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Time to Revive the 2004 Bush-Congress Letter to Israel

Miriam Elman (<https://providencemag.com/author/miriamelman/>) | April 21, 2016

Shortly after his inauguration, President Barack Obama abandoned a series of pledges that his predecessor had made to Israel. They included the promise that the U.S. would support a number of Israeli positions in future negotiations with the Palestinians, including a) Israel would not be compelled to cede its claims to all of the territory captured from Jordan in the 1967 Six Day War; b) millions of Palestinian Arabs would not be resettled in Israel; and, c) Israel must be recognized as the state of the Jewish people.

These commitments were delivered by former President George W. Bush to the late Israeli Prime Minister Ariel Sharon in the form of a two-page letter (<http://georgewbush-whitehouse.archives.gov/news/releases/2004/04/20040414-3.html>) at a White House press conference (<http://georgewbush-whitehouse.archives.gov/news/releases/2004/04/20040414-4.html>) on April 14, 2004. Several months later, Congress would add its support to the letter's terms by lopsided margins—95-3 in the Senate and 407-9 in the House of Representatives.

A letter from a U.S. President to an Israeli Prime Minister might not seem like a big deal. Yet, it's what enabled PM Sharon to undertake risks for peace—the removal of every Israeli citizen, settlement, and military base in Gaza, and the removal of four small settlements in the West Bank.

In fact, the Bush-Congress letter was incredibly valuable since it helped Sharon win domestic public approval for his Gaza disengagement plan. Of course, Sharon may have taken this unprecedented move even in the absence of the White House's support. But the letter made it an easier sell (<http://www.wsj.com/articles/SB124588743827950599>).

While the letter was viewed by the Arabs as signaling a major break in U.S. policy, the reality is that previous U.S. administrations had also accepted that there would be no return to the 1949 borders because Israel would keep some of the settlements. Basically, the 2004 Bush-Congress letter just “set forth publicly (<http://www.cfr.org/israel/tested-zion/p29234>)” something that had already been widely acknowledged by the U.S. government: to ensure Israel's security with defensible borders, the 1967 lines weren't a useful starting point for negotiations.

Indeed, it was President Obama who shifted the goal posts by refusing to view the Bush-Congress letter as binding on U.S. policy and by claiming that negotiations should start on the 1967 lines.

President Obama's cavalier decision to reject the Bush-Congress letter soured relations between the U.S. and its most important ally in the Middle East during the early days of the Obama presidency. From the Israeli perspective, it was a betrayal.

But it was also a setback to the cause of peace. It meant that every time Israel built an apartment in east Jerusalem or in the settlement blocs that hug the Green Line, the Palestinians saw themselves as authorized to break off talks. It's also solidified the erroneous viewpoint that the primary obstacle to peace is Israel's settlements in

Judea and Samaria (the West Bank), rather than Palestinian intransigence and persistent unwillingness to make reasonable compromises or accept the Jewish people's right to a state in its ancient homeland.

George W. Bush understood that Israel shouldn't be required to retreat to indefensible borders, transfer hundreds of thousands of Jews out of their homes, or absorb 5 million Palestinians claiming to be descendants of those Arabs who had lived in pre-1948 Palestine because doing all of that would result in the demise of Israel as a Jewish state—the basis of its foundation. These common-sense understandings were rightly viewed as so important to furthering a just and lasting Israeli-Palestinian peace that President Bush saw fit to enshrine them in a formal presidential letter as a series of commitments by the United States to Israel.

The next president should honor these commitments. Not only would reinstating the Bush-Congress letter help to ensure the security and well-being of the Jewish state in an increasingly volatile and dangerous region, it could also jumpstart the moribund peace process by reaffirming America's commitment to the two-state solution and by giving Israel's leaders the backing they need to take new risks for peace. Most importantly, reviving the Bush-Congress letter would make it clear that the U.S. is no longer willing to pressure Israel to respond to “inflated (<http://jcpa.org/reset-u-s-israel-relations-to-april-2004/>)” Palestinian demands.

For an extended discussion of the 2004 Bush-Congress letter and its implications, along with relevant sources, images, and video, see Miriam Elman, “Time to Honor our April 14, 2004 Commitments to Israel (<http://legalinsurrection.com/2016/04/time-to-honor-our-april-14-2004-commitments-to-israel/>),” *Legal Insurrection*, April 14, 2016.

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