

Middle East Notes
Maryknoll Office for Global Concerns
January 8, 2015



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This issue of Middle East Notes highlights the rejection of the Palestinian resolution to end the Israeli occupation by the UN Security Council at the prompting of the U.S. and Israeli governments, the subsequent Palestinian move to join the International Criminal Court, Israel's response, growing European recognition of the State of Palestine, the future of the State of Israel, a possible confederated two state solution, settler violence, the isolation and diminishment of the Bethlehem area, and other issues.

Commentary: The UN Security Council rejection of the Palestinian resolution to end the occupation, and the subsequent signing of the Rome Statute by Mahmoud Abbas as a first Palestinian step to join the International Criminal Court in The Hague, signals to the State of Israel that its permission to establish a State of Palestine through endless negotiations and settlement expansion is no longer sought. These moves also send notice to the U.S. government that its role as mediator of the conflict has shifted to the UN which began the partition of Palestine into two states in 1947.

Read more about this development in ["Middle East: Palestine pushes ahead,"](#) published in the January-February 2015 Maryknoll Office for Global Concerns NewsNotes.

- In his 2014 Christmas message, Naim Ateek of Sabeel notes that there are certain similarities between the political conditions in Palestine during the times of Jesus' birth and the political situation in Palestine today with Israeli occupation and oppression.
- Barak Ravid believes that frustration following the defeat at the United Nations, combined with internal political pressures, forced Abbas to make the move he has avoided for the last six years.
- PLO Executive Committee member Hanan Ashrawi condemned the UN Security Council vote against a bid to end the Israeli occupation of Palestine as "outrageously shameful."
- A Ha'aretz editorial states that Israel is now facing the Israeli/Palestinian conflict's internationalization - and potentially the dock of the International Criminal Court.
- James Zogby writes that Palestinians now retain only tenuous control of 13 percent of the Bethlehem region -- with the Israelis still threatening to take more.
- Richard Falk is of the opinion that while Israel is winning one war due to its military dominance and continuous establishment of "facts on the ground," Palestine is winning what in the end is the more important war, the struggle for legitimacy, which is most likely to determine the political outcome.
- Links to other articles of interest are also included.

1) [Sabeel Christmas message 2014](#)

From a Palestinian world view, there are certain similarities between the political conditions in Palestine during the times of Jesus' birth and the political situation in Palestine today. There is a flagrant occupation that dominates and oppresses people; and there are words that describe what people go through: fear, insecurity, instability, suffering, grief, despair, and other negative feelings that a repressive empire and an Israeli rightwing government can produce.

That is why the words of the angel to the shepherds in the Christmas story strike a relevant chord. "Do not be afraid; for see I am bringing you good news of great joy for all the people..." What constituted good news for the shepherds in first century Palestine and what would constitute good news for our Palestinian people today? It is nothing less than FREEDOM AND PEACE, because both can produce a life of dignity, security, and stability to people.

In the midst of these difficult times, the implication of the Christmas message to oppressed people is basically clear: God knows and sees the suffering of the oppressed and God is doing something not through the people of power but through the birth of a baby who ultimately holds in himself the answer to the human condition of injustice and insecurity; therefore "do not be afraid."

Furthermore, the angels gave the shepherds the formula for peace on earth, "Glory to God in the highest heaven, and on earth peace, goodwill among people." (Luke 2:14) This implies the need for two essential elements: On the one hand, peace on earth is possible when people including those in positions of power are willing to humble themselves before God, love and serve others, and give God the glory and the honor. On the other hand, Peace is possible when people cherish goodwill towards one another. Goodwill on all sides is essential for the realization of peace.

From the Palestinian perspective one of the major obstacles to peace has been the lack of goodwill. Throughout the Palestine-Israel conflict, there have been summits, agreements, accords, roadmaps, understandings, etc. What was lacking was goodwill on the side of Israel. The Israeli government continuously tries to impose its will on the Palestinians rather than accepting the will of the world community and international law which the Palestinians insist upon.

Goodwill means eliminating all barriers that prevent the enhancement of the dignity and the quality of life of the other. Goodwill means negotiating in good faith. Peace and goodwill are possible on earth when people are willing to acknowledge God's overall sovereignty and relish goodwill and compassion towards their fellow human beings. It is as simple as that. And we believe this has been initiated and proclaimed through the life and work of Jesus Christ, the savior and liberator and through his teachings about the upside-down kingdom of God and through his death and resurrection.

But in this broken world where the powers seem to be in control, people are not willing to listen to God's formula for peace. The government of Israel is a case in point: it oppresses and dominates our people, steals their land, evicts them from their homes, humiliates them and denies them their most basic human and political rights. And ... the proposed Israeli Nationality Law does not reflect goodwill towards the Palestinians. However, the coming of Christ conveys the will of God whose very nature is love, compassion, and justice; and whose longing is to see the realization of peace on earth and goodwill among people. That is why Jesus said, those who work and promote peace are God's children.

As followers of Jesus Christ, we have the responsibility to be peacemakers and to promote this formula of peace and goodwill. We need to do whatever we can to implement it. It is an awesome responsibility but we can and must do it. This Christmas season emboldens us and gives us a renewed incentive to double our endeavors in working for a just peace in Palestine-Israel.

"Glory to God in the highest heavens, and on earth peace, goodwill among people." Merry Christmas and Happy New year.

2) Israel's troubles are just beginning: Enter the Palestinian "nuclear option"

Ha'aretz, January 1, 2015

The cries of victory heard at the Prime Minister's Office and Foreign Ministry after the UN Security Council rejected the Palestinian resolution to end the occupation were premature. Just a few hours later, as Palestinian Authority President Mahmoud Abbas signed the Rome Statute and sought to join the International Criminal Court in The Hague, it was understood that Israel's troubles have only just begun.

All along, the United States and Israel have made it clear to the Palestinians that the court in The Hague is a red line. But despite the warnings from Washington and the threats from Jerusalem, Abbas utilized his "nuclear option," otherwise known as the International Criminal Court.

Many officials in Israel's political-defense establishment are concerned about the Palestinians joining the ICC. They're quickly writing horror movie scripts about legal wars against Israel that won't be taking place in courts lacking authority, but rather in the most respected judicial system in the world. Israel could see indictments against IDF commanders, or arrest warrants for CEOs of companies that build in the territories, or even complaints filed against Israeli politicians.

Horrifying scenarios aside, the reality is more complex, and there's no need for panic. Like with every "nuclear option," it is complicated, and it takes time to prepare. The justice mill that is The Hague churns out its rulings very slowly, and issuing indictments is a long process. In addition, the ICC prosecutor understands full well the significance of the Palestinian effort, and will not be quick to become a tool in the political-diplomatic struggle between the two sides.

Also like every "nuclear option," using it is dangerous for the attacker as well as the attacked. By joining the ICC, the Palestinians will also expose themselves to counter-complaints over rocket fire from Gaza and suicide bombings on Tel Aviv buses. As in the Cold War, the principle of MAD – mutually assured destruction – could create a balance of deterrence. Each side would bombard the other with complaints until they can no longer breathe.

Most important is how Israel will react. The upcoming election does not bode well for the ability or desire of Prime Minister Benjamin Netanyahu, Foreign Minister Avigdor Lieberman, Defense Minister Moshe Yaalon or Economy Minister Naftali Bennett to deal with the Palestinian move as they see fit. Based on the initial reactions from politicians to Abbas' move, participants in the ministerial meeting Netanyahu convenes today will be competing fiercely over who can propose the harshest punishment. The Palestinian bid for statehood in the United Nations in November 2012 also took place during election season. Netanyahu formed his response with the leaders of his election campaign, almost without consulting any professionals whatsoever. The result was an incredibly disproportional wave of settlement construction, a declaration to build in the ultra-sensitive E1 area, and an international rift that almost ended with Britain and France recalling their ambassadors.

It is unclear if Netanyahu learned the appropriate lessons. Based on his position in the polls, the expected radicalization of the Likud Knesset slate, and his lust for right-wing votes, Netanyahu is liable to respond in a way that would diminish the Palestinians' joining of the ICC, and turn Israel into the focus of international pressure yet again, making the prospect of EU sanctions that much more possible. Even if Abbas didn't begin the process of joining the ICC, the "diplomatic victory" declared by Netanyahu and Lieberman would have been tactical and short lived. It did not solve the problem, it only postponed it. Netanyahu managed to do what he does best – buy more time. But not much more. Within weeks or months the UN Security Council will be back, and this time with members more favorable to the Palestinians, and the issue will be raised again.

Events of the last 48 hours are the best evidence of Israel's difficult standing in the international community. They are testament to serious problems caused by six years of inaction and lack of creative diplomatic initiative. In the end, the day will come when blocking maneuvers and evasive measures simply won't be enough.

3) Ashrawi: UN vote against Palestine bid “outrageously shameful”

Maannews, December 31, 2014

BETHLEHEM (Ma'an) – PLO Executive Committee member Hanan Ashrawi on Wednesday condemned the UN Security Council vote against a bid to end the Israeli occupation of Palestine as “outrageously shameful.”

“It is ironic that while the United Nations designated 2014 as the International Year of Solidarity with the Palestinian People, the resolution failed to pass as an indication of a failure of will by some members of the international community,” she said in a statement.

“Furthermore, all the articles of the resolution are consistent with declared American policy, international law, UN resolutions, and the requirements of peace. The extent to which the U.S. has gone to protect Israeli impunity and lawlessness and to enable its criminal behavior is disgraceful and dangerous.”

Ashrawi's statement came as Palestinian leaders reacted to news that the UN Security Council had failed to pass a bill calling for peace within a year and a 2017 deadline to end the Israeli occupation. While Hamas denounced the bid altogether as a failed stunt, PA leaders focused their anger on those states which failed to support the bid.

“Those countries (Lithuania, Nigeria, Rwanda, South Korea, and the UK) that abstained demonstrated a lack of political will to hold Israel accountable and to act in accordance with the global rule of law and international humanitarian law and their own avowed principles,” Ashrawi said in her statement.

Many had expected that the resolution would come close to passing but would be blocked by a U.S. veto. But the large number of abstentions meant that the U.S. did not even have to exercise its veto to kill the bill.

“We extend our gratitude and appreciation to all the countries, in particular France and Luxembourg, that upheld their principles and voted in favor of the resolution,” Ashrawi said.

“We strongly urge all governments worldwide to officially recognize an independent Palestine on 1967 borders with Jerusalem as its capital and to support our multilateral efforts of resorting to all international venues to seek the protection and empowerment of Palestine and accountability for Israel.”

“This is the inevitable next step given such an abysmal failure of will on the part of some members of the international community and the collusion with Israel by others,” she added.



Photo of Hanan Ashrawi provided through the Creative Commons Attribution-Share Alike 3.0 license

4) Palestine's UNSC defeat is nothing to celebrate

Ha'aretz editorial, January 1, 2015

The failure of the Jordanian-Palestinian UN Security Council draft resolution was not an Israeli success. It brought the Israeli-Palestinian conflict back to the starting point and also pushed the Palestinian government into applying to join the International Criminal Court by ratifying the Rome Statute. Both results are bad and pose threats to Israel.

In putting the resolution to a vote in the Security Council, the Palestinians sought to punch through the diplomatic dead end by setting a short timetable for negotiations and an end to the occupation, or as the French envoy to the United Nations put it, with the vision of a two-state solution receding, "the peace process must evolve. If parties can't take decisions alone, the international community has to share the burden."

This logical conclusion should also guide the policy of the United States, which has firsthand experience with the defensive wall that Israel has put up against negotiations with the Palestinians. If the U.S. Ambassador to the United Nations, Samantha Power, genuinely believes, as she said, that the vote "should not be interpreted as a victory for an unsustainable status quo" but rather "as a wake-up call to catalyze all interested parties to take constructive, responsible steps to achieve a two-state solution," then she and those whom she represents must explain what is wrong with setting a short timetable for negotiating and ending the occupation. Do they have some untried invention, or are they in fact motivated by political considerations, by the calculation that were the resolution approved it could bolster the right wing in Israel's March election?

The states that voted against the resolution ostensibly did so because they disagreed with its formulation, particularly the reference to the refugee problem and the recognition of East Jerusalem as the capital of Palestine. But these two points, which are also included in the Saudi peace initiative, are not really an obstacle. Israel's anger, which has so far managed to sweep along the United States as well, is over Palestinian temerity for "taking a unilateral step" and "creating a provocation" instead of sitting down at the negotiating table.

Israel views the internationalization of the conflict as the real threat. This could deprive Israel of the exclusive management, of non-management, of the negotiations, of setting preconditions and formulating the outcome.

These states cannot carry the burden in the stead of Israel's government. The resolution's defeat is the wake-up call of the Israeli public, which in two and a half months must decide whether to continue to live with the explosive status quo or to give the peace process a genuine chance.

5) [Analysis: The silent cry of Bethlehem](#)

James Zogby, Maannews, January 3, 2015

For those who do not know the place, Bethlehem possesses a timeless quality, derived from these artistic creations. It is a place of mystery and contradictions.

It is the peaceful little town that played an out-sized role in history; the birthplace of Jesus, the child born in a cave, heralded by angels, and visited by shepherds and kings.

For hundreds of millions of Christians world-wide, these are the images that define Bethlehem. Sadly, in reality, all of this is but a fantasy, since the pressures of daily life confronted by the residents of this historic community paint a remarkably different portrait.

Suffering under an Israeli military occupation since 1967, Bethlehem is slowly being strangled. It is losing land to settlement construction, hemmed in by a 30 foot high concrete wall, stripped of its resources, and denied access to external markets. As a result, 25 percent of Bethlehem's people are unemployed, while 35 percent live below the poverty level.

Before the occupation, for example, thousands of Palestinians in Bethlehem were employed as craftsmen known worldwide for their olive-wood and mother-of-pearl artifacts. Today, denied the ability to freely export and hurt by the instability of the occupation, that industry employs only a few hundred.

Similarly, Bethlehem's tourism has suffered. Israeli companies that dominate that field bring tourists to stay in hotels in areas they control, making day trips to Bethlehem's holy places. The crowds come to the town, but their revenues disproportionately go the Israelis.

The town has lost so much land to Israeli confiscation for settlement construction that, because it can no longer expand, it must build vertically. As a result, what is left of Bethlehem has become overcrowded, with traffic congesting its narrow streets.

Israeli leaders often complain that they must expand their settlements further so that their young can find housing. And they insist that they must continue to build their wall, in order to protect their people who live in these illegal colonies.

What they do not say is that the expansion of the mammoth projects at Har Homa, Gilo, Har Gilo, Betar Ilit, Giva'ot, and more are occurring at the expense of Palestinians living in the Bethlehem region. The Israelis call these colonies "neighborhoods of Jerusalem." This is but a crude effort to obfuscate the reality that they are all built on Bethlehem area land -- illegally confiscated by Israel and then unilaterally annexed to what they call "Greater Jerusalem."

As a result, Palestinians now retain only tenuous control of 13 percent of the Bethlehem region -- with the Israelis still threatening to take more. In fact, the 22 Israeli settlements built in the Bethlehem region, the roads that connect them, and the wall that protects them were all built on land taken from Palestinians.

And the new expansion plans for Jewish-only housing and the extension of the wall simply means that more land will be taken, leaving less for Palestinians.

Look at a map and you will see that Bethlehem is but a few miles from Jerusalem. As late as 20 years ago, standing near Manger Square, one could look out over a green space, the hill of Jabal Abul Ghnaim, and see the Holy City. The trip, by car, was only 15 to 20 minutes.

Today, that view has been obliterated by the 30-foot-high wall, and that green space, where Palestinian families once picnicked, is now the site of the monstrous concrete settlement of Har Homa -- home to 25,000 Israelis. As a result of the settlements, Jewish-only roads, and the wall, an entire generation of young Palestinians have grown up never having been to Jerusalem.

Not only that, but the entire population has been cut off from the city that was their metropole -- the hub that provided them medical, social, educational services, markets and sources of employment, and venues for cultural and spiritual enrichment.

All that is now beyond their reach.

Today, the Palestinian population of the Bethlehem region is 210,000. There are over 110,000 Israeli settlers, with plans to double that number in the near future. Facing this human onslaught, Palestinians have taken their case to the World Court which ruled that the settlements and the wall are illegal -- in clear violation of international laws designed after World War II to protect the rights of people living in territories occupied in time of war.

In response, Israel, with the backing of the US, acts with impunity continuing to build, to move its people into Palestinian land, and to take still more land.

Looming large over the lives of Bethlehemites is the Israeli plan to extend the wall in the north through one of the last remaining green spaces in the region. This portion of the wall is designed to zig-zag along a path that will cut through the vineyards and olive orchards of the Convent at Cremisan, separating the children of Beit Jala from their school, and confiscating land owned by 54 Palestinian families.

Once completed, the wall will allow the Israelis to expand and connect two settlements of Gilo and Har Gilo. It is, as described by Bethlehem's mayor, Vera Baboun, "the final knot in the noose around the neck of Bethlehem."

All this is happening while Christians in the West blissfully sing of the "peaceful little town," not hearing the cries of its people. More disturbing is the degree to which policymakers and those who should know better deliberately turn a deaf ear to Palestinian appeals for recognition of their plight, thereby enabling the continuation of this injustice.

Meanwhile, in Bethlehem, hope gives way to despair and thoughts of peace to feelings of anger. Attention must be paid to this tragedy.

Just for a moment, think of Bethlehem and instead of imagining the shepherds and the angels, think of life as it is in that town today.

Imagine what you would feel if you lived in Bethlehem and saw your land taken to make way for homes and roads for another people. And imagine how you would feel if your sons and daughters were forced into exile to find employment, to make way for the sons and daughters of another people who have come to live on your land.

Then listen carefully and hear the cry of the people of that little town.

James Zogby is the founder and president of the Arab American Institute, the political and policy research arm of the Arab-American community.

The views expressed in this article are the author's and do not necessarily reflect Ma'an News Agency's editorial policy.

6) [On “lost causes” and the future of Palestine](#)

Richard Falk, *The Nation*, January 5, 2015

Richard Falk, a Nation editorial-board member and professor emeritus of international law at Princeton, was the UN’s special rapporteur for occupied Palestine from 2008 to 2014. This article is adapted from his Edward W. Said Memorial Lecture, delivered at Columbia University on October 20, 2014. (NB: The following paragraphs are excerpts; please click the link above for full article.)

Although there are many eloquent, courageous, inspiring and culturally creative Palestinians, none have managed to extend their influence as widely and deeply as Edward Said did, particularly during the post-Orientalism phase of his life, when he combined superb and seminal cultural criticism from a progressive standpoint with perceptive and influential commentary on the ups and downs of the Palestinian national struggle

My deeper conviction is that the appearance of Palestinian defeat is an optical illusion that hides the probability of eventual Israeli defeat—that while Israel is winning one war due to its military dominance and continuous establishment of “facts on the ground,” Palestine is winning what in the end is the more important war, the struggle for legitimacy, which is most likely to determine the political outcome....

Edward addresses the challenge of apparent defeat and the accompanying feelings of hopelessness, both in literature and in relation to the Palestinian situation, and gives a very different answer than my French ambassador. In effect, he turns away from this kind of worldly realism as irrelevant and affirms instead that the only true choice is between surrender and resistance. He chooses resistance—or, put differently, he declares a refusal to accept the unacceptable, however unfavorable the “facts on the ground.” In so doing, Edward inverts this sinister formula frequently invoked by Israel, one used to obtain Washington’s acceptance of the “realities” that trample upon Palestinians’ rights under international law.

To appreciate Edward’s rejection of Oslo, it is necessary to consider what was wrong about it from a Palestinian viewpoint. I would point to four features:

1. The fragmentation, under the Oslo II agreement of 1995, of the West Bank into Areas A, B and C, making territorial coherence untenable.
2. The idea that Palestinian goals could be achieved only on the basis of Israeli consent, despite the fact that in 1967 the Security Council had unanimously mandated withdrawal from the territory occupied during that war.
3. The designation of Washington as the permanent intermediary for negotiations, despite its partisan alignment with Israel, which was already in the driver’s seat from a diplomatic perspective.
4. Perhaps most important of all, the exclusion from the negotiations of international law and UN authority, which had been the trump in the Palestinian deck of cards. International law is clearly on the side of the Palestinians regarding their main claims and grievances, including borders, refugees, settlements, water rights and the status of Jerusalem, as well as the day-to-day practices associated with the occupation. Without the inclusion of Palestinian rights under international law, diplomacy degenerates into a bargaining process, which ensures that power disparities will be embodied in any negotiated solution.

What seemed a defining moment in 1993 has now been superseded by a cluster of events that created a new defining moment in 2014, which involves a reformulation of perceptions in relation to the struggle. In some ways, the situation from the Palestinian perspective has never seemed darker, undoubtedly making the cynical realist write-off of the conflict more prevalent.

Consider the following developments:

- In the latest direct talks between Israel and the Palestinian Authority, the government of Benjamin Netanyahu rejected any solution that would end the occupation of the West Bank and East Jerusalem. The collapse of the talks last spring confirms the futility of the Oslo approach. This posture is reinforced by the latest readings of Israeli public opinion: the Jerusalem Center for Public Affairs released a poll in October showing that three-quarters of Israel’s citizens oppose the creation of a Palestinian state on the 1967 borders (even with settlement blocs incorporated into Israel);

oppose withdrawal from the Jordan Valley in a peace agreement even if international peacekeeping forces replace the Israeli army; and oppose the division of Jerusalem. This suggests that even if Israel's government truly sought a peace agreement that allows a two-state solution, the Israeli public would repudiate it.

- The Arab gulf countries were passive accomplices in Israel's [2014] attack on Gaza ... which fit their own agenda calling for the destruction of any grassroots Islamist political actors in the region.
- Israeli public opinion was, according to Israeli peace activist Uri Avnery, 99 percent behind last summer's Gaza campaign, in which Israel killed more than 2,100 Palestinians, injured another 11,000 and traumatized the entire population. In Israel, there were high-level government and other public incitements to genocide, with numerous unrepudiated statements calling for the wholesale destruction of civilian society in Gaza. The vivid testimony given in September at the Russell Tribunal by ... journalist David Sheen provides persuasive documentation of the incitement charges.
- Congress remains as unconditionally committed to Israel as ever, though there have been some signs of discomfort at the White House, which seems to want to sustain the credibility of the Oslo approach—despite all the evidence that Israel uses these periodic negotiations for the purposes of delay and propaganda, even as Palestine loses time and territory.

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Other current articles of interest:

[What will Israel become?](#) Roger Cohen, New York Times, December 20, 2014

[The U.S. feels the heat on Palestine vote at UN](#), Jonathan Cook, Counterpunch, December 16, 2014

[Israel Policy Forum: The State of Two States, December 14, 2014](#)

[European Parliament passes motion in favor of Palestine recognition](#), Barak Ravid, Ha'aretz, December 17, 2014

[End the blockade of the Gaza Strip](#), Ha'aretz editorial, December 26, 2014

[Jews vs. Palestinians, landowners vs. trespassers](#), Gideon Levy and Alex Leyac, Ha'aretz, December 20, 2014

[U.S. finds Israel fourth most "unacceptable" country](#), Yitzhak Benhorin, Ynetnews, December 29, 2014

[Abbas seeks to join ICC following failed Palestinian UN bid](#), Jack Khoury and Barak Ravid, Ha'aretz, December 31, 2014

[Why 2014 was a game changer in Palestine](#), Ramzy Baroud, Palestine Chronicle, December 24, 2014

[Israeli settlers attack U.S. consulate convoy in the West Bank](#), Annie Robbins, Mondoweiss, January 2, 2015

[Israel to halt transfer of tax revenues to Palestinians following ICC bid](#), Barak Ravid, January 3, 2015

[Analysis: U.S. must stop blaming Abbas for joining ICC](#), Aaron Magid, Maannews, January 4, 2015

[Netanyahu: We won't let soldiers be dragged to the ICC](#), Attila Somfalvi, Ynetnews, January 4, 2015

[Are Israelis ready for a confederated two-state solution?](#), Dahlia Scheindlin, +972, January 4, 2015