

THE COLLEGE ZIONIST

A PUBLICATION OF THE ZOA CAMPUS ACTIVISM NETWORK

SPRING
2011



GAZA **FIVE YEARS LATER** A UNILATERAL DISASTER

THE TRUTH ABOUT J STREET
Deceptive Practices?

ZOA CONTEST WINNING ESSAY
Jews Have A Right To Live In Judea And Samaria

Founded in 1897

ZOA
ZIONIST ORGANIZATION OF AMERICA

ZOA Staff Message

Thank you for picking up this issue of The College Zionist. You are holding a magazine that is written by students, for students. You will find stories about Israel that matter to you and will help you learn more about the issues pertaining to current events in the Middle East.

This issue's cover story is "Gaza: 5 Years After," because this year marks five years since Israel's unilateral "disengagement" from Gaza. The decision to uproot thousands of Jews from their homes paved the way for years of Hamas rocket attacks on Sderot and the Western Negev. In the fifth year since Israel removed its entire civilian and military presence from Gaza, the effects of that decision are felt every day. Thousands of former residents of Gush Katif, the Jewish communities in Gaza, are still without permanent homes. Rocket attacks from Gaza continue, even as the world condemns Israel. This issue of The College Zionist is part of an ongoing campaign by ZOA on campus to take a look at these past five years, in the hope that we can learn from the past.

Also included in this issue are articles dealing with a number of other important topics. One article focuses on the U.S. - Israel

relationship under the current administration and whether President Obama's approach is helping or hurting the State of Israel. One student investigates the "Truth About J Street" and offers analysis based on her observations. Another student highlights a phenomenon that Israel faces on a regular basis: Despite the fact that a majority of Israel's efforts go towards securing and defending its citizens from terrorists and rocket attacks, the world manages to accuse Israel of causing humanitarian crises.

This magazine is not designed to offer you expert opinions on the Middle East. These are your fellow students writing about issues that are important to them. We hope that you enjoy reading these articles, talking about them, debating them, and hopefully writing your own someday. As always, please be in touch with us about programming on your campus. The Zionist Organization of America campus department has a lot of great programs and opportunities for students, and we look forward to working with you this year. ZOA has a lot in store for you, so keep reading!

Sincerely,

The ZOA Campus Staff

**THE COLLEGE
ZIONIST**
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ZOA Campus Staff

The People Who Make the Organization

Josh Nason is the Managing Director of ZOA Campus Programs. He grew up in Dallas, Texas and attended Cornell University, where he studied Industrial & Labor Relations. At Cornell, Josh was active in Alpha Epsilon Pi and Hillel. He has also worked as a campus recruiter for MASA Israel Journey, interned at AIPAC, and had over 10 articles published as a sportswriter for the *Jerusalem Post*. Josh studied abroad at the Hebrew University in 2007 where he studied Foreign Policy, Archaeology, and took a seminar on American Jews and Israeli Jews. Josh is an avid sports fan, and is desperately hoping for a Texas Rangers or Dallas Mavericks title one of these years. He is excited to continue helping students across the country advocate for Israel this year.



Sharona Whisler is the ZOA Campus Coordinator for the Southeast Region. Sharona graduated from The George Washington University with a B.A. in Speech and Hearing Science. She spent all four years of college as a pro-active advocate for Israel, planning and organizing events. She has staffed several advocacy missions to Israel and was an Israel Project fellow and intern during her college years. Sharona studied abroad at Hebrew University in Jerusalem. Upon graduation from college, she was presented with the ICC of Greater Washington Award for Outstanding Leadership and an award of recognition from Hasbara Fellowships for her years of activism on campus. She has been working as a ZOA campus coordinator since graduation and has been working in this capacity in NY, D.C., and now in South Florida. Sharona has lived her life being serenaded by people humming "My Sharona" and asking her what it's like being a triplet. She likes the song and being a triplet is awesome.



Jason Holtzman is the ZOA Midwest Campus Director and proud to be a native of Philadelphia - the City of Brotherly Love. He recently graduated from Hofstra University with a BA in Political Science and a strong focus on Middle Eastern Central Asia Studies. Jason's passion is advocating for Israel and fair reporting of issues related to Middle Eastern affairs. While at Hofstra, he served in various leadership positions, including being the president of Hofstra's pro-Israel group EMET for a year and a half. In addition, Jason completed an internship with the ZOA and did fellowships with other pro-Israel groups, such as StandWithUs and the David Project. He has also traveled extensively throughout Israel and the surrounding region to develop first-hand a connection with the land, the people, and the issues. Jason served as an intern for the *Jerusalem Report*, in the summer of 2009, where he wrote and published.



David Kadosh is ZOA's Northeast Campus Coordinator and Director of Young Professional Activities. He is a graduate of Hofstra University, where he earned a bachelor's degree in political science and two minors in Arabic and Middle East and Central Asian Studies. David is proficient in Arabic and Hebrew and took advanced Arabic classes at Hebrew University in Jerusalem. He is the co-founder of Hofstra University's Israel advocacy organization, EMET (Educating for Middle East Truth). EMET brought pro-Israel educational programming to campus. David loves to travel, especially to Israel, having gone eight times so far! He has strong ties to Israel and the Jewish people and is proud of his Sephardic and Ashkenazi heritage. Since graduation, David has continued his work on Israel advocacy with the goal of getting young people more involved in the State of Israel.



A Hypothetical Speech

*The Speech We Would Love To Hear
From President Obama*

WRITTEN BY
**MORTON A.
KLEIN**
PRESIDENT
ZOA

IT IS TOUGH TO SPEAK THE TRUTH. AS YOU'RE BOMBARDED ON CAMPUS BY ANTI-ISRAEL PROPAGANDA, IT'S EASIER TO STAY QUIET. AT ZOA, WE ARE PROUD OF THE THOUSANDS OF PRO-ISRAEL STUDENTS ACROSS THE COUNTRY WHO STAND UP AND SPEAK THE TRUTH. BELOW IS A HYPOTHETICAL SPEECH THAT ZOA WOULD LIKE TO SEE PRESIDENT OBAMA MAKE. WE FEEL THAT IT WOULD BE IMPORTANT FOR THIS ADMINISTRATION TO BOLDLY STAND UP AND SPEAK THE TRUTH TO THE PALESTINIAN AUTHORITY. WE HOPE THAT THIS HYPOTHETICAL SPEECH CAN SERVE AS A SPARK FOR YOUR OWN ACTIVISM, AND ENCOURAGING AMERICA TO STAND STRONG WITH ISRAEL AND HOLD THE PALESTINIAN AUTHORITY ACCOUNTABLE.

“I am calling on the Palestinian Authority (PA) to publicly accept Israel as a Jewish state. The United States cannot continue to expend \$600 million/year in aid, energy or credibility in peace-making without this minimal condition being fulfilled.

“Under Oslo, Israel ceded all of Gaza and half the West Bank PA and offered even more, only to be rejected.

“We will now link U.S. funding to the PA verifiably ending incitement, outlawing terrorist groups and arresting terrorists, and to Israel finally appearing within any borders in PA maps, stationary and atlases.

“Hateful PA clerics call for the murder of Jews. Sheikh Ibrahim Mudeiris said in a PA televised sermon that Jews are a virus resembling AIDS. We see PA/Fatah statements and programs honoring terrorists and the PA president and prime minister visiting terrorists and their families, mourning and praising them.

“We see PA programs and videos extolling terrorism, and schools, streets and sports teams named after terrorists. We see PA laws requiring a death sentence for anyone selling land to a Jew and a PA/Fatah emblem that

drapes all of Israel in a keffiyah.

“We see that the Fatah Constitution, which calls for Israel's destruction and the use of terrorism as an essential element in the campaign to achieve this goal, is unchanged.

“This terrifying incitement works. A 2007 poll shows that 90% of Palestinians under 25 and 75% over 25 don't accept Israel's existence. A November 2010 poll shows that 85% of Palestinians don't want peace if it means compromise on borders, settlements, Jerusalem or the Israel-destroying ‘right of return.’

“Jewish settlements covering only 5% of the West Bank are not the problem. There were no settlements before 1967, yet there was no peace or acceptance of Israel. Why cannot 300,000 Jews live among 1.5 million Arabs, when 1.4 million Arabs live among 6 million Jews in Israel?

“Yet, Mr. Abbas, you and your officials even proclaim that not even one Jew will be permitted to live in a Palestinian state.

“We need change, in the PA's actions, policies and culture. I expect to see President Abbas and Prime Minister Fayyad making speeches in Arabic to their people accepting Israel as a Jewish state and condemning suicide bombing against Israelis as an obscenity and scourge that must be eradicated.”



MORTON A. KLEIN,
PRESIDENT, ZOA

Gaza...5 Years Later:

A Unilateral Disaster

WRITTEN BY
**RACHEL
HIRSHFELD**
NEW YORK
UNIVERSITY

THERE ARE EVENTS IN HISTORY THAT TEST THE VERY ESSENCE OF A PEOPLE AND ARE FOREVER REMEMBERED WITH FEELINGS SO DEEP AND PROFOUND THAT THEY COME TO DEFINE NOT ONLY AN ERA, BUT CAST A SHADOW OVER THE FUTURE ACTIONS OF THE NATION. THE “DISENGAGEMENT PLAN” OF 2005, UNDER THE GOVERNMENT OF PRIME MINISTER ARIEL SHARON, WAS SUCH AN EVENT.



PAINFUL GOODBYES: ISRAELI GAZANS KICKED OUT OF THEIR HOMES

That year, Israel withdrew from 21 communities in the Gaza Strip, 4 communities in northern Shomron (Samaria) and forcibly evacuated 9,000 Jewish residents from their homes. [1] This initiative was arguably the most threatening to Jewish unity since the Altalena ship sought to dock on Israel's shores in 1948. Proponents of the

“Disengagement Plan” argued that it was a unilateral action taken in an effort to create defensible borders and garner international support. Opponents, on the other hand, lamented forsaking the Jewish claim to the land and warned of the grave threats that such an operation would have on the security of the State of Israel and the stability of the Middle East. While the Jewish people were able to overcome this polarization for the sake of national unity, the calamitous consequences of these “concessions” cannot be denied. In light of the incessant rise of Islamic fundamentalism as well as Israel's increasing isolation, it is clear that this catastrophic event did not yield the desired results. Rather, the “Disengagement Plan”

has become a microcosm of the fundamental truth that “trading land for peace” is a perilous myth and one that is ineffectual and detrimental, at best.

Israel withdrew from the Gaza Strip with the belief that control over the area would fall under the jurisdiction of the “moderate” Palestinian Authority. While the PA's charter still states that the establishment of the State of Israel was “entirely illegal” (Art. 19), the PA is seen, by the international community, as the better alternative to the recognized terrorist organization of Hamas. However, in June 2007, Hamas managed to oust Fatah from power and consolidate its control over the entirety of the Gaza Strip, turning it into a safe haven for terrorist activities. The area has now become an Iranian satellite, constantly and unrelentingly plotting for the replacement of the Jewish State with a Palestinian state dictated by Islamic fundamentalism. In fact, on December 31, 2010, Hamas approved a \$540 million budget, the majority of which was supplied by Iran. [2] In addition, the Iranian Revolutionary Guard continues to provide Hamas with rockets, missiles, and

PHOTO CREDIT: PALESTINE-DEFENSE.BLOGSPOT.COM

Gaza...5 Years Later *(Continued)*



PHOTO CREDIT: [HTTP://ACTUALITE.NOUVELOBS.COM](http://ACTUALITE.NOUVELOBS.COM)

MIGHT MAKES RIGHT: HAMAS MANEUVERS IN GAZA. MASKED-ANONYMITY MAKES SUBJUGATION EASY

the technological knowhow, similar to that used by Hezbollah. While Iran is a Shi'ite country and Hamas is Sunni, they remain united based on their common hatred for "the Zionist regime" and the "arrogance" of the West. [3]

Lt.-Col. (ret.) Jonathan D. Halevi, a senior fellow at the Shalem Center in Jerusalem, most accurately pinpoints the crux of the situation by explicating:

Had Gazans begun at this point to create a peaceful state from their new, self-governing territory, the Israeli public almost certainly would

have endorsed substantive negotiations over a West Bank withdrawal. Instead, they elected a government led by Hamas, whose theology calls for the destruction of Israel and war against Jews around the world, and whose terror attacks are small pre-enactments of its genocidal ambitions. Palestinian rocket attacks that had previously been aimed at settlements were simply redirected toward towns and villages within Israel. ... Gaza was a test case for Israeli withdrawal, and the experiment was a disaster. How, Israelis wonder, can we evacuate Judea and Samaria and risk rocket attacks on Tel Aviv and Jerusalem? [4]

The Palestinians have been offered the opportunity for independence countless times, including the Partition Plan of 1947, the Oslo Agreements of 1993, the Camp David Proposal of 2000, and the "Disengagement Plan" of 2005. Yet, despite how much land

Israel is willing to "concede" and despite the issues upon which they are willing to relent for the sake of "peace," the Arabs always find a reason to reject the proposal. In fact, after the Six Day War, at a summit in Khartoum, Sudan, the leaders of thirteen Arab countries pledged to, what have become known as the "Three No's of Khartoum." They vowed to no peace with Israel, no negotiations with Israel, and no recognition of Israel. [5] What the world fails to recognize is that the Palestinian leadership does not want a state that exists

Gaza...5 Years Later *(Continued)*

alongside Israel, but a state that exists instead of Israel. It is for this reason that Gaza has become a terror safe haven, sponsored by Iran, with links to Al- Qaeda and the Turkish based IHH, in an effort to bring about the establishment of a an Islamic state on “every inch of Palestine.” [6]

In the recent Flotilla incident, terrorists, claiming to be “human rights activists,” embarked upon a PR campaign to delegitimize the State of Israel and sought to break the blockade of Gaza, which began shortly after Hamas seized power in 2006, in a deliberate attempt to undermine Israel’s right to self-defense. In accordance with Israeli policy, the flotilla was ordered to dock at the port of Ashdod before continuing on to its destination, in order to ensure that weapons bound for Hamas were not hidden amongst the goods. The Turkish sponsored flotilla, with links to the IHH terrorist organization, refused to comply with this procedure and before long Israel was facing a barrage of vicious condemnations, denunciations, and accusations of committing “human rights violations.”

The flotilla incident was

“...the ‘Disengagement Plan’ has become a microcosm of the fundamental truth that ‘trading land for peace’ is a perilous myth and one that is ineffectual and detrimental, at best.”

a clever and successful attempt at casting Israel as an international pariah and social aggressor, devoid of influence, legitimacy, friends, or sympathizers. Despite Israel’s “disengagement” from Gaza and continuous attempts at making peace with her neighbors, the Jewish State was, once again, blamed for the ills and troubles of the world.

The current political environment on the international arena is drastically more volatile than it was prior to Israel’s disengagement from the Gaza Strip. Iran is increasingly closer to developing nuclear weapons, Turkey has shifted its alliances in favor of its Muslim

roots, and both are aligning themselves with Hamas.

[7] It wasn’t long after the “Disengagement” that Hamas claimed its stake and solidified its power in the region. What would lead anyone to believe that the outcome would be different if Israel were to undergo further withdrawals?

Lt.-Gen. Thomas Kelly, director of operations for the Joint Chiefs of Staff for the United States army during the 1991 Gulf War stated, “It is impossible to defend Jerusalem unless you hold that high ground (in Judea-Samaria). I look out from those heights and look onto the West Bank and say to myself, ‘If I’m the chief of staff of the Israel Defense Forces, I cannot defend this land without that terrain.”

[8] The Jewish people have a biblical, moral, and historical right to the whole land of Israel that is second to none. Yet, even if one chooses to turn a blind eye to these undeniable truths, it is unfathomable to consider that any government, trusted with the safety and security of its citizens, would choose to overlook the lessons learned from Gaza. Ironically, despite the reality of the political situation in the Middle East, there is

Gaza...5 Years Later *(Continued)*

still an overriding belief that Israel must pursue the track of “land for peace.”

The State of Israel was built upon the innate understanding that Jews need a homeland, a land in which they would never become refugees. The “Disengagement Plan” shook the core of the Jewish nation and, somewhat inconceivably, forced Jews to become refugees in their own land. In 2010, five years after this tragic episode in Jewish history, a mere 9% of evacuees have moved into permanent housing. [9] How is it possible that a catastrophe of such magnitude occurred in the State of Israel, a state established with the primary intention of forever safeguarding and protecting each and every Jewish person? How is it possible that anyone could consider relinquishing the Jewish right and claim to any part of Israel after witnessing the events that continue to unfold in Gaza, and unfold as a result of Gaza, five years after the “Disengagement Plan”? If such a plan were to be imposed upon the Palestinian population in the Land of Israel the world would be up in arms. Israel is expected to continue carving

and slicing away at the one Jewish homeland in the entire world, the heart and soul of the Jewish people, with the looming knowledge that a Trojan horse is infiltrating their borders and planning their demise. For centuries, the Jewish people, and more recently, the State of Israel, have become accustomed to being held to a double standard. However, further forced evacuations of Jewish people from their national homeland is one double standard that the State of Israel simply cannot tolerate. ○

How is it possible that anyone could consider relinquishing the Jewish right and claim to any part of Israel after witnessing the events that continue to unfold in Gaza, and unfold as a result of Gaza, five years after the “Disengagement Plan”?

Footnotes

- [1] <http://www.jewishvirtuallibrary.org/jsource/Peace/compensation.html>
- [2] “ Hamas 2010 budget mainly ‘foreign aid’ from Iran.” World Tribune. 01/05/2010. Web. 22 Jun 2010. http://www.worldtribune.com/worldtribune/WTARC/2010/me_hamas0005_01_05.asp
- [3] “Iranian Support of Hamas.” Intelligence and Terrorism Information. January 12, 2008. Web. 22 Jun 2010. http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/iran_e004.pdf
- [4] HaLevi, Jonathan D. “The Hamas Regime in the Gaza Strip: An Iranian Satellite That Threatens Regional Stability.” Jerusalem Center for Public Affairs. Web. 22 Jun 2010. <http://www.jcpa.org/text/iran_page_74-84.pdf>.
- [5] <http://www.sixdaywar.org/content/khartoum.asp>
- [6] <http://www.cfr.org/publication/8968/hamas.html>
- [7] <http://www.nytimes.com/2010/05/26/arts/design/26museums.html>
- [8] *Jerusalem Post*, Nov.7, 1991
- [9] *Haaretz*, June 18, 2010

How to Cause a Humanitarian Crisis and Convince the World it is Someone Else's Fault:

The TRUE Story of the Palestinians

WRITTEN BY
**EMILY
MANDEL**
BRANDEIS
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PALESTINIAN AUTHORITY FLAG: SYMBOL OF CYNICAL VICTIMHOOD?

“ISRAELI ARMY SWOOPS IN NABLUS AFTER SECURITY TALKS.” “ISRAELI TROOPS SHOOT DEAD PALESTINIAN IN WEST BANK.” “SHARON VOWS MORE ATTACKS ON MILITANTS DESPITE TALKS.” THESE ARE BUT A FEW OF THE HEADLINES RELEASED PERTAINING TO THE ARAB-ISRAELI CONFLICT (SOURCE: HONEST REPORTING ON REUTERS). WE SEE MORE AND MORE OF ISRAEL PORTRAYED AS THE PERPETRATOR IN ITS CONFLICT WITH THE PALESTINIAN AUTHORITY (PA).

According to the press and self-proclaimed experts, the story goes as follows: Israel targets Palestinians with constant unprovoked military attacks that are always aimed specifically at civilians; this leaves “Palestine” in a horrible humanitarian crisis. This is the story most people believe because it is the one they can understand the best. There is a good guy and there is a bad guy, and that is all there is to it. However, this account of the situation could not

be further from the truth. People immediately assume Israel is the culprit for any and all Palestinian suffering because the media paints Israel as the one true enemy of the Palestinian Authority. It is hard to believe that a government would cause its own people pain and suffering, so people do not realize that the true culprits are Hamas and Fatah (the dominant wing of the PA).

In the media, we are constantly shown images of Palestinian civilians in hospitals with their limbs blown off and families mourning for lost loved ones. Israel is immediately painted as a brutal militaristic state that prides itself on the killing of the innocent. But Israel is not to blame. Hamas and Fatah terrorists deliberately fire rockets from and hide in civilian areas so when Israel strikes back, Palestinian civilians are injured and killed in the crossfire. Hamas and Fatah then use these images of

PHOTO CREDIT: MICHAL BARAKSI

Causing a Humanitarian Crisis *(Continued)*

“It is hard to believe that a government would cause its own people pain and suffering, so people do not realize that the true culprits are Hamas and Fatah.”

devastation and sadness to gain sympathy for their cause and to try and convince the world that Israel kills civilians. They use their own people as human pawns for their own benefit. This is against the Fourth Geneva Convention, but the world does not hold the Palestinians to this internationally accepted standard. Not only does Israel not target Palestinian civilians; it takes every measure it can to ensure that the fewest number of civilian casualties are sustained. During times of heightened conflict, Israel sends in ground troops to target terrorists rather than simply ordering air raids and other such forms of combat, to guarantee that they are as precise as possible about their target. This poses a great risk for the Israel soldiers. In fact,

during the second Intifada, Israel lost 28 of its soldiers in the booby trapped capital of terror in Jenin in its effort to protect Palestinian civilians.

As for the poverty and lack of basic resources available to Palestinian civilians, Hamas and Fatah again use their people as pawns to gain sympathy. When aid money comes into the Palestinian areas, the government takes it instead of giving it to the Palestinians who need it. In addition, Hamas and Fatah barely provide their people with the basic resources they need to live day to day. In Gaza, Hamas forces people to live in refugee camps despite Israel's total withdrawal from the area 5 years ago. Thus, we see on the news impoverished people living in dreadful conditions, and again, the blame always seems to be directed at Israel. Not only is Israel not the cause of the problem, but it does whatever it can to help the Palestinian people. During Operation Cast Lead, Israel initiated a ceasefire for a period of time in order to deliver aid to the Palestinian people. Israel provides Gaza with its electricity, and provides aid when it can. Israel does this despite Hamas attacking the electrical plant and convoys of aid that Israel sends. Hamas

and Fatah put their own people in peril, and Israel is the one who takes the initiative to help.

So the next time you watch CNN or listen to NPR discuss the plight of the Palestinian people and the brutality of the Israelis, think to yourself whether there is more to the story. 100% of the time, there will be. The sad truth is that Israel is blamed for everything bad that happens to the Palestinian people. People cry “humanitarian crisis” and “human rights violations” on the part of the Israelis. However, the true human rights violations are entirely attributable to the corrupt and evil leaders of the Palestinian people— a truth that the world will continue to ignore. ○

WRITTEN BY
**ILANA
SHRIER**
UNIVERSITY
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The Truth About J Street

Deceptive Practices?

IN 2008, J STREET U, A SELF-TERMED “PRO-ISRAEL” STUDENT GROUP, ENTERED THE CAMPUS SCENE AND IT QUICKLY BECAME EVIDENT THAT J STREET WAS EAGER TO DISTINGUISH ITSELF FROM THE PREEXISTING ISRAEL GROUPS. J STREET U IS SUPPORTED BY THE J STREET EDUCATION FUND WHICH IS PART OF J STREET’S BROADER POLITICAL AGENDA INCLUDING ITS LOBBYING AND POLITICAL ACTION COMMITTEES. SINCE ITS DEBUT IN APRIL 2008 J STREET U HAS SPREAD TO MORE THAN 30 COLLEGE CAMPUSES WITH THE HOPE OF INCREASING ITS CAMPUS GROUPS TO OVER 150 CAMPUSES ALL ACROSS AMERICA WITHIN THE NEXT THREE YEARS.

Since J Street’s inception in 2006, skeptics have accumulated and enumerated J Street’s many issues, and have expressed their doubts as to its pro-Israel nature. For example, Michael Oren, the Israeli ambassador to the United States, refused to attend J Street’s October 2009 conference, which was a serious testament to the questionable truth of the group’s “pro-Israel” rhetoric. For its conference, (the one Michael Oren publicly dismissed) J Street invited Salaam al Marayati, director of the Muslim Public Affairs Council, to speak. This is a man who has likened Israel’s supporters to Hitler, and accused France of violating free speech when a French

court fined Holocaust denier, Roger Garaudy. Perhaps the most disturbing information about the man chosen to speak at this “pro-Israel” lobbying group’s conference is his chilling statement in the wake of September 11th that “we should put the state of Israel on the suspect list” for planning the events of September 11th. The statements that Marayati has made have been so extreme

that, in 1999, he was denied an appointment to a U.S. Congressional Committee on terrorism. Yet the “pro-Israel, pro-peace” J Street offered him an open invitation to speak at their conference with no concerns.

In addition to J Street’s disturbing alliances with people such as Marayati and George Soros—the outspoken anti-Israel philanthropist whose financial backing of J Street was denied until The *Washington Times* uncovered tax-forms revealing his support—J Street’s criticism of the Israeli government’s policy decisions has been unparalleled. J Street openly opposed Operation Cast Lead in January 2009, ignoring that it was a



J STREET’S BEN-AMI AT A RECEPTION FOR BRIT TZEDEK V'SHALOM

PHOTO CREDIT: [HTTP://BRITSHALOM.ORG](http://britshalom.org)

The Truth About J Street *(Continued)*

military operation supported by a vast majority of Israelis that was seen as imperative in ensuring Israel's security from the Iranian-sponsored Hamas regime in Gaza. When it comes to the existential threat that Iran poses toward Israel, J Street was consistently against imposing stronger sanctions against the potential nuclear power. When Obama

distorting Goldstone report.

J Street has several methods for bringing its misconstrued, deceptive agenda into the mainstream. One tactic is to re-label long viewed leftist Israel policies as moderate - rendering the legitimate mainstream Jewish voice extreme and right-wing. Presenting the old Oslo Accords as a moderate action is an example of how they employ this tactic. Further, by meticulously placing their every move in the pro-Israel category, and repetitively clarifying their unrelenting concern for Israel's uncompromised security,

“critical” approach to the conflict while complaining that the other Israel groups do not and are “one-sided.” This is a serious accusation considering the deep political breadth of the other Israel groups on the UMD campus and their vastly differing perspectives.

Further, according to Tammy Shapiro, J Street U's director, “J Street U seeks to lower the volume on the Middle East ‘shouting match’ by serving as a de facto mediator among various groups.” Looking at the group's track record, it is highly questionable that it can be trusted as a mediator.

J Street's running line is that it seeks to end the conflict “peacefully” as if that sets it apart from other groups on campus. The difference is that J Street exudes disturbing naiveté in its perceptions of what needs to be done to establish peace in the region. Members of J Street not only do not learn from history, but ignore it completely, when they call for further territorial withdrawal at the expense of Israel.

Ending the conflict “peacefully” for J Street is another way of stating their support for concession-based diplomacy as a way

“It's sadly ironic that the organization's nonsensical aspirations and ignorant, unmindful approach to the Middle East are reflected at the university level.”

came into office, J Street supported his diplomatic efforts towards Iran which proved unsuccessful and only then supported the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010. J Street also stands out as being the only “pro-Israel” group to not condemn the infamous, biased and fact-

even though they mainly oppose the Israeli government's security policies designed to ensure this security, J Street is effectively cultivating dangerous misconceptions.

It's sadly ironic that the organization's nonsensical aspirations and ignorant, unmindful approach to the Middle East are reflected at the university level. For example, J Street U leaders at my school, the University of Maryland, say that opposing viewpoints are often met with indignation by other student leaders. They claim to take a more

The Truth About J Street *(Continued)*

Perhaps the most dangerous thing about J Street is that it pretends to be pro-Israel and moderate while promoting policies that are nothing close to that.

of achieving peace. These concessions would of course be solely on the Israeli side. J Street hasn't learned the lesson that Israeli concessions are ineffective in solving the conflict. In the summer of 2005, Israel unilaterally withdrew from Gaza, destroying flourishing Jewish

agricultural communities and withdrawing all military presence. After this extremely difficult, heart-wrenching disengagement that disrupted the lives of thousands of former Gush Katif residents whose lives are still fraught with uncertainty and unfulfilled government promises, what did Israel receive as a reward? 8,000 Kassam rockets fired into the Western Negev (southern Israel). This example is but one of the latest in a string of Israeli concessions that have backfired.

The stated goal of J Street is to be the "moderate" voice in a sea of extremism, reaching out to both sides in hopes of improved dialogue. Unfortunately, this goal not only does not reflect the actions of J Street thus far, but paints an untrue image of who is who in the Arab-Israeli conflict. Perhaps the most dangerous thing about J Street is that it pretends to be pro-Israel and moderate while promoting policies that are nothing close to that. J Street could decrease the deception that has plagued its organization since its inception by being straightforward with its agenda and intentions. The simplest way to do this would be to drop the words "pro-Israel"

from its motto and to quit pretending to have Israel's security interests at heart. Indeed, at J Street's first-ever conference, J Street U did in fact suggest campus groups should drop "pro-Israel" from their slogan. If this is any indication of where J Street is headed in terms of the way it presents itself, then the deception may finally come to an end. After that, J Street can take its place among the many other groups devoted to unfairly criticizing Israel and undermining Israel's ability to protect itself. ○

**Write for
The College
Zionist**

**THE COLLEGE
ZIONIST**
A PUBLICATION OF THE ZOA CAMPUS ACTIVISM NETWORK

**For more
information,
please email:
campus@zoa.org**

Did you know that federal law now protects Jewish students from anti-Semitic harassment?

In October, the U.S. Department of Education issued a policy letter stating that federally funded schools must protect Jewish students from anti-Semitic harassment under Title VI of the Civil Rights Act of 1964. If you're facing a hostile campus environment, you may have the legal right to compel your college or university to fix the problems and make sure they don't recur.

If you have any concerns about your rights or want to talk about an issue at your campus, please call the ZOA at 212.481.1500 or email: titlevi@zoa.org

Barack Obama:

Undermining the Israel-US Relationship?

WRITTEN BY
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GARBER**
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BARACK OBAMA'S APPOINTMENT OF RAHM EMANUEL TO THE POST OF WHITE HOUSE CHIEF OF STAFF A MERE TWO DAYS AFTER HIS ELECTION IN 2008 WAS HERALDED BY OBAMA SUPPORTERS AS A SIGN OF OBAMA'S PRO-ISRAEL TENDENCIES. BUT WITHIN A YEAR OF HIS INAUGURATION, BARACK OBAMA'S MIDDLE EAST POLICIES SEVERELY HAMPERED THE ISRAEL-US RELATIONSHIP. STARTING FROM HIS JUNE 2009 SPEECH IN CAIRO, WHICH MISCHARACTERIZED THE GLOBAL JIHAD AS A MINOR MOVEMENT AND OUTLINED HIS PLAN FOR APPEASEMENT OF THE MUSLIM WORLD, OBAMA HAS MADE A SERIES OF MISSTEPS ON THE ISRAELI-ARAB ISSUE.

Obama's Israel policy began with a call for a settlement freeze in early June 2009, elucidated by Hillary Clinton, who said Obama's policy was "very clear" in its requirement for a "stop to settlements—not some settlements, not outposts, not natural growth exceptions." Such a policy, never before stated by a US President, placed the peace process in even further limbo than ever in the past. The President's policy backed the Palestinian Authority, led by Mahmoud Abbas, into a corner—the organization could either back the President and require a full settlement freeze as a precondition to peace negotiations, or face the ire of the Palestinian public and the Arab world by appearing



PRESIDENT BARACK OBAMA

PHOTO CREDIT: [HTTP://CHANGE.GOV/ABOUT/PHOTO/](http://CHANGE.GOV/ABOUT/PHOTO/)

“...the President put Benjamin Netanyahu into the impossible position of choosing between his party ideology and maintaining the US relationship.”

less “loyal to the cause” than the American President! Similarly, the President put Benjamin Netanyahu into the impossible position of choosing between his party ideology and maintaining Israel’s relationship with the US. Prime Minister Netanyahu’s resistance to Obama’s call for a complete freeze belied Obama’s miscalculation with regards to Israel’s unwillingness to cave on the issue.

In November 2009, Obama responded to Jewish building in Gilo by claiming that such building of “illegal settlements” hampered the US-led peace process. The statement illuminated his ignorance of the situation on the ground; Gilo, a Jewish area of eastern Jerusalem, is

considered even by those in the left-wing as a legitimate Israeli settlement, and both Prime Minister Netanyahu and Kadima leader Tzipi Livni released statements expressing surprise and condemnation of Obama’s characterization of Gilo.

Similar to his position with regards to the Palestinian Arabs, Obama has proven less than effective in dealing with Iran. When he took office, Obama pursued a policy of appeasement with Iran, attempting to negotiate a way out of Iran’s desire to obtain nuclear weapons. After setting September 2009 and December 2009 deadlines for progress on the issue, Obama had repeatedly proven to be unwilling to push for international sanctions. While countries in Europe and the Muslim world had long been calling for sanctions and even privately expressed support for an Israeli attack on the reactors, Obama acted recalcitrant for a while on this very important time sensitive issue.

While Obama told G20, the leaders of 20 major world economies that he desires

to “forge partnerships as opposed to simply dictating solutions,” he seems far more willing to dictate solutions for Jews in Israel than for any other group or country. In trying so hard to appease the Muslim world and appear “anti-Bush” more than consciously developing coherent policies of his own, he has strained the Israel-US relationship and hampered Israel’s efforts to end Arab terrorism and maintain sovereignty over legitimate Israeli territory in Judea and Samaria. Obama’s policies have called into question his motivation for restarting the Israeli-Arab peace process, and have proven false his supporters’ claims of his pro-Israel tendencies. ○

Jewish Statehood:

A Religious-Historical-Legal Defense

WRITTEN BY
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THE ZOA CAMPUS DEPARTMENT HELD ITS FIRST NATIONAL STUDENT ESSAY CONTEST. THE GOAL OF THE CONTEST WAS TO RAISE AWARENESS OF ISRAEL'S HISTORICAL, LEGAL AND RELIGIOUS RIGHTS IN JUDEA AND SAMARIA. THIS WAS ESPECIALLY IMPORTANT IN LIGHT OF UNPRECEDENTED INTERNATIONAL PRESSURE AGAINST JEWS BUILDING AND LIVING IN THOSE AREAS, EVEN WITHIN THE CONFINES OF ESTABLISHED BORDERS OF ITS COMMUNITIES. STUDENTS WERE ASKED TO WRITE AN ESSAY VALIDATING THE FOLLOWING STATEMENT: "JEWS HAVE A HISTORICAL, LEGAL, AND RELIGIOUS RIGHT TO LIVE IN JUDEA AND SAMARIA." THE CONTEST ATTRACTED STUDENTS FROM ACROSS THE COUNTRY, AND WAS EXTREMELY COMPETITIVE. THE WINNING ESSAY WAS WRITTEN BY NYU STUDENT PAUL HARDING. HE IS USING A PSEUDONYM FOR PRIVACY PURPOSES, BECAUSE HE ASPIRES TO A CAREER IN INTELLIGENCE AND IS CONCERNED ABOUT THE SENSITIVE NATURE OF THIS WORK. DALIA BOLOTNIKOV, A STUDENT AT THE UNIVERSITY OF VIRGINIA, WROTE THE SECOND-PLACE ESSAY.

Defend: Jews have a historical, legal, and religious right to live in Judea and Samaria (West Bank).

I. Introduction

In July of 2003, Tony Blair addressed the United States Congress with the following remarks: "Terrorism will not be defeated without peace...between Israel and Palestine. Here it is that the poison is incubated." [1] Since 1949 – the year representing the modern rebirth of the Jewish State – sixty-nine conflicts with at least 10,000 fatalities have erupted around the globe: the Israeli-Palestinian conflict ranks sixty-eighth. [2] If the degree of international attention received was proportional to absolute casualties, then there is no rational explanation why the Israeli-Palestinian conflict has received such acute attention. Yet this deeply engrained belief (made vivid by Blair's remarks) persists in the minds of many, and is often assumed to be causally related to Israel's "occupation" of Judea and Samaria and the Gaza Strip – a position that is not only ahistorical, but

also specious with hindsight vis-à-vis the 2005 Gaza disengagement. While new reasons to focus on the Israeli-Palestinian conflict will inevitably arise, if it can be shown that Israel's presence in Judea and Samaria is legitimate from both a legal and historical-religious perspective, then any intellectually honest critic of "the Occupation" on these aforesaid grounds must concede their position. I shall here argue for exactly that: a historical-religious and legal validation for a Jewish right to live in Judea and Samaria.

To demonstrate the abovementioned, I will begin by briefly discussing the major historical events that led to the creation and dissolution of the ancient Israelite kingdom, which encompassed the modern "borders" of Judea and Samaria. The religious-historical dimension of the Jewish State has either been neglected or taken for granted, so I will argue that this perspective should be treated as an inseparable part of understanding the modern Jewish state, and specifically, the Jewish presence in Judea and Samaria. Thereafter, I will devote the bulk of this essay to surveying the pivotal events in modern history that led to the establishment of the Jewish State, namely the documents and

Jewish Statehood *(Continued)*

resolutions from the League of Nations and its successor, the United Nations. In so doing, it will become manifest that the Jewish presence in Judea and Samaria is not only religiously-historically validated, but also legal by even the most rigorous application of international law.

II. Religious-Historical Dimension of Jewish Statehood

Let us begin our journey through Jewish history in Judea and Samaria with the treatment of one of the oldest books in civilization, the Old Testament. The Old Testament should not be read as a historical document, but rather as

a quasi-historical tale detailing popular myths, in an effort to unite the deeply divided tribes of ancient Israel under a single authority. This tale begins with Abraham leaving his homeland by God's decree, to Canaan (Gen 12), which is eventually renamed Israel, after his grandson – the father of the Jewish people. Israel is often referred to as the Promised Land because many times throughout Genesis, God repeatedly pledges to give the Land of Israel to Abraham's descendants (Gen. 12:7, 13:15, 15:18, 17:8) and repeats these pledges to Isaac and Jacob. From these ancient affirmations, Lord Jonathan Sacks opines, "If any nation on earth has a right to any land – a right based on history, attachment, long association – then the Jewish people has a right to Israel." Despite God's many promises, the Jews only gained control of the

land after many generations of tribulations, with its conquest by Joshua more than 3200 years ago (1200 BCE). As Jews became entrenched in their homeland, many of the divine edicts proscribed by Judaism could only be fulfilled within the Land of Israel, and the very acquisition and settling of the land is considered a mitzvah, or positive commandment (Num 33:53). The word, "Zion," is mentioned 154 times throughout the bible (usually referring to Jerusalem specifically or the Land of Israel generally), and "Jerusalem" appears 669 times, for a total of 823 references. In

addition, the word Jerusalem "(i.e. not Zion, Moriah, not Temple nor any other permutation) appears 125 times in the Mishna, 152 times in the Tosefta (a mishna-era compendium), 149 times in the extra tractates, 658 times in the Babylonian Talmud, 335 times in the Jerusalem Talmud, 197 times in the Halachic Midrash (a Talmud-era compendium), 3,400 times in the Midrash, and 32,000 times in the Gaonic and Rishonim literature (roughly 7-17th centuries)."[3] These references all confirm the centrality of Israel generally and Jerusalem specifically to the Jewish people.

In Israel, Joshua's conquest was the first manifestation of Jewish rule. Under King David, the second king of Israel, Jerusalem became the nation's capital, before being divided into two kingdoms. Nevertheless, during this period, Jewish independence in Israel lasted for 212 years, a timeframe nearly equal in length to American

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Jewish Statehood *(Continued)*

independence in the United States.[4] Jewish independence lasted until the Greeks overran Persia and Israel in the fourth century BCE, and again in the first century BCE when the Roman Empire did the same. Fighting to repel this invading force, a group of Jewish rebels known as the Sicarii (meaning, “dagger wielders”), staged a revolt against the Romans, which eventually led to one of the most powerful and tragic scenes in ancient Jewish history: the mass suicide on Masada, where the Jews chose to die with honor rather than to live as slaves to the Romans. Later, Simon Bar Kochba, with a small but mighty army, staged the third and final revolt against the Roman Empire in 135 CE, but was ultimately overwhelmed by twelve Roman legions with auxiliaries.[5] Bar Kochba, the final ancient commander to fight for the Jewish State, wrote several letters describing the last days of his revolt, which were then hidden in caves and preserved, only to be found in 1960 by Yigal Yadin – the first modern commander of the Jewish State. Later, in 614 CE, Persian armies would defeat the Byzantine Empire, and allow Jerusalem to become the Jewish capital again, before the Byzantines reconquered the land and forced the Jews to vacate in 638 CE.

Having never left the Land of Israel voluntarily, the Jewish nation yearned for a return to their ancient homeland and during this interim period where control of Israel passed between many foreign hands (e.g. Babylonians, Persians, Greeks,

Romans, Byzantines, Umayyads, Fatimids, Abbasids, Crusaders, Mamluks and Ottomans), Jews nonetheless continued to return, especially with the expulsion of the crusaders in 1187: large Jewish communities were reestablished in Jerusalem and Tiberias by the ninth century; in the 11th century, Jewish communities sprouted up in Rafah, Gaza, Ashkelon, Jaffa, and Caesarea;[6] Judah Halevi returned to Israel in the 12th century, as did Nachmanides (Ramban)

who erected a synagogue in Jerusalem in 1267 that still stands in the Old City;[7]

Maimonides also attempted

to return to Israel, but only stayed briefly due to intense persecution. Some

Jews never left the Galilee, Jerusalem or Hebron despite all the turmoil, pogroms, crusades, and changing imperial rulers. Moreover, according to Dore Gold, “Although the last Jewish commonwealth was destroyed in the first century, the Jewish people maintained their own autonomous political and legal institutions: the Davidic dynasty was preserved in Baghdad until the thirteenth century through the rule of the

Exilarch (Resh Galuta), while the return to Zion was incorporated into the most widely practiced Jewish traditions, including the end of the Yom Kippur service and the Passover Seder, as well as in everyday prayers.”[8]

In the last push for a Jewish return to Israel before the advent of modern Zionism, Napoleon in 1799 tried unsuccessfully to reestablish Jewish control over Israel.[9] Given this long history (significantly longer than nearly every other

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Jewish Statehood *(Continued)*

religion), it is surprising that the Jews in modern day Judea and Samaria are viewed as “interlopers,” “usurpers,” and “colonialists” when the history of Jews in Israel is not only one of contiguous presence and aspiration-for-return, but is also a rebellion against nations that embodied these charges. In the words of Lord Sacks:

“The idea that Jews came to Israel as outsiders or imperialists is among the most perverse of modern myths... In fact, no other people, no other power, has ever created an independent state there. When it was not a Jewish state, Israel was merely an administrative unit of empires... The existence of Israel, in ancient times and today, is a sustained protest against empires and imperialism: against Mesopotamia of Abraham’s day and the Egyptians of the exodus.”[10]

In 1882, when Jews began to immigrate to Palestine en masse, fewer than 250,000 Arabs lived there, most of them having arrived in recent decades. [11] By 1864, there was a clear Jewish majority in Jerusalem, well before the British arrival, and well before the creation of the League of Nations.[12] It is this deep rooted, historical, religious connection to the Land of Israel that is affirmed in the Israeli national anthem, the Hatikvah: “As long as deep within the heart / A Jewish soul stirs / And forward, to the ends of the East / An eye looks out, towards Zion / Our hope is not yet lost / The hope of two thousand years / To be a free people in our own land / In the land of Zion and Jerusalem.” Thus, the current manifestation of Jewish sovereignty in the Land

of Israel, which arose in 1948, is only a part of greater Jewish history, and an inseparable part of the religious-historical past of the ancient Israelites who were denied their ancestral home for two millennia.

III. The Mandate of Palestine, the League of Nations, and the United Nations

Flash forward to the modern century: the year is 1922. The British just decreed that Transjordan is a separate territory from mandatory Palestine, to be governed exclusively by the Hashemite dynasty. No Jews are allowed to live in this new bloc of land, in contravention to existing legal treatises. Just two years prior, at the San Remo Conference, all fifty-one member countries of the League of Nations unanimously adopted the “Mandate for Palestine,” and assigned the mandate to Great Britain. This

historical document formally affirmed “the historical connection of the Jewish people with Palestine” and the “grounds for reconstituting their national home in that country,” as well as giving Jewish legal right to settle anywhere in Western Palestine (the area between the Jordan River and the Mediterranean Sea). This “entitlement” remains “unaltered in international law.”[13] Great Britain, by allocating Transjordan to the Hashemites formally violated its own legal edicts, and caused a quagmire that to this very day remains unresolved.

In the same year, across the Atlantic Ocean,

By 1864, there was a clear Jewish majority in Jerusalem, well before the British arrival, and well before the creation of the League of Nations.

Jewish Statehood *(Continued)*

both U.S. Houses of Congress unanimously endorsed the Lodge Fish Resolution, “favoring the establishment in Palestine of a national home for the Jewish people.” President Warren G. Harding signed this Resolution on September 21, 1922. Although the U.S. was not a member of the League of Nations, the U.S. government maintained that America’s contribution to the war effort against Germany entitled her to be consulted as to the terms of the “Mandate for Palestine.”[14] As a result, a Convention [Treaty] was established between the U.S. and Great Britain, governed by international law, that contained the entire text of the “Mandate for Palestine,” and was signed in London on February 20, 1925.[15] Thus, any attempt to deny access and control of the area reserved for the Jewish people in Palestine, infringes on both international law and the Supremacy Clause of the U.S. Constitution (Article VI, paragraph 2), which states that Treaties “shall be the supreme law of the Land.”[16]

Twenty-four years later, 1946: The United Nations is created from the ashes of World War II. All prior mandates of the League of Nations are reaffirmed in the UN’s founding charter, under Article 80.

One year later, 1947, the UN General Assembly (UNGA) passes Resolution 181 recommending the partition of Palestine at the behest of most of the international community. Due to its lack of legislative authority, the UNGA Resolution did not “vest territorial rights in the region’s Jews or Arabs.”[17] A year later, in advocating Israel’s

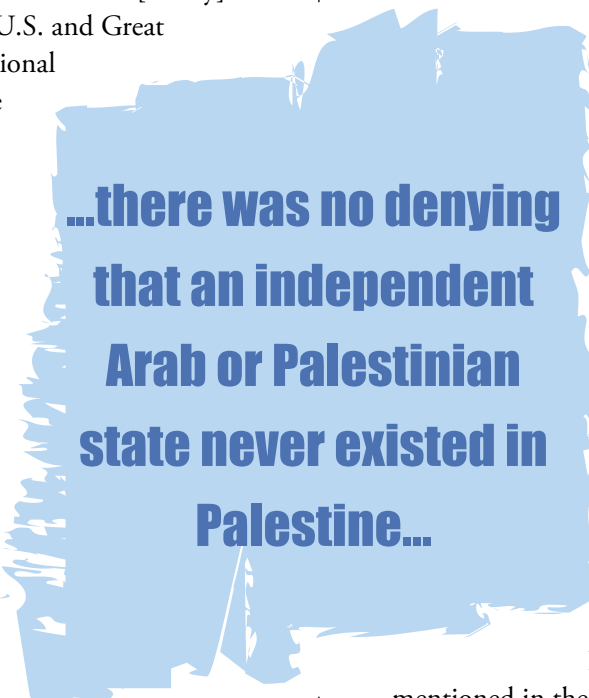
admission to the United Nations in 1948, the U.S. representative to the UN Security Council argued that Israel had fulfilled the four conditions typically required by international law for a political community to be defined as a state: “First, there must be a people; second, there must be a territory; third, there must be a government; and fourth, there must be a capacity to enter into relations with other states.”[18] Disregarding the will of the international community, the Arab

nations forthrightly rejected partition, and mobilized to liberate all of Palestine from the Jordan River to the Sinai Desert, aspiring to “force the Jews into the sea.” Despite the Arab rejection of partition, there was no denying that an independent Arab or Palestinian state never existed in Palestine, as evidenced by the testimony of the distinguished Arab-American historian, Professor Philip Hitti, before the Anglo American Committee in 1946: “There is no such thing as ‘Palestine’ in history, absolutely not. In fact,

Palestine is never explicitly

mentioned in the Koran, rather it is called ‘the holy land’ (al-Arad al-Muqaddash).”[19] Similar statements would be restated in 1937 by local Arab leader, Auni Bey Abdul-Hadi, and again in 1947 by the representative of the Arab Higher Committee to the United Nations, both of whom acknowledged that Palestine was merely Southern Syria.[20] Nonetheless, the Arab nations readied themselves for war against Israel.

Enter Egypt, Iraq, Syria, Lebanon and Saudi Arabia into the tiny territory of the nascent Jewish state. After more than a year of fighting, and around twenty thousand casualties, the



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Jewish Statehood (Continued)

Arab forces are repulsed from Palestine and stunningly defeated. In the aftermath of the War of Independence, Jordan managed to forcibly acquire Judea and Samaria, in “direct violation of the UN partition resolution and of the UN charter.”[21] Recognized by only Pakistan and Great Britain, Jordan claimed to have annexed the territory, affirming that the 1949 “dividing line was not an international border, but, in the words of the armistice agreement, ‘dictated exclusively by military considerations.’”[22] It was during this time, specifically in 1950, that the name “West Bank” (Judea and Samaria) was first used by the Jordanians “to differentiate it from the rest of the country, which is on the east bank of the river Jordan.”[23] However, according to Sir Elihi Lauterpacht, editor of *Oppenheim’s International Law* (an authoritative reference work on the subject), Judea and Samaria was *res nullius* (“a thing belonging to no state”) when the War of Independence began, and Jordan surely could not gain legitimate sovereignty over this territory through armed aggression.[24] Rather, Lauterpacht opines, “only a state in a position to assert effective and stable control without resort to unlawful means [can acquire legitimate sovereignty over a territory that is *res nullius*] – a situation that would not exist until 1967.”[25] We now turn to the Six Day War of 1967, which resulted in the inaccurate but popular accusation that Israel’s presence in Judea

and Samaria is one of occupation.

May 15, 1967 marked the first acts of aggression: Egyptian troops massed along Israel’s border; the Straits of Tiran are closed to Israeli shipping; Egyptian military vessels blockade the port of Eilat. The mission for this impending war was made clear by the Arab leaders: “Hafez al-Assad, then the defense minister of Syria, exultantly declared his forces ready ‘to explode the

Zionist presence in the Arab homeland;’ Nasser stated that ‘our basic objective is the destruction of Israel,’ adding that the Arabs ‘will not accept any coexistence with Israel;’ the Iraqi president, Abdur Rahman Aref [echoing the modern day president of Iran], said, ‘The existence of Israel is an error which must be rectified...Our goal is clear – to wipe Israel off the map.’”[26] After several aggressive moves by the Arab nations, coupled with these unambiguous statements (which gave Israel a *casus belli* under international law), Israel attacked first in an act of self-defense, and in accordance with Article 51 of the UN

Charter. Initially, Jordan vowed

to abstain from the conflict, but thinking that Israel would surely be defeated, Jordan engaged, only to be repulsed shortly thereafter, along with the other Arab nations. Krauss and Pham state, “After six days of fighting, Israel might easily have marched on to Cairo, Damascus, and Amman under the traditional laws of war; it certainly would have been justified in doing so, with the aim of neutralizing bellicose enemies. But [Israel

Judea and Samaria was *res nullius* (“a thing belonging to no state”) when the War of Independence began, and Jordan surely could not gain legitimate sovereignty over this territory through armed aggression.

Jewish Statehood *(Continued)*

had no desire to wage offensive war] and instead accepted a unilateral ceasefire.”[27] Hereafter, the Soviet Union, after futilely arming several of these Arab nations, attempted to brand Israel as the aggressor but was rebuffed several times by the United Nations Security Council. With Israel in possession of Judea and Samaria and the United Nations having no intention of forcing Israel to forfeit land that it acquired through a defensive war against hostile enemies, the United Nations Security Council unanimously adopted Resolution 242 on November 22, 1967.

Shortly after, Jordan refused to engage in talks with Israel over the status of Judea and Samaria when King Hussein adopted the famous three “no’s” of Khartoum. Yet, in 1970, the Palestinian Liberation Organization (PLO) initiated a bloody war against his throne, and only with the backing of Israel did he manage to survive. Subsequently, in an effort to reduce the growing Palestinian population in Jordan, King Hussein disavowed his claims to Judea and Samaria – a position that was formalized in July 31, 1988.[28] Thus, David Philips, a professor at Northeastern University School of Law, argues that if the claim that Israel’s possession of Judea and Samaria is illegal is based on Jordan’s previous ownership, this is a failing argument because Jordan’s legal title and formal disavowal of the land make their very ownership illegitimate.[29] Even before Jordan’s renunciation of Judea and Samaria,

Eugene Rostow, former dean of Yale Law School and undersecretary of state for political affairs in 1967 during the Six Day War, argued that Judea and Samaria should be considered “unallocated territory,” thereby making Israel a “claimant to the territory” rather than a “belligerent occupant.”[30] However, since neither Great Britain nor the Ottoman Empire – the two prior powers in control of Judea and Samaria – are “capable or

desirous to put Israel in the dock,” it follows that Israel has the strongest claim to Judea and Samaria.[31]

Nevertheless, a frequent injunction against Israel’s presence in Judea and Samaria is still made by referencing Resolution 242, so let us now proceed to discuss what it does and does not require of Israel. In what follows, it will be shown that Resolution 242 grants Israel the right to “secure and recognized boundaries,” dictating that these aforesaid (and undefined) boundaries will be settled only during future negotiations between the two involved parties.

“Security Council Resolution 242 and subsequent U.N. Security Council Resolution 338...rest on two principles, Israel may administer the territory until its Arab neighbors make peace; and when peace is made, Israel should withdraw to ‘secure and recognized borders,’ which need not be the same as the Armistice Demarcation Line of 1948.”

IV. The Implications of Resolution 242

It is within the context of the aggression by the Arab nations and the aftermath of the Six Day War that Resolution 242 must be read. The United Nations Security Council passed Resolution 242 under Chapter VI of its charter, rather than the more stringent Chapter VII. Resolutions passed under Chapter VI “call on nations to negotiate

Jewish Statehood (Continued)

settlements, while Chapter VII deals with clear acts of aggression that allow the UN to enforce resolutions upon any state seen as threatening [another state].”[32] Moreover, the intentions of the drafters are central to understanding the content of the document, since it is perhaps the most misunderstood and misapplied of all the Resolutions dealing with Israel. Eugene Rostow, who helped draft the resolution, stated in 1990:

“Security Council Resolution 242 and (subsequent U.N. Security Council Resolution 338...rest on two principles, Israel may administer the territory until its Arab neighbors make peace; and when peace is made, Israel should withdraw to ‘secure and recognized borders,’ which need not be the same as the Armistice Demarcation Line of 1948.”

Abba Eban, former Israeli Ambassador to the UN, famously referred to the Armistice Demarcation Line as the “Auschwitz borders,” and the United Nations had no intention nor could it enforce a return to such indefensible borders. Prime Minister Ariel Sharon demonstrated the indefensibility of the old frontier during his frequent helicopter trips, where he would frequently survey the strategic dimensions of Israel. According to his observations, “a column of tanks could cross from border to sea in an afternoon, cutting the country in half.”[33] Furthermore, this indefensibility actually invited war and caused conflict because of how easy it looked to conquer from a map – an observation that “did not require personal experience or

military genius to recognize.”[34] For Sharon, Judea and Samaria were invaluable from a strategic perspective and the settlements, “just east of the Green Line, were meant to thicken the country’s waist, and thereby end provocation.” [35] In his own words, he would say “With the old border, we had a war every decade. Now with the settlements, we have not had a major

war in thirty years.”[36] Moreover, in *Warrior*, Sharon’s autobiography, he points out that “the entire depth of Israel’s strategic center was less than what the American army considers tactical depth for a brigade of soldiers [i.e. when making camp, American field commanders are required to leave a buffer between their brigades and the enemy that is greater than the old width of Israel].”[37]

Another scholar, Arthur J. Goldberg, the former Supreme Court Justice who was then serving as U.S.

ambassador to the UN, remarked that

“the notable omissions in language used to refer to withdrawal are the words the, all, and the June 5, 1967 lines...Instead the resolution stipulates withdrawal from occupied territories without defining the extent of the withdrawal. This would encompass ‘less than a complete withdrawal of Israeli forces...inasmuch as Israel’s prior frontiers had proven to be notably insecure.”[38] George Brown, Britain’s foreign secretary at the time, reaffirmed Goldberg’s statement when he said that that “the explicit and well-understood point of the text was that ‘Israel will not withdraw from all the territories.”[39] Danny Ayalon points out that “even the Soviet delegate to the United

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Jewish Statehood (Continued)

Nations, Vasily Kuznetsov, who fought against the final text, conceded that the resolution gave Israel the right to “withdraw its forces only to those lines it considers appropriate.”[40] Although Resolution 242 refers to “the inadmissibility of acquiring territory by war,” Kraus and Pham argue that this principle “pertains only to the conquest of territory through military aggression, of which Israel was manifestly not guilty... The expression ‘by war’ is not a legal synonym for ‘as a result of armed conflict.’”[41] Thus,

Eugene Rostow concludes that “there is no internationally binding document pertaining to this territory that has nullified this right of Jewish settlement since” [Resolution 242]...and “the Jewish right of settlement in Palestine west of the Jordan river, that is, in Israel, the West Bank (Judea and Samaria), Jerusalem, and the Gaza Strip, was made unassailable.

That right has never been terminated and cannot be terminated except by a recognized peace between Israel and its neighbors. And perhaps not even then, in view of Article 80 of the U.N. Charter,”[42] Even Judge Steven Shwebel, former head of the International Court of Justice, writing in a 1970 article in the *American Journal of International Law*, noted that “Where the prior holder of territory [in this case, Jordan] had seized that territory unlawfully, the state which subsequently takes the that territory in the lawful exercise of self-defense has...better title.”[43]

V. Conclusion

Rather than focusing on the negative arguments leveled against Israel’s right to Judea and Samaria, I have chosen to make a positive argument, grounded in history and international law, for Israel’s right to these territories. Anyone who has studied Jewish history or is familiar with the intricacies of international law would be hard-pressed to deny the Jewish people’s right to their homeland, in all of Judea and Samaria. I have chosen to make a positive argument for Israel’s right to

Judea and Samaria because it is not from without that the greatest danger to Jewish sovereignty is posed, but rather from within: neither delegitimization, a Palestinian uprising, corruption at the United Nations, nor an all-out Arab attack threaten Israel’s existence, so long as Jewish unity is maintained. Israel’s primary threat, as observed by Stratfor’s George Friedman, and is testified by history, lies in the event of internal division.[44] This was the case in ancient Jewish history, when

power was split between Israel and Judea thereby leaving the Jewish state vulnerable to external attack (allowing Babylon to conquer Judea in the south, and Assyria to conquer Israel in the North with ease); and it was true during the modern, pre-state period during the Jewish people’s fight against British colonialism, when “the internecine fighting among the separate resistance movements, [Hagana, LECHI, and ETSEL], diverted time, men, and resources away from the anti-British campaign.”[45] It was only when these movements united in cause, and coordinated their activities, that British withdrawal became a

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Jewish Statehood (Continued)

real possibility. The Jewish people's right to Judea and Samaria is evidenced in history and in the collective mind of the Jewish nation. As long as the Jewish nation clings to their historical traditions, and remains united in spirit and cause, the Jewish right to Judea and Samaria will continue to be unassailable. ○

Footnotes

[1] BBC News: Text of Tony Blair's Speech http://news.bbc.co.uk/2/hi/uk_news/politics/3076309.stm

[2] The Israeli-Palestinian conflict has resulted in 13,000 total fatalities; even if the Arab-Israeli Wars (53,000 fatalities) are included, the overall conflict would still only rank 49th. These statistics are from a slide-show presentation by Dr. Gunnar Heinsohn, delivered at New York University in 2009. A shortened version can be found here: <http://www.danielpipes.org/4990/arab-israeli-fatalities-rank-49th>

[3] These numbers were found by Yaakov Lozowick using Bar Ilan university's Jewish books project: <http://yaacovlozowick.blogspot.com/2010/01/lots-and-lots-and-lots-and-lots-of.html>

[4] Jewish Virtual Library, "The Jewish Claim to Israel." http://www.jewishvirtuallibrary.org/jsourc/Hist/The_Jewish_Claim_To_The_Land_Of_Israel.html

[5] Dr. George Friedman, Stratfor Global Intelligence: "The Geopolitics of Israel: Biblical and Modern." May 4 2008, pg. 8

[6] Jewish Virtual Library

[7] Former Ambassador Dore Gold, "An Answer to the New Anti-Zionists: The Rights of the Jewish People to a Sovereign State in their Historic Homeland." <http://www.jcpa.org/jl/vp507.htm>

[8] Former Ambassador Dore Gold

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