

Love Never Fails response to UK sanctions on Israeli settlements

Sanctions against Israeli settlements reflect problematic accusations of 'illegal occupation'. The history of the past century lends itself to a very different interpretation, justifying Israel's designation of Judea and Samaria, the former West Bank, as 'disputed territory'. Jewish presence in these areas is not only legal and natural but actually conducive for peace. The impact of 7 October 2023 on the 'two-state solution' cannot be ignored, nor can the impact of these sanctions on the well-being of British Jews.

The UK's Labour government has this week imposed sanctions on what it calls 'illegal' settlements, unlawful simply because they are situated in territory it now considers illegally 'occupied' by Israel since 1967. The two excuses it has given for acting now are the Israeli government's approval of many new settlements in the past three years, notably within the E1 Corridor connecting Ma'alei Adumim with Jerusalem, and also the failure to contain the rising 'settler violence' that supposedly seeks 'ethnic cleansing' of the Palestinians.

The principle it is acting upon is that economic trade with a territory must reflect our position on its legality. The question of sanctions, therefore, depends upon one's legal viewpoint. We challenge our government's conclusions about the law in this case, and therefore the justice of its decision to sanction Israeli settlements. What is worse, Britain is presuming to lead many nations to act on this unjust interpretation of international law, which divides up God's land (Joel 3:1-2), and will have inevitable repercussions on our own integrity and security.

The Jewish legal claim in the 'West Bank'

Israel rejects the idea that its presence is illegal in Judea and Samaria, the former 'West Bank', because the laws of occupation (Fourth Geneva Convention) only apply to territory that has been taken from another sovereign state. In this case, it was not 'Palestine' that was dispossessed, but Jordan. In 1948, Jordan had attacked, occupied, and annexed what it called its 'West Bank', but that was considered illegal by almost every other nation, including the Arab League. Jordan has since signed a peace treaty with Israel and surrendered all claims.

Before Jordan, the territory was an integral part of Britain's colonial 'Mandate for Palestine' from the River to the Sea, land unanimously designated for an indigenous Jewish national home (with non-Jewish minorities) by the League of Nations, precursor of the UN. The terms of our Mandate had thus encouraged Jewish immigration and 'close settlement', including within the central hill-country. But in the war of 1948, Jordan ethnically cleansed its new 'West Bank' of every living Jew, including in Jerusalem's Old City and the city of Hebron, the two holiest Jewish places of worship. Britain shamefully enabled this expulsion, and now our government declares Jewish life there is 'illegal', as if to repeat our past sins.

In 1967, Israel was further attacked by Jordan, Egypt and Syria, having a legal right to defend itself under Article 51 of the UN Charter. In a defensive war against Jordan, it restored its control over Judea and Samaria, land that should have belonged to the Jewish state according to the customary international law principle of *uti possidetis juris*: administrative boundaries in colonial times automatically become state borders on independence, unless otherwise agreed by treaty. Israel's declared independence in May 1948 therefore applied to the whole territory designated for them, since its Arab inhabitants had rejected any treaty with the Jews based on the non-binding 'Partition Plan' of the UN General Assembly (1947). Again in 1967, Israel was willing to negotiate about the 'West Bank', though rebuffed by the Arab League, so it still considers Judea and Samaria 'disputed' rather than 'occupied' territory.

The moral case against expelling Jews

In the meantime, no law prevents Israel from allowing Jews to return or do business in the Old City and Jewish neighbourhoods, undoing ethnic cleansing. On the contrary, the entirety of Judea and Samaria is the heartland of biblical Israel and Judah, precious to Jewish people ever since biblical times. If there is one area in the world that Jews should be encouraged to settle, it is Jerusalem and Judea! In the Oslo Peace Process in the mid-1990s, the Palestinians themselves legally recognised Israel's authority over 60% of the disputed territory (Area C), without any prohibition on Jewish settlements there. After all, these could in theory become minority communities in a prospective Arab state. Since then, the E1 corridor to Ma'alei Adumim was always accepted as Israeli in every proposed two-state solution, with negotiated exchanges of major settlement blocks. Jewish settlements are therefore no obstacle to peace. Rather, they encourage it, allowing for economic cooperation, interdependence and trust. As for extremist criminal behaviour, it should be punished on *both* the Jewish *and* Arab sides.

A new era since October 7

The Israeli people's views about a 'two-state solution' shifted radically after 7 October 2023, when the *de facto* Palestinian state of Gaza, run by Hamas, proved to be an existential threat to Israel, as its founding Charter promised. Likewise in the former West Bank, as long as the Palestinian Authority insists on inciting further terrorist attacks with its school textbooks and 'pay for slay', Israelis believe that disengagement to allow for 'two states' would inevitably become a 'final solution' for the Jewish state. The British government is refusing to face reality, and consider alternative non-state models of self-determination for the Palestinians.

Finally, it is shockingly naïve and outdated for our government, and even more so our Jewish foreign secretary, to assume current Jew-hatred is primarily religious or racial rather than political. The new mutation of this ancient virus feeds on anti-Zionism, and every unverified demonisation of Israel and delegitimisation of Jewish presence in their ancestral homeland encourages attacks on Jews in Britain. When our government singles out the Jewish state for criticism, it empowers similar treatment by our society toward Jewish individuals regardless of their political views. We call on our government to return to respectful dialogue with the State of Israel over legal disputes, to due diligence with accusations levelled against Israel, and to policies encouraging Jewish-Arab integration and economic collaboration rather than dividing up the land. We have still not apologised for betraying Jewish trust eighty years ago after our 1939 White Paper. Let us not add to our guilt as Jew-hatred stalks our streets again.

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