

December 17, 2001

GET THE WORD OUT

When Menachem Begin paid his first visit to President Jimmy Carter as prime minister, Carter spent much of the time pressing Begin to 'freeze the settlements.'

Begin's reply was simple: 'You, Mr. President, have in the United States a number of places with names like Bethlehem, Shiloh, and Hebron, and you haven't the right to tell prospective residents in those places that they are forbidden to live there. Just like you, I have no such right in my country. Every Jew is entitled to settle wherever he pleases.'

Nevertheless the Carter administration launched a veritable propaganda campaign to spread the 'ruling' that Jewish settlement in the West Bank - that is, Judea and Samaria - and in the Gaza Strip were illegal (in addition to being an 'obstacle to peace').

Most of the media willingly fell into line. Following opposition and protest from various quarters, the Carter administration recognized that if one talks of illegality one must provide chapter and verse. Thus the State Department came up with the Fourth Geneva Convention as proof.

But the Fourth Geneva Convention proves nothing of the sort. It proves the opposite. The Fourth Geneva Convention does not apply to Israel and its presence in Judea, Samaria, and the Gaza district. The convention defines itself strictly in its second clause: 'The present convention shall apply to cases of partial or total occupation of the territory of a High Contracting Party.'

Judea, Samaria, and Gaza, which Israel occupied in 1967, were not territories of a High Contracting Party. Judea and Samaria did not belong to Trans-Jordan nor did Gaza belong to Egypt. In the war of Pan-Arab aggression in 1948, Trans-Jordan had invaded Judea and Samaria, occupied them and, in blatant illegality, annexed them. It then celebrated the annexation by changing its name to Jordan. Egypt had similarly annexed the Gaza district. The annexations of course gave Trans-Jordan and Egypt no rights of sovereignty. Israel's presence in the West Bank and Gaza is perfectly legal.

Indeed, the last sovereign of both areas was the Ottoman Turkish Empire. Defeated in World War I, it had relinquished sovereignty over vast areas including Palestine; Palestine was handed over to the British to govern as a trustee - a mandatory for the purpose of bringing about the 'reconstitution of the Jewish National Home.'

When Britain retired from the Mandate, Jewish historical rights which the Mandate had recognized were not canceled; and no new sovereign ever took over in Judea and Samaria or in Gaza.

The legal adviser of the State Department, called upon to defend the Carter claim that Jewish settlement in the West Bank and Gaza was illegal, got over the difficulty by

simply ignoring Article 2 of the convention. In his opinion he didn't even mention it. He loftily declared that 'the principles of the convention appear applicable whether or not Jordan and Egypt possessed legitimate sovereign rights in respect of the territories.' No less.

Further on in his statement, he markedly avoided mentioning that in 1967 it was once again the aggressors of 1948 who attacked Israel (then confined to the narrow armistice lines of 1949). He did mention the Six Day War of 1967, but how? He wrote: 'During the June 1967 war, Israeli forces occupied Gaza, the Sinai peninsula, the West Bank, and the Golan Heights.' That was all. Not a word about who started the war or about its flaunted gruesome purpose: the destruction of Israel.

The continuing smear on Israel on the part of the government was brought to an end by the successor administration of Ronald Reagan, who personally had strongly and repeatedly denounced it. His administration issued a declaration that Israeli settlements were not illegal (though they were regarded as 'an obstacle to peace').

A prominent member of the administration, law professor Eugene Rostow - himself a former assistant secretary of state - subsequently wrote: 'Israel has a stronger claim to the West Bank than any other nation or would-be nation' [and] the same legal right to settle the West Bank, the Gaza strip and east Jerusalem as it has to settle Haifa or west Jerusalem.'

But the damage was done; and never did Israel launch a counter-campaign to lay bare the monstrous falsity of Arab historical claims, their grave annihilatory intent towards Israel, the skewed misleading interpretation of the Fourth Geneva Convention and the effort to acquit the Arabs of their aggression. Never a serious reply to Arab fabrications point by point so as to combat the widespread ignorance among even our own people. Never an educational campaign to demonstrate the unique roots of our people in Eretz Yisrael.

The policies of government after government encouraged the Arabs to believe that we were weakening in the belief of the justice of our cause, and on the other hand played down the repeated declarations of Arab leaders, from Abdel Nasser to Yasser Arafat, that their objective was the demolition of Israel. Our leaders talked of compromise. The Arabs saw compromise as a station on the road to complete Israeli surrender - something which, but for the hardening of Arafat's heart, almost occurred last year.

But the change that has taken place in the international political climate since the US tragedy of September 11, which has helped people abroad to understand the unique nature of our place in the world, gives us a chance to meet squarely the bitter struggle ahead of us.

Moreover, a great majority of the people in Israel has been shocked into recognizing the Arabs' lethal purpose. The government however must realize that it is essential that the physical, the military struggle, be accompanied by a sane national policy of information -

to tell our people, and the rest of the world, at every step of the way, the whys and the wherefores of our existence, our actions and our beliefs.