Trump and US Lawmakers Left a Time Bomb for Biden

Biden may not want to deal with Middle East issues, but they don’t just disappear. Talking about International law is one thing, following it is another.

A political position should have less to do with campaign funding and a political base. That is why the political process is so far removed from reality, and lacks any semblance of the rule of law or doing the right thing. However the consequences of taking a principled position may well bring a leader into conflict with both law and justice, and violating those will ultimately come to haunt anyone and everybody—sooner or later.

For instance, take the physical move of the US embassy to Jerusalem last year, it was illegal from all accounts, but the US legislature still approved it by over 90 senators. The US Senate concurred with keeping the US embassy in Jerusalem permanently in vote of 97 to 3. Only Bernie Sanders, Elizabeth Warren and Tom Carper opposed the decision.

Why? Perhaps they were naive enough to think that Trump would use the presidential waiver to stop it and wanted to support Israel and keep campaign funding top up. But as he didn’t, it is going to be hard to backpedal on this move, even though it flies in the face of all that is right, and the “proverbial rule” of international law.

The very same US State Department which likes to quote international law bluntly ignored its own claimed principles when it came to moving the US Embassy to occupied Jerusalem. Politics won the day, but politics is more fluid than law in a democracy, both in reception and results.

Biden is in more than a bind - as one article so accurately states, he is between a rock and a hard place. Almost every president promised to move the Embassy to Jerusalem (if elected), knowing that their advisors would always tell
them it was not politically expedient in the BIGGER picture of things, making reference to the tenets of international
law.

But now it’s happened, a reality rather than a dream, the essential con of the whole idea is being exposed.

A Promise is a Promise

Naturally the Zionist government in Israel, and even the Jewish Diaspora, likes to think Bible history is both current
events and political realities. There are many pragmatic reasons why Trump should not have caved in to the Israeli
lobby—especially in terms of making an already difficult situation with Palestinians all the more difficult. But as you
would expect of a showman, these counted for nothing compared to being the tough guy who dared go where no
others had gone before.

Trump has left Biden riding the horns of a dilemma. No matter what he does over this issue, some will take
exception, and this will cost him both financially and politically. It may be the final nail in his political career, and a
BIG downfall to the Democrats.

It should come as no surprise that most European countries are still condemning the US move from a moral
perspective. But they are not willing to do more to stand up for international rules, as Jerusalem is technically
occupied Palestinian territory, but likewise has a hold on the imaginations of European voters.

All the noise being made is intended to disguise that it is designed to die down, when people get tired of hearing it,
and paving the way for an acknowledgment that possession is nine tenths of the law. Yes, Europeans would like to
claim that Trump’s 2018 move was not in line with international consensus, and should not have happened until the
status of Jerusalem is finalised in talks with the Palestinians. But it is likely permanent, and the protests merely pave
the way for recognising this out of expediency.

The move of the US Embassy was another reason why Bernie Sanders could not be elected president. As a Jew, he
understood just how much of a mess this would make, especially considering America’s claim to be a neutral
stakeholder in the region, and that things could only get worse as a result of it.

Horse with Blinkers

It is not as if the US government was not aware of the Challenges and Opportunities for Moving the American
Embassy to Jerusalem, and the potential blowback, based on a hearing back in 2017.

Following through with the commitment to move the Embassy will demonstrate American leadership. Leaders in the
Middle East respect the strong horse, and acting with decisiveness to defend American interests and to stand by a
close ally is far more preferable to defaulting on a key promise like past leaders have done.

Standing by an ally may sound good, but not to those in the region, and experts of international relations, and
paddling up stream against international rules is what has compromised the US in the region, politically, security
wise and reputationally. Doing it again rather demonstrates a lack of leadership – making so much noise because you
don’t have a solution, but need to pretend you are right.

Foreign Minister Sameh Shoukry of Egypt, another regional security ally, describes how “protecting the interests of
Israel and the United States and democratic interests in the region” is not so easy. He has called the proposed
immediate Embassy relocation, “a very inflammable issue at this moment,” and asserted that this is one of the final
status issues that has to be addressed between the two sides, resolved through negotiations with respect to the
Palestinians. This is forward-thinking, and also obvious, but who is listening?

It is worth mentioning that many thought Joe Biden’s victory in the US presidential election should prove a plus in
the short term. Conventional wisdom had it that the US would become more diplomatic, stop engaging in hawkish
rhetoric and re-enter treaties and agreements Trump pulled it out of.

Israel and its supporters would have their wings clipped, at least for a while. Iran, China and Russia would breathe
easier. However, this is just on the surface. Biden has a long way to go before he can start trying to “drain the
swamp” of the Deep State, as Trump promised but failed to do.

It would be nice to think the world will be more stable as a result of the apparent Biden victory. But whether you call
it the Deep State or the Military-Industrial Complex, Biden is exactly what Trump said he was – more beholden to
“the system,” as an insider with a long record in government, than him. There is now greater probability that those
really in control will be turned loose to inflict havoc on the world, simply because they can pull too many of Biden’s strings to be accountable to him or anyone.

When Trump made this decision he was being advised by John Bolton. He took the position that recognising Jerusalem as Israel’s capital city, and relocating the Embassy there, would be sensible, prudent and efficient for the US government.

Fully regularising the American diplomatic presence in Israel would benefit both countries, he maintained, pointing out that the US Embassy in virtually every other country it recognises is in its capital city. But very few other capitals, if any, are disputed territory, as part of a dispute which has been causing wars for centuries. Going there is the same as moving the Embassy in Serbia to Kosovo, on the same historic grounds, and is likely to prove a rallying cry for every vaguely anti-American group in the region.

John Bolton must actually have known this, but been sucking up to egos. Here is what he said to the Senate in 2017:

“(Relocating the Embassy) would NOT adversely affect negotiations over Jerusalem's final status or the broader Middle East peace process, nor would it impair our diplomatic relations among predominantly Arab or Muslim nations.

“In fact, by its honest recognition of reality, shifting the Embassy would have an overall positive impact for US diplomatic efforts.

“Over the years, as with so many other aspects of Middle Eastern geopolitics, a near-theological and totally arid scholasticism has developed here and abroad about the impact of moving the Embassy. Now is in fact the ideal time to sweep this detritus aside, and initiate the long-overdue transfer”.

What he meant was, now was the time to pretend you are beyond any boundary which exists. Nice dream, isn’t it? But humans can’t fly unaided, and the “detritus” Bolton spoke of doesn’t become that just because that is what he chooses to call it.

Past is Prologue

Even the Washington Post got it right - something which is revealing - albeit by posting an article not written by its own staff. This dives into how the Biden administration wants to reopen the US consulate in East Jerusalem to serve Palestinians on the West Bank, something Israel is determined not to let happen. Rather than helping US diplomacy, it is creating a diplomatic firestorm.

The article further details how Joe Biden is a friend of Israel, basically a Zionist by deed, but not of his predecessor's Jerusalem policy. It would be closer to the truth to say that he is a friend of financial flows and political support.

But the law had already been passed, The US Jerusalem Embassy Act of 1995, which makes it almost impossible to return the embassy to Tel Aviv. It is little wonder why successive presidents used their prerogative to postpone implementation of the law, until Trump put in into effect, but it was the law nevertheless. The US has a long history of thinking itself above everyone else’s laws, but it has sacrificed millions of lives in so far futile attempts to get everyone else to share this perception.

The implementation of the 1995 law naturally infuriated the Palestinians and their supporters in Europe and the US. Reopening the consulate to serve Palestinians, the opposite of what moving the US Embassy to Jerusalem was supposed to signal, looks like the State Department’s way of expressing silent regret over Trump’s move. But two wrongs are not going to make a right here, and just doing the opposite of what Trump did will have a sell-by date, however necessary those measures are.

So What Now?

Biden has walked into an impossible situation without either a road map or a microphone. The rights of Palestinians are still being violated with impunity, the situation in Lebanon is deteriorating once again, and the general attitude of the US in the region as a whole is still that indigenous peoples have no rights, no self-determination, no recourse to the rule of law. Nothing has changed since the Native Americans were forced onto reservations, and slaves were not persons in law.

Can Biden go back and claim that Trump made a mistake, under the Waiver Authority? Of course not, in spite of the fact this is a wrong decision that should be “changeable to protect the national security interests of the United
States.”

Having nailed its colours to the mast in regional conflicts it can’t now go back to neutrality, and cannot bear to change course completely. When was the last time a combatant in a civil war declared themselves non-partisan after publicly joining one side or the other, and when was the last time anyone believed someone who claimed this?

The Embassy Act of 1995 was basically an escape clause. It allowed politicians to pander to their base of support, but face the real threat to US national interests at the same time. It struck a balance between aspiration and reality, which could be believed in by those who still wanted better than they had, and felt they could have it.

However this is not 1995. We live in a world of increasing anti-establishment populism, whose mantra is that the system will never give you your rights, you have to take them. Any step by the US will be seen in this way by significant constituencies, who have been demonised for advocating the same thing, and now see their “terrorism” being adopted by the least likely fellow travellers.

This is why nothing proper and correct is going to happen as a result of the US decision. The result will be No Progress in Middle East peace processes, leaving the reputations of the US and Biden all the more tainted. Uncle Sam thinks he has all the answers, so when one of its actions makes things worse, what about everything else emanating from the same prejudice?

The bottom line is how to find any semblance of a balance when it comes to fundamental fairness against potential harm to American security, diplomatic priorities and US allies and potential allies in the region. It is difficult to find such a balance, but the point is to try.

Moving to Jerusalem is a willful attempt to create imbalance and then storm through the disruption this creates by force. Maybe sixty years ago the US could have done this.

But those who thought it was right then don’t think so now, precisely because they still believe in the US of then. Force of right will always triumph over force of arms, as Mahatma Gandhi was fond of saying.

Biden still believes in the US of 1961, and this is one reason he is portrayed as a doddery old fool. It’s not his way to create situations such as this. But it will be beyond him to deal with the consequences because the country needs to be right to get away with this, and it just isn’t, and he knows it.

This is one issue that is not going to fade away—not going away any time soon, and it will continue to destabilize the Middle East, as planned.

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