

## ISRAEL NEWS

*A collection of the week's news from Israel  
From the Bet El Twinning / Israel Action Committee of  
Beth Avraham Yoseph of Toronto Congregation*

Netanyahu camp. 7"בס  
Lieberman has successfully bolstered his popularity in the September elections, securing nine mandates. He has been publicly calling for a secular unity government that would cut out the ultra-Orthodox parties that have supported Netanyahu.

### Commentary...

#### The Results are in: Who will Emerge from Israel's Election Deadlock? By Alex Traiman

Israel's hyper-democratic parliamentary system is being put to the test once again as the second round of elections in six months has yielded no clear winner.

The two largest parties—Netanyahu's reigning right-wing Likud Party, and left-wing challenger Blue and White, led by Benny Gantz and Yair Lapid—are nearly tied, though some 10 percent of the votes have yet to be counted. Results may change slightly over the next few days as the final votes are tallied.

Among the other seven parties to enter the government, the alliance of right-wing and religious parties that pledged to support Netanyahu's premiership secured only 55 mandates—six seats short of a parliamentary majority. At the same time, secular and left-wing parties that pledged to support a Gantz-led government secured only 52 mandates. The Joint Arab List secured 13 mandates, making it the third-largest party in the Knesset.

Since the founding of the State of Israel, no Arab party has ever joined a coalition government. Joint List leader Ayman Odeh has pledged not to support a Netanyahu-led government; however, if the Joint List were to break its longstanding tradition and join an Israeli government led by Gantz, the left would have a clear majority.

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Gantz himself, and other natural Blue and White allies, have pledged not to sit in a government with the Arab parties, whose vision for the State of Israel is clearly at odds with that of the Jewish parties. At his post-election speech, Netanyahu called the Joint List a union of "anti-Zionist Arab parties that oppose the very existence of Israel as a Jewish and democratic state—parties that praise and glorify bloodthirsty terrorists who kill our soldiers, our citizens, our children."

Joint List Knesset member Ahmed Tibi said on Wednesday that "we won't and cannot take any part in the government or the coalition," but added that "there are other ways to advance what we want as a joint ticket, to influence the decision-making process, and to be a significant actor in the parliament and in politics."

In the days ahead, each party will send a delegation to meet with Israel's President Reuven Rivlin and recommend their preferred candidate for prime minister. Based on the recommendations, Rivlin will select the Knesset member he believes is most likely to form a majority coalition. With both the right-wing and left-wing blocs short of an obvious coalition, Netanyahu and Gantz will attempt to recruit factions within larger parties to break party discipline and cross over to provide one side with a majority. Should those attempts fail, as is expected, Rivlin will seek to convince the Likud, and Blue and White parties, to form a national unity government.

Following the publication of initial results, Gantz himself has called for the parties to unite, stating, "For a long time, we were busy with the campaign, and now the time has come to work on what matters. I'll wish the State of Israel a strong unity government." Meanwhile, when asked whether the results mean the end of Netanyahu's 10-year reign as prime minister, Gantz said, "We'll have to wait and see."

Together, the two largest parties total 64 seats, enough to form a government by themselves. Should they agree to join a coalition, other parties both to the right and left would likely attempt to join, creating the possibility of an even larger government. While neither party has ruled out a unity coalition, Gantz supporters have pledged not to join any government led by Netanyahu.

Meanwhile, Likud maintains strong party discipline and appears unwilling to support either a Gantz-led government or a Likud-led government headed by someone other than the current prime minister.

Following exit-poll results, Netanyahu told Likud members that "all of the Likud's partners want to move forward together to build a strong government and not permit a dangerous anti-Zionist government." He added that "we will stand united in the missions ahead for Likud and for Israel. We are still waiting for the true results but one thing is clear: The State of Israel is at a historical juncture ahead of great security and diplomatic challenges and opportunities."

The results are similar to those of the April elections, which left Netanyahu just one seat short of a majority after the stunning defection of Avigdor Lieberman's Yisrael Beiteinu Party and its five seats from the pro-

Israel's longest-serving premier may find himself passing the keys to a political opponent on the left or another member of Likud.

After the April elections, Netanyahu convinced the Knesset to disband itself and go to the polls for the second time in a year, rather than form a unity government.

With neither the pro-Netanyahu camp nor the anti-Netanyahu camp in a clear majority, party leaders will need to put egos and pledges aside to cross bloc lines in order to create a functioning government. Such scenarios could include secular or left-wing party members joining a Netanyahu-led government; Likud members joining a Gantz-led government; a Likud-led government with someone other than Netanyahu at the helm; or a rotation arrangement.

Within Likud, there is no clear heir apparent if Netanyahu is unable to serve. Furthermore, prior to the elections, Netanyahu had all party members sign a (non-binding) declaration that they would not support any other Likud candidate for prime minister, though all bets may be off if he proves unable to form a Knesset majority.

Complicating matters further is a rotation arrangement already in place within the Blue and White Party, whereby party co-leader Yair Lapid would become prime minister should Blue and White lead the country for two-and-a-half years.

If the parties cannot come to some sort of coalition arrangement, Israelis would be sent back to the polls yet again—a scenario that Rivlin and Knesset members have pledged to avoid. It is unlikely that the Knesset would vote to dissolve itself as it did following April's election. As such, the makeup of a new government may not be known for many weeks. Unless Netanyahu can find at least a handful of supporters from among parties who have committed to ending his reign, Israel's longest-serving prime minister may find himself passing the keys to a political opponent on the left or another member of the Likud Party. (JNS Sep 18)

#### Does Israel Need a Mutual Defense Pact with the United States?

By Jonathan S. Tobin

Maybe it was just one more attempt to help Israeli Prime Minister Benjamin Netanyahu win re-election. But whatever his motivation, President Donald Trump's tweet that revealed he had discussed the possibility of a U.S.-Israel mutual defense treaty with Netanyahu in a phone conversation last weekend has revived a topic that has long been a point of contention in the think-tank world.

On the surface, it sounds like a great deal for Israel. Why wouldn't a small nation, still beset by implacable enemies on its borders after 71 years of independence, want its sole superpower ally to transform the informal commitment to the Jewish state's security into a solemn and legal commitment? Such a pact would, in theory, strengthen Israel's security since any opponent would know going into a conflict that attacking Israel would also mean facing the immense might of the most powerful nation on earth. Yet many of those concerned with Israel's security believe that, despite Trump's good intentions, the cost of a formal treaty of alliance might outweigh the benefits.

The idea has its origins in the anomalous manner in which Israel has always received U.S. military assistance. The alliance with the United States has always been a two-way street in which Israel gave a great deal to the Americans. That took the form of intelligence cooperation, as well as strategic assistance, giving the United States a stable democratic ally it could always depend in a conflict, in contrast to the uncertain nature of friendly Arab regimes. Yet while European nations received as much, if not far more, military help via America's NATO commitments, those benefits were allocated via the Department of Defense, while Israel got its help via the foreign-aid budget. That made it seem like a beggar who got handouts, rather than a valuable ally. A mutual defense pact might help to correct that misconception.

In recent years, the Jewish Institute for National Security of America, or JINSA, has championed the idea. The group, which has done a great deal to promote good relations between military leaders in both Israel and the United States, as well as to support Israeli security, has been working on a draft of a treaty.

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JINSA acknowledges that formalizing the already close relations between the two countries might have complications. Still, the group believes that a treaty written in a way that would limit the commitment to existential threats, as opposed to routine security problems relating to terror, would avoid a lot of problems. In that way, Israel would be able to respond, as it has always done, to terror threats without having to first consult its American ally and face a potential veto on actions that the Jewish state feels is vital to its security.

Most of all, a mutual defense treaty would be a standing warning to nations like Iran, which threaten Israel's existence, that the consequences of starting a war to extinguish the Jewish state that it's always threatening would be incalculable.

But the drawbacks of a pact are just as obvious as its advantages.

While Trump is so friendly to Israel that he might be counted on to give it the green light to do what it thought best to counter security threats, future administrations might not take the same attitude. As Israelis learned in 2014 during the Gaza war, the United States had other interests that it considered greater priorities than defending Israel's security. The pressure from the Obama administration to stop Israeli operations aimed at silencing Hamas missile fire from Gaza or even to eliminate its terror tunnels was immense. At that time, America's leverage over Israel was mainly in the form of its ability to withhold vital shipments of ammunition. If Obama had the leverage of a treaty, the problem might have been worse.

Indeed, as Israel learned in the weeks leading up to the 1967 Six-Day War and then during the 1973 Yom Kippur War, even American administrations that were favorable to Israel didn't hesitate to use their leverage to advance their own perceived interests, even if it meant making the Jewish state's situation more perilous. That was also true with respect to President George H.W. Bush's not-so-subtle request that Israel not retaliate against Saddam's SCUD missile attacks on the Jewish state during the first Gulf war.

Similarly, it is arguable that a treaty between the two countries might have stopped Menachem Begin from ordering an airstrike on Iraqi dictator Saddam Hussein's Osirak nuclear reactor in 1981 or Ehud Olmert's decision to take out Syria's nuclear program in 2007.

It's also true that although Obama's 10-year commitment to military aid to Israel seemed like a gift, its purpose was as much to handcuff Israel's freedom of action with respect to Gaza or Iran as it was to help.

What these examples remind us is that although Israel and the United States are united by common values and interests as fellow democracies, no two nations' security interests are the same. The United States will, even under the friendliest presidents, perceive its interests in the Middle East as encompassing issues that transcend what is good for Israel. And despite Israel's understanding that America's desires must be given great deference, the Jewish state's imperative to protect its people from deadly foes can't be ignored in order to please Washington.

Seen in that light, perhaps Israel is better off retaining its freedom of action than getting a commitment to its security from the Americans. Indeed, such a pact might only be of value in wars in which U.S. assistance might come too late to be of any utility. So while Trump deserves credit for thinking of Israel as an ally rather than a burden, as Obama seemed to do, it might be better for both nations to table the discussion of a mutual defense pact that might be more trouble than it's worth. (JNS Sep 17)

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### **Patience, my Friends, Patience!** By Emily Amrousi

We must wait patiently until the final results of Tuesday's election are announced in order to interpret the complex situation we may once again find ourselves in.

On the face of things, the party I voted for, Yamina, will find itself outside the government. The far-right Otzma Yehudit party, which appears to have garnered the equivalent of nearly four Knesset seats, will see its votes wasted, as it finds itself outside of the Knesset. We may see the establishment of a "secular unity government," a heart-breaking term for me as a Jew.

But we must be patient.

Ever since I first voted at the age of 18, I have worn my holiday best on Election Day. Every single time that day comes around, I get excited. But this time was different. I headed out to the polling station in my regular clothes, out of necessity and despair.

Yes, I exercised my democratic right and obligation, disappointed in the state that led me toward the polling station for the second time in one year, never mind who is responsible for this turn of events.

But as soon as I got behind the screen in the voting booth to vote, I forgot I was wearing my everyday clothes and got excited once more.

We can complain about the candidates, we can shut our ears to the mudslinging, and hold our nose to avoid the stink of fakery – but we can also vote, and we can choose the type of country we want to live in, in the deepest sense of the word. We can prepare this country for our children and our grandchildren, and like a huge team of traffic police, guide the country in the direction of our choosing.

Unlike my four grandparents who lived under foreign rule in Jerusalem, I am lucky. Those who aren't as fortunate are the heads of the two largest parties – Likud and Blue and White, who once again

find themselves between a rock and a hard place, a place where there is no victory or defeat, no good or evil, no truth or lies.

Will the country succeed in moving forward in such a situation? Channel 12 News' Amit Segal described it as a "multi-casualty tie."

The fear is that we are the victims. (Israel Hayom Sep 18)

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### **Why is Keren Hayesod Honoring Vladimir Putin?**

By Shmuley Boteach

Keren Hayesod, known throughout the world as The United Israel Appeal, is the fundraising arm of the Zionist movement, established in 1920 to raise money and distribute it to facilitate the return of the Jewish people to their homeland. Today, it is one of Israel's three national institutions (along with the government and the Jewish Agency), raising money for the state through branches of the organization in 45 countries. It has done much good over the last century – which begs the question of why it's about to make a significant moral blunder.

Today, September 17 – the very same day that Israelis will be choosing their new prime minister – Keren Hayesod will be bringing the world's foremost Jewish philanthropists to meet the man who has kept Bashar Assad in power in Syria while he has repeatedly gassed innocent Arab children.

Keren Hayesod has organized a trip for its largest donors to visit Russia where the featured speaker will be President Vladimir Putin. Yes, that Putin. The former KGB colonel who also directed the Federal Security Service (the KGB's domestic successor). The meeting would be questionable enough if Putin only assassinated his political rivals, imprisoned his critics and dismantled Russian democracy in its embryonic stage. It would be questionable enough if Putin only invaded Crimea and had his opponents poisoned. But most relevant to Jews and their values is the fact that Putin aids Syrian forces in genocide and protects the nuclear ambitions of Iran.

What could possibly have possessed the world's most important Jewish charity to commit this error?

Just last week, we learned that Russia is preventing the International Atomic Energy Agency (IAEA) from inspecting the warehouse in Tehran, which Israel says was used by the Iranians to store nuclear equipment and material. This was, of course, in violation of the catastrophic deal that former US president Barack Obama signed to prevent Iran from obtaining a bomb.

We have subsequently learned that Iran has been cheating on the deal from day one. Israel disclosed that the Islamic republic removed 15 kg. of undeclared enriched uranium from the warehouse. And who is protecting Iran? Putin, who does not want to allow proof of Iran's deception to become public and threaten the agreement he signed. Furthermore, Russia sold Iran its most advanced anti-aircraft system to protect its nuclear facilities, and built its nuclear reactor at Bushehr, which is not covered by the nuclear agreement. If Israel one day feels that it has no choice but to bomb Iran's nuclear facilities in order to protect its citizenry from annihilation, the main obstacle to a successful operation will be Putin's missile defense system, which he sold to Iran.

Iran is not even pretending to adhere to the nuclear agreement anymore. True, US President Donald Trump withdrew from the deal. But Iran has not – and has falsely insisted until recently that it was not violating its terms. Now, however, it is openly flaunting the agreement with three admitted violations that advance its program to build a bomb. First, Iran said it would no longer limit its stockpile of low-enriched uranium. Then, Iran announced it would breach the limits on uranium enrichment levels set in the nuclear deal by increasing enrichment levels to 5% purity. And, just last week, Iran's genocidal president said he was instructing his atomic energy agency to abandon all the commitments it has made regarding research and development of advanced centrifuges.

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But any effort to impose stricter sanctions in response to these violations – the "snap back" Obama promised – are blocked by Russia's veto in the UN Security Council. Why would Keren Hayesod offer global Jewish legitimacy to such a man? Why would Keren Hayesod's leaders want to stand next to the dictator who is providing cover for Iran to pursue its genocidal objectives?

I am not naïve. When it comes to political leaders, such as Prime Minister Benjamin Netanyahu and President Trump, I understand their need to engage Putin. Political leaders must meet with the Russian head of state to discuss political, economic and strategic interests. Netanyahu must engage Putin so as to curb Iran and Syria's hegemony in the Middle East and protect the Jewish state. I even understand – though I remain somewhat troubled by – Chabad of Russia's close relationship with Putin insofar as they must operate within the country for the sake of the Jewish community – and Putin, to his credit, has offered protection to the community. I recognize that in a country with a long history of brutalizing Jews, this is no small thing. But even so, the rest of Putin's record cannot in any way be legitimized by being honored by the Jewish people's most important global charity.

What would Keren Hayesod's global network of contributors think of their money being used to honor the most important ally of

Iran? What possible good can come from Keren Hayesod paying homage to the man enabling the wholesale slaughter of innocent Arabs and Muslims in Syria? And how will this look to the rest of the world? Does it benefit Jewish values to host Putin as the main speaker of the Keren Hayesod bi-annual meeting when he promised America that he had overseen the destruction of Syria's chemical weapons, only to see sarin and mustard gas murder thousands of children?

After the Holocaust, it is we Jews who must be the loudest voices against innocent men, women and children being gassed to death. And to say that the honor being bestowed on Putin by a global Jewish charity is unacceptable.

Putin will no doubt use the meeting for propaganda purposes. Engaging with Keren Hayesod is just another way to legitimate his authoritarian rule. It is an unfortunate example of Jews allowing themselves to be used as tools in the service of a tyrant.

Putin promised a gullible Obama that he would get rid of the chemical weapons in Syria but didn't, allowing the butcher of Damascus, Bashar Assad, to gas his own people, including women and children. Without Putin's help, Assad would probably never have survived the civil war. Now, after killing 600,000 people and making millions homeless, he will resume his dictatorial rule over the shattered remains of his country, with his arsenal of weapons of mass destruction largely intact and new arms supplied by Russia.

Putin has stood by while Iran establishes a beachhead in Syria from which to attack Israel directly and indirectly through its Hezbollah proxies. He continues to allow Syria to smuggle weapons across the border to Lebanon, to help strengthen Hezbollah as it prepares for the next round of fighting with Israel.

What sort of morality lesson is it to seek an audience with someone whom the entire world looks upon as a cold-blooded killer? Turkish President Tayyip Erdogan also protects the Jewish community of Turkey. But as an enemy of Israel, I bet Keren Hayesod would find it unthinkable to take the world's most important Jewish philanthropists to legitimize the Turkish dictator. Why is Putin any different?

Yes, Putin is an extremely powerful man. But the Jews came into the world to speak truth to power and stand up to oppression, as Moses did with Pharaoh, not to kowtow to power.

Taking advantage of the opportunity to rub elbows with the high and mighty is one thing when they are representatives of a democracy, such as members of the American executive and legislative branches, or leaders from the European Union. But seeking a photo op with a man who has allowed poison gas to be used against God's children is unspeakable.

This meeting is one of the most exclusive in the Jewish world, occurring every two years, with invitations given only to the world's most important Jewish donors. Keren Hayesod does its prestigious philanthropists a disservice by putting them in this compromising position.

The Jewish community stands for justice, righteousness and the infinite value of life. Those who trample on those high ideals should not be honorees at our most prestigious events. (Jerusalem Post Sep 18)

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### **Boltonism must not Disappear** By Melanie Phillips

John Bolton's departure from the Trump administration should have had the Left cheering from the rafters.

Bolton has long been a bogeyman in liberal circles on account of his refusal to appease the enemies of America and the West, a disposition that the Left regards as belligerent warmongering.

When Bolton was made national security adviser, his liberal foes behaved as if US President Donald Trump had signed up in person one of the four horsemen of the apocalypse.

Now that Bolton's appointment has abruptly terminated, though, there's been no rejoicing from his ideological foes. That's because their blind hatred of Trump means he can never do anything right. So Bolton's ouster is merely viewed sourly as further proof of Trump's psychological flaws.

The curious fact, however, is that the Left hates Bolton for reasons very similar to Trump's own inability to see eye to eye with him. For the Left has more in common with Trump than it would ever care to acknowledge. On foreign policy, both are isolationists, although for different reasons. The Left never supports the West fighting wars in its own interests, viewing it as innately bad and oppressive, while its enemies are inescapably its victims and therefore morally above reproach. For his part, Trump wants to end America's involvement in foreign wars and doesn't want to get involved in any new ones.

Since Bolton believes in defeating rather than appeasing the enemies of America and the West, and not flinching from military action if that proves unavoidable, this reportedly brought him into repeated conflict with the president.

In the wake of Bolton's departure, members of the administration have been at pains to stress that there will be no letup in America's policy of re-imposing sanctions on Iran.

It is, however, deeply alarming that Trump has proposed talking to the Iranian president, Hassan Rouhani, with no preconditions. It's even more alarming that Trump apparently suggested easing sanctions on Iran – the precondition Iran itself has set for such a meeting. For this

sends the unmistakable message that Trump is wavering and America is beginning to cave, and that immeasurably strengthens and emboldens the Iranian regime.

It's been reported that a row with Trump on Monday over precisely this point led to Bolton's exit later that day. And this removal of Trump's principal foreign policy hawk similarly signals to Tehran that American resolve has collapsed.

Which is why Iran is crowing that America's "warmongering" is a failure. The regime believes that it has taken Bolton's scalp. Which is why Israel has expressed enormous concern about both Bolton's exit and American resolve.

Trump's genuine concern for Israel's security is not in doubt. He also deserves enormous credit for re-imposing sanctions to bring the Iranian regime to its knees, having correctly described the Obama-brokered nuclear deal as the worst deal ever.

The problem, however, is that he thinks he can negotiate a better one. Trump's flaw is that he thinks every situation is a potential deal; he thinks that everyone in the world has a price at which they can be bought off. This is yet another fantasy that he shares with the Left. For they also think that everyone is susceptible to a negotiated compromise, even religious or other fanatics for whom rational self-interest can never be the clincher.

The Left doesn't believe in defeating the enemy, however implacable these foes may be. It believes in making a deal with them.

That's why leftists are so obsessed with peace processes, otherwise known as appeasement processes. These processes cannot acknowledge the nonnegotiable aspect of unconscionable agendas because that would cause them to fail. And they cannot be allowed to fail because the alternative is military action, which must be avoided at all costs. They are therefore a certain route to the surrender of victim to aggressor.

The baleful consequences of this assumption have been laid bare by the former US Defense Secretary James Mattis in his new book "Call Sign Chaos: Learning to Lead." This deals with his time as leader of US Central Command from 2010 to 2013, overseeing military operations in the Middle East and Central Asia.

In his book, Mattis tears into former President Barack Obama's strategic ineptitude in failing to take appropriate action against America's enemies. Faced with clear evidence of Iranian "acts of war" against America, Obama did nothing.

In 2011, two Iranians planned a bomb attack on Cafe Milano, a Washington restaurant patronized by the rich and famous, including Saudi Arabia's ambassador to the United States, Adel al-Jubeir.

This would have been, writes Mattis, the worst attack on the United States since 9/11. "I sensed that only Iran's impression of America's impotence could have led them to risk such an act within a couple of miles of the White House. Had that bomb exploded, it would have changed history."

Such a plot should have produced a forceful response. "My military options would raise the cost for this attack beyond anything the mullahs and the Quds generals could pay." First, though, Obama needed to make the public understand the "enormous savagery" of the intended atrocity.

But none of this happened. "We treated an act of war as a law-enforcement violation, jailing the low-level courier," he writes.

And then, four years later, Obama brokered the nuclear deal with Iran, which at best would merely delay its nuclear-weapons program by a decade and which enabled millions of dollars in sanctions relief to pour into the regime to fund its murderous activities.

But it's not just Obama who has refused to respond appropriately to Iran's four-decade war against the West.

Even when Iran was killing American and British soldiers in Iraq, or when its proxy army Hezbollah bombed the US Embassy in Beirut in 1983, and the Israel Embassy and a Jewish community center in Buenos Aires in 1992 and 1994, the West failed to treat these as acts of war. It failed to do so even after Iran seized a British-registered oil tanker this summer in the Strait of Hormuz and harassed other commercial shipping there.

It was revealed this week that two British-Australian women and one man have been arrested and jailed in Iran, adding to a growing number of British nationals being effectively held as hostages in Iranian jails.

And yet, Britain has not only been a principal cheerleader for the Obama nuclear deal but, along with the European Union, is seeking ruses to get round the sanctions on Iran reimposed by America.

It is still possible that Trump will hold firm against Iran. If he does not, Israel will act alone to defend itself if that becomes unavoidable; and if that happens, the United States will find itself unavoidably sucked into a terrible war.

John Bolton's steady and clear-minded focus on preventing this from happening was a standing rebuke to the feeble-minded West that has supinely stood by as this unconscionable threat by the Iranian regime has remorselessly increased.

Bolton has now left the West Wing; but Boltonism – the strategic grasp of how to defend the West against its mortal foes – must not be allowed to disappear with him.

With Bolton's departure, the world has not become a safer place. It has become far more dangerous. (Israel Hayom Sep 16)

## For NY Times Critic, the Most Authentic Jerusalem is One without Jews

By Gilead In'i

The New York Times architecture critic seems to have a problem with Jerusalem, the holiest city in Judaism.

In a Sept. 13 article, the Times critic, Michael Kimmelman, took aim at a planned line of cable cars the Jerusalem municipality hopes will soon shuttle visitors to the Old City's archaeological and touristic center. But the cable car, which some worry will be an eyesore in the ancient city, isn't the real problem in Kimmelman's article. It's just the hook. The deeper problem relates to Jews, and the value they place on their rich history.

Kimmelman endorses concerns that the Jews who run the city will turn Jerusalem from a "global heritage site" into a "Jewish-themed Epcot." A few paragraphs later, he laments the possibility that the cable cars plan "curates a specifically Jewish narrative of Jerusalem." Later still, he protests that future riders might be "funneled through a Jewish version of the city's history." And finally, he relays criticism about efforts "to inculcate a Jewish narrative of occupied Jerusalem."

It may be that Jewish historians and archaeologists are less capable of clearheaded scholarship than non-Jewish ones. But otherwise, the "Jewish version" of history could be better described as, well, "history." In the case of Jerusalem, it just so happens that the period of history that excites Jews most is also the period that has long captured the attention and imagination of the rest of the world: the Jerusalem of the Bible, of King David, of the holy temples, of the Maccabees, of Herod and of Jesus.

It is true, too, that Seljuks and Khwarezmid and Ayyubids, invaders from elsewhere in the Middle East, each took a turn ruling over the city during the Middle Ages. This is also real history. But they are to Jerusalem what Cola di Rienzo and Clement V are to Rome: rulers, but not Caesars. Historical, but not historic.

For Kimmelman, though, the opposite is true. Unlike the "Epcot" or "Disneyfied" Jewish narrative he disdains, it is everyone else's Jerusalem he sees as being most authentic. A critic is entitled to his preferences, but consider how his opening paragraph erases Jews from the archaeological history of the Old City:

"At a glance, Jerusalem's Old City and its surroundings still look pretty much as they must have looked centuries ago. The Old City's yellow walls still read in silhouette against an ancient landscape of parched hills and valleys. The skyline is still dominated by the city's great Muslim and Christian shrines: the gold, glistening Dome of the Rock and the Church of the Holy Sepulcher, where Jesus was said to have been buried."

Missing from Kimmelman's flashback are the Hurva and Tiferet Israel synagogues, great domed structures that held proud spots on the Jerusalem skyline from the mid-1800s until they were destroyed by the conquering Jordanian army in 1948. It is a convenient omission, as later in the piece Kimmelman unfavorably compares today's municipality with the city's two prior colonial rulers, whom he casts as protectors of the city's heritage. "Modern Jerusalem was spared Disneyfication," he writes, "first by the highborn culture of British colonialism, with its awe for the city's antique past, and next by Jordanian paralysis, which froze the Old City as if in amber."

From someone who purports to care deeply about architectural and demographic preservation, this assertion is striking. The destruction of the Hurva synagogue was hardly an act of preservation. "This affair will rankle for generations in the heart of world Jewry," a British official said after Jordanians reduced the synagogue to rubble. (That the destruction was seen as an affront to Jews might help explain why Kimmelman, averse to the "Jewish version" of history, ignores the architectural crime.) Far worse than the destruction of buildings, however grand, was how the Jordanian conquerors changed the social fabric of the Old City: by expelling every last Jew. So much for amber.

Kimmelman's instinctive recoiling from Jewish works in the city is exemplified by two contrasting paragraphs in his piece. On the one hand, he protests against the construction of tall glass buildings in what is, after all, Israel's largest city by both population and area: "In a city long defined by low-rise, stone-clad buildings, Israeli authorities are now approving 40-story glass towers and cut-and-paste office park development more in keeping with Singapore or Jakarta than Jerusalem." But only four paragraphs later, those stone-clad structures he favorably mentioned become a problem: "Even the cladding of East Jerusalem's settlements in Jerusalem stone, the architectural uniform traditionally worn by buildings in Jewish West Jerusalem, helps spread the image of a single Jewish city."

The long tradition of using Jerusalem stone was formalized into law by the British authorities, motivated by that "awe for the city's antique past" Kimmelman praises. It is only when Israel inherited the British ordinance that the stone cladding became evidence not of awe, but of a propaganda campaign. For the Times architecture critic, then, the buildings matter less than who is doing the building.

If glass is a problem, and stone is a problem, what then does the Times journalist think is appropriate for Jews in Jerusalem?

Kimmelman seems to find his answer at the Western Wall, which he wrongly identifies\* as the holiest site in Judaism.

To close the article, he quotes a critic of the cable car project who makes sweeping and controversial statements about no less than the essence of Judaism: "The Western Wall is 'a ruin, humble, an ancient

site of sadness and loss,' [one architect] says. 'It is the true heart of Judaism. The cable car is the opposite, flashy, vulgar and aggressive.'"

The New York Times message, then, is that true Judaism doesn't thrive in Jerusalem. It doesn't recover from exclusionary, anti-Jewish policies by imperial powers, and doesn't regain a rightful spot on the ancient skyline. It doesn't build with stone to accommodate Jews returning to the section of the city ethnically cleansed by Jordan, and doesn't build with glass in the mold of thriving, modern capital cities. True Judaism is only powerlessness, ruins, and mourning.

This narrow and anachronistic version of Judaism, one influenced by anti-Zionist thought that was thoroughly discredited after the Holocaust, might be the version long preferred by New York Times publishers. But it's not what most Jews in Jerusalem and beyond accept today. It is that fact, more than any cable cars, that seems to bother Kimmelman.

\*Editor's note: On Sept. 18, following a request by CAMERA, The New York Times published a correction in its print edition regarding Kimmelman's claim that the Western Wall is Judaism's holiest site: "An article on Sunday about a planned cable-car network to Jewish holy sites erroneously attributed a distinction to the Western Wall in Jerusalem. It is one of the holiest sites in Judaism, not the holiest." The correction failed to make clear, however, that the Temple Mount holds the distinction of being Judaism's holiest site. (JNS Sep 19)

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## Bureaucracy Overrules Democracy in Judea And Samaria

By Naomi Kahn

An illegal school building, constructed by the Palestinian Authority on privately owned land near the South Hebron-area village of Samua, has been enjoying unprecedented Israeli legal protection thanks to warped interpretation and skewed application of the Judea and Samaria Settlement Regulation Law.

In 2017, Israeli NGO Regavim petitioned Israel's High Court of Justice to demolish the structure. In response, the Civil Administration informed the court that the structure was high on its list of enforcement priorities. The petition was therefore set aside, with the understanding that no judgement would be necessary; the structure would soon be demolished.

Some 10 months later, as construction at the site continued unhindered, the court issued a temporary injunction forbidding further construction work. Nonetheless, construction work continued. Regavim submitted a second petition; once again, the High Court declined to hear the case on technical grounds (not enough time had elapsed between the two petitions).

This past February, 18 months since the second petition was set aside and with no enforcement procedures of any kind having been carried out, Regavim requested a status report from the Civil Administration. This time, the answer was completely different: "The Civil Administration has no intention of demolishing the structure, since it falls under the stipulations of the Regulation Law, and the government is required to legalize it."

In fact, the Regulation Law states that in cases involving structures built on privately owned land with government approval or support, or when structures were built on land not known to be privately owned at the time ("absence of malice"), the land on which the structures in question stand will be leased by the government, and the equivalent sum paid to the land's rightful owners, without the need to demolish existing structures.

The law further stipulates that for this arrangement to be applied, the state must be shown to have been actively involved in the construction, "including assistance in the creation of infrastructure and planning," or in cases where "it is found that the structures were built in good faith, prior to the ratification of this law, on land that has not yet been registered or regulated."

As a result of petitions submitted by leftist organizations to the Supreme Court, enactment of the Regulation Law was frozen, pending a High Court decision, with the stipulation that until such a decision is reached, no enforcement procedures are to be carried out against structures that fall under the law's protections.

In the case of the school at Samua, construction was carried out despite the court's work-stop orders, despite the fact that the court rejected appeals submitted by the defendants against those orders, and despite a temporary injunction issued by the court.

Moreover, the Civil Administration's argument that the structure falls under the protections granted by the Regulation Law is a brazen legalistic manipulation which ignores the explicit language of the law itself. "This is not the only case in which the state is twisting the Regulation Law to protect illegal Arab construction," said a spokesperson for Regavim. "What we have here is a clear case of 'the rule of bureaucrats.' The Civil Administration opposed the Regulation Law from the outset, and is now using it as the basis for a warped interpretation of the law in what appears to be a calculated attempt to shirk its most basic responsibilities." (JNS Sep 17)

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