

Settlements are no threat

By Aron U. Raskas The Baltimore Sun

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As the Obama administration moves to transform Palestinian arguments about Israeli settlements into U.S. policy, an examination of the facts underlying these issues is appropriate. There may be no better place to begin than the swimming pool at Rimonim, a Jewish settlement in the heart of the West Bank.

The scene is a familiar one. Families picnicking together. Mothers yelling at children to be careful. Young children calling out to moms to watch them do dangerous things.

But it is the view from the hilltop pool that is striking. It quickly dispels many of the myths that today masquerade as dogma concerning Jewish settlements in the West Bank.

As one looks out from Rimonim, the most telling fact is what one does not see. Over the miles of rolling hills that unfold across the landscape, there is not a village, building, home or even a herd of sheep to be seen. The scene is the same at other Jewish settlements as well.

Palestinian propaganda machines have for years purveyed the myth of Israeli settlements choking Palestinian communities the way commerce and residential developments have encroached upon rural America. Yet, in reality, nothing like this exists in the largely unsettled expanses of the West Bank.

When Mark Twain walked this land in 1867, he described in his book, *Innocents Abroad*, this very same "deserted" and "desolate country" with its "rocky and bare" landscape. Today, despite Palestinian efforts to portray it differently, not all that much has changed outside the few towns and villages that dot the land.

Even the pro-Palestinian group Peace Now concedes that Israeli settlements - mostly bedroom communities of Jerusalem or Tel Aviv - occupy less than 3 percent of the West Bank. More than 98 percent of Palestinians already live under the jurisdiction of the Palestinian Authority, and there is no shortage of land there for Palestinian expansion.

Moreover, Israeli professionals living a suburban life with their children in the vast expanse of these territories do not threaten or harm Palestinians. Israeli checkpoints and security measures have been implemented because Palestinians have seemed more interested in destroying Israel and killing Jews than establishing an independent Palestinian state.

Nor are Jewish settlements the result of Israeli colonial aspirations. Most represent the return of the Jewish people to the cities of their ancestors. As Twain painstakingly reported, Jews have lived here since time immemorial, and a drive through these territories highlights the Jewish history - cities, tombs and other landmarks - rooted in this land.

Yet it is not just ancient history that speaks to the great Jewish legacy. The Jewish presence has been a constant right up to modern times. While many bristle at the terms "Judea" and "Samaria," dismissing them as propaganda invented by extremist "settlers" for political ends, maps, photographs, travel guides and other books have throughout history described these territories by those time-honored names. Even United Nations resolutions - including, notably, the 1947 Partition resolution - used those terms.

Given this history, the rights of the Jewish people in these lands are rich, historic and firmly enshrined. While negotiations about sharing this land may be necessary for the sake of peace, they cannot proceed from a premise that these are "Palestinian lands" or occupied "Palestinian territory." They are, at most, "disputed territories."

Indeed, the Oslo Accords firmly recognized the issue of "settlements" as one of the "final status" issues to be addressed by negotiation after other, less difficult, issues were resolved.

It is wrong for the Obama administration to now seek to prejudice that delicate issue with pronouncements adopting the Palestinian narrative and actions designed to preclude the building of additions to homes and new units necessary to accommodate natural growth in existing Jewish settlements.

The thousands of young children who frequent the Rimonim pool look to the future like children anywhere. They seek only to grow up in peace, experience the joys of youth with sufficient room in their homes and schools and, ultimately, have the right to raise families in the communities that nurtured them from birth.

There is no morally sound reason for the Obama administration to challenge these basic rights.

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Why the Cairo Speech Was So Sad

By Dennis Prager TownHall.com June 9, 2009

It appears that President Barack Obama decided not to incorporate any of the points on American-Muslim relations I included in my last column, a speech I suggested he give in Cairo to the Muslim world.

Nevertheless the president made some courageous points, and an honest appraisal of his speech needs to note them. For example, telling an audience in Cairo and presumably hundreds of millions of Muslims elsewhere that America's "bond is unbreakable" with Israel was courageous and important.

So the speech was not bad. But it was sad.

It was extremely sad that it was necessary for anyone, let alone an American president, to tell Muslims that the Holocaust occurred, that "6 million Jews were killed," and that "denying that fact is baseless, it is ignorant, and it is hateful." There is no other audience on earth to whom that would have to be said.

Incidentally, wouldn't one think that an American president feeling the need to condemn Holocaust-denial before a world Muslim audience would be worthy of comment? Yet, such is the soft bigotry of low expectations that dominates world news media views of the Muslim world, that I did not see one mainstream media comment on this extraordinary fact.

I did, however, see Tom Brokaw ask this incredible question of President Obama after the latter's visit to the Nazi concentration camp at Buchenwald: "What can the Israelis learn from your visit to Buchenwald and what should they be thinking about their treatment of Palestinians?"

To his credit, President Obama immediately responded: "Well, look, there's no equivalency here."

Talk about sad. What other word can be used to describe one of the most famous journalists in America using the Holocaust to ask about Israeli policy toward Palestinians?

Returning to the president's speech, it was also sad that the president had to condemn Muslim Jew-hatred and threats to annihilate Israel -- "Threatening Israel with destruction or repeating vile stereotypes about Jews is deeply wrong." This, too, needed to be said to a Muslim audience. Nazi-like

depictions of Jews, regularly equating Jews with animals and calling for their destruction, are found in much of the Muslim media, many Islamic schools and many mosques.

It was likewise sad that an American president felt he had to go to Cairo and tell Muslims that Islam has a history of tolerance: "Islam has a proud tradition of tolerance. We see it in the history of Andalusia and Cordoba during the Inquisition. I saw it firsthand as a child in Indonesia, where devout Christians worshiped freely in an overwhelmingly Muslim country."

It was as if the president had to persuade his audience that Islam has been or is, in essence, tolerant. Even President Obama's examples were not convincing.

Muslim-governed Andalusia in southern Spain, of which Cordoba was the capital city, ceased being tolerant (relative to Christian Europe at the time) by about 1,000. In 1011, there was a Muslim pogrom against the Jews of Cordoba. And even earlier, between A.D. 850 and 859, 50 Christians were beheaded in Cordoba for blasphemy against Islam. As for the Indonesia in which the young Barack Obama saw Christians worshiping freely, that country was almost as secular under Suharto as Turkey was under Ataturk. So, the question remains: Are there examples in the last 1,000 years of a religious Islamic regime governing a society that was tolerant of non-Muslims or dissenting Muslims? The president provided none.

Right after the Indonesia citation, the president added: "That is the spirit we need today," obviously implying that this spirit of religious tolerance is not present in the Muslim world today. That was quite a statement to make to hundreds of millions of Muslims.

Yet, despite many objectionable aspects of the president's speech, it was very important for someone of President Obama's stature to tell the Muslim world that there was a Holocaust, that anti-Semitism is evil, that Israel and America have an unbreakable bond, and that religious intolerance in the Muslim world is unacceptable. But for precisely those reasons his speech was so sad.

The Settlements Myth

By Charles Krauthammer The Washington Post June 5, 2009

President Obama repeatedly insists that American foreign policy be conducted with modesty and humility. Above all, there will be no more "dictating" to other countries. We should "forge partnerships as opposed to simply dictating solutions," he told the G-20 summit. In Middle East negotiations, he told

al-Arabiya, America will henceforth "start by listening, because all too often the United States starts by dictating."

An admirable sentiment. It applies to everyone - Iran, Russia, Cuba, Syria, even Venezuela. Except Israel. Israel is ordered to freeze all settlement

activity. As Secretary of State Hillary Clinton imperiously explained the diktat: "a stop to settlements -- not some settlements, not outposts, not natural-growth exceptions."

What's the issue? No "natural growth" means strangling to death the thriving towns close to the 1949 armistice line, many of them suburbs of Jerusalem, that every negotiation over the past decade has envisioned Israel retaining. It means no increase in population. Which means no babies. Or if you have babies, no housing for them -- not even within the existing town boundaries. Which means for every child born, someone has to move out. No community can survive like that. The obvious objective is to undermine and destroy these towns -- even before negotiations.

To what end? Over the past decade, the U.S. government has understood that any final peace treaty would involve Israel retaining some of the close-in settlements -- and compensating the Palestinians accordingly with land from within Israel itself.

That was envisioned in the Clinton plan in the Camp David negotiations in 2000, and again at Taba in 2001. After all, why expel people from their homes and turn their towns to rubble when, instead, Arabs and Jews can stay in their homes if the 1949 armistice line is shifted slightly into the Palestinian side to capture the major close-in Jewish settlements, and then shifted into Israeli territory to capture Israeli land to give to the Palestinians?

This idea is not only logical, not only accepted by both Democratic and Republican administrations for the past decade, but was agreed to in writing in the letters of understanding exchanged between Israel and the United States in 2004 -- and subsequently overwhelmingly endorsed by a concurrent resolution of Congress.

Yet the Obama State Department has repeatedly refused to endorse these agreements or even say it will honor them. This from a president who piously insists that all parties to the conflict honor previous obligations. And who now expects Israel to accept new American assurances in return for concrete and irreversible Israeli concessions, when he himself has just cynically discarded past American assurances.

The entire "natural growth" issue is a concoction. Is the peace process moribund because a teacher in the Jewish Quarter of Jerusalem is

making an addition to her house to accommodate new grandchildren? It is perverse to make this the center point of the peace process at a time when Gaza is run by Hamas terrorists dedicated to permanent war with Israel and when Mahmoud Abbas, having turned down every one of Ehud Olmert's peace offers, brazenly declares that he is in a waiting mode -- waiting for Hamas to become moderate and for Israel to cave -- before he'll do anything to advance peace.

In his much-heralded "Muslim world" address in Cairo yesterday, Obama declared that the Palestinian people's "situation" is "intolerable." Indeed it is, the result of 60 years of Palestinian leadership that gave its people corruption, tyranny, religious intolerance and forced militarization; leadership that for three generations rejected every offer of independence and dignity, choosing destitution and despair rather than accept any settlement not accompanied by the extinction of Israel.

That's why Haj Amin al-Husseini chose war rather than a two-state solution in 1947. Why Yasser Arafat turned down a Palestinian state in 2000. And why Abbas rejected Olmert's even more generous December 2008 offer.

In the 16 years since the Oslo accords turned the West Bank and Gaza over to the Palestinians, their leaders built no roads, no courthouses, no hospitals, none of the fundamental state institutions that would relieve their people's suffering. Instead they poured everything into an infrastructure of war and terror, all the while depositing billions (from gullible Western donors) into their Swiss bank accounts.

Obama says he came to Cairo to tell the truth. But he uttered not a word of that. Instead, among all the bromides and lofty sentiments, he issued but one concrete declaration of new American policy: "The United States does not accept the legitimacy of continued Israeli settlements," thus reinforcing the myth that Palestinian misery and statelessness are the fault of Israel and the settlements.

Blaming Israel and picking a fight over "natural growth" may curry favor with the Muslim "street." But it will only induce the Arab states to do like Abbas: sit and wait for America to deliver Israel on a platter. Which makes the Obama strategy not just dishonorable but self-defeating.

In Cairo, the president pandered

By Jeff Jacoby The Boston Globe June 7, 2009

President Obama went to the Middle East, he said, to speak frankly and forthrightly about the issues that bedevil America's relations with the Muslim world. "Part of being a good friend is being honest," he had said in an interview just before his trip. He warned his Cairo audience that he intended to be

blunt. "We must say openly the things we hold in our hearts and that too often are said only behind closed doors," he declared; so he was going to "speak as clearly and plainly as I can."

About some things, the president was indeed direct. He conveyed his impatience with those --

there are many in the Middle East -- who blame the 9/11 terrorist attacks on a Jewish or American conspiracy. "Let us be clear: Al-Qaeda killed nearly 3,000 people on that day" and "the victims were innocent men, women and children. . . . These are not opinions to be debated; these are facts to be dealt with."

He was even more scornful about Holocaust denial, which is also rife in the Arab world. "Six million Jews were killed" by Nazi Germany, Obama said -- "more than the entire Jewish population of Israel today. Denying that fact is baseless, ignorant, and hateful."

Would that the rest of his remarks had been equally plain-spoken. As the first American president with Muslim roots, Obama benefits from much acclaim and goodwill in the Middle East. Rarely has a president had a better opportunity to openly address the pathologies and prejudices that drag Islamic societies backward, trapping so many of the world's Muslims in cultures that are unfree and unenlightened. As a candidate for president, Obama had argued that his experience of Muslim life gave him the moral authority to speak truth to Islamic power. "I can speak forcefully," he told *The New York Times*, "about the need for Muslim countries to reconcile themselves to modernity in ways they have failed to do."

But he didn't do so. Instead Obama pandered to his audience. He repeatedly praised Islamic history and teachings, repeatedly drew attention to American or Western shortcomings -- and repeatedly avoided speaking frankly about the dysfunctions in contemporary Islam.

He spoke of democracy, for example, but only in gauzy platitudes about "the freedom to live as you choose" and the need for "government of the people and by the people." Obama could have mentioned that democracy is almost entirely absent from the Arab world, or called for the release of imprisoned dissidents. He could have used his bully pulpit to urge an end to Egypt's repressive "state of

emergency," which has lasted 28 years. He could have contrasted Iraq's hard-won constitutional democracy with the Middle East's ugly autocracies and dictatorships. He could have offered hope and encouragement to persecuted reformers and pro-democracy activists. Why didn't he?

"I want to address . . . women's rights," the president said, as well he might, given the appalling subjugation of women in so many Muslim countries. But about that subjugation -- the gender apartheid in Saudi Arabia, the fanatic misogyny of the Taliban, the widespread female genital mutilation, the "honor" killings of women who get pregnant out of wedlock -- he spoke not a word. The closest he came to denouncing the thugs who blow up girls' schools and murder their teachers was to observe tepidly that "a woman who is denied an education is denied equality." He disagreed, he said, with those who think "that a woman who chooses to cover her hair is somehow less equal." But what about women who are forced to wear a hijab? About them, Obama was silent.

Most astonishing of all, Obama never spoke the words "Islamist" or "Islamism." In a speech directed to Muslims worldwide, he made no effort to refute radical Islam's endorsement of global jihad. He spoke only of "extremists" -- as in "violent extremists who pose a grave threat to our security" -- but said nothing about the totalitarian religious ideology that drives them. For Obama, speaking in the heart of the Arab world at a seat of Muslim learning, it was the perfect moment to strike an intellectual blow against radical Islam. It was the ideal venue to implore Muslims to rise up, vocally and en masse, against the jihadists who preach and commit violence in the name of Islam.

What the Brandenburg Gate was for Ronald Reagan in 1987, Cairo University could have been for Obama. Reagan seized the moment, spoke the truth, and helped liberate half a continent. All Obama did was give a speech.

U.S. Policy on Israeli Settlements

By Dore Gold The Jerusalem Center for Public Affairs June 9, 2009

The Obama administration's tough, confrontational rhetoric on Israeli settlements raises a number of specific questions: Were Israeli settlements a violation of international law? Were Israeli settlements a violation of agreements and an obstacle to further progress in any future peace talks? Did the administration envision Israel withdrawing completely to the 1967 lines or did it accept the idea that Israel would retain part of the territories for defensible borders?

Many observers are surprised to learn that settlement activity was not defined as a violation of the 1993 Oslo Accords or their subsequent

implementation agreements. If the U.S. is now seeking to constrain Israeli settlement activity, it is essentially trying to obtain additional Israeli concessions that were not formally required according to Israel's legal obligations under the Oslo Accords.

President Bush's deputy national security advisor, Elliot Abrams, wrote in the *Washington Post* on April 8, 2009, that the U.S. and Israel negotiated specific guidelines for settlement activity, whereby "settlement activity is not diminishing the territory of a future Palestinian entity." If the U.S. is concerned that Israel might diminish the territory that the

Palestinians will receive in the future, then the Obama team could continue with the quiet guidelines followed by the Bush administration and the Sharon government.

Given the fact that the amount of territory taken up by the built-up areas of all the settlements in the West Bank is estimated to be 1.7 percent of the territory, the marginal increase in territory that might be affected by natural growth is infinitesimal. Moreover, since Israel unilaterally withdrew 9,000 Israeli settlers from the Gaza Strip in 2005, the argument that a settler presence will undermine a future territorial compromise has lost much of its previous force.

The U.S. and Israel need to reach a new understanding on the settlements question. Legally and diplomatically, settlements do not represent a problem that can possibly justify putting at risk the U.S.-Israel relationship. It might be that the present tension in U.S.-Israeli relations is not over settlements, but rather over the extent of an Israeli withdrawal from the West Bank that the Obama administration envisions.

Disturbingly, on June 1, 2009, the State Department spokesman, Robert Wood, refused to answer repeated questions about whether the Obama administration viewed itself as legally bound by the April 2004 Bush letter to Sharon on defensible borders and settlement blocs. It would be better to obtain earlier clarification of that point, rather than having both countries expend their energies over an issue that may not be the real underlying source of their dispute.

In his June 4, 2009, Cairo speech, President Barack Obama continued to focus U.S. policy on Israel's construction practices in the West Bank, which he forcefully criticized: "The United States does not accept the legitimacy of continued Israeli settlements. This construction violates previous agreements and undermines efforts to achieve peace. It is time for these settlements to stop." His secretary of state, Hillary Clinton, was no less forceful when speaking on May 27, 2009, about Obama's stand on this issue: "He wants to see a stop to settlements - not some settlements, not outposts, not 'natural growth' exceptions."

The Obama administration's tough, confrontational rhetoric on Israeli settlements raises the question of whether it represents a sharp break from the policies of past administrations. Moreover, Obama's assertion that current Israeli construction represents a violation of past agreements raises the question of which agreement he had in mind.

Israeli settlements in the territories captured in the 1967 Six-Day War date back more than forty years. They began as military and agricultural outposts that were located for the most part in strategically significant areas of the West Bank which

Israel planned to eventually claim. These settlements were also situated in areas from which Jews had been evicted during the 1948 War. While the U.S. did not support the settlement enterprise, its response to the settlements has varied in intensity, depending on the overall relationship between the two countries.

For example, the Carter administration abstained in the UN Security Council repeatedly in 1979 when draft resolutions came up for a vote that condemned Israeli settlement activity. Yet suddenly in March 1980, the administration initially decided to support Resolution 465 that called for "dismantling" all settlements, although later it reversed its position.

This varying response to the settlement issue also stemmed from U.S. policy on a number of specific questions raised by the establishment of Israeli settlements:

Were Israeli settlements a violation of international law?

Were Israeli settlements a violation of specific bilateral agreements between Israel and its Arab neighbors and an obstacle to further progress in any future peace talks?

To what extent did the administration envision Israel withdrawing completely to the 1967 lines or did it accept the idea that Israel would retain part of the territories for defensible borders and its security needs?

There were also two other conflicting considerations. For years Washington opposed settlements because it was felt that they were unilateral actions that pre-judged the outcome of future negotiations. But at the same time there was the view that constrained U.S. statements or activities against the settlements: while all administrations opposed settlement activity on policy grounds, the U.S. felt that using the UN to press Israel was inappropriate, since it was argued that Arab-Israeli differences of this nature should be resolved bilaterally between the parties themselves.

The Settlements and International Law
Before turning to the specific issue of the settlements, it is instructive to recall that Israel's entry into the West Bank, in particular, created a number of legal dilemmas that would ultimately impinge on how the legal question of settlements was examined. Israel entered the West Bank in a war of self-defense, so that the UN Security Council did not call on Israel to withdraw from all the territory that it captured, when it adopted UN Security Council Resolution 242 in November 1967. The previous occupant in the West Bank from 1949 to 1967 had been the Hashemite Kingdom of Jordan, whose sovereignty in the territory the entire international community refused to recognize - except for Britain and Pakistan. Prior to 1949, the governing document for legal rights in the West

Bank was the 1922 Palestine Mandate, which gave international recognition to Jewish legal rights.

U.S. officials were cognizant of these considerations. Eugene Rostow, a former dean of Yale Law School who was also Undersecretary of State in the Johnson years, would write years later that "Israel has an unassailable legal right to establish settlements in the West Bank." He argued that Israel's claims to the territory were "at least as good as those of Jordan." Prof. Stephen Schwebel, who would become the State Department legal advisor and subsequently the President of the International Court of Justice in The Hague, went a step further when he wrote in 1970 that "Israel has better title in the territory of what was Palestine, including the whole of Jerusalem, than do Jordan and Egypt." On July 29, 1977, Secretary of State Cyrus Vance stated that "it is an open question as to who has legal right to the West Bank."

In the late 1960s, the Johnson administration was critical of Israeli settlement activity, but did not characterize the settlements as illegal. It was not until the Carter administration that the State Department Legal Advisor, Herbert Hansell, expressed the view that the settlements violated international law. The Carter policy was reversed by all of his successors. Thus, President Ronald Reagan declared on February 2, 1981, that the settlements were "not illegal." He criticized them on policy grounds, calling them "ill-advised" and "proactive."

The question about the legality of settlements came from how various legal authorities interpret the applicability of the 1949 Fourth Geneva Convention relative to civilian persons in times of war. Article 49 of the convention clearly prohibits "mass forcible transfers" of protected persons from occupied territories. Later in the article, it states that "the occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies." American interpretations of this article maintained that it referred to forcible deportations that were practiced by the Nazis and not to Israeli settlement activity. During the Bush (41) administration, the U.S. ambassador to the UN in Geneva, Morris Abram, explained that he had been on the U.S. staff during the Nuremberg trials and was hence familiar with the "legislative intent" behind the Fourth Geneva Convention. He stated on February 1, 1990, that it applied to forcible transfers and not to the case of Israeli settlements.

It should be added that in the Israeli legal community, charging that settlement activity could be comparable to the forcible evictions by the Nazis during the Second World War was regarded as extremely offensive. When Israel had to vote on whether it accepted the Rome Statute creating the International Criminal Court, the head of its delegation, Judge Eli Natan, explained that while it

gave him great pain to vote against the creation of the court, Israel could not vote for a politicized statute that defined settlement activity among the "most heinous and serious war crimes." For Natan, who was himself a Holocaust survivor, as well as for his team, this was a vulgar charge. The U.S. stood with Israel against these abuses in the founding document of the International Criminal Court, which implied that the State of Israel, a country made up partly by survivors of the Holocaust, was guilty of crimes on the same order of magnitude as what its perpetrators had committed.

The Settlements and Past International Agreements Many observers are surprised to learn that settlement activity was not defined as a violation of the 1993 Oslo Accords or their subsequent implementation agreements. During the secret negotiations leading up to the signing of Oslo, Yasser Arafat instructed his negotiators to seek a "settlement freeze," but Prime Minister Yitzhak Rabin and Foreign Minister Shimon Peres refused to agree to Arafat's demand. Nonetheless, Arafat agreed to the Oslo Accords despite the lack of a settlement freeze. The Oslo Accords were essentially an interim arrangement; they stipulated that the issue of settlements would be addressed in permanent status negotiations. If the U.S. is subsequently seeking to constrain Israeli settlement activity, it is essentially trying to obtain additional Israeli concessions that were not formally required according to Israel's legal obligations under the Oslo Accords.

Settlements became a far more salient issue with the release on May 4, 2001, of the report of a commission headed by Senator George Mitchell that sought to address the outbreak of the Second Intifada in 2000 and to propose a return to negotiations. The Mitchell Report recommended that as a part of confidence-building measures between the parties, "Israel should freeze all settlement activity, including the 'natural growth' of existing settlements." The Bush (43) administration adopted the Mitchell Report, putting the settlement issue right in the center of U.S.-Israeli discussions.

It appeared at the time that the U.S. felt itself to be in an awkward position as an honest broker in peacemaking if Israel were to expropriate more land for settlement growth during the course of future negotiations. To address this concern, the Sharon government proposed a formula whereby Israel could continue to build within existing settlements, but only from the outer ring of construction inward in each settlement. That way, Israel could address the need for natural growth without taking more land for Israelis living in the settlements. These ideas came up in discussions between Secretary of State Colin Powell and Foreign Minister Shimon Peres.

As the Bush administration drafted its 2003 Roadmap for Peace, it decided to include the Mitchell Report's settlement freeze - that included natural growth. Dov Weisglass, who headed Sharon's negotiating team on the settlement issue, has explained that Sharon had serious reservations about the proposed freeze. According to Weisglass' account in *Yediot Ahronot on June 2, 2009*, in order to facilitate the Israeli government's acceptance of the Roadmap, Israel reached an understanding with the U.S. about what exactly a settlement freeze entailed. The two sides concluded:

No new settlements would be built.

No Palestinian land would be expropriated or otherwise seized for the purpose of settlement.

Construction within the settlements would be confined to "the existing line of construction."

Public funds would not be earmarked for encouraging settlements.

Weisglass wrote a letter to U.S. National Security Advisor Condoleezza Rice on April 18, 2004, in which he reconfirmed what he described as the "agreed principles of settlement activity," indicating that it was his understanding at the time that such an understanding indeed existed. He also wrote that his government undertook to remove what were known as "unauthorized outposts" - small settlement extensions that were constructed at local initiative without formal Israeli government approval.

However, the Bush administration and the Sharon government never put these understandings in writing, which has allowed the Obama administration to question their existence and validity, even if such commitments were made. Thus, Secretary of State Hillary Clinton told George Stephanopoulos on June 7, 2009, during a broadcast of ABC's *This Week*: "Well, that was an understanding that was entered into, so far as we are told, orally. That was never made a part of the official record of the negotiations as it was passed on to our administration. No one in the Bush administration said to anyone that we can find in our administration..."

President Bush's deputy national security advisor, Elliot Abrams, has been partially supportive of Weisglass' claim. He wrote in the *Washington Post* on April 8, 2009, that the U.S. and Israel negotiated specific guidelines for settlement activity, but they were never "formally adopted." On its part, Israel nonetheless felt that it had committed itself, despite the lack of any signed agreement, so that it largely adhered to those guidelines for over five years. According to Abrams, the formula succeeded in creating a situation whereby "settlement activity is not diminishing the territory of a future Palestinian entity."

The Settlements and Israel's Ultimate Borders Prior to 1977, U.S. criticism of Israeli settlement activity was largely muted. During that period, much of this activity seemed to be confined to areas like the Jordan Valley, where there were compelling strategic arguments for Israel to retain them. Secretary of State Henry Kissinger had been sympathetic with Israel's claim for defensible borders during the first Rabin government.

The escalation in strong U.S. statements against Israeli settlements after 1977 was not only due to the Carter administration's determination that settlements were illegal, but also due to its demand that there be a full Israeli withdrawal from the territories it captured in the Six-Day War. At the same time, as Israeli settlement activity moved beyond the initial parameters that existed prior to 1977, U.S.-Israeli disagreements over this issue intensified.

When the U.S. again became more flexible over Israel's eventual retention of certain West Bank territories, settlement activity did not prove to be a major cause for bilateral tensions. Thus, when President George W. Bush sent Prime Minister Ariel Sharon a letter on April 14, 2004, acknowledging that, at the end of the day, Israel would obtain defensible borders as well as the large West Bank settlement blocs, Washington and Jerusalem were able to conduct a quiet but useful dialogue, as noted earlier, over the parameters Israel should follow in any settlement activity it undertakes.

The Obama administration's current focus on Israeli settlement activity - including natural growth - raises a number of questions. If the U.S. is concerned that Israel might diminish the territory that the Palestinians will receive in the future, then the Obama team could continue with the quiet guidelines followed by the Bush administration and the Sharon government.

Given the fact that the amount of territory taken up by the built-up areas of all the settlements in the West Bank is estimated to be 1.7 percent of the territory, the marginal increase in territory that might be affected by natural growth is infinitesimal. Moreover, since Israel unilaterally withdrew 9,000 Israeli settlers from the Gaza Strip in 2005, the argument that a settler presence will undermine a future territorial compromise has lost much of its previous force.

The U.S. and Israel need to reach a new understanding on the settlements question. It is clearly an overstated issue in the peace process. Legally and diplomatically, settlements do not represent a problem that can possibly justify putting at risk the U.S.-Israel relationship. It might be that the present tension in U.S.-Israeli relations is not over settlements, but rather over the extent of an

Israeli withdrawal from the West Bank that the Obama administration envisions.

For example, it still needs to be clarified whether the Obama administration feels bound by the April 14, 2004, Bush letter to Sharon on defensible borders and settlement blocs, which was subsequently ratified by large bipartisan majorities in both the U.S. Senate (95-3) and the House of Representatives (407-9) on June 23-24, 2004. Disturbingly, on June 1, 2009, the State Department spokesman, Robert Wood, refused to answer

repeated questions about whether the Obama administration viewed itself as legally bound by the Bush letter. It would be better to obtain earlier clarification of that point, rather than having both countries expend their energies over an issue that may not be the real underlying source of their dispute.

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The Death of Israel

By Dick Morris and Eileen McGann DickMorris.com May 24, 2009

From Caroline Glick, deputy editor and op-ed writer for the Jerusalem Post, comes alarming news. An expert on Arab-Israeli relations with excellent sources deep inside Netanyahu's government, she reports that CIA chief Leon Panetta, who recently took time out from his day job (feuding with Nancy Pelosi) to travel to Israel "read the riot act" to the government warning against an attack on Iran.

More ominously, Glick reports (likely from sources high up in the Israeli government) that the Obama administration has all but accepted as irreversible and unavoidable fact that Iran will soon develop nuclear weapons. She writes, "...we have learned that the [Obama] administration has made its peace with Iran's nuclear aspirations. Senior administration officials acknowledge as much in off-record briefings. It is true, they say, that Iran may exploit its future talks with the US to run down the clock before they test a nuclear weapon. But, they add, if that happens, the US will simply have to live with a nuclear-armed mullocracy."

She goes on to write that the Obama administration is desperate to stop Israel from attacking Iran writing that "as far as the [Obama] administration is concerned, if Israel could just leave Iran's nuclear installations alone, Iran would behave itself." She notes that American officials would regard any harm to American interests that flowed from an Israeli attack on Iranian nuclear facilities as Israel's doing, not Iran's.

In classic Stockholm Syndrome fashion, the Obama administration is empathizing more with the Iranian leaders who are holding Israel hostage than with the nation that may be wiped off the map if Iran acquires the bomb.

Obama's end-of-the-year deadline for Iranian talks aimed at stopping its progress toward nuclear weapons is just window dressing without the threat

of military action. As Metternich wrote "diplomacy without force is like music without instruments." By warning only of possible strengthening of economic sanctions if the talks do not progress, Obama is making an empty threat. The sanctions will likely have no effect because Russia and China will not let the United Nations act as it must if it is to deter Iranian nuclear weapons.

All this means is that Israel's life is in danger. If Iran gets the bomb, it will use it to kill six million Jews. No threat of retaliation will make the slightest difference. One cannot deter a suicide bomber with the threat of death. Nor can one deter a theocracy bent on meriting admission to heaven and its virgins by one glorious act of violence. Iran would probably not launch the bomb itself, anyway, but would give it to its puppet terrorists to send to Israel so it could deny responsibility. Obama, bent on appeasement, would likely not retaliate with nuclear weapons. And Israel will be dead and gone.

Those sunshine Jewish patriots who voted for Obama must realize that we, as Jews, are witnessing the possible end of Israel. We are in the same moral position as our ancestors were as they watched Hitler rise but did nothing to pressure their favorite liberal Democratic president, FDR, to take any real action to save them or even to let Jewish refugees into the country. If we remain complacent, we will have the same anguish at watching the destruction of Israel that our forebears had in witnessing the Holocaust.

Because one thing is increasingly clear: Barack Obama is not about to lift a finger to stop Iran from developing the bomb. And neither is Hillary Clinton.

Obama may have held the first White House Passover seder, but he's not planning to spend next year in Jerusalem.

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Israeli Settlements By Emmett Tyrrell

It seems that as the years pass, the books and films on World War II remain enormously popular. Indeed, I would not be surprised if they are more popular today than they were immediately following the war. After the war, this nation was tired of conflict. Probably many knowledgeable Americans recognized that victory had been no sure thing. Yet now, 65 years after D-Day, the story is reassuring. We are comfortable recalling how America roused itself from isolationism and created a huge army of young soldiers and how President Franklin Roosevelt sent them off to vanquish the Japanese militarists and the Nazi barbarians.

"The sheer improbability of this victory (on D-Day) is part of what makes D-Day so memorable," President Barack Obama sermonized the other day at Omaha Beach. I am not completely sure that I know what the president was talking about. American commanders wanted a cross-Channel invasion of the Nazi positions as early as 1942. They did not expect to fail on D-Day. Perhaps the president meant to stress that victory in war is never a sure thing. There is always enormous risk. If that is his fundamental understanding of war, why is he now so breezy in lecturing the one nation on earth that faces war daily, Israel?

At his speech in Cairo, President Obama emphasized his government's sudden opposition to Jewish settlements on the West Bank, though some of those settlements are crucial to Israeli security. Heretofore, our government understood that in any peace treaty with the Palestinians, Israel was expected to keep some of these settlements after compensating the Palestinians with land from other parts of Israel. It was a matter of national security for a nation that faces war daily.

The idea of accepting some Israeli settlements and compensating the Palestinians for land lost in pursuit of improved Israeli security was agreed to by the past two American administrations, one Democratic, the other Republican. There are signed agreements to that effect. Now, of a sudden, the Obama administration is tearing up those agreements. In Cairo, the president said, "The United States does not accept the legitimacy of

America's first Muslim president

By Frank J. Gaffney, Jr. The Washington Times June 9, 2009

During his White House years, William Jefferson Clinton -- someone Judge Sonia Sotomayor might call a "white male" -- was dubbed "America's first black president" by a black admirer. Applying the standard of identity politics and pandering to a special interest that earned Mr. Clinton that distinction, Barack Hussein Obama would have to be considered America's first Muslim president.

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continued Israeli settlements." I wonder what Bill Clinton thought about that, and George W. Bush, too.

Obama has had no experience in foreign policy in his life. He demands humility in our nation's foreign policy. He ought to demonstrate some humility in his bold demands on Israel. He is demanding of that nation -- with its six decades of grim foreign policy experience behind it -- to trust his sudden volte-face, no matter how unlikely it will be to bring peace to the Middle East. I think that is asking a lot.

The Israelis began giving up real estate to the Palestinians 16 years ago, in the Oslo Accords. The gesture has gotten them no thanks and no closer to peace. As a consequence of Oslo, the Israelis turned over portions of the West Bank and Gaza. The West Bank shows no development and remains incompetently governed and a source of poverty and radicalism. Gaza is a nightmare, abounding with tunnels for smuggling weaponry and launching guerrilla attacks, including rocket attacks into Israel.

Israel already has given up real estate to the Palestinians. It is now time for the Palestinians to govern their real estate peacefully. If they need developmental funds to build infrastructure, surely the money will be forthcoming from the international community. As for political gestures, surely it is time for the Palestinians to eschew violent assaults on Israel and acknowledge Israel's right to exist.

That is the point that the president should have zeroed in on in Cairo. The Egyptians live in peace with Israel. The Palestinians can, too. All they need to do is put down their arms and accept Israel as a neighbor. That also will mean living up to earlier understandings on Israeli settlements and the recognition of Israeli security requirements. Instead of changing the rules of the game, President Obama would be wise to build on the positions carefully crafted by his predecessors. He seemed to understand how dangerous war is in his Omaha Beach speech. Israel understands, too, and has every reason to want peace with the Palestinians.

This is not to say, necessarily, that Mr. Obama actually is a Muslim any more than Mr. Clinton actually is black. After his five months in office, and most especially after his just-concluded visit to Saudi Arabia and Egypt, however, a stunning conclusion seems increasingly plausible: The man now happy to have his Islamic-rooted middle name featured prominently has engaged in the most consequential

bait-and-switch since Adolf Hitler duped Neville Chamberlain over Czechoslovakia at Munich.

What little we know about Mr. Obama's youth certainly suggests that he not only had a Kenyan father who was Muslim, but spent his early, formative years as one in Indonesia. As the president likes to say, "much has been made" -- in this case by him and his campaign handlers -- of the fact that he became a Christian as an adult in Chicago, under the now-notorious Pastor Jeremiah A. Wright.

With Mr. Obama's unbelievably ballyhooed address in Cairo Thursday to what he calls "the Muslim world" (hereafter known as "the Speech"), there is mounting evidence that the president not only identifies with Muslims, but actually may still be one himself. Consider the following indicators:

- Mr. Obama referred four times in his speech to "the Holy Koran." Non-Muslims -- even pandering ones -- generally don't use that Islamic formulation.

- Mr. Obama established his firsthand knowledge of Islam (albeit without mentioning his reported upbringing in the faith) with the statement, "I have known Islam on three continents before coming to the region where it was first revealed." Again, "revealed" is a depiction Muslims use to reflect their conviction that the Koran is the word of God, as dictated to Muhammad.

- Then the president made a statement no believing Christian -- certainly not one versed, as he professes to be, in the ways of Islam -- would ever make. In the context of what he euphemistically called the "situation between Israelis, Palestinians and Arabs," Mr. Obama said he looked forward to the day ". . . when Jerusalem is a secure and lasting home for Jews and Christians and Muslims, and a place for all of the children of Abraham to mingle peacefully together as in the story of Isra, when Moses, Jesus and Muhammad (peace be upon them) joined in prayer."

Now, the term "peace be upon them" is invoked by Muslims as a way of blessing deceased holy men. According to Islam, that is what all three were - dead prophets. Of course, for Christians, Jesus is the living and immortal Son of God.

In the final analysis, it may be beside the point whether Mr. Obama actually is a Muslim. In the Speech and elsewhere, he has aligned himself with adherents to what authoritative Islam calls Shariah -- notably, the dangerous global movement known as the Muslim Brotherhood -- to a degree that makes Mr. Clinton's fabled affinity for blacks pale by comparison.

For example, Mr. Obama has -- from literally his inaugural address onward -- inflated the numbers and, in that way and others, exaggerated the contemporary and historical importance of Muslim-Americans in the United States. In the Speech, he used the Brotherhood's estimates of "nearly 7 million Muslims" in this country, at least twice the estimates from other, more reputable sources. (Who knows? By the time Mr. Obama's friends in the radical Association of Community Organizers for Reform Now (ACORN) perpetrate their trademark books-cooking as deputy 2010 census takers, the official count may well claim considerably more than 7 million Muslims are living here.)

Even more troubling were the commitments the president made in Cairo to promote Islam in America. For instance, he declared: "I consider it part of my responsibility as president of the United States to fight against negative stereotypes of Islam wherever they appear." He vowed to ensure that women can cover their heads, including, presumably, when having their photographs taken for passports, driver's licenses or other identification purposes. He also pledged to enable Muslims to engage in zakat, their faith's requirement for tithing, even though four of the eight types of charity called for by Shariah can be associated with terrorism. Not surprisingly, a number of Islamic "charities" in this country have been convicted of providing material support for terrorism.

Particularly worrying is the realignment Mr. Obama has announced in U.S. policy toward Israel. While he pays lip service to the "unbreakable" bond between America and the Jewish state, the president has unmistakably signaled that he intends to compel the Israelis to make territorial and other strategic concessions to Palestinians to achieve the hallowed two-state solution. In doing so, he ignores the inconvenient fact that both the Brotherhood's Hamas and Abu Mazen's Fatah remain determined to achieve a one-state solution, whereby the Jews will be driven "into the sea."

Whether Mr. Obama actually is a Muslim or simply plays one in the presidency may, in the end, be irrelevant. What is alarming is that in aligning himself and his policies with those of Shariah-adherents such as the Muslim Brotherhood, the president will greatly intensify the already enormous pressure on peaceful, tolerant American Muslims to submit to such forces - and heighten expectations, here and abroad, that the rest of us will do so as well.

Frank J. Gaffney Jr. is president of the Center for Security Policy.

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