

## Will Benetton use Alitalia to fly in from cold?

Italian transport group Atlantia could join a rescue of loss-making flag carrier Alitalia to try to win favor with the government and secure the future of its own domestic business following a deadly bridge collapse last year, sources said. Atlantia, controlled by the Benetton family, faces the loss of its entire national motorway concession in a bitter dispute with the government, which erupted after last year's disaster on its toll network killed 43 people.

The government blamed Atlantia for the tragedy, saying it had failed to adequately maintain the ageing bridge, and vowed to revoke the concession, worth 58 percent of group revenue. However, sources familiar with the matter said Atlantia could mend relations with the government by joining a rescue of Alitalia, which Rome is desperate to save, and possibly be rewarded with a reprieve on its motorway concession.

Atlantia has publicly scoffed at the idea, but sources say it stands ready if Rome signals a quid pro quo is possible. The government has not given such a signal but a political source says it may do if it sees Atlantia as key to saving Alitalia. Atlantia, which also runs Alitalia's main airport hub in Rome, has denied it is in talks to join a rescue consortium, saying its hands are already full with complex business challenges, including the fate of its motorway concession.

However, a source familiar with the flag-carrier's thinking said Alitalia expected Atlantia to sign up to a rescue as early as this month. The source did not elaborate. Another potential investor in the rescue bid, state-owned rail group Ferrovie dello Stato, which has had initial talks with Atlantia, also believes the Benetton-controlled group could yet be tempted to join, said a source familiar with those talks. "Atlantia's door is not closed... it is now up to the government to take the lead in the talks," said a second source familiar with Alitalia's thinking.

Alitalia, put into special administration in 2017 after workers rejected a previous rescue plan, needs to find investors ready to inject fresh funds by the end of April, in advance of an end-June repayment deadline for a state bridging loan of \$900 million. That loan, however, may be rolled over,

daily Il Sole 24 Ore said. The government, formed by the right-wing League party and the anti-establishment 5-Star Movement, is keen to save the airline because it wants to avoid mass layoffs at Alitalia, which has around 11,600 employees.

However, political sources said it was still unclear whether the ruling coalition, especially the 5-Star party, would be ready to make such a peace with Atlantia. The party was the most critical of Atlantia after the bridge collapse. "For 5-Star even the hypothesis of freezing the procedure for revoking the concession is not politically sustainable," said a senior 5-Star source.

## Clock ticking

Ferrovie and Delta Air Lines are looking to invest in Alitalia but they still need to find other investors to stump up another \$400 million for a rescue worth a total of around 1 billion euros, sources close to the talks said. Ferrovie and its adviser, investment bank Mediobanca, have discreetly sounded out Atlantia after being turned down by a string of other companies. Atlantia has been burnt by Alitalia once before, having lost \$190 million when it participated in a rescue in 2008. "We have many open fronts, we can't afford to open a further, particularly complex one," Atlantia CEO Giovanni Castellucci said on Thursday, speaking to shareholders.

In addition to the bridge disaster, Castellucci said he was also dealing with the government over its lengthy approvals process which was blocking 4.9 billion euros in group projects. Some financial analysts say a quid pro quo would make sense. "We reckon a possible agreement over Alitalia would be positive for Atlantia, because it would lead to a rapprochement with the government," broker Equita said in a note this week.

For now, Ferrovie is ready to take a 30 percent stake in Alitalia, Delta Air Lines would invest 100 million euros for a stake of 10-15 percent and another 15 percent would probably go to the Italian treasury, sources familiar with the matter say. But there is still a question mark over who would take the remaining 40-45 percent of the carrier. British budget airline easyJet walked away from talks with Ferrovie last month, state-controlled defense group Leonardo and postal operator Poste Italiane said they were not interested in the deal. If Ferrovie and Delta cannot find co-investors, Rome would face its least favoured option: a takeover by German carrier Lufthansa which has said it would only rescue Alitalia if the government were first to carry out major job cuts. — Reuters