



# The Sabra Report

## AG Demands Netanyahu Fire Deri After High Court Disqualifies Him as Minister

Carrie Keller-Lynn, Times of Israel, January 19<sup>th</sup>, 2023

### Recap:

Israel's High Court of Justice barred Shas MK Aryeh Deri from serving ministerial posts in Benjamin Netanyahu's government because of his past criminal convictions.

### The Context:

- ✧ Shas, a political party popular with ultra-Orthodox Jews, won 11 seats in the last election, making it the second-largest party in Benjamin Netanyahu's coalition. To secure Shas' support, Netanyahu appointed Deri as head of two powerful ministries — health and interior [1]. In 1999, Deri was sentenced to three years in jail for taking bribes [2] and he was convicted in 2021 for tax fraud.
- ✧ The High Court knocked down Deri's ministry appointments on two grounds, that it failed a "reasonableness" test, and that Deri had misled the courts into thinking he would retire from political life in exchange for a suspended prison sentence for his tax fraud conviction.
- ✧ Ministerial portfolios would normally transfer to the prime minister however Netanyahu cannot head a portfolio due to his ongoing criminal proceedings [3]. Alternative solutions to keep Deri in a position of influence include making him Knesset speaker and alternate prime minister.
- ✧ Deri promised to fight on, and Justice Minister Yariv Levin promised to "fully repair this glaring injustice done to Israeli democracy [4]." Coalition lawmakers have called for ignoring the court's decision, saying it does not have the authority to disqualify Deri.
- ✧ This latest standoff comes shortly after the coalition laid out plans to significantly weaken the Supreme Court's power over politicians and increase political influence over the selection of judges. Opposition leaders warned that the judicial overhaul would damage the democratic process, while the government argue it would strengthen it by giving greater power to parties representing a majority of voters [5]. The proposed overhaul prompted large protests across Israel.

### Conversation Points:

- ✧ Will Deri's legal trouble hamper or strengthen the government's push to remake the judiciary?
- ✧ How will this ruling further divide the Cabinet and Israel's Supreme Court over government reform plans?
- ✧ Should politicians or the judiciary hold priority in a liberal democracy?

### Notes:

1. [Israel's Judicial Standoff Deepens as Netanyahu Delays Firing Minister](#), Patrick Kingsley, New York Times, January 19<sup>th</sup>, 2023
2. [Israel Supreme Court tells Netanyahu he must fire minister](#), Maayan Lubell, Reuters, January 19<sup>th</sup>, 2023
3. [Attorney General in letter to Netanyahu: You must fire Deri](#), ELIAV BREUER, Jerusalem Post, JANUARY 19, 2023, 12:59
4. [Israel Supreme Court tells Netanyahu he must fire minister](#), Maayan Lubell, Reuters, January 19<sup>th</sup>, 2023
5. [Israel's Judicial Standoff Deepens as Netanyahu Delays Firing Minister](#), Patrick Kingsley, New York Times, January 19<sup>th</sup>, 2023

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