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## The International Delegitimization of the Settlers and its Echo in Israel

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On Sunday, September 7, 2008 the Israeli cabinet postponed its debate on monetary compensation for those who voluntarily leave their communities in Judea and Samaria and return beyond the “Green Line”. Already the treatment of the former residents of the Gaza area blocs, labelled formerly Gush Katif, has become a national scandal.



President Sarkozy of France, June 2008:  
“There can be no peace without stopping settlement.”

Israel’s President Shimon Peres at the Beijing Olympics Games:  
“Nobody is perfect, we too have our defects, settlements for instance...”

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Dr. Aaron Lerner's analysis is worth citing by way of introduction to the purpose of the bill:

1. The various Leftists who have enjoyed foreign support (financial and otherwise) for their endeavors need to show something to keep on the gravy train.
2. The bill is designed to help straightjacket future Israeli negotiators.
3. It is hoped that giving compensation would "divide and conquer" communities.
4. Offering financial compensation helps to set the scene for arguing that those who remain don't deserve security since they could have left ("why should our sons risk their lives defending these obstinate settlers?").<sup>1</sup>

What is, however, particularly noteworthy is that the international demands are more or less united and determined that Israel must remove these "enemies of peace". The communities have to no small extent become a hinge-point for Israeli diplomacy – whether Israel wills it or not – and a test for Israeli "willingness to abide by international law". None of this may be fair or just, but Israel has a serious obligation to recognize just how important it may be not to buckle on the issue.

One main reason is that the frontier for the West lies along the Arab-Israel fault line, akin to how Professor Huntington described his "clash of civilizations" fault lines. Another, is that international law and Israeli law may by no means demand the dismantlement of the Jewish communities and giving way entirely legitimizes the pressure from all quarters and exposes Israel to more and more demands to weaken its defensibility – strategically (loss of high ground, line of sight for instance). Very importantly, it means weakening Israel's resources in terms of water. Crucially, also, the exact meaning of UNSCR 242 is continuously compromised when there is international assertion that Israel must surrender all it gained (in a defensive war) in 1967. Since Israel appears to give credence to this view; even the use of this resolution is damaging.<sup>2</sup>

In purely social terms, Israel must demonstrate that Jews have freedom to live anywhere. This is now a matter of negotiation not only with the Palestinians but also with the great powers. The US Secretary of State recently commented, "The settlements harm the atmosphere in which the negotiations between Israel and the Palestinians should be taking place." Indeed *Ha'aretz* stressed that

In normal times, when the Prime Minister is not spending his Fridays in the company of police investigators, the reports published last Friday [September 5, 2008] in the London-based *Asharq Al Awsat* and in the Jerusalem-based *Al Quds* would have caused a storm. According to the protocols of the last meeting between Palestinian Authority President Mahmoud Abbas (Abu Mazen) and US Secretary of State Condoleezza Rice, which were published in both papers, the US adopted most of the Palestinians' positions regarding an Israeli-Palestinian final-status arrangement. In the meeting, which took place in Ramallah two weeks ago, Rice backed Abbas' positions on most of the core issues.<sup>3</sup>

Over the last 15 years, there has been a dramatic shift in the position of the USA. Though it is regularly portrayed as Israel's ally and supporter, clearly this is, at best, a half-truth, unless

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<sup>1</sup> IMRA, September 7, 2008.

<sup>2</sup> For a thorough and telling critique of the legal violation and damaging impact of UNSCR 242, see Howard Grief, "Security Council Resolution 242: A Violation of Law and a Pathway to Disaster", Ariel Center for Policy Research Policy Paper Number 173, January, 2008.

<sup>3</sup> Akiva Eldar, "Border Control/Next Stop Ramallah", *Ha'aretz*, September 9, 2008.

Israel itself wishes to return to the “Auschwitz frontiers” of pre-1967. Akiva Eldar makes the point that these important issues have gone virtually unnoticed in Israel, in comparison with the stir they ordinarily would have caused.

Nor is Britain’s Prime Minister far behind Condoleeza Rice. In July, during his first visit to Israel and the PA as Prime Minister, Gordon Brown said at a news conference with Palestinian President Mahmoud Abbas in Bethlehem:

I think the whole European Union is very clear on this matter: We want to see a freeze on settlements... Settlement expansion has made peace harder to achieve. It erodes trust, it heightens Palestinian suffering, and it makes the compromises Israel needs to make for peace more difficult.<sup>4</sup>

This is arguably all mistaken and distorting. Why should a thriving Jewish population mean neighborliness is more difficult? Why is it inimical to peaceful relations? Is a Jewish presence legally obnoxious? Does a Jewish presence heighten mistrust and suffering per se? If so, then whose fault is it? What is a “compromise for peace”? Does it mean in fact that to have what every other state has a right to expect, Israel must lose sovereignty and territorial integrity, indeed its capacity to defend itself, in order to buy it? If it means insecure and unrecognized frontiers and the inability to defend itself, then even the UNSCR 242, so damaging to Israel, is negated and a farce.

These are crucial issues, therefore, and the West will not, and has not, let up on them. One example must suffice here. On June 13, 2004, “Debkafile” reported that Israel Radio had declared that British MI6 intelligence officers had undertaken surveillance of Israeli settlements. Not only does this suggest the very real interest by the British government in them and their development and dismantlement but also the level of detailed information demanded.

One may be certain, then, that the failure to deal appropriately with the evacuees from Gush Katif and northern Samaria will have been subsequently noticed; that it was necessary for the State Control Committee Chairman, Zevulun Orlev (National Union-NRP), to back the July 2008 move to have a commission of enquiry into the treatment of those evicted; that “the government expelled 10,000 people from their homes and abandoned them.” In other words, it is quite diplomatically safe to maintain international pressure against the settlements because even the Israeli authorities do not really care what happens to them.

In June 2008, President Sarkozy of France, declaring himself to the Knesset committed to Israeli security on the one hand, on the other, stressed: “There can be no peace without stopping settlement.” He also added, “There can be no peace without recognizing Jerusalem as the capital of two states and the guarantee of freedom of access to the holy places for all religions.”

There are many ramifications for Israelis of the expulsion of Jews. Among them is this one: “the state is not simply retreating from the land – it is exiling itself from it. Retreat is a military term, markings on an operational map, denoting a tactical exigency. Exile, however, uproots the heart.”<sup>5</sup> Nothing less is being demanded of Israel in the wake of the Gush Katif

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<sup>4</sup> “Gordon Brown Demands End to Israel Settlements”, *International Herald Tribune Europe*, July 20, 2008.

<sup>5</sup> Elyakim Ha’Ezri, “The Shock of Surrender”, ACPR Policy Paper Number 167, Gamla Shall Not Fall Again, March, 2007.

so-called disengagement. However much the foreign powers demand it, Israelis must not, dare not, agree to more uprooting. But they do appear, in large numbers, to be doing so.

Anyone who asserts that it is illegal for a Jew to live in Judea and Samaria just because he is a Jew, is in fact advocating a concept that is disturbingly reminiscent of the “Judenrein” policies of Nazi Germany banning Jews from certain spheres of life for no other reason than that they were Jews. The Jewish villages of Judea, Samaria and the Gaza district are there as of right and are there to stay.<sup>5</sup>

Or so they need to be – and this is a case that must be made, for many reasons, against the pressure of the international community.

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<sup>5</sup> Israeli Ambassador to the UN Yehuda Blum, June 11, 1979.