

Pompeo's gift

by: Rabbi Jeremy Rosen

Good news. Bad news.

The US has declared that settlements on the West Bank are not illegal according to international law, despite nearly everyone else claiming they are. "After carefully studying all sides of the legal debate," Mr. Pompeo told reporters, "The United States has concluded that "the establishment of Israeli civilian settlements in the West Bank is not, per se, inconsistent with international law. Calling the establishment of civilian settlements inconsistent with international law hasn't worked. It hasn't advanced the cause of peace."

I have always been against the occupation. As the late Professor Yeshaya Leibovitz said: " It destroys a nation's soul." But I saw no alternative when there was no leader willing to make the compromises necessary. And where Israel's security was under constant threat.

Israel did indeed make peace with Jordan and Egypt. But the status of the West Bank was left in limbo. Legality is debatable. Who did it belong to? The Ottomans, the British, the Jordanians? Such things have to be agreed officially, not unilaterally. But there has been no agreement. No decision on borders or whose land belongs to whom.

In this vacuum, propaganda, lies became tools of war. If you tell a lie often enough, people come to believe it. The lies much of the world has been telling or accepting as fact were that settlements beyond the Green Line were illegal under international law. Not only but illegality was decided on the basis of one man's report from within the State Department in the USA. Adopted by them as truth. And reiterated by President Obama in the UN just before he left the White House.

The Green Line was a ceasefire agreement that ended the Israel Arab war from 1948 to 1949. It was not a peace treaty. It was a temporary agreement and it remains so to this day. In that war, the West Bank and Jerusalem were occupied by Jordan. And Jordan was always in breach of the cease-fire by expelling Jews from Jerusalem and other towns. Destroying synagogues and graves.

In 1967 the Arab States went to war against Israel again. Jordan attacked and Israel kicked them out, much to the delight of the Palestinian population. Later, Jordan ceded its claim to the West Bank to the PLO. The PLO refused to make peace and resorted to violence. In 1993 it accepted the UN Security Council motions 242 and 338 and rejected violence. In return, Israel recognized the PLO. But since 1993 the PLO has officially encouraged hatred and has suspended its recognition of Israel.

The polemic against Israel has grown exponentially. Even in the USA, it is now the dominant voice on campuses, the media, and the left. One of the most widespread claims is that settlements on the West Bank are an impediment to peace and are illegal. Israel has always argued that the fate of the settlements should be settled by negotiations. Up to now, everyone has said they were illegal. And yet for all that support for the PLO peace negotiations have stalled.

One of the Palestinian conditions is that all settlements should be removed from their claimed territory. Given that there are Palestinians living freely within the Jewish state, to refuse to have any Jews living in a Palestinian state is a clear example of the very racism they like to accuse Israel of. Israel has always said that in a peace treaty Jews should be able to decide if they wanted to stay in the West Bank under Palestinian rule.

For the past eighty years, the United Nations has consistently lied and defamed Israel. Partly it is because there is a powerful Muslim bloc of votes. Europe too has singled Israel out for obloquy, possibly because of a guilty conscience on its part over their cooperation or refusal to help the Jews under the Nazis and their assistants. Guilt does bad things to people. They often come to resent being made to feel guilty. They turn on the very people they wronged. And they accept the false narrative that Jews never had a right to return to their homeland and the Holocaust was the excuse for a colonial invasion.

For these reasons, the UN passed a declaration that Zionism was Racism in. It maliciously picked on Israel and the Jews over every other state in the world. It was only thanks to the USA and Senator Daniel Patrick Moynihan specifically, that the disgraceful motion was revoked in 1991.

All legal systems are open to interpretation and debate. Up to now, the world has accepted the Palestinian narrative that the settlements are illegal even though there is no universally accepted definition of legality where no peace treaties have been established. Yet recently the EU has declared the settlements illegal and demanded that all products sent to Europe from them

should be labeled as such. Notice they have said no such thing of Chinese products coming from occupied Tibet or Russian products from Crimea and Eastern Ukraine.

It is often said, even in some Jewish circles, that President Trump's concessions to Israel are an obstacle to peace. But peace has been beyond reach for 80 years. The agony has been prolonged by friends of the Palestinians urging them not to accept compromises and hold out for better deals. And by a long war of attrition, supported by Iran. Appeasement has not worked before and it won't work again. If I thought there was a cat's chance in hell of it working, I would immediately recant.

Israel lives under constant tension, fear of violence and warfare. It inevitably affects the mood of its people. Israel will never give up. It continues to pour money and talent into being constructive instead of destructive. And many in the Arab world now realize that co-operation with Israel is in their best interests too. Diaspora Jewry is also suffering from constant pressure, lies and even violence and the concerted international effort to undermine Israel's legitimacy. And everywhere anti-Semitism is on the rise.

So this is good news. I am delighted that Mike Pompeo has made this latest declaration of US policy. **But here is the bad news.** As I said, occupation is de-humanizing. Israel has wasted the opportunities after 1967 to be more creative and supportive of the Palestinians. There is too much arrogance and aggression towards them in Israeli society. I believe this is morally dangerous and counterproductive. Even if I understand full well that living under constant threat of death is enough to harden the softest of hearts. Preaching hate on either side is corrosive.

This new development has emboldened the extreme right in Israel who see no problem in annexing and then denying Palestinians citizenship and voting rights. Because they know full well if they do concede, Israel might be a democracy but not a Jewish one. And most Palestinians now would vote for Hamas.

If only Hamas and the PLO would use their energies and financial support to create a positive dynamic world of their own instead of breeding and encouraging hatred. Israelis are not inherently cleverer or better. It is the culture of hatred that is getting in the way of improving the Palestinian lot. There are so many Israelis and Palestinians who yearn for peace and work for peace and better relations. We must support and encourage them. And pray that our politicians who are so busy fighting against themselves will come to

realize that there has to be another way of doing things.

Hatred will never cease from the earth. Ephraim Kishon once wrote: "The State of Israel wasn't founded so that anti-Semitism would end. It was founded so that we could tell the anti-Semites to shove it." We need Israel and Israel needs peace. For all our sakes.