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Keeping The Faith

“Rural and urban settlement in all parts of Eretz Yisrael were in the past and are today the focus of Zionist action for the redemption of the land, for maintaining vital security areas for the nation and a storehouse of strength and inspiration for the renewal of *halutzit* (the pioneering spirit). A Likud Government will call on the younger generation in the country and in the Diaspora to settle, and will help any group or individual in the task of settling the uninhabited parts of the country, taking care that nobody is deprived of his land”.

The quotation is from the Likud 1977 election platform, on which it was hoisted into power. The settlement plank was not a new feature; it had been a central feature of every Likud policy statement, and of Gahal and Herut beforehand.

Indeed, the Likud was not establishing any new basic national principle. The right to settle in all parts of Eretz Yisrael is grounded firmly in the norms and practice of international law and in the political events of our time. That right is expressed in Israeli law, and has been exercised by successive Israeli governments since 1949.

The modern international legal sanction for Jewish national rights in this country is contained in the Mandate for Palestine — which related to both sides of the Jordan. The Mandate came into being, and Britain given the task of carrying it out, in order to give effect to the purpose of the Balfour Declaration. In the language of the Mandate itself, that purpose was to “reconstitute” the Jewish National Home (and one of the means was to encourage “close settlement” of the land). At that time Britain, in order to solve imperial problems of her own, and taking advantage of Jewish incapacity to resist, lopped off eastern Palestine and gave it as a gift to a Hedjazi princeling, Abdullah.

Thus Palestine was partitioned for the first time; and the area for “close” Jewish settlement restricted to Western Palestine. In 1947, the British were forced to relinquish their hostile and oppressive rule. And the Zionist Movement agreed, for the sake of peace, to a United Nations’ recommendation for partitioning the country once again, and thus to the establishment of an Arab state in Western Palestine. The Arabs did not accept the proposal; instead, they tried by force to prevent the establishment of the Jewish State, and to take over the whole country. The partition scheme, which in any case had no effect unless accepted by both sides, therefore lapsed. It became a meaningless historical curiosity.

One of America’s legal luminaries, former Under-Secretary of State Eugene Rostow — now Sterling Professor of Law at Yale University, understood this when he said: “The status of the West Bank and Gaza is very special. They have to be considered as unallocated parts of the British Mandate... Therefore Israel continues to have the full rights of settlement which it had after 1922”. (*Interview on Israel Radio, November 4, 1978*).

That internationally recognized right was, over the years, inexorably reinforced by events: The Armistice Lines of 1949 — which reflected the military strength of the sides at the end of the Arab aggression — were not political boundaries. Certainly they did not give the illegal occupants of Judea and Samaria and of Gaza — Transjordan and Egypt — any sovereign rights.

In 1967 the Arabs states, having persuaded themselves once again that it was feasible to destroy the Jewish State, tore the Armistice Agreements to shreds. The Armistice Agreements automatically lost their validity, and Israel, having repelled the aggression and driven the Egyptians and the Jordanians from the territories they had occupied, properly declared the Armistice agreements null and void. The Knesset reasserted Israel’s rights in the whole country, and authorized the Government to apply Israeli law to any part of Eretz Yisrael as it saw fit. The Eshkol Government of National Unity decided to exercise that authority, for the time being, by incorporating only eastern Jerusalem into the State of Israel.

There is no legal ground in the doctrine of the State of Israel for differentiating, on the Jewish right of settlement, between Judea and Samaria on one hand and between Lod and Ramle and Jerusalem on the other; and the criteria that apply to all these apply equally to Tel Aviv, to Haifa and to the Emek.

It is in accordance with the assertion of this right that some 70 settlements were established beyond the “Green Line” before the Likud came to power.

In opposition the Likud differed from the Alignment Government in that it urged that settlement policy should be both more intensive and more extensive — and should include therefore also Samaria and more of Judea. (There was no essential difference on Sinai and the Golan Heights.) The doctrine underlying the Likud policy, however, was emphasized in a further element: the Government’s obligation to help the individual citizen or group to exercise the right of settlement. It so happens that precisely this principle was given graphic expression by Prime Minister Begin on his first visit to the United States in July 1977. He then explained to the President, to the senators and congressmen, to the Jewish leaders, and to the American community at large, that the right of any Jew to settle in Hebron and Shiloh was as inviolable as the right of any American to go and live in the American Hebrons and Shilohs. Just as an American president could not prohibit such a move, so had no Israel government the right to prevent such settlement.

In their determined and sustained effort to settle in Judea and Samaria — quite apart from its obvious significance for the security of Israel — the Gush Emunim and other pioneers are thus upholding the right of the Jewish people, internationally recognized, to settle the land of Israel. They are asserting their right as Jews to settle in one part of the country to be no less than the right of other Jews to settle in the Jordan valley, in Acre, in Ramle, in Jerusalem, in Mishmar Ha’emek and in Nahal Oz — all in complete harmony with the decisions of Israel’s parliament. They are also asserting their civic right to hold the government parties to their election promise to “assist any group or individual in the task of settling the uninhabited parts of the land”.

Under our system of parliamentary democracy that promise, having been underwritten by the elevation of the Likud to power, became and remains the will of the people.

Many of these pioneers, moreover, know their history and their Bible and draw inspiration and authority from the historical association — unique in human annals — of the People of Israel with the Land of Israel, beginning with the Bible. They therefore serve as a living reminder to the rest of us and to the world at large that the international recognition of the Jewish right to statehood in the ancient Jewish homeland derives from precisely those sources — as made plain, for example, in the preamble to the Mandate for Palestine in 1922. “Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine...”.

The Alignment Government, whatever compromises it was prepared to make, to its credit never renounced the principle of Jewish rights in all parts of Palestine. But there evolved the extraordinary notion that, while establishing settlements in the Jordan Valley, Sinai, Gaza, Golan, the government would, by avoiding settlement of Samaria and most of Judea, induce the Arabs to make peace. The notion was, of course, a corollary of the Allon Plan, whereby Yigal Allon succeeded in squaring the circle: Solving the demographic problem (“what will you do with a million Arabs?”) by handing over Samaria and almost all of Judea to Jordan; and then eliminating the consequent mortal danger to Israel’s existence by denying the Arabs arms or an army, and interposing a Jewish strip defended by the Israeli Army, along the Jordan, in the heart of the thus expanded Kingdom of Jordan.

Nobody, certainly no Arab, was prepared seriously to discuss such a strange creation. But the Alignment government mapped its settlement policy in accordance with it.

It is perhaps this much-publicized Alignment policy that gave birth to the idea that settlements in Samaria disturb the “peace process” or are preventing peace. This notion is not only comic; it is also dangerous. It implies approval of the Arab theme that the cause of the “dispute,” and a legitimate cause for making war on Israel, is the Jewish presence — anywhere in Palestine.

The Arabs made war on Israel in 1967 when there were no Jews in Judea or Samaria; they made war on an Israel in 1947 which did not include Ramle or Lydda or Acre. A bare few months ago leaders of the Arab communities in Samaria and Judea, in protesting Israeli rule, did not direct their attention at Gush Emunim settlements in Samaria or even “Alignment” settlements in the Jordan Valley. They announced their aspiration to wrest Jaffa, and Acre, and Jerusalem from the State of Israel.

The PLO, recognized officially throughout the Arab world and by at least a substantial section of the Arabs of Judea and Samaria as the “leadership of the Palestinian people,” does not budge from its philosophy of the unacceptability of any Jewish state in the heart of the Arab world nor from its declared intention of eliminating it from the map — and the PLO continues to enjoy the wholehearted support, moral and material, of the Arab states.

Only recently this support — and increased financial subsidy — was reaffirmed by the so-called Rejection States at Baghdad. Last Sunday it was the support of Egypt for the PLO that was again reaffirmed — this time by the Acting Foreign Minister Butros Ghali. Ghali, speaking to the Egyptian Parliamentary Committees, buttressed his announcement by the ominous reminder that the PLO was recognized by the United Nations as a “movement of national liberation”.

Has not the time come for the opponents of Jewish settlements, and the denigrators of the settlers, to desist from their tribal chanting about the danger to the peace process, to address themselves to tell us *which* peace process, *what* peace and peace with *whom* are they talking about?