

The President Takes a Hard Line on Israel

By Mackubin Thomas Owens *The Wall Street Journal* July 24, 2009

Yet he doesn't want to be seen as 'meddling' in Iran. In foreign policy, President Barack Obama has demonstrated a disturbing propensity to curry favor with our adversaries at the expense of our friends.

The Czechs and Poles are rightly concerned that they will be sacrificed on the altar of better U.S. relations with Russia. And the Israelis fear that the Obama administration's desired opening to the Muslim world will be achieved at their expense. Mr. Obama's attempted bullying of Israeli Prime Minister Benjamin Netanyahu is a case in point.

Mr. Netanyahu was sworn in as Israel's prime minister on March 31. Shortly thereafter, the Obama administration confronted Israel's new leader in a very public way regarding Israeli settlements in the West Bank, an area partially controlled by the Palestinian National Authority. This was an extremely unusual way for an American president to greet the new leader of a liberal democracy that's a close ally of the U.S.

The Obama administration was not satisfied with a series of understandings crafted by the Bush administration that, while not freezing settlements, had nonetheless achieved a significant reduction in settlement construction. During a May press conference with the Egyptian foreign minister, Secretary of State Hillary Clinton announced that Mr. Obama "wants to see a stop to settlements—not some settlements, not outposts, not natural-growth exceptions."

Subsequently, Mr. Obama demanded that Israel freeze construction in east Jerusalem. Of course, Mr. Netanyahu rejected Mr. Obama's demand. He declared that Jerusalem is an open, undivided city "that has no separation according to religion or national affiliation." Mr. Netanyahu added that "we cannot accept the idea that Jews will not have the right to live and purchase in all parts of Jerusalem."

If Jews were prohibited from buying property in New York, London, Paris or Rome, there would be an international outcry. Why, Mr. Netanyahu wondered, should the standard be different for Jerusalem?

Mr. Obama is woefully wrong if he believes that his confrontational style will provide an incentive for the Palestinians and the members of the Arab League to resolve the Arab-Israeli dispute. It will simply reinforce the long-standing Arab belief that the U.S. can "deliver" Israel if it only has the will to

do so, thereby reducing Arab incentives to make concessions in direct negotiations with Israel.

As if on cue, Mahmoud Abbas, the leader of the Palestinian National Authority, announced that he would not negotiate on any issue with the new Israeli government until Mr. Obama's settlement conditions are met.

In addition to the building freeze in Jerusalem and the West Bank, Mr. Abbas insisted on four other unilateral, non-negotiable concessions: First, an independent Palestinian state; second, that Israel pulls back to its pre-June 1967 borders, minus a Palestinian land bridge between the West Bank and the Gaza Strip; third, a Palestinian "right of return" to Israel; and fourth, resolution of all permanent status issues on the basis of the 2002 Abdullah plan calling on Arabs to normalize relations with Israel in return for Israel's withdrawal to its pre-1967 borders. The "right of return," in particular, is a non-starter.

If Mr. Obama seeks a Palestinian Arab state, he is going about it the wrong way. The fact is that Mr. Netanyahu has endorsed a two-state solution and an end to the expansion of settlements in the West Bank—as long as the Palestinians accept Israel as a legitimate Jewish state and cannot militarily threaten it. Israel has been willing to accept a two-state solution since the United Nations partition resolution for Palestine in 1947, but the Arabs have refused. They are not interested in creating a separate Palestinian Arab state but in destroying Israel as a Jewish state.

The Obama approach in the Middle East is predicated on what might be called the Arab "grievance narrative," which holds that Israel was created as a result of Western guilt about the Holocaust. It is also based on the idea that, as the president suggested in his Cairo speech, there is moral equivalence between the Holocaust and Palestinian "dislocation."

Such language illustrates an inability to make distinctions. Arabs launched a war against Jewish self-determination and the state of Israel long before any Israeli "occupation" of their lands. When Israel seized land in a defensive war, it was the Arabs, not the Israelis, who kept Palestinian "refugees" in limbo for three generations to await Israel's destruction.

As Mr. Netanyahu reminded Mr. Obama after the latter's Cairo speech, the Arab claim that Israel was a land grab by the great powers to salve the collective conscience of the West after the Holocaust

is a slander. On the contrary, he observed, Israel's right to its homeland rests on the longstanding historical connection of the Jewish people to the land of Israel. This right was ratified by the unanimous and legitimizing votes of the League of Nations and the U.N. Security Council's permanent members, and validated by over 60 years of Israel's successful, democratic statehood.

Israel's "right to exist" was expressed best by Israeli diplomat Abba Eban in 1981. He wrote, "Israel's right to exist, like that of the United States, Saudi Arabia, and 152 other states, is axiomatic and unreserved. Israel's legitimacy is not suspended in midair, awaiting acknowledgment. . . . There is certainly no other state, big or small, young or old, that would consider mere recognition of its 'right to exist' a favor, or a negotiable concession."

Mr. Netanyahu might also have added that Israel's control of the West Bank (territory that should properly be called "disputed" rather than "occupied"), was the result of defeating the Arab powers who initiated the Six Day War of 1967. The status of aggressors and defenders is not interchangeable. Neither is the status of victorious powers and defeated ones.

Nonetheless, Israel has taken unilateral steps toward peace, steps not reciprocated by the Palestinians. When Israel unilaterally disengaged from the Gaza Strip, dismantling 21 settlements and

displacing over 9,000 residents, it conducted the most comprehensive test of the "land for peace" concept in the history of Israeli-Palestinian relations. Yet Israel was rewarded with the creation of a terrorist enclave governed by Hamas, rather than the peaceful, responsible neighbor Israel would need in order to accept a Palestinian Arab state.

Unlike Hamas, the corrupt Palestinian National Authority that holds sway in the West Bank has nominally accepted Israel's right to exist but has never given up the "right of return" for Palestinian "refugees." That right, if implemented, would mean the end of Israel's existence.

Peace between the Israelis and the Palestinians requires compromises on both sides. U.S. pressure on Israel, without any on the Palestinians, will not achieve the desired outcome.

Earlier this summer, the president justified his decision to downplay even rhetorical support for the Iranian protesters who rose up against their government and its fraudulent election. He did not wish the U.S. to appear to be "meddling" in Iranian affairs. He apparently feels no similar constraint when it comes to Israel.

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What the West Bank Actually Looks Like

By Michael J. Totten Commentary July 21, 2009

Last week, the *New York Times* published an article about "signs of hope" in the West Bank (and in the city of Nablus in particular) that refreshingly breaks with the standard narrative of Palestinian desperation and misery. The Israeli military recently closed down its checkpoint into the city, along with other checkpoints elsewhere in the territories. The economy is growing instead of contracting. Downtown is full of shoppers. Islamist scolds have backed off. Police make sure passengers have fastened their seat belts.

It sounds like Nablus has more or less become a normal Middle East city.

Earlier this year in Jerusalem, Palestinian journalist Khaled Abu Toameh told me how much the West Bank surprises visitors now. "The other day," he said, "someone came for the first time ever to this part of the world, and he called me and asked me to take him to Ramallah. So I drove him to downtown Ramallah, and we stopped there. The man was shocked. He said, 'Where are the refugee camps? Where are the mud houses? Where's the poverty?' I said, 'Why are you asking me these questions?' He said, 'I'm shocked. Look how nice it is.'"

I laughed out loud because I had a similar experience myself three years ago before the recent improvements. I didn't expect to see "mud houses." As far as I know, no one has ever reported the existence of "mud houses" in Ramallah. The usual Palestinian narrative, though, seems to encourage some people's vivid imaginations.

But I was still startled by what Ramallah actually looked like. I expected to see, and to write about, squalid living conditions. I had already seen the Sabra and Shatila Palestinian refugee camps in Lebanon, and the awfulness of those places is hard to describe.

I figured Ramallah wouldn't be that bad, but I didn't expect it to look so much better than lots of cities, and not just refugee camps, that I've seen in the region.

It was in early 2006, shortly after Hamas won the election, when I took a taxi from the Qalandia checkpoint outside Jerusalem to Ramallah with a Palestinian man named Sufian. Here, in part, is what I wrote at the time:

I stepped out into a surprisingly pleasant urban environment.

"No offense, Sufian, but this city is a lot nicer than I expected," I said.

"Ramallah is beautiful," he said with pride.

I didn't think it was beautiful, exactly, but it did not look even remotely like the Third World war zone it's reputed to be. I noticed no visible poverty once we left the squalor around the checkpoint. I was, however, warned by Israelis that Ramallah and Bethlehem are much nicer than the rest of the West Bank and need to be judged accordingly.

Ramallah is also in much better physical condition than the parts of Lebanon ruled by Hezbollah, even though Ramallah has experienced war a lot more recently. In fact, Ramallah is in better condition than any Shia region of Lebanon whether it's ruled by Hezbollah or not. The only *Sunni* part of Lebanon that looks nicer than Ramallah is West Beirut.

Ramallah didn't have the glitz of Beirut or the French-Arab Mediterranean charm of a city like Tunis. But it beat the pants off Cairo, one of the biggest tourist destinations in the whole Arab world. It looked a lot like Amman — an Arab city with a pretty good reputation. It was so much nicer than Baghdad, it's pointless to even make the comparison.

I have not visited Gaza, even though I've tried twice, but I have looked inside from the Israeli side of the border. What I could see didn't look pretty. I'm inclined to take more seriously the reports of misery and deprivation in there. Still, here is a photo

of Gaza. Here is another. I'm not sure when they were taken. If Gaza is indeed a gruesome place now, it wasn't always that way. (Hamas and its wars can't have done the place too many favors.)

According to the *New York Times*, though, the West Bank in general is much nicer now than it was even when I saw it. Not only Bethlehem and Ramallah but also Nablus is now said to be doing okay.

Draw whatever political conclusions you want. I'm not sure what to make of it. My colleague Max Boot was with me in Jerusalem earlier this year when Toameh told us about the reporter who was stunned by the distinct lack of misery he expected to see. Boot asked Toameh if better economic conditions meant better political conditions. Toameh said, "No." That was six months ago. He might have been wrong, and what he said might no longer be true. The *New York Times* does note that Fatah is trusted more now than Hamas — for whatever that's worth.

Either way, reports of the West Bank's lax security measures and economic improvement are more common these days than they were. It's refreshing to see foreign correspondents describe the place as it is instead of as the desperately impoverished Israeli-ruled prison it's reputed to be.

Jerusalem – one city, undivided

By Jeff Jacoby The Boston Globe July 22, 2009

Late last week, the Obama administration demanded that the Israeli government pull the plug on a planned housing development near the Sheikh Jarrah neighborhood of Jerusalem. The project, a 20-unit apartment complex, is indisputably legal. The property to be developed -- a defunct hotel -- was purchased in 1985, and the developer has obtained all the necessary municipal permits.

Why, then, does the administration want the development killed? Because Sheikh Jarrah is in a largely Arab section of Jerusalem, and the developers of the planned apartments are Jews. Think about that for a moment. Six months after Barack Obama became the first black man to move into the previously all-white residential facility at 1600 Pennsylvania Avenue in Washington, he is fighting to prevent integration in Jerusalem.

It is impossible to imagine the opposite scenario: The administration would never demand that Israel prevent Arabs from moving into a Jewish neighborhood. And the Obama Justice Department would unleash seven kinds of hell on anyone who tried to impose racial, ethnic, or religious redlining in an American city. In the 21st century, segregation is unthinkable -- except, it seems, when it comes to housing Jews in Jerusalem.

It is not easy for Israel's government to refuse any demand from the United States, which is the Jewish state's foremost ally. To their credit, Israeli leaders spoke truth to power, and said no. "Jerusalem residents can purchase apartments anywhere in the city," Prime Minister Benjamin Netanyahu said on Sunday. "This has been the policy of all Israeli governments. There is no ban on Arabs buying apartments in the west of the city, and there is no ban on Jews building or buying in the city's east. This is the policy of an open city."

There was a time not so long ago when Jerusalem was anything but an open city. During Israel's War of Independence in 1948, the Jordanian Arab Legion invaded eastern Jerusalem, occupied the Old City, and expelled all its Jews -- many from families that had lived in the city for centuries. "As they left," the acclaimed historian Sir Martin Gilbert later wrote in his 1998 book, *Jerusalem in the Twentieth Century*, "they could see columns of smoke rising from the quarter behind them. The Hadassah welfare station had been set on fire and . . . the looting and burning of Jewish property was in full swing."

For the next 19 years, eastern Jerusalem was barred to Jews, brutally divided from the western part of the city with barbed-wire and military

fortifications. Dozens of Jewish holy places, including synagogues hundreds of years old, were desecrated or destroyed. Gravestones from the ancient Mount of Olives cemetery were uprooted by the Jordanian army and used to pave latrines. Jerusalem's most sacred Jewish shrine, the Western Wall, became a slum. It wasn't until 1967, after Jordan was routed in the Six-Day War, that Jerusalem was reunited under Israeli sovereignty and religious freedom restored to all. Israelis have vowed ever since that Jerusalem would never again be divided.

And not only Israelis. US policy, laid out in the Jerusalem Embassy Act of 1995, recognizes Jerusalem as "a united city administered by Israel" and formally declares that "Jerusalem must remain an undivided city." US presidents, Republican and Democratic alike, have agreed. In former President Clinton's words, "Jerusalem should be an open and undivided city, with assured freedom of access and worship for all."

As a presidential candidate, Barack Obama said much the same thing. To a 2008 candidate questionnaire that asked about "the likely final status Jerusalem," Obama replied: "The United States

cannot dictate the terms of a final status agreement. . . . Jerusalem will remain Israel's capital, and no one should want or expect it to be re-divided." In a speech to the American Israel Public Affairs Council, he repeated the point: "Let me be clear . . . Jerusalem will remain the capital of Israel, and it must remain undivided."

Palestinian irredentists claim that eastern Jerusalem is historically Arab territory and should be the capital of a future Palestinian state. In reality, Jews always lived in eastern Jerusalem -- it is the location of the Old City and its famous Jewish Quarter, after all, not to mention Hebrew University, which was founded in 1918. The apartment complex that Obama opposes is going up in what was once Shimon Hatzadik, a Jewish neighborhood established in 1891. Only from 1948 to 1967 -- during the Jordanian occupation -- was the eastern part of Israel's capital "Arab territory." Palestinians have no more claim to sovereignty there than Russia does in formerly occupied eastern Berlin.

The great obstacle to Middle East peace is not that Jews insist on living among Arabs. It is that Arabs insist that Jews not live among them. If Obama doesn't yet grasp that, he has a lot to learn.

Israel's democratic challenge

By Caroline Glick TownHall.com July 3, 2009

It works out that retired Supreme Court president Aharon Barak - the man who shaped Israel's judiciary in his own image - doesn't care much for Jews.

In a speech last Thursday sponsored by the post-Zionist New Israel Fund, Barak said, "If you ask a Jew whether he supports equality with the Arabs, he will say: 'Certainly.' And if you ask if he supports kicking all the Arabs out of here, he will say: 'Certainly.' He sees no contradiction between the two."

After denouncing Jews as stupid racists, Barak went on to explain that in his years on the bench, as his anti-Jewish views developed, he gradually abandoned his legal duty to ground his judgments in Israeli law. Instead, he engaged in a free-wheeling dispensation of justice in accordance with his radical political views.

As he put it, "I remember the problems that were brought before me in my 20 years as a judge, when my line of thought was always administrative: How much power do the administrative bodies in the territories have? With time, as my knowledge of international law increased, my outlook began to change. Instead of talking about what is allowed and what is forbidden for Israeli forces, I thought about the rights of the people there: what rights they deserve."

So by his own admission, during his years on the court, Barak determined what "rights" the

Palestinians "deserve," unfettered by annoying inconveniences like the pretense of law or the normal legal boundaries that inform the decisions of a state governed by the rule of law. It was due to his open contempt for Israeli democracy that under his judicial leadership the country was effectively transformed from a parliamentary democracy governed by law into a judicial tyranny governed by the preferences and prejudices of a fraternity of lawyers that Barak empowered to adjudicate permissible behavior on the basis of their shared radical political preferences.

Barak's bigoted castigation of Jews in his speech raised a storm of public protest. Unfortunately, the far greater danger exposed by his elucidation of his extra-legal judicial philosophy was largely overlooked. This is troubling because on a national level, it is much more important for Israel to roll back Barak's anti-democratic judicial revolution than to condemn his personal bigotry.

Our elected officials took an important first step in this direction last month by electing MK Uri Ariel to serve on the Judicial Selections Committee responsible for appointing judges. Ariel's election by his Knesset colleagues marked the first time in a generation that the radical judicial activists loyal to Barak comprise the minority of committee members. That is, Ariel's election opened the door to the appointment of non-radical judges who believe that

court judgments should be based on laws, not on political and social agendas.

Now, in the aftermath of Barak's speech, the Netanyahu government and the Knesset should present Ariel's election as a first step in an overall policy of reforming the judiciary and the State Prosecution. Specifically, the Knesset should pass legislation reinstating checks and balances on the Supreme Court that Barak removed through judicial fiat as court president. These checks and balances must bar the court from cancelling legally promulgated laws, and block it from using its role as the High Court of Justice to dictate government policy.

Beyond that, the government and the Knesset should pass legislation ending the current untenable situation in which the government and the Knesset are denied legal counsel because they have become the servants rather than the masters of their legal advisers. Over the past decade, coerced by the court and its servile media, the government and the Knesset have been barred from appointing the attorney-general and the Knesset's legal adviser. Instead these officials are appointed by civil service commissions controlled by retired Supreme Court justices and are consequently informally subordinate to the Supreme Court, rather than to the elected officials they are supposed to be serving. This must end.

Throughout Barak's tenure as Supreme Court president, he enjoyed unconditional support from the media. Israel's court reporters and their bosses renounced their primary journalistic duty to act as democracy's watchdog in favor of behaving as Barak's guard dog against all who would question the democratic, normative and legal bases of his actions on the court.

For over a decade on a near daily basis, Barak's media servants castigated critics of his rulings as "anti-democratic," or "racists," or "anti-human rights," or "politically motivated." Rather than facilitate public debate, these compliant media leaders prevented discussion of Barak's actions and in so doing, assisted him in weakening the foundations of Israeli democracy still further.

Now, in the aftermath of his anti-Semitic broadside, some of these media figures are upset with Barak. But even as they condemn him for his anti-Semitism, these same lap dogs continue to guard his judicial record from scrutiny.

Case in point is former Haaretz and Globes editor Mati Golan. In an opinion column published in Globes titled, "Aharon Barak's blood libel," Golan condemned Barak for his views of Jews. But Golan's issues with Barak's statements do more to expose the problem with Golan's type of journalism than the problem with Barak's professional record.

Golan warned that by leaving the proverbial closet and exposing himself as a Jew-hater, Barak did the unthinkable. He caused "people to begin to wonder: Is this the man, the genius, the prodigy whose judgments are a candle lighting the paths of all courts? Should this candle continue to guide legal judgments or should it be snuffed out?"

Golan concluded that in the future, Barak should keep his big mouth shut.

Golan's excoriation of Barak was highly manipulative. He used his criticism of one aspect of Barak's talk to squelch discussion of a more troubling aspect of Barak's talk. This media two-step is the stock-in-trade of Israel's media elite, which like Barak's court system, is a closed circle of self-promoted brethren marked by ideological uniformity and anti-democratic radicalism.

Although Golan is no longer among the leaders of this media fraternity - which since the 1980s has developed in parallel to Barak's legal fraternity - his record is notable for his occasional willingness to expose its prejudices, much as Barak exposed the rationale for his anti-legal judicial legacy last Thursday.

What Golan's record shows among other things is that the source of his anger at Barak's anti-Semitism stemmed from Barak's lack of discrimination between "good Jews," and "bad Jews." Golan made his own - more selective - anti-Semitism clear in an article he published in The Jerusalem Post in March 2005. There he explained that from his perspective, religious Jews cannot reasonably expect the protections afforded to other citizens of a democracy, because they are religious Jews.

As he put it, "Religion and democracy simply do not go together. Democracy requires an open mind, freedom of choice, the ability to criticize. Religion on the other hand is based on virtually blind obedience to its priests. What some in the religious settler population want is to eat their democratic cake and, as believers, have their anti-democratic one, too."

Here, not only did Golan expose his ignorance of basic Judaism - a religion founded on deliberation, debate and rebellion against arbitrary power - he demonstrated his illiberal support for authoritarian governance against his political foes. Like Barak, Golan is comfortable with a regime that prejudicially discards the legal rights of one group in favor of the imagined extra-legal rights of another group.

Golan's selective anger at Barak points to a second area of Israeli public life in dire need of expansive reform: The media. Today, Israel's Byzantine media regulatory system places massive, non-economic bars on entry of new actors into the electronic media market. These obstacles prevent reliable dissemination of news and information to

the public and make it all but impossible for competition to arise in the war of ideas.

For instance, to receive a radio license, new stations must agree to broadcast the hourly news updates produced by either by the ideologically uniform Israel Radio or by the ideologically uniform Army Radio. That is, by law, radio operators are effectively barred from producing their own news and compelled to maintain the media fraternity's monopoly on news reportage and information dissemination.

For the past 20 years, the media fraternity's rigid ideological uniformity has been enabled by over-regulation and maintained through incestuous self-promotion and replication of news gathering models and news line-ups across the newspaper, radio and television spectrum. Like the legal fraternity it protects and supports, the media fraternity has used its power to successfully bar elected officials from setting the national agenda in line with the wishes of the public as expressed at the ballot box.

For instance, from the onset of the Oslo process with the PLO until Yitzhak Rabin was assassinated, the Rabin-Peres government never enjoyed a majority of public support for its controversial appeasement policy. But the media blocked all public debate by silencing Oslo's critics as enemies of peace and warmongers. The situation only deteriorated after Rabin's murder.

The same was the case with the controversial - and disastrous - withdrawals from Lebanon and Gaza. The media has similarly blocked debate of government economic liberalization policies, and educational reform policies.

The story is always the same. Any policy that weakens the position of unelected officials in favor

of elected officials is wrong and must be blocked. By smothering debate and manipulating the flow of information, the media have for decades eroded Israeli democracy and diminished the importance of the public's franchise by weakening the ability of our elected leaders to serve our wishes as we express them when we vote.

During his first tenure as prime minister, Binyamin Netanyahu attempted to deregulate the electronic media in order to facilitate competition in the war of ideas. His efforts were stymied at the time by his own political weakness and by an ad hoc coalition of the religious Right and the secular Left which banded together to prevent the free market from endangering their existing media organs. Once Netanyahu's attempt was scuttled, the Left wasted no time in using Barak's court to remove the religious Right from the airwaves altogether.

Today, Netanyahu is stronger, and due to the Internet, the media is notably weaker. The time has come to reinstate his proposed reforms from a decade ago. Television and radio waves should be deregulated. The only bar to entry should be the ability to pay for a broadcast license. The only determinant of success should be a station's ability to survive financially.

Israel today faces massive threats to its security, its economic viability and its national character. To successfully lead Israel through its current predicament, our politicians need the powers and protections of a properly functioning democracy governed by the rule of law - and not by radicalized lawyers and journalists. It is time for Netanyahu, his government and the Knesset to seize the moment and reinvigorate Israeli democracy.

Tough on Israel By The Washington Post editorial July 30, 2009

Why President Obama's battle against Jewish settlements could prove self-defeating One of the more striking results of the Obama administration's first six months is that only one country has worse relations with the United States than it did in January: Israel. The new administration has pushed a reset button with Russia and sent new ambassadors to Syria and Venezuela; it has offered olive branches to Cuba and Burma. But for nearly three months it has been locked in a public confrontation with Israel over Jewish housing construction in Jerusalem and the West Bank. To a less visible extent, the two governments also have differed over policy toward Iran.

This week a parade of senior U.S. officials has been visiting Jerusalem to tackle the issues: Defense Secretary Robert M. Gates, Middle East envoy George J. Mitchell, national security adviser James L. Jones and senior aide Dennis Ross. But the tensions persist, and public opinion is following: The Pew

Global Attitudes Project reported last week that Israel was the only country among 25 surveyed where the public's image of the United States was getting worse rather than better.

In part the trouble was unavoidable: Taking office with a commitment to pursuing Middle East peace, Mr. Obama faced a new, right-wing Israeli government whose prime minister, Binyamin Netanyahu, has refused to accept the goal of Palestinian statehood. In part it was tactical: By making plain his disagreements with Mr. Netanyahu on statehood and Jewish settlements, Mr. Obama hoped to force an Israeli retreat while building credibility with Arab governments -- two advances that he arguably needs to set the stage for a serious peace process.

But the administration also is guilty of missteps. Rather than pocketing Mr. Netanyahu's initial concessions -- he gave a speech on Palestinian statehood and suggested parameters for curtailing

settlements accepted by previous U.S. administrations -- Mr. Obama chose to insist on an absolutist demand for a settlement "freeze." Palestinian and Arab leaders who had accepted previous compromises immediately hardened their positions; they also balked at delivering the "confidence-building" concessions to Israel that the administration seeks. Israeli public opinion, which normally leans against the settler movement, has rallied behind Mr. Netanyahu. And Israeli-Palestinian peace negotiations, which were active during the Bush administration's final year, have yet to resume.

U.S. and Israeli officials are working on a compromise that would allow Israel to complete

some housing now under construction while freezing new starts for a defined period. Arab states would be expected to take steps in return. Such a deal will expose Mr. Obama to criticism in the Arab world -- a public relations hit that he could have avoided had he not escalated the settlements dispute in the first place. At worst, the president may find himself diminished among both Israelis and Arabs before discussions even begin on the issues on which U.S. clout is most needed. If he is to be effective in brokering a peace deal, Mr. Obama will need to show both sides that they can trust him -- and he must be tough on more than one country.

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Why Won't Obama Talk to Israel?

By Aluf Benn The New York Times July 28, 2009

In his global tours and TV appearances, President Obama has spoken to Arabs, Muslims, Iranians, Western Europeans, Eastern Europeans, Russians and Africans. His words have stirred emotions and been well received everywhere.

But he hasn't bothered to speak directly to Israelis.

And the effect? Six months into his presidency, Israelis find themselves increasingly suspicious of Mr. Obama. All they see is American pressure on Prime Minister Benjamin Netanyahu to freeze settlements, a request that's been interpreted here as political arm-twisting meant to please the Arab street at Israel's expense — or simply to express the president's dislike for Mr. Netanyahu.

This would seem counterproductive, given the importance the president has placed on resolving the Israeli-Palestinian conflict. If Israel is part of the problem, it's also part of the solution. Yet so far, neither the president nor any senior administration official has given a speech or an interview aimed at an Israeli audience, beyond brief statements made at diplomatic photo ops.

The Arabs got the Cairo speech; we got silence.

This policy of ignoring Israel carries a price. Though Mr. Obama has succeeded in prodding Mr. Netanyahu to accept the idea of a Palestinian state alongside Israel, he has failed to induce Israel to impose a freeze on settlements. In fact, he has failed even to stir debate about the merits of one: no Israeli political figure has stood up to Mr. Netanyahu and begged him to support Mr. Obama; not even the Israeli left, desperate for a new agenda, has adopted Mr. Obama as its icon.

As a result, Mr. Netanyahu enjoys a virtual domestic consensus over his rejection of the settlement freeze. Moreover, he has succeeded in

portraying Mr. Obama as a shaky ally. In Mr. Netanyahu's narrative, the president has fallen under the influence of top aides — in this case Rahm Emanuel and David Axelrod — whom the prime minister has called “self-hating Jews.” Meanwhile, Mr. Netanyahu is the defender of national glory in face of unfair pressure, someone who sticks to the first commandment of Israeli culture: thou shalt never be the freier (that is, the dupe).

So far, Israelis have embraced Mr. Netanyahu's message. A Jerusalem Post poll of Israeli Jews last month indicated that only 6 percent of those surveyed considered the Obama administration to be pro-Israel, while 50 percent said that its policies are more pro-Palestinian than pro-Israeli. Less scientifically: Israeli rightists have — in columns, articles and public statements — taken to calling the president by his middle name, Hussein, as proof of his pro-Arab tendencies.

What went wrong? Several explanations come to mind.

First, in the 16 rosy years of Bill Clinton and George W. Bush, Israelis became spoiled by unfettered presidential attention. Memories of State Department “Arabists” leading American policy in the Middle East were erased. The White House coordinated its policy with Jerusalem, and stayed out of the way when Israel embarked on controversial military offensives in Lebanon and Gaza. This approach infuriated America's Arab and European allies, which blamed Washington for one-sidedness — something they were willing to forgive of Bill Clinton but not of George W. Bush.

Mr. Obama came to office determined to repair America's broken alliances in Europe and the Middle East. One way to do this — to prove that he was the

opposite of his predecessor — was to place some distance between Israel and himself.

Second, Mr. Obama's quest for diplomacy has appeared to Israelis as dangerous American naïveté. The president offered a hand to the Iranians, and got nothing, merely giving them more time to advance their nuclear program. In Israeli eyes, he was humiliated by North Korea's nuclear and missile tests. And he failed to move Arab governments to take steps to normalize relations with Israel. Conclusion: Mr. Obama is a softie, eager to please his listeners and avoid confrontation with anyone who is not Mr. Netanyahu.

Third, Mr. Obama seems to have confused American Jews with Israelis. We are close emotionally and politically, but we are different. We speak Hebrew and not English, we live in the Middle East and have separate historical narratives. Mr. Obama's stop at Buchenwald and his strong rejection of Holocaust denial, immediately after his Cairo speech, appealed to American Jews but fell flat in Israel. Here we are taught that Zionist determination and struggle — not guilt over the Holocaust — brought Jews a homeland. Mr. Obama's speech, which linked Israel's existence to the Jewish tragedy, infuriated many Israelis who sensed its closeness to the narrative of enemies like Mahmoud Ahmedinejad.

Fourth, as far as most Israelis are concerned, Mr. Obama has made a mistake in focusing on a

It's Crunch Time for Israel on Iran

By John Bolton The Wall Street Journal

After years of failed diplomacy no one will be able to call an attack precipitous. Legions of senior American officials have descended on Jerusalem recently, but the most important of them has been Defense Secretary Robert Gates. His central objective was to dissuade Israel from carrying out military strikes against Iran's nuclear weapons facilities. Under the guise of counseling "patience," Mr. Gates again conveyed President Barack Obama's emphatic thumbs down on military force.

The public outcome of Mr. Gates's visit appeared polite but inconclusive. Yet Iran's progress with nuclear weapons and air defenses means Israel's military option is declining over time. It will have to make a decision soon, and it will be no surprise if Israel strikes by year's end. Israel's choice could determine whether Iran obtains nuclear weapons in the foreseeable future.

Mr. Obama's approach to Tehran has been his "open hand," yet his gesture has not only been ignored by Iran but deemed irrelevant as the country looks inward to resolve the aftermath of its fraudulent election. The hardliner "winner" of that election, President Mahmoud Ahmadinejad, was recently forced to fire a deputy who once said

settlement freeze. For starters, mainstream Israelis rarely have anything to do with the settlements; many have no idea where they are, even when they're a half-hour's drive from Tel Aviv.

More important: in the past decade, repeated peace negotiations and diplomatic statements have indicated that larger, closer-to-home settlements (the "settlement blocs") will remain in Israeli hands under any two-state solution. Why, then, insist on a total freeze everywhere? And why deny with such force — as the administration did — the existence of previous understandings between the United States and Israel over limited settlement construction? There is simply too much evidence proving that such an understanding existed. To Israelis, the claim undermined Mr. Obama's credibility — and strengthened Mr. Netanyahu's position.

Perhaps there are good reasons behind Mr. Obama's Middle East policy. Perhaps the settlement freeze is in Israel's best interest. Perhaps the president is truly committed to Israel's long-term security and well-being. Perhaps his popularity in the Arab street is the missing ingredient of peacemaking.

But until the president talks to us, we won't know. Next time you're in the neighborhood, Mr. President, speak to us directly. We will surely listen.

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something vaguely soothing about Israel. Clearly, negotiations with the White House are not exactly topping the Iranian agenda.

Beyond that, Mr. Obama's negotiation strategy faces insuperable time pressure. French President Nicolas Sarkozy proclaimed that Iran must re-start negotiations with the West by September's G-20 summit. But this means little when, with each passing day, Iran's nuclear and ballistic missile laboratories, production facilities and military bases are all churning. Israel is focused on these facts, not the illusion of "tough" diplomacy.

Israel rejects another feature of Mr. Obama's diplomatic stance. The Israelis do not believe that progress with the Palestinians will facilitate a deal on Iran's nuclear weapons program. Though Mr. Gates and others have pressed this fanciful analysis, Israel will not be moved.

Worse, Mr. Obama has no new strategic thinking on Iran. He vaguely promises to offer the country the carrot of diplomacy—followed by an empty threat of sanctions down the road if Iran does not comply with the U.S.'s requests. This is precisely the European Union's approach, which has failed for over six years.

There's no reason Iran would suddenly now bow to Mr. Obama's diplomatic efforts, especially after its embarrassing election in June. So with diplomacy out the door, how will Iran be tamed?

Mr. Gates' mission had extraordinary significance. Israel sees the political and military landscape in a very inauspicious light. It also worries that, once ensnared in negotiations, the Obama administration will find it very hard to extricate itself. The Israelis are probably right. To prove the success of his "open hand," Mr. Obama will declare victory for "diplomacy" even if it means little to no gains on Iran's nuclear program.

Under the worst-case scenario, Iran will continue improving its nuclear facilities and Mr. Obama will become the first U.S. president to tie the issue of Israel's nuclear capabilities into negotiations about Iran's.

Israel understands that Secretary of State Hillary Clinton's recent commitment to extend the U.S. "defense umbrella" to Israel is not a guarantee of nuclear retaliation, and that it is wholly insufficient to deter Iran from obliterating Israel if it so decides. In fact, Mrs. Clinton's comment tacitly concedes that

Iran will acquire nuclear weapons, exactly the wrong message. Since Israel, like the U.S., is well aware its missile defense system is imperfect, whatever Mr. Gates said about the "defense umbrella" will be politely ignored.

Relations between the U.S. and Israel are more strained now than at any time since the 1956 Suez Canal crisis. Mr. Gates's message for Israel not to act on Iran, and the U.S. pressure he brought to bear, highlight the weight of Israel's lonely burden.

Striking Iran's nuclear program will not be precipitous or poorly thought out. Israel's attack, if it happens, will have followed enormously difficult deliberation over terrible imponderables, and years of patiently waiting on innumerable failed diplomatic efforts. Absent Israeli action, prepare for a nuclear Iran.

Mr. Bolton, a senior fellow at the American Enterprise Institute, is the author of "Surrender Is Not an Option: Defending America at the United Nations" (Simon & Schuster, 2007).

Gazan fantasies By The National Post (Canada) editorial July 21, 2009

There is no denying that Operation Cast Lead -- the Israeli invasion of the Gaza Strip last winter -- was a harsh campaign. Palestinian terrorists had for years hidden themselves among hospital patients, school children and seniors while they fired rockets, mortars and sniper rifles into civilian communities inside Israel. Rooting out the murderers from among the Gazan population was necessarily going to be hard on non-combatants.

But the accusation-- repeated often in the intervening months -- that large numbers of Israel soldiers have come forward to confess they were ordered to target civilians is a fantasy of anti-Israel aid groups. Israel's obsessive critics want it to be true, so they make up the "proof " they are sure is out there.

The latest to launch an unfounded attack is a group calling itself Breaking the Silence. Last Wednesday, it released a 112-page report containing 54 stories purportedly from two dozen Israel Defense Forces soldiers alleging that they were told by their superiors either not to worry about civilian casualties or to purposely set out to maximize Palestinian pain and suffering.

Not one of the soldiers is identified, though--all 54 allegations are from anonymous sources, making it impossible to verify their accuracy. And no wonder: Since the January operation, the IDF's Military Advocate General and the independent criminal investigation unit of the military police have delved into more than a dozen similar allegations. In each case, they found no grounds to lay charges. Most allegations followed the same pattern: A soldier claimed he was told by someone in another unit that they were briefed by their officers to kill civilians. Beyond the soldiers' second-hand hearsay, no solid evidence or eyewitness testimony can be found.

Breaking the Silence seems merely to have collected all these discredited third-party claims in one publication, then released them to generate anti-Israel publicity. (It worked: the group's specious study was the lead item on the BBC News' email blast on Friday.)

It's part of a stubborn pattern, unfortunately: Israel's critics -- both within the country and without -- are so desperate to discredit the Jewish state that they refuse to let mere facts stand in their way.

How settlements became 'illegal'

By Moshe Dann The Jerusalem Post July 23, 2009

In 1967, under attack, Israel struck back and conquered the Golan Heights from Syria, the Sinai Peninsula and the Gaza Strip from Egypt, and Judea, Samaria and Jerusalem (the West Bank) from Jordan. Israel had been threatened with a second Holocaust,

and few questioned its actions. No one spoke of a Palestinian state; there was no "Palestinian people."

Many legal experts accepted Israel's right to "occupy" and settle its historic homeland, because

the areas had been illegally occupied by invading Arab countries since 1948.

One organization, however - the International Committee of the Red Cross - disagreed.

Meeting secretly in the early 1970s in Geneva, the ICRC determined that Israel was in violation of the Fourth Geneva Convention. Based on the Hague Convention, GC IV was drawn up after World War II to protect innocent civilians and restrict brutal occupations. Unilaterally, the ICRC turned it into a weapon to delegitimize and demonize Israel.

As far as is known, the ICRC did not rely on any legal precedents; it made up "the law."

Judge and jury, its decisions lacked the pretense of due process. Since all decisions and protocols of the ICRC in this matter are closed, even the identities of the people involved are secret. And there is no appeal. Without transparency or judicial ethics, ICRC rulings became "international law." Its condemnations of Israel provide the basis for accusing Israel of "illegal occupation" of all territory conquered in 1967.

Although most of the international community, its NGOs and institutions accept the authority of the ICRC and other institutions, such as the International Court of Justice, as sole arbiters of what is "legal," or not, it's strange that some Israeli politicians and jurists cannot defend Israel's legal claim to the territories. And Israel's case is strong.

Adopted in 1945, the UN Charter (Article 80) states: "...nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which members of the United Nations may respectively be parties." This means that the designation of "Palestine" as a "Jewish National Home," incorporated in the British Mandate and established by international agreements adopted by the League of Nations and US Congress, guarantees Israel's sovereign rights in this area. All Jewish settlement, therefore, was and is legal.

Two years later, amid growing civil war, the UN proposed a division of Palestine between Jews and Arabs - changing the terms of the Mandate; the Jews accepted, the Arabs launched a war of extermination.

When Britain ended the Mandate and left, the State of Israel was proclaimed and local mobs who had been attacking Jews for years were joined by five Arab armies. The armistice in 1949 - for Jews, independence, for Arabs, nakba (tragedy) - did not result in a Palestinian state, because the Arabs did not want it. Arab leaders never accepted Israel's right to exist as a Jewish state - most refuse to do so today.

Pressured by Russia and the Arab states, the Security Council adopted Resolution 242, which spoke of Israel's military withdrawal from some - not

all - of these conquered territories in the context of a final peace agreement. The question of sovereignty remained elusive and problematic.

Israel's political echelon and Supreme Court refrained from asserting full sovereignty over the newly acquired areas but, in the absence of any reciprocal gestures, agreed to allow Jews to return to Jerusalem's Old City and Gush Etzion, where a flourishing group of settlements had been wiped out in 1947. Striking a compromise, it allowed the building of Kiryat Arba, near Hebron, where the Jewish community had been wiped out in Arab riots of 1929; Jews were permitted to pray at the Cave of Machpela, an ancient building containing the tombs of Jewish patriarchs and matriarchs, for the first time in 700 years.

Although free to leave UNRWA refugee camps, with new opportunities and challenges, Palestinians did not call for statehood or peace with Israel. The PLO, which claimed to represent Palestinians, was dedicated to terrorism, not nation-building.

For some, this is not a "legal" issue, but a moral one: Jews should not rule over ("occupy") others. So Israel withdrew unilaterally from nearly all "Palestinian" cities, towns and villages and turned over vast tracts of land to the PA/PLO as part of the Oslo Accords in 1994 and a few years later in the Wye and Hebron agreements.

When Israel withdrew from the Gaza Strip, it became a bastion of Hamas. "Land for peace" in reality means "land for terrorism."

Influenced by these events, incited by Islamists, encouraged by Israeli concessions and seeking to undermine the state, Israeli Arabs identify as "Palestinians," demanding an end to "Jewish occupation" and discrimination, and the destruction of the state itself.

Others contend that "Israel's Jewish and democratic" nature will be threatened if it continues to include large numbers of Arabs who are not loyal and do not identify with the state. But nearly all "Palestinians" live under PA, not Israeli rule. The dispute now, therefore, is over territory, not people.

Predictions of an "Arab demographic time bomb" have not proven realistic or accurate. Moreover, allowing Arab residents full civil and humanitarian rights, without political rights, as exist in most other countries, could be considered in conjunction with resettling Arab "refugees" in Lebanon, Syria, Jordan, etc., dismantling UNRWA camps and ending terrorism and incitement against Israel.

That a second (or third) Arab Palestinian state would be an existential threat to Israel seems obvious. "Land for peace" has failed. Why then promote it?

The writer, a former assistant professor of history, is a journalist.