

Secretary of State Pompeo: West Bank Annexation is Israel's Decision (Part 2)

by Hugh Fitzgerald



The Mandate for Palestine unambiguously assigns the entire West Bank to the future Jewish State.

And there is a second, independent basis for Israel to lay claim to some, and even to all, of the West Bank. That is U.N. Resolution 242. According to that Resolution, Israel was required only to withdraw “from territories” it acquired “in the recent conflict.” **The Arabs tried at the time the Resolution was being discussed to have the wording changed so that it now read “from all the territories.”** But they failed. That has not kept them from insisting ever since that the Resolution meant what they wanted it to mean – withdrawal

“from all the territories.”

The chief drafter of Resolution 242 was Lord Caradon (Hugh M. Foot), the permanent representative of the United Kingdom to the United Nations from 1964-1970. At the time of the Resolution’s discussion and subsequent unanimous passage, and on many occasions since, Lord Caradon always insisted that the phrase “from the territories” quite deliberately did not mean “all the territories,” but merely some of the territories:

Much play has been made of the fact that we didn’t say “the” territories or “all the” territories. But that was deliberate. I myself knew very well the 1967 boundaries and if we had put in the “the” or “all the” that could only have meant that we wished to see the 1967 boundaries perpetuated in the form of a permanent frontier. This I was certainly not prepared to recommend.

On another occasion, to an interviewer from the *Journal of Palestine Studies* (Spring-Summer 1976), Lord Caradon again insisted on the deliberateness of the wording. He was asked:

The basis for any settlement will be United Nations Security Council Resolution 242, of which you were the architect. Would you say there is a contradiction between the part of the resolution that stresses the inadmissibility of the acquisition of territory by war and that which calls for Israeli withdrawal from “occupied territories,” but not from “the occupied territories”?

Nota bene: “from territories occupied” is not the same thing as “from occupied territories” – the first is neutral, the second a loaded description. Lord Caradon answered:

I defend the resolution as it stands. What it states, as you know, is first the general principle of inadmissibility of the acquisition of territory by war. That means that you

can't justify holding onto territory merely because you conquered it. We could have said: well, you go back to the 1967 line. But I know the 1967 line, and it's a rotten line. You couldn't have a worse line for a permanent international boundary. It's where the troops happened to be on a certain night in 1948. It's got no relation to the needs of the situation.

Had we said that you must go back to the 1967 line, which would have resulted if we had specified a retreat from all the occupied territories, we would have been wrong."

Note how Lord Caradon says that "you can't justify holding onto territory merely because you conquered it," with that "merely" applying to Jordan, but not to Israel, because of the Mandate's explicit provisions allocating the territory known now as the "West Bank" to the Jewish state. Note, too, the firmness of his dismissal of the 1967 lines as nothing more than "where the troops happened to be on a certain night in 1948," that is, nothing more than armistice lines and not internationally recognized borders. In fact, Israel had offered the Arabs back in 1949 to make those armistice lines into permanent borders, but the Arabs all refused. They were sure that in another round of hostilities they would be

The key words of U.N. Resolution 242, according to Lord Caradon, were those which spoke of Israel's need for "secure and recognized boundaries." Caradon said that "secure" meant the borders (boundaries) had to be defensible. Israel alone can decide what borders are defensible, given the perceived threat, including the amount and kind of weaponry possessed by likely enemies, the effect of topographical features on the ability to defend territory, and the necessity of strategic depth. In the pre-1967 lines, which were merely the Armistice Lines of 1949, Israel was only eight miles wide from Qalqilya to the sea, and the country could be cut in two with ease by an invading army from the east.

President Johnson asked the Joint Chiefs of Staff in 1967 to send a delegation of military experts to Israel to report on what territories Israel needed to retain if it was to have "secure and recognized boundaries." They reported back that, in addition to other territories, in the West Bank Israel would have to retain, at a minimum, all of the Jordan Valley. Israel's control of the Jordan Valley (and the Judean hills) would help slow down an attack from the East, giving Israel time to call up its civilian reservists, who supplement the regular army.

If Israel were to be pushed back within the pre-1967 armistice lines, with an 8-mile wide waist from Qalqilya in the West Bank to the sea, and lose control of the Jordan Valley and the Judean Hills that provide a minimum of strategic depth, this sliver of a country would have great difficulty defending itself, and would have to remain in a permanent state of high alert, of a degree and kind that no other country has ever been asked to endure.

No wonder that Secretary Pompeo has reiterated – he can't do it often enough – that Israel will make its own decisions as to what in the West Bank it must retain. It has both the moral and historic justification, recognized in the Mandate for Palestine, and the military justification, based on the territorial adjustments needed for secure borders, as recognized by U.N. Resolution 242, to make that decision alone.

Pompeo also said he was "happy" Israeli Prime Minister Benjamin Netanyahu and centrist rival Benny Gantz signed a deal on Monday to form a national emergency government, saying he did not think a fourth Israeli election was in Israel's interest.

The coalition agreement says that while the new government will strive for peace and regional stability, plans to extend Israeli sovereignty to Jewish settlements in the occupied

West Bank – land the Palestinians seek for a state – could advance.

The move would mean a de-facto annexation of territory that Israel seized in a 1967 war and that is presently under Israeli military control.

This sentence, from [the report by Reuters](#), needs to be both modified and expanded. To wit: “The move would mean the annexation of territory that was included in Mandatory Palestine, but was seized by Jordan in 1949, and only re-captured from Jordan, the military occupier of the West Bank, in the 1967 Six-Day War. In the more than half-a-century since, it has remained under Israeli control.”

Secretary of State Pompeo has forcefully reiterated the Administration’s position – that it recognizes that Israel has a perfect right to make its own decision as to the annexation of territory in the West Bank. One more time (it can’t be quoted often enough): “As for the annexation of the West Bank, the Israelis will ultimately make those decisions. That’s an Israeli decision. And we will work closely with them to share with them our views of this in (a) private setting.”

Note that he said “annexation of the West Bank,” and not “annexation of part of the West Bank.” He’s clearly signaled a willingness to accept an Israeli decision to hold onto all of it.

The only thing one wishes Secretary of Pompeo would add, when next the topic of annexation is brought up, perhaps by a hostile reporter at a press conference, is reference to the the Mandate for Palestine, and the territories included in it, and to U.N. Resolution 242, which gave Israel the right to determine for itself what territories it needed to retain in order to have “secure and recognizable boundaries.” The media, and the American public, badly need this history lesson. Secretary Pompeo is just the man to give it.

First published in