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Test Case

William Mehlman

The second and decisive third Knesset readings of the “Settlement Regulation Bill” (SRB) calling for the retroactive legalization of some 4,000 Israeli homes and apartment units on allegedly “private Palestinian land” in Judea and Samaria have been put off until after the January 20th inauguration of Donald Trump as America’s 45th president. The immediate objective of the delay was to avoid dumping a diplomatic hot potato in the President-Elect’s lap before he takes command of the White House.

The more immediate objective was to disarm President Barack Obama of a pretext for withholding America’s veto or exercising its abstention prerogative on an anticipated UN Security Council resolution that, inter alia, would mandate an Israeli retreat to the 1949 War of Independence cease-fire lines and the repartition of Jerusalem as the contextual framework for a “two-state solution” to the Israeli-Palestinian impasse. In the event, Mr. Obama decided he didn’t need a pretext to trash a 49 year U.S.-Israel alliance. By ordering an American abstention on a 14-0 December 23rd Security Council vote branding all Israeli communities in Judea, Samaria and eastern Jerusalem intrinsically “illegal,” his decision, as described by one veteran diplomat, “has provided a tailwind for terrorism and a fading BDS movement, while effectively turning even the Western Wall into ‘occupied Palestinian territory.’”

All that said and done, It would seem ironical--other than in the Middle East, where irony has been platitudinized beyond recognition--that Amona, the Samaritan hilltop outpost whose Supreme Court-ordered demolition inspired SRB’s enactment, was confronted with a “No Entry” sign pinned to the bill’s protective tent. That’s because Finance Minister Moshe Kahlon, whose Kulanu party is a member of Likud’s governing coalition, reluctantly cast his party’s 10 votes in favor of the measure only on condition that it not interdict the Supreme Court’s demand for Amona’s evacuation. Erected in 1995 with a 2.1 million shekel grant from Israel’s Housing and Construction Ministry, the community and its 40 families were scheduled be gone on or before a December 25th Deadline. They’ve since received a 45-day High Court extension. Twenty four of the families will be leaving voluntarily to an adjacent parcel of land designated as “absentee property” in a zero-hour deal hammered out with representatives of a Likud coalition with its back to the wall. The remaining 16 will be temporarily moved down the hill to the nearby settlement of Ofra. Each of the 40 families will receive government compensation of one million shekels and all have been promised a speedy transition to permanent housing. The estimated 140 million shekel cost (compensation plus new housing) will be borne by budget cuts to all of the government’s ministries.



Amona

The Amona saga has ended but its implications will linger. Introduced by a quartet of Coalition members--two from Likud, two from Education Minister Naftali Bennett’s Jewish Home party--SRB would sanction Israel’s appropriation of “private” Palestinian land in the exercise of “eminent domain.” If the alleged owners of the land, presently unclear, were to come forward, they would be eligible for yearly damages amounting to 125 percent of the value of leasing the land or a larger financial package valued at 20 years’ worth of leasing the plots. “In many cases,” the bill lamely concedes, “settlements built in agreed upon areas were encouraged or built in

coordination with the State or in good faith by the Israeli residents, who were unaware this was privately owned land. Leaving the situation as is in these settlements or their destruction, is liable to

unjustifiably harm those who have lived there for many years. Therefore the regulation of the settlements is necessary.”

First of all, avers Rafael Ahren in an analysis for *The Times of Israel*, even stripped of an original clause that would have overridden the Supreme Court’s Amona evacuation order, SRB’s chances of avoiding nullification by the Court are slim to none. And even if it did manage to pass Supreme Court muster, that would not obviate the near certainty of UN-EU condemnation or the danger, “recently invoked by Prime Minister Netanyahu himself,” Ahren submits, of war crimes charges being filed against the Jewish State and its leaders by the International Criminal Court. To non-member Israel’s claim that the Hague has no jurisdiction over the area, Ahren points out that the “State of Palestine” has been “admitted as a full member of the Court” and can petition its prosecutor to investigate “‘Israeli crimes’ committed on its [Palestinian] territory.”

Even as Naftali Bennett was hailing SRB’s 58-51 first reading Knesset green light as a victory for the Land of Israel movement and a “prelude to the annexation of Judea and Samaria,” Netanyahu was said to be privately assuring confidants that he would stand in the way of its becoming law. The prime minister denies the rumor but it appears to have gained traction from Attorney General Avichai Mandelblit’s assessment of SRB as being in violation of both Israeli and International law and his expressed doubt of being able to defend it before the High Court. Secretary of State John Kerry and EU foreign policy chief Federica Mohlgerini haven’t spared the adjectives in condemning the measure, joined surprisingly by the dispossessed Amona families. Headed for what they’ve termed a “ghetto,” they said they regarded SRB as an “illusion” cobbled together to head off a coalition crisis.

They may not be far off the mark because the Settlement Regulation Bill pointedly abandons without a fight Israel’s most powerful legal argument against the notion that Amona, among dozens of other Jewish communal outposts in Judea and Samaria, was established on “private” Palestinian land. “Where are the plaintiffs?” asks Moshe Arens, former Defense Minister and the last surviving icon of Israel’s “founders generation” in a *Ha’aretz* piece. “The appeal to the Supreme Court [against Amona’s legalization] was lodged by Peace Now. They have a political agenda but they are not the injured party,” he adds in a swipe at the unique willingness of the Court to entertain petitioners with no material “standing” in the outcome of the decisions they are advocating. “Where are the Palestinians who claim that Amona was built on land they own?”

The answer was provided in a November *JNI.Media* examination of the Amona case. “The problem,” the examination concluded, is that “while the Israeli Supreme Court [virtually alone among the democratic world’s High Courts] does not entertain evidence [in the cases it decides], lower courts do, and in Jerusalem Magistrates Court it was discovered that out of the nine [unnamed] Arab petitioners, seven own land that is entirely outside the Amona perimeter and would have had no problem working their land had they been so inclined. The remaining two owned only a sliver, about half an acre, of the 125 acres of the Amona territory--less than 5 percent. The rest is registered to names of non-existent people who do not appear in the 1967 census.”

The Palestinian land claims in Judea and Samaria, as researched by journalist and Middle East historian Dr. Moshe Dann, are almost entirely based on grants awarded by the Hashemite Kingdom of Jordan during its 19-year (1948-67) illegal occupation of the West Bank, an occupation recognized only by Pakistan and the UK. “Most of the land,” Dann informs, “was never used and no taxes were paid as required under Ottoman law, still in force, which should have nullified any claims of ownership” by the recipients. The IDF, the governing authority over an unannexed Judea and Samaria from June 1967 to the present day, “was under no obligation,” he adds, to continue recognizing the laws, legal structure and land awards of a defeated, illegal occupying power 49 years departed from the West Bank. Moreover, why has the Supreme Court of Israel chosen to put its stamp on their continued application? “If the current policies and practices of the IDF and the High Court had been implemented in 1948/9,” Dann avers, “there would be no state of Israel today. The campus of Tel Aviv University would be

returned to the descendants of 'Sheikh Munis,' the palatial Arab homes in Jerusalem's Talbieh and Baka neighborhoods would be given to the descendants of Arabs in Lebanon and most of the Galilee would be under Arab control. "

The irrationality of holding Judea and Samaria hostage to Jordanian land law in 2016 is further underscored by the Hashemite Kingdom's 1988 renunciation of all claims to the West Bank and a 1994 peace treaty with Israel that defines the Jordan River as the international border between the two countries. In ignoring this fact, Dann points out "the IDF and the High Court are promoting and giving official sanction to the canard that Israel is 'stealing Palestinian land.'"

Are there any arrows in the quiver of an Israeli government that for reasons political and diplomatic, foreign and domestic, felt constrained against pursuing the Amona case on its legal merits? There had better be, because with the wind at their backs and a compliant High Court, a phalanx of EU, U.S., and Arab-financed NGOs have made no secret of their intention of picking off, one by one if necessary, every Jewish outpost community they can get in their litigational crosshairs. And with Court demolition orders already pending against 9 Jewish homes in Ofra and 15 in Derech Avot, Mr. Netanyahu's coalition is walking a thin line. One recourse would be to pick up on the 2013 Levy Commission Report which the prime minister initiated and then shelved. It recommended taking the determination of land ownership in Judea and Samaria out of the hands of a politicized Supreme Court and turning it over to a special tribunal of experts on land law specifically vetted for this purpose.

Another move that has been discussed would be for the Knesset to legislate a land law policy bespeaking the authority of a sovereign state. This wouldn't be accomplished overnight but in the interim it's been suggested that the government declare a moratorium on further attempts to dismantle Jewish homes and communities in Judea and Samaria. Anyone presenting solid proof of material loss under this policy would be fairly compensated as Israel exercised its legal right of eminent domain. Finally, the concept of "standing"—plaintiff's obligation to show a material stake in his petition—must be recalled from the judicial gulag to which it was consigned in the 1990s by then Supreme Court Chief Justice Aharon Barak, who, in declaring all matters in Israel "justiciable," opened the gates of the Court to a post-Zionist NGO invasion whose sole reason for existence appears to be the skeletonization of the Jewish State.

At the end of the day, the Amona crisis was more than a dispute over land ownership and the fate of one Jewish community. Dann sees it as a "test case for whether elected representatives have any power, whether the legislative process is meaningful or meaningless. It is a test case, essentially, of Israel's democracy." The jury is still out.

William Mehlman represents AFSI in Israel.

"Jabotinsky Part 4: Lone Wolf" is now available. You can see it via the following link:

<http://zionism101.org/NewestVideoVimeo.aspx>

Or log in at www.zionism101.org.

In "Jabotinsky Part 4: Lone Wolf," Jabotinsky warns the Jews of Europe to flee in the face of growing anti-Semitism. He develops a 10 year plan for their evacuation and encourages illegal immigration efforts to Palestine. With the outbreak of war, Jabotinsky turns his attention to establishing a Jewish Legion as he had done in World War I, but a heart ailment catches up with him, leading to his untimely death in Hunter, New York.

From the Editor

A Modern Antiochus

On his way out, Obama has wielded a major blow at Israel. In this case, because it is at the UN, it is not subject, as executive decrees are, to being undone by the next President. Obama did not merely permit the anti-resolution to pass. The Israeli government reports that it has "ironclad" evidence that Obama colluded behind the scenes in planning, formulating and pushing it through. Elliot Abrams outlines the implications: It turns both settlers (including those who live in East Jerusalem or such major blocs as Maalei Adumim) and Israeli officials who venture abroad into criminals. In some countries they will be subject to prosecution in their own courts or in the International Criminal Court. As Abrams notes, the resolution calls upon all states "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967." This gives the UN imprimatur to the Boycott, Divestment and Sanctions Movement, with the UN now in practice calling for the boycott of products from the Golan and Judea and Samaria, including East Jerusalem.

It should be noted that every single other member of the Security Council voted for the resolution, including France and Britain (each of which could have vetoed it). Melanie Phillips is especially scathing concerning Britain. "Since she came to power last July the British Prime Minister, Theresa May, has gone out of her way to express her warm affection for the Jewish people and her strong support for the State of Israel. Her words now stick in the throat. If Obama has committed a foul and final act of malice towards Israel, Mrs. May has done something just as bad, if not worse: presented herself as the friend upon whom the Jewish people can rely while her government stuck the knife not into Israel's back, as did Obama, but its front." It's even worse than Phillips initially realized. According to *Haaretz* the British secretly urged New Zealand to bring forward the resolution (after Egypt had withdrawn it under pressure from President-elect Trump).

As for the UN, in which such high hopes were placed at its inception, it has become, in Phillips' words a "reservoir of evil," "one swamp that most urgently needs to be drained."

Will Merkel Learn?

Angela Merkel has called "despicable" the possibility that someone claiming refugee status would abuse German hospitality by mowing down shoppers at a Christmas market. Her open door policy illustrates the hoary maxim that the road to hell is paved with good intentions. But it's questionable that she will learn the real lessons from her policy of letting in massive waves of refugees coming from an alien, in their own mind superior, and yes, hostile religious culture.

As the shock wears off, she is likely to emphasize, as *The Wall Street Journal* reports shoppers returning to that same Christmas market promptly did, how rare such incidents are.

But as Andrew McCarthy rightly points out, this misses the point. "The main threat posed by the West's mass acceptance of immigrant populations from *sharia* cultures is not that some percentage of the migrants will be trained terrorists. It is that a much larger percentage of these populations is stubbornly resistant to assimilation. They are thus fortifying *sharia* enclaves throughout Europe." It is these enclaves that "become safe havens for jihadist recruitment, training, fund-raising and harboring." McCarthy quotes the president of the German Police Union, Rainer Wendt, who years ago, even before the current huge Muslim invasion, told *Spiegel Online*: "In Berlin or in the north of Duisburg there are neighborhoods where colleagues hardly dare to stop a car--because they know that they'll be surrounded by 40 or 50 men." Wendt called these attacks a "deliberate challenge to the authority of the state--attacks in which the perpetrators are expressing their contempt for our society."

In other words, just as the German police had ample warning about the terrorist proclivities of Anis Amri, so Angela Merkel had ample warning concerning the inevitable result of welcoming vast additional numbers of Muslims.

A Chanukah Party in Washington

In what seemed like a Jewish public relations coup, the embassy of Azerbaijan, a Muslim country, to coincide with a visit Prime Minister Netanyahu was making to that country, decided to co-host an early (Dec. 14) Chanukah party with the Conference of Presidents of Major Jewish Organizations. The coup turned into a public relations embarrassment as the hate-Israel left (*If Not Now* and *Jewish Voices for Peace*) demonstrated outside and a parade of more establishment Jewish outfits including the Union for Reform Judaism, Women of Reform Judaism, the National Council of Jewish Women, the Workmen's Circle, plus Ameinu and Peace Now boycotted the event. Why? Because the



Azerbaijani Embassy had scheduled the event at the Trump International Hotel. As Daniel Greenfield points out, "to make the outrage even more ridiculous, the Azerbaijani embassy only picked the Trump International Hotel because of its proximity to the White House so that some of the same left-wing leaders boycotting the party could attend Obama's Chanukah party and their party on the same night."

Making the boycott even more absurd, representatives of seven Muslim majority countries attended the event at the Trump hotel, including the envoy of the Palestinian Authority, something that would normally have sent the righteously absent left-wingers into a tizzy of joy. Greenfield is right: the Jewish anti-Israel left has not only lost its morals but its mind.

Heroic David Horowitz

David Horowitz has emerged as a hero whom the Jewish community, alas, fails to celebrate. On campus after campus David Horowitz and his Freedom Center have been imaginatively and courageously battling increasingly open and vicious anti-Semitism. This fall Tufts University in Boston was one of twelve campuses on which the Freedom Center placed posters exposing the financial and organizational ties to Hamas of the campus hate group Students for Justice in Palestine. The Tufts administration has indefensibly gone to bat for the hate group, claiming in an email to the Horowitz Center that the posters "violate our community standards" and violate "our poster policy which requires notification and authorization by a university office or recognized student group" prior to being placed on campus.



Horowitz minces no words in his reply: "I have read your terse email many times without being able to find a single reference to anything we actually said in our posters that might violate your community standards. Nor do you mention a single community standard that we might have violated. This is just another way in which you choose to show your contempt for individuals who express ideas that make you uncomfortable....Just to be duly diligent, I went to the Tufts official website and found your community principles, prominent among which is the following statement: Freedom of expression and inquiry are fundamental to the academic principle. Too bad you and the Tufts administration have abandoned this principle, and too bad you lack the candor to admit it. If you had a shred of integrity you would invite me to your campus to debate this issue. Instead you will no doubt go on suppressing our efforts, all the while pretending to support the free exchange of ideas."

The Doctrine of Resistance

David Isaac

The Obama administration is receiving a well-deserved hammering for orchestrating the UN's fresh assault on Israel. Most refreshing is a good deal of that hammering is being delivered by an infuriated Israel, whose representatives haven't flinched in slamming the U.S. for its betrayal. They are learning for the first time, or perhaps re-learning for the umpteenth time, a doctrine taught by Revisionist leader Vladimir Jabotinsky: *the principle of resistance*.

The Likud Party which Prime Minister Benjamin Netanyahu leads purports to draw inspiration from Jabotinsky and to faithfully follow his teachings. Banners depicting Jabotinsky fly at every Likud event. Yet, in his many years in office, Netanyahu has seemed less a devotee of Jabotinsky than a disciple of Dale Carnegie, who famously said, "You can't win an argument." Netanyahu and his government haven't won any arguments when it comes to Jewish rights in Israel's heartland. Indeed, they haven't tried. Instead, they've chosen to manage the problem. We see the fruits of that strategy: Resolution 2334.

Ironically, it was the Prime Minister's father, Prof. Ben-Zion Netanyahu, who offered one of the best analyses of Jabotinsky's thinking in a 1981 essay that was reprinted in his last book, *The Founding Fathers of Zionism*. Ben-Zion points out that Jabotinsky's greatest contribution to Jewish thinking was this: "He taught the doctrine of resistance to a people who had not known what resistance meant for hundreds of years."

What did this mean in political terms? "*Vigorous resistance to any concession of any right whatsoever.*" Ben-Zion Netanyahu writes: "After all, if you have a right, and concede that right, whether voluntarily or involuntarily, even if out of supposedly 'pragmatic calculations,' then what is taken away from you is, simply, theft. Hence, you have fundamentally surrendered to robbery, even if you pretend to having been magnanimous."



Bibi and his father Ben-Zion

Think of the prime minister's approach in light of the above. When facing election, he speaks out against a two-state solution as he did in 2008 and in 2015. Afterwards, he hastily backs down under U.S. and international pressure, reaffirming his support for two states. Instead of vigorous resistance, Netanyahu chooses the path of least resistance.

Although describing himself as a disciple of Jabotinsky, Netanyahu acts more like Jabotinsky's nemesis, Chaim Weizmann. The strategy of Weizmann and the Laborites was "a dunam and a cow, and then another dunam and another cow"—a dunam being an area of land (4 equaling 1 acre). The idea was to avoid tipping off the Arabs while creating facts on the ground that would make a Jewish state inevitable. Weizmann even denied he wanted a Jewish state. The strategy was disingenuous, fooled no one and cost the Jews dearly politically, as the British, who favored the Arabs from the start, gradually stripped away Jewish rights.

Instead of a dunam and a cow, Netanyahu and the Likud Party build a settlement and another settlement, this while broadcasting their support for a two-state solution which grants Arabs political rights to the land the Jews are building on. It's a crazy contradiction. Jabotinsky offers a way out. Resist efforts to strip away Jewish rights. Boldly defend Judea and Samaria as Jewish land. Declare that there will never be an Arab state in Israel's ancient home. The real problem is that Israel's leaders are too clever by half. If they can't speak candidly, they should pull down those Jabotinsky pictures at Likud meetings. It's not his image that's important but his teachings, and without the one what's the point of



the other? Put up supermodel Bar Refaeli. Her image will have the same impact on policy—that is to say, none—but she at least is easier on the eyes.

Netanyahu’s vacillation on the Palestinian Arab issue contrasts with his bold approach on Iran. He consistently warns the world of the grave danger. The difference is that he views Iran as an existential threat, whereas the threat of a PLO state he has viewed as manageable. There was a structure in place to deal with it. Unfortunately that structure depended on others, namely the U.S. running interference at the UN. Counting on others is risky business. You say you want a two-state solution, Obama says to Israel. We will ensure you get it, even if it means stabbing you in the name of securing it. Now the rug has been pulled out from under Netanyahu and he finds himself sitting on the floor in stunned disbelief. The hard knock has opened his eyes, however, to see the threat has become more existential than manageable.

The Netanyahu government has been shocked into following Jabotinsky’s counsel and speaking the truth. Netanyahu and his spokesmen finally tell us the Palestinian Authority has no intention of living beside Israel but is determined to replace it. That means the two state solution is a mirage.

For now, the prime minister’s belated backbone is to be applauded. Let’s hope it will be permanent. Perhaps it was brought on not only by the shock of being “stabbed in the front,” to borrow from former UN Ambassador John Bolton, but by the fact that a pro-Israel president is waiting in the wings. To his credit Netanyahu wasted no time in blasting the resolution. And when Kerry tried to defend the anti-Israel resolution as somehow an act of saving Israel, Netanyahu would have none of it, condemning Kerry’s speech the same day as “almost as unbalanced as the anti-Israel resolution passed at the UN.” Netanyahu was Jabotinsky-like.

In fairness to Netanyahu, he is hardly the first Israeli leader to fail to resist the spurious charges thrown at Israel over the decades—charges that have grown in intensity with their mindless, unchallenged repetition. Shmuel Katz, a Jabotinsky disciple who authored the definitive book on his mentor, *Lone Wolf*, left behind a well-documented trail of Israel’s failure in this regard. Perhaps the most effective spurious charge was that that the settlements are illegal. In his speech Kerry said: “In 1978 the State Department legal advisor advised the Congress of his conclusion, that Israel’s government program establishing civilian settlements in the occupied territory is inconsistent with international law. And we see no change since then to affect that fundamental conclusion.”



Shmuel Katz

Back in 1979 Katz debunked that mockery of an analysis. A State Department lawyer tasked with providing the Carter administration with another stone to throw at Israel came up with it. He based his findings on the Fourth Geneva Convention, a reading of which shows it has zero relevance to Israel’s presence in Judea and Samaria. But he twisted it to suit Carter’s purpose, which Katz summed up at the time as the *need* to find Jewish settlements illegal: “Otherwise the Arabs will be annoyed, oil prices might go up, who knows—Saudi Arabia might initiate an embargo.”

Ben Zion Netanyahu and Shmuel Katz remained faithful to Jabotinsky’s teachings, whose greatest idea was really a very simple one. Ancient Jews knew it well, strongly resisting every attempt to curtail their rights. That healthy spirit was lost over centuries of persecution and exile, giving way to the exact opposite. “The lack of capacity to resist by force, which was originally considered one of

the humiliating and detrimental effects of the Exile, became over time a praiseworthy trait,” Ben-Zion Netanyahu writes. “An ideology emerged which justified and praised it.”

Unfortunately, that ideology is alive and well today in the form of J Street and its ilk, parading under the false flag of saving Israel’s soul. But it also manifests itself among Israel’s leaders through their dependence on America—turning an entire country into *Schutzjuden*, a once common term that referred to protected Jews. The illusion that they are protected was rudely shattered a week ago, and by a single vote. It could turn into the greatest gift Israel ever received if it snaps Israelis out of their Diaspora-like mentality and if it makes their leaders embark on the “political offensive” Jabotinsky urged. For the moment at least, it has led to a healthy spark of righteous anger. Let’s hope it grows into a perpetual flame.

David Isaac is writer/producer/director of Zionism 101 (<http://zionism101.org>)

Diplomatic Terrorism at the UN, Courtesy President Obama

Anne Bayefsky

The vicious condemnation of Israel at the UN Security Council on December 23, 2016 is a watershed moment in U.S.-UN relations—albeit not as President Obama hoped. Following the vote of fourteen in favor and one American abstention, Palestinian representative Riyadh Mansour and American Ambassador Samantha Power exchanged a telling handshake. Evidently, President Obama believes that he has put one over on Israel, Prime Minister Netanyahu and the incoming Trump administration. But here’s another possibility: treachery at the UN will not be cost free.

Let’s be absolutely clear about what has just happened. The Palestinians have completed the hijacking of every major UN institution. The 2016 General Assembly has adopted nineteen resolutions condemning Israel and nine critical of all other UN states combined. The 2016 Commission on the Status of Women adopted one resolution condemning Israel and zero on any other state. The 2016 UN Human Rights Council celebrated ten years of adopting more resolutions and decisions condemning Israel than any other place on earth. And now—to the applause of the assembled—the Palestinians can add the UN Security Council to their list.

Resolution sponsors Malaysia and New Zealand explained UN-think to the Council this way: Israeli settlements are “the single biggest threat to peace” and the “primary threat to the viability of the two-state solution.” Not seven decades of unremitting Arab terror and violent rejection of Jewish self-determination in the historic homeland of the Jewish people.

This is not just any lie. This is the big lie of modern antisemitism. This is the lie that drove a Palestinian teenager in June of this year to creep into the home of 13-year old Hallel Ariel and butcher her with a knife in the back as she slept in her bed.

The bed was located in the “settlement” of Kiryat Arba, on Arab-claimed territory whose ownership--by agreement--is subject to final status negotiations instead of back-stabbing UN resolutions. So to skip the UN-eze, today’s hate fest was diplomatic terrorism.

Obama’s failure to veto the resolution is at odds with long-standing American foreign policy that has insisted on peace through negotiations, and not UN-fiat, as the only way to ensure genuine and long-lasting recognition and cooperation. His excuse for throwing bipartisan wisdom overboard was delivered by Ambassador Power, in one of the most disingenuous statements in the history of American diplomacy.

Power began by likening Obama’s deed to Ronald Reagan’s treatment of Israel. She repeatedly claimed that the move was nothing new and “in line” with the past, though “historic” is how speaker-

after-speaker and the President of the Council himself described it. She noted “Israel has been treated differently than other nations at the United Nations” and then doubled-down on more of the same. She complained that Council “members suddenly summon the will to act” when it comes to Israel, after the White House had actively pushed the frantic adoption of the resolution with less than 48 hours’ notice.

At its core, this UN move is a head-on assault on American democracy. President Obama knew full well he did not have Congressional support for the Iran deal, so he went straight to the Security Council first. Likewise, he knew that there would have been overwhelming Congressional opposition to this resolution, so he carefully planned his stealth attack.

He waited until Congress was not in session. Members of his administration made periodic suggestions that nothing had been decided. There were occasional head fakes that he was “leaning” against it. He produced smiling photo-ops from a Hawaiian golf course with no obvious major foreign policy moves minutes away. Holiday time-outs were in full-swing across the country. And then he pounced, giving Israel virtually no notice of his intent not to veto.

Profound betrayal of a true democratic friend of the United States is the only possible description.

Israel’s Ambassador Danny Danon held up a Bible in that sanctuary of idolatry and spoke of the holiday of Chanukah, about to commence this calendar year on Christmas Eve. He reminded his listeners that over two thousand years ago another King had banished the Jewish people from the Temple in Jerusalem, and tried to sever Jews from their religion and their heritage.

And he continued: “But we prevailed. The Jewish people fought back. We regained our independence and relit the Menorah candles...We overcame those decrees during the time of the Maccabees and we will overcome this evil decree today.”

The Security Council and President Obama leave a trail of devastation across the planet, with evil empowered and good forsaken. But their record does not have to be our future. Today’s vote reminds us of what it takes for evil to triumph.

Doing nothing is not an option for our new President and our incoming Congress. The time has come to undertake an urgent and full review of America’s relationship to the United Nations, and to suspend financial support until that review can identify how best to use American dollars in the interests of peace, security and human dignity. The perfidy of Barack Obama will not be the last word.

Anne Bayefsky is the Director of the Touro Institute on Human Rights and the Holocaust and President of Human Rights Voices. This appeared on FoxNews.com on December 24.

Jews Without Memory

Rael Jean Isaac

Professor of Jewish History Yosef Yerushalmi observed that “Zakhor!” “Remember” is enjoined in the Bible 169 times.

Tragically, the behavior of most Jewish leaders reveals that they remember nothing of relevance to a Jewish future. They have forgotten that modern Zionism arose in response to an anti-Semitism that showed itself impervious to the so-called European “Enlightenment.” They have forgotten that it soon became apparent that only Palestine, the ancient homeland of the Jews, could provide the motivation for even secular Jews to make the sacrifices necessary to achieve a state. They have forgotten how prescient the early Zionists were, for their worst forebodings were realized: millions died for lack of the state that could have offered them refuge from their murderers. They have forgotten how, in the wake of the UN’s vote for partition, the reborn state of Israel held on against what seemed impossible odds

and went on to create a vibrant, free, prosperous, innovative state in a region mired in chaos and despair. They have forgotten that an umbilical cord attaches them to Israel. They have forgotten—if they ever knew--the extent to which their standing in the United States depends on Israel’s existence, and how vulnerable they will be if Jews once again become a people without a land.

In the early 1970s, historian and rabbi Arthur Hertzberg, as President of the American Jewish Congress, anticipated some of this “forgetting.” He believed that Israel would soon achieve peace with its neighbors and at that point the divergence of Israel’s interests from those of diaspora Jews would become obvious and Israel would lose much of its salience for Jews abroad. Hertzberg did not foresee what has in fact happened: that far from reconciling themselves to Israel’s existence, Arabs would spearhead an increasingly successful world-wide movement to delegitimize her. Nor did he foresee that a plethora of Jewish organizations would emerge, not simply indifferent to Israel but actively hostile to her interests (J Street, Jewish Voices for Peace, Ameinu, the New Israel Fund among others). Nor did he foresee that for the most part mainstream Jewish organizations would transfer their enthusiasm to a variety of trendy left-wing causes, from climate change to gay rights to abortion to gun control, with Israel a distant fifth or sixth on the agenda, if that.

Take the Anti-Defamation League, the organization originally established to fight anti-Semitism. Jonathan Bronitsky has written an informative report on the ADL from the “inside.” Selected to participate in the ADL’s Glass Leadership Institute, a ten month program for a select group of young professionals to be closely involved in the organization, he was unsettled to discover that “the ADL has dedicated itself more and more to matters of social justice in America (e.g. immigration, women’s reproductive health, economic privilege)...[to] advance political agendas that have nothing to do with defending the Jewish people.” When he merely raised questions, says Bronitsky, “the wrath that I encountered, time and time again, was stunning. Are upper middle class, highly educated American Jews so isolated from non-liberal thoughts that even the slightest contestation of their most firmly held beliefs is enough to trigger landslides of emotional chaos?” Bronitzky found the intellectual dishonesty, the pretense that the organization did not tout the Democratic party agenda, particularly disheartening. “It is difficult to convey just how intellectually insulting, how patronizing it was to be told by winking staff members that their organization is nonpartisan.”

The ADL, like most Jewish organizations, is willfully blind to the growing distancing of the Democratic Party, as it marches left, from Israel and Jews. The favorite among Democrats to head the Democratic National Committee has been Keith Ellison, for many years an acolyte of Louis Farrakhan, of “Judaism is a gutter religion” fame. Interestingly it was not Ellison’s hostility to Israel that bothered ADL head Jonathan Greenblatt (who initially supported him). It was Ellison’s suggestion in a 2010 speech (that belatedly came to light) that Jews dictated American Mideast policy that Greenblatt found “disqualifying”—anti-Semitism focused directly on American Jews struck too close to home.



David Friedman

But nothing epitomizes the failure of much of Jewish leadership to advance the interests of Israel and Jewry alike than the reaction to the appointment of David Friedman as the next ambassador to Israel. The appointment should have been the cause of uniform Jewish celebration. Friedman is an Orthodox Jew, a strong supporter of Israel, and has headed the American Friends of Beit El Institutions. Beit El, one of the vilified “settlements” in Samaria, is best known abroad for producing Arutz Sheva, otherwise known as

Israel National News. With Jason Greenblatt (not to be confused with the disastrous ADL director) who Trump has appointed to the new post of Special Representative for International Negotiations, Friedman

wrote a splendid position paper for the Trump campaign outlining 16 points on which the new administration's policy on Israel should be based.

Were the Trump administration to adhere to them, there would be a sea change in relations from the abysmal Obama years. Sample points: A Trump administration will ensure Israel receives maximum military, strategic and tactical cooperation from the United States. The U.S. should veto any UN votes that unfairly single out Israel and cut off funds for the UN Human Rights Council. The U.S. should view the BDS movement as inherently anti-Semitic and take strong measures to thwart it. The false notion that Israel is an occupier should be rejected. The U.S. will support direct negotiations and resist any effort to bypass them, including at the UN Security Council. The U.S. will support Israel's right and obligation to defend itself against terror attacks and alternative forms of warfare. (Notice the term "obligation" and contrast this with the typical outcry in the West whenever Israel, goaded beyond endurance, acts in self-defense.)

Icing on the cake, both Friedman and Trump himself say the new ambassador will be stationed in Jerusalem. Congress mandated moving the embassy from Tel Aviv to Jerusalem in 1995 and a series of presidential candidates have promised to do so and failed to follow through. And yes, the State Department will undoubtedly do its best to make President Trump follow the pattern, threatening all sorts of dire consequences should he act. Still, there can be no doubt of Trump's good intentions. His close associate, Kellyanne Conway, says moving the embassy is a big priority for him. Given the huge emphasis Jews in the past have put on recognition of Jerusalem as Israel's capital, this should have been further cause for enthusiasm for Friedman's appointment.

And then there is Friedman's refreshing willingness to take on Israel's Jewish enemies. J Street is Obama's favorite Jewish organization; one of its leaders has described it as Obama's "political and ideological home." Which makes it all the more gratifying that Friedman singled out J Street in an *Israel National News* column in June. J Street supporters, said Friedman, "are far worse than kapos—Jews who turned in their fellow Jews in the Nazi death camps. The kapos faced extraordinary cruelty and who knows what any of us would have done under these circumstances to save a loved one. But J Street? They are just smug advocates of Israel's destruction delivered from the comfort of their secure American sofas—it's hard to imagine anyone worse." After his selection as ambassador a host of Jewish leaders demanded he apologize but although politicians and celebrities normally fall over themselves to satisfy the sensitivities of any grouplet that claims its feelings have been bruised, Friedman has courageously refused to back down.

But Friedman's most welcome attribute is his open questioning of the hitherto sacred yet in practice absurd "two state solution." In the 16 point position paper, he and Greenblatt say why the emperor has no clothes. Such a solution is impossible as long as the Palestinians are unwilling to renounce violence against Israel or recognize Israel's right to existence as a Jewish state. And they point out that a two state solution cannot be implemented given that the Palestinians are divided between PA rule in the West Bank and Hamas rule in Gaza.

The reaction of the fringe Jewish left to Friedman's bold assertion of a pro-Israel policy has been predictable. J Street calls Friedman "beyond the pale" and his nomination "reckless." Americans for Peace Now declared "Friedman opposes the very essence of APN's values and mission." The Israel Policy Forum called his nomination "disastrous." There's no need to quote the others, for one group echoes the other. All the outfits have pledged to fight Friedman's nomination in the Senate.

The organizations most supportive of Israel, including Americans for a Safe Israel, the ZOA and the Republican Jewish Coalition have all come out strongly in favor of Friedman's nomination.

But what about the large mainstream Jewish organizations, including AIPAC, ADL, the American Jewish Congress, the American Jewish Committee, the large Federations? Friedman has made an effort to reach out to the leaders of these organizations. But at this writing the only one to respond positively has been the head of the World Jewish Congress, Ron Lauder (himself a former ambassador to Austria

under Reagan) who says he is confident Friedman will make “an outstanding ambassador.” As for the rest, they are sulking in their tents.

With luck this rejection of Friedman can serve as a wake-up call. This has been a year that masses voted against elites. Perhaps Jews will revolt against their elites if they recognize how far they have strayed from their mission, becoming J Street-lites. The elites are dedicated to the causes du jour of the left wing of the Democratic Party, no matter how hostile that party becomes to Israel and how injurious its favored causes—like refugee immigration—are to Jews. The ADL’s Greenblatt even vows to register as a Muslim if there is a Muslim registry. Never mind that nothing is more detrimental to Jewish interests than Muslim immigration. Worst of all, we have come to the once unthinkable situation where for much of the Jewish leadership it is illegitimate to be unashamedly pro-Israel.

Shimon Peres, the architect of Oslo, who did more to damage Israel than any modern leader, used to say “There is nothing to learn from history.” If the broader Jewish community does not shake off its disgraceful leaders, who live by this motto even if they do not articulate it, the warning of the Baal Shem Tov will be vindicated: “Forgetfulness leads to exile.”

France: Decomposing in Front of Our Eyes

Yves Mamou

Editor's note: This is a reminder that terrorist attacks are merely the tip of the iceberg. The Muslim invasion overturns the existing way of life in European countries. Women, for example, fear to dress and move around as they used to do. Mamou describes another hidden consequence of the invasion.

What is reality in France today?

Violence. It is spreading. Not just terrorist attacks; pure gang violence. It instills a growing feeling of insecurity in hospitals, at schools, in the streets—even in the police. The media does not dare to say that this violence is coming mainly from Muslim gangs—the “youths,” as they say in the French media, to avoid naming who they are. A climate of civil war, however, is spreading visibly in the police, schools, hospitals and politics.

The most jolting evidence of this malaise was to see more than 500 French police officers demonstrating with police cars and motorcycles on the night of October 17, without the backing of labor unions, without authorization, on the Champs Élysées in Paris. According to the daily, *Le Figaro*, “the Interior Ministry was in panic,” frightened by a possible coup: “Police blocked access to the Avenue Marigny, which runs beside the Presidential Palace and overlooks the Place Beauvau.”

On October 18, when Jean-Marc Falcone, director-general of National Police, met the leaders of the protest, he was surrounded by hundreds of police officers urging him to resign.

The main cause of their anger seems primarily the violence often directed against police, and terrorist attacks. On the terrorist level, two policemen were stabbed to death in Magnanville in June 2016 by a Muslim extremist, Larossi Aballa. This spring, more than 300 police officers and gendarmes were injured by demonstrators. In May, police unions demonstrated in the streets of Paris to protest “anti-police hatred.”

This autumn, the last straw was an attack on a police patrol in the Paris suburb of Viry-Châtillon. Four officers were injured when a group of around 15 “youths” (Muslim gang-members) swarmed their cars in the town and hurled rocks and firebombs at them. Two policemen were badly burned; one had to be placed in an induced coma. The same scenario took place a few days later: a police patrol was ambushed in another no-go zone in the “sensitive” area of Val-Fourré.

Police were also aggrieved by Bernard Cazneuve, the Minister of Interior, who called the attackers “sauvageons” (“little wild ones”). Police and opposition politicians replied that the attackers were not “little wild ones but criminals who attacked police to kill.”

“Police are seen as an occupying force,” declared Patrice Ribeiro of the Synergie officers union. “It is not surprising that violence is spiking.”

On October 18, *Le Figaro* launched an online poll online with one question: “Do you approve the protest by policemen?” Ninety percent of the 50,000 respondents answered “yes.”



Since then, police demonstrations have spread to other cities. More than a month after the start of the discontent, police officers were still protesting in every big city. On November 24, two hundred police officers demonstrated in Paris between Place de la Concorde and the Arc de Triomphe, to express their “anger.” Police in civilian clothes, some wearing orange armbands, some hidden under a scarf or hood, supported by citizens, gathered in the evening at the Place de la Concorde, before walking the length of the Champs Elysée up to the Arc de Triomphe, where they formed a human chain around the monument and sang *La Marseillaise* (France’s national anthem).

This revolt of one pillar of French society, the police, was the biggest that ever happened in modern France. Yet, virtually no one in France’s mainstream media covered the event.

Then there are the schools: In Tremblay-en-France (Seine-Saint-Denis close to Paris): The headmaster of the Hélène-Boucher training school was attacked on October 17 by several individuals outside the school. Some “youths” were attacking the building with firebombs, and when the headmaster tried to calm the situation, one of the “youths” answered with blows. Fifty unidentified people were involved in the incident. This was the third episode of violence to occur in the vicinity. Four days earlier, two vehicles were torched.

One month later, the daily *Le Monde* held a meeting with several students, The goal of this meeting was to try to understand the cause of the violence in Tremblay. Yacine, 21, a student at the University of Paris II, said: “This is a warning. These young people did not attack the school by chance; they wanted to attack the institution, to attack the State.”

In Argenteuil (Val d’Oise, suburb of Paris), a teacher at the Paul Langevin primary school was beaten up in the street, on October 17, while leading children back to school from tennis courts a kilometer from the school. After hearing the teacher raise his voice at a child, two young men stopped their car, told the teacher he was a “racist” and beat him in front of the children. According to *Le Parisien*, one of the attackers justified his actions by accusing the professor of “racism”. “You are not the master,” said the man. “The only Master is Allah”.

In Colomiers (Toulouse, south of France), a physical-education teacher was assaulted by a student on October 17, when the teacher tried to stop the student from leaving the school through a prohibited exit.

Two students at a vocational training school in Calais attacked a teacher, and one fractured the teacher’s jaw and several teeth on October 14, according to the local paper, *Nord-Littoral*. The students attacked the electrical engineering teacher because he had asked one of the students to get back to work.

In Saint-Denis (Seine Saint-Denis, a suburb of Paris), on October 13, a school headmaster and his deputy were beaten by a vocational student who had been reprimanded for arriving late.

In Strasbourg a mathematics teacher was brutally attacked on October 17 at the Orbelin school. The headmaster of the institution told France Bleu that a “youth,” who is not a student at the school,

had beaten the teacher. This was not the first time that the “youth” had entered the building. Earlier, when the teacher asked him to leave his class, the “youth” delivered several blows to the teacher’s face before fleeing.

All these attackers were not terrorists, but like Islamic terrorists, they apparently wanted to “attack the institution, to attack the State.”

Then there are the hospitals: On October 16, fifteen individuals accompanying a patient sowed terror in the emergency department of CH Gustave Dron Tourcoing, according to *La Voix du Nord*. A doctor was severely beaten; another pulled by the hair. Doctors and nurses told the newspaper they were still in shock. Said a nurse:

“Ten people forced their way into the heart of the ER. The doctors asked them to leave... When everything stopped, I realized that the ER was ravaged, patients terrorized, relatives of patients crying.”

The attackers were from the district of La Bourgogne, an area essentially populated with North African immigrants. Three people were arrested.

In the same area of La Bourgogne, there was a riot on October 4. Fourteen cars were burned and 12 people arrested. The riot, which lasted for four nights, broke out after the arrest of a driver who did not stop after being asked to by a policeman.

President François Hollande is currently under fire after the publication of a book, *A President Should Not Say That*. In it, he is reported to have said, “France has a problem with Islam,” and “there are too many migrants in France”—remarks Hollande claims he never made. Another quote in the book that Hollande denies saying:

“We cannot continue to have migrants who arrive without control, in the context of the attacks... The secession of territories (no go zones)? How can we avoid a partition? Because it is still what is going to happen.”

President Hollande spends his time apologizing for things he never said, but should have said because they are true.

Thibaud de Montbrial, lawyer and expert on terrorism, declared on October 19 to *Le Figaro*:

“The term ‘dislocation’ of French society seems appropriate. Violence against police, hospitals, attacks that multiply against schools and teachers... are attacks against pillars of the ruling domain. In other words, everything that represents state institutions (...) is now subjected to violence based on essentially sectarian and sometimes ethnic excesses, fueled by an incredible hatred of our country. We must be blind or unconscious not to feel concern for national cohesion.”

Yves Mamou, based in France, worked for two decades as a journalist for Le Monde. This is an edited version of an article that appeared at gatestoneinstitute.org on July 12.

Where the Blame Lies

Ruth King

The latest outrage at the United-in-Hate-for-Israel Nations is the culmination of decades of Israel bashing in that corrupt and corrupting institution. The abstention of the United States should come as no surprise under the Obama administration which has exhibited overt antipathy to Israel since January 2009.

The irony is that among those who are wringing hands are those who are most directly responsible for the travesty itself. The two-state groupies who argued for more Israeli appeasement despite incontrovertible evidence that each territorial concession was followed by escalated terrorism are the culprits. They ignored and air-brushed the rain of rockets from Gaza after Israel surrendered the

area. They ignored and air-brushed the unprecedented reign of terror in Israel cities that followed the Oslo and Wye Plantation concessions. They ignored and air-brushed the desecration of Jewish shrines and synagogues in every town in the West Bank that was deeded to Palestinian Arab control. They ignored and air-brushed the jihadist rants and celebration of murderers that were promoted by Abbas while they criticized Israel and turned blind eyes and deaf ears to the hypocrisy and overt anti-Semitism behind all the boycott and divest movements.

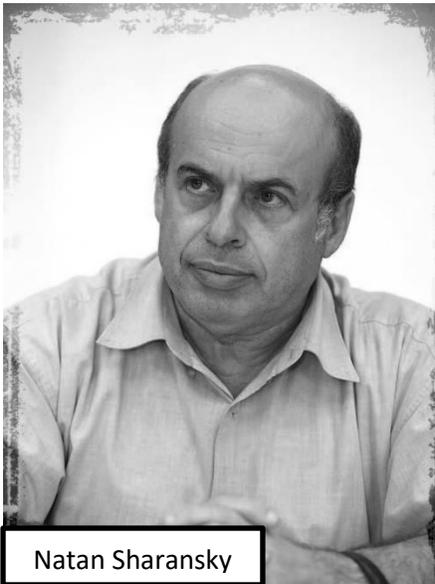
Did those useless idiots not see where all this was headed?

So now they are outraged--rather mildly--over what is the natural outcome of policies that strip Israel of legitimate historic and strategic rights to buttress a chimeric vision of peace. They and the Israeli left should spare us their caterwauling and hang their heads in shame.

On Heroes and Heroism

At a social gathering where we learned of the death of Astronaut/Senator(ret.) John Glenn someone remarked that there are no more heroes. Indeed, John Glenn's history is heroic. John Herschel Glenn Jr. was an American aviator and engineer, who became the first American to orbit the Earth, circling three times.

There are myriad examples of individual heroic acts. World heroes are those who break barriers and change the course of history.



Natan Sharansky

Natan (Anatoly) Sharansky comes to mind. Sharansky was born and raised in Ukraine which was then part of the Soviet Union, where he received a degree in Mathematics.

He was an early critic of human rights abuses in the Soviet Union and in 1973 when he was refused an exit visa to Israel on "security grounds" emerged as a leader of the "refuseniks"—Jews who petitioned for a right to emigrate to Israel.

Sharansky escalated his criticism and in 1977 a Soviet newspaper alleged that he was collaborating with the CIA. He was arrested and in 1978 sentenced to thirteen years on the false charge of "espionage for the United States." In the courtroom, Sharansky defiantly looked away from the prosecutors and jury and said: "To the court I have nothing to say—to my wife and the Jewish people I say 'Next Year in Jerusalem'".

He endured nine years of imprisonment while his wife Avital and the Soviet Jewry movement organized international pressure. Even after his release on February 11, 1986 (he arrived in Jerusalem the next day) Sharansky did not rest. His efforts culminated in a massive rally in Washington on December 7, 1987 when 250,000 people gathered on a wintry day where visiting Soviet President Gorbachev could not miss them.. Among the speakers was George H.W. Bush, who was vice president at the time. In his speech, he echoed the words of Reagan at the Berlin Wall, "Mr. Gorbachev," he said, "Let these people go. Let them go."

Sharansky and other heroic "refuseniks" spearheaded a movement that freed close to two million Russian Jews, among them Avigdor Lieberman, now Israel's defense minister.

While the story of Soviet Jewry has a happy ending, evil never sleeps and KGB tactics are apparent in the Netherlands, where another hero, Geert Wilders, comes to mind.

He was elected as city councilor in Utrecht in 1997 but in 2002 rejected his party's support for Turkish entry into the European Union. In 2004 when the film maker Theo van Gogh was murdered by a

radical Moslem, he set up the Dutch Freedom Party which called for a ban on burqas. He won nine seats in the Dutch parliament. In 2006 he said to a national broadcaster: "I believe we have been too tolerant of the intolerant. We should learn to become intolerant of the intolerant. People like Mohammed Bouyeri who killed Theo van Gogh, they should be arrested under administrative detention for the safety of Dutch families."



Geert Wilders

In 2011 Wilders faced a Dutch Court on charges of "inciting hate" for saying that Islam is violent by nature, and calling for a ban on Muslim immigration and the Qur'an. He faced a possible fine or up to a year in jail. But the court ruled that although his statements were offensive they were part of a legitimate debate and acquitted him. A month later, British officials denied Wilders entry into the United Kingdom, designating him "a threat to the public order and public harmony."

In March 2014, during a campaign speech in The Hague, Wilders argued against the admission of more Moroccans (Moslems) into the Netherlands and in October 2016 a court in The Hague again charged Wilders with "hate speech" and set a trial date of October 31.

Wilders did not attend his trial and defiantly repeated "Netherlands has a huge problem with Moroccans. To be silent about it is cowardly. 43% of Dutch want fewer Moroccans. No verdict will change that."

On December 9th, Wilders was found guilty of "discrimination and insulting a minority group" but not of "inciting to violence" which would have made the punishment and financial penalty far more severe.

On the day after the conviction the distinguished Italian journalist Giulio Meotti wrote: "Hate speech' has become a political weapon to dispatch whoever may not agree with you. It is not the right of a democracy to quibble about the content of articles or cartoons....It is not up to those who govern to grant the right of thought and speech. In Europe now, the same iron curtain as in the Soviet era is descending."

Wilders will not be silenced and remains a strong critic of Islam and of unfettered immigration, as well as a staunch supporter of Israel, which he has visited many times.

His trials both in personal life and in court and his determination to stand for freedom of expression are a shining example of heroism. His last counsel to Israel after the infamous December 3, 2016 U.N. Resolution was: "Keep on building more settlements!!!"

There are many examples of heroism which can alter historic events. The brave Jewish settlers of Judea and Samaria come to mind. They live in lovely towns like Ariel and Efrat and remain obstinately and courageously in Hebron, the first capital of the Jewish people. Surrounded by enemies, derided by the left, they remain an obstacle to a jihad invasion of Israel's coastal cities and Jerusalem.

Will their determination and courage alter the misperceived peace processing that promotes the two-state dissolution of Israel? That remains to be seen.

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