

U.S. insists on defending an apartheid regime

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“I am deeply disappointed and disturbed by the Senate's inability to stand with me in defense of Israel today. My support will not waiver and I hope the United States Senate will prevail in cutting off American aid to those that refuse to recognize Israel as a Jewish state.”

—Senator Rand Paul (R-KY)¹

Once again, a U.S. push for a diplomatic solution to the chronic “Palestinian problem” has failed, largely due to Zionist settlement expansion, which took place at a rate of some 1,000 units a month during the nine-month-long negotiations. Nevertheless, two hopeful signs emerged: Fatah and Hamas have once again declared their intention to form a unity government, and U.S. Secretary of State has suggested that the Israeli entity may become “an apartheid state.”²

In remarks made on April 25, 2014 before the influential Trilateral Commission, U.S. Secretary of State John Kerry warned that if the Israeli entity does not make peace with the Palestinians soon, it risks becoming “an apartheid state,” according to a recording obtained by the Daily Beast. Blaming both the Zionist and Palestinian leaders for the deadlock, Kerry predicted that if a two-state solution is not implemented soon, Palestinian frustration could lead to further violence directed against their Israeli oppressors. “A two-state solution will be clearly underscored as the only real alternative. Because a unitary state winds up either being an apartheid state with second-class citizens—or it ends up being a state that destroys the capacity of Israel to be a Jewish state,” Kerry explained.³

Kerry is not the first U.S. official to apply the term apartheid to the Zionist regime; former President Jimmy Carter used the word in the title of his 2006 book, “Palestine: Peace Not Apartheid.” In it, the former president correctly identifies the fundamental problem preventing any progress towards resolution of the so-called Arab-Israeli conflict as being “Israel’s continued control and colonization of Palestinian land.” Defending this apartheid regime in the U.N. Security Council, the United States has used its veto over forty times to block resolutions criticizing the Zionist entity, which continues to hold some 10,000 Palestinians as political prisoners, while annexing choice portions of occupied Palestinian lands for Israelis exclusively, thereby further impoverishing the Palestinian people.⁴ “Apartheid is a word that is an accurate description of what has been going on in the West Bank,” stated Carter in a 2007 interview.⁵

While successive U.S. administrations have expressed their disapproval of ongoing Zionist land grabs, the Carter administration was the first to call such colonizing activity illegal, with the U.S. actually voting in favor of General Assembly and Security Council resolutions that described the settlements as illegal. However, Reagan, while characterizing the Israeli colonies as ill-advised, denied that they were illegal, thus reversing the position of the Carter administration. Nevertheless, the International Court of Justice in a 2004 advisory opinion on the “Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory” concluded that since the settlements were on occupied Palestinian lands, they were indeed illegal.⁶

Amazingly, some Zionists have argued that the settlement activity on occupied Palestinian lands is not illegal. One of the ambiguous points used by purveyors of this perspective lies in the San Remo Agreement, which assigned Britain the mandate for Palestine after the First World War. Article 25 states in part, "In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled ... to postpone or withhold application of such provisions of this mandate." The Zionists argue that the present Occupied West Bank falls within the unallocated remainder of the original League of Nations Mandate and no country possesses this territory. Since Article 2 of the Geneva Convention applies only to occupation of the "territory of a High Contracting Party," it does not apply to the Occupied West Bank, and therefore settlements therein cannot, strictly speaking, be deemed illegal.⁷

Other arguments based on the inapplicability of the Geneva Convention are similar, but are easily refuted by noting that these provisions were designed to protect people and not merely the "territory of a High Contracting Party." Consequently, even if the occupied Palestinian lands are not, technically speaking, "territories" under Article 2, rejecting applicability goes against the intent of the Geneva Convention itself. Furthermore, since Article 2 applies "to all cases of declared war or of any other armed conflict . . . between two or more of the High Contracting Parties," even a narrow reading of the term "territory of a High Contracting Party" would not appear to preclude the applicability of Article 2 to the Occupied Palestinian Territories.⁸ The United Nations General Assembly would appear to agree, in that it has called for the Zionist regime "to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory ..."⁹

In any event, the Zionist settlements in the Occupied West Bank have been and continue to be a major stumbling block to any meaningful progress towards peace between the Israeli entity and the Palestinians. Little has changed since former Zionist Prime Minister Yitzhak Shamir, when confronted by Ariel Sharon in May 1989 over the former's apparent willingness to negotiate openly with the PLO, angrily retorted, "We shall not give the Arabs one inch of our land, even if we have to negotiate for ten years. We won't give them a thing."¹⁰ On the contrary, the Zionists have not only maintained a state of de facto annexation of the territories usurped during the 1967 war, but also have steadily increased colonization activities within them. Beginning with zero before 1967 and growing to 44 by 1973,¹¹ the Occupied Palestinian Territories now have 125 settlements with an estimated population of 515,000. Not counted in official figures are some 100 outposts, which, while technically unauthorized, nevertheless receive support and services from the Zionist regime.¹²

Under the guidance of its quadriplegic spiritual leader Sheikh Ahmad Yassin, Hamas grew from the Palestinian Ikhwan, which was revived after the death of Gamal Abd al-Nasir in 1970 and the release of Ikhwan leaders held in Egyptian prisons.¹³ The U.S. administration has long sided with the Zionist regime in calling Hamas a "terrorist organization." However, by insisting on this myopic view of the Islamic Resistance Movement, Washington denies its importance to the Palestinian people as a political, cultural and social grass roots organization, which provides numerous public services to the residents of the Occupied Palestinian Territories and Gaza, and hence, is an essential part of any "peace process." Based on their repeated attempts over the years to uproot the resistance movement's infrastructure, both the Fatah leaders as well as Netanyahu's henchmen are well aware of the importance of Hamas to Palestine.¹⁴

While the Zionist leaders decry the latest agreement between Fatah and Hamas, and despite that this is the fourth time since 2007 such an accord has been announced, the possibility of a unity government in Palestine is a most welcome development from the latest U.S.-brokered talks. The fact that Fatah initiated the talks and that this time, unlike previously in Mecca in 2007, Cairo in 2011, and Cairo and Doha in 2012, the agreement has been reached without intervention by outside parties, suggest a greater likelihood for success.¹⁵ “The Palestinian internal division has gone once and forever,” declared a jubilant Prime Minister Ismail Haniya from Hamas in the Gaza Strip.¹⁶

Even U.S. Senator Rand Paul of Kentucky has voiced optimism, stating, “The recent announcement of a Fatah-Hamas unity agreement brings both danger and opportunity to the peace process, and the next five weeks may prove critical.”¹⁷ In contrast, U.S. Secretary of State Kerry has already categorized the pact as “unhelpful,” and hinted that funding to the Palestinian National Authority (PNA) may be cut off as a result. Not surprisingly, Senator Paul has introduced legislation which cuts off PNA funding unless the resulting Fatah-Hamas unity government goes on record as recognizing “the right of Israel to exist as a Jewish state.”¹⁸

Somewhat puzzling however, is the fact that AIPAC has gone on record in opposing Paul’s bill. While not officially commenting, an unnamed AIPAC source explained, “We are not supporting the Paul bill. ... AIPAC supports a cut off of aid to any Palestinian government that includes an unreformed Hamas, and this is what is provided for in current law.”¹⁹ Certainly, the legislation introduced by Paul would require Hamas to renounce its traditional resistance against the Zionist colonial project in Palestine²⁰ in order to receive U.S. funding. It would appear that any participation by Hamas, whether “reformed” or not, in a unity government is opposed by the Zionist lobby and its U.S. stooges.

Undoubtedly, Fatah leader Mahmoud Abbas will come under tremendous pressure from his U.S. and Zionist cohorts to backpedal on this latest agreement with Hamas and grant further concessions to his Zionist “peace partners.” Whether or not the Palestinian Premier finally will show some backbone toward the Israeli entity remains to be seen, especially given his historic reluctance for resistance. Nevertheless, one analyst speculates, “Is Abbas going to surprise us all by launching a final, one-man, guerrilla operation before he exits the political stage forever?”²¹ We can only hope.

Endnotes

¹ Rand Paul, “Sen. Paul Speaks in Support of Stand with Israel Act of 2014,” Press Release, May 1, 2014, accessed May 7, 2014, http://www.paul.senate.gov/?p=press_release&id=1146.

² Abdel Bari Atwan, “Making the Hamas-Fatah deal click,” *Gulf News*, May 1, 2014, accessed May 7, 2014, <http://gulfnews.com/opinions/columnists/making-the-hamas-fatah-deal-click-1.1327020>.

³ Josh Rogin, “Exclusive: Kerry Warns Israel Could Become ‘An Apartheid State,’” *The Daily Beast*, April 27, 2014, accessed May 7, 2014, <http://www.thedailybeast.com/articles/2014/04/27/exclusive-kerry-warns-israel-could-become-an-apartheid-state.html>.

⁴ Jimmy Carter, *Palestine: Peace Not Apartheid* (New York: Simon and Schuster, 2006), 208-210.

⁵ “Jimmy Carter Defends ‘Peace Not Apartheid,’” *NPR*, January 25, 2007, accessed May 7, 2014, <http://www.npr.org/templates/story/story.php?storyId=7004473>.

⁶ Nicholas Rostow, "Are the Settlements Illegal?" *American Interest*, March 1, 2010, accessed May 7, 2014, <http://www.the-american-interest.com/articles/2010/03/01/are-the-settlements-illegal/>.

⁷ "San Remo Convention," in *The Israel-Arab Reader*, Walter Laqueur ed. (New York: Bantam Books, 1976), 34-42, accessed May 7, 2014, http://wwi.lib.byu.edu/index.php/San_Rem_Convention.

⁸ Nicholas Rostow, *ibid.*

⁹ "Human rights situation in Palestine and other occupied Arab territories," *Human Rights Council*, United Nations General Assembly, March 2014, 4, accessed May 8, 2014, <http://blog.unwatch.org/wp-content/uploads/Israeli-settlements-in-the-Occupied-Palestinian-Territory-including-East-Jerusalem-and-in-the-occupied-Syrian-Golan.pdf>.

¹⁰ Charles Smith, *Palestine and the Arab-Israeli Conflict*, 4th ed. (Boston and New York: Bedford / St. Martin's, 2001), 428.

¹¹ Charles Smith, *ibid.*, 322.

¹² "Land Expropriation and Settlements," B'Tselem, January 1, 2011, updated January 23, 2014, accessed May 8, 2014, <http://www.btselem.org/settlements>.

¹³ Azzam Tamimi, *Hamas: A History from Within* (Northampton, MA: Olive Branch Press, 2011), 14.

¹⁴ Azzam Tamimi, *ibid.*, 267.

¹⁵ Abdel Bari Atwan, *ibid.*

¹⁶ "Fatah, Hamas announce Palestinian reconciliation deal," *Xinhua*, April 23, 2014, accessed May 7, 2014, http://www.china.org.cn/world/2014-04/23/content_32189914.htm.

¹⁷ Rand Paul, "This Week In News For Senator Rand Paul," email newsletter, May 2, 2014.

¹⁸ Rand Paul, email newsletter, *ibid.*

¹⁹ Bill Hoffman, "Rand Paul Takes on AIPAC for Opposing Palestinian Aid Cut," *Newsmax*, May 1, 2014, accessed May 7, 2014, <http://www.newsmax.com/Newsfront/rand-paul-aipac/2014/05/01/id/569021/>.

²⁰ Azzam Tamimi, *ibid.*, 286.

²¹ Abdel Bari Atwan, *ibid.*