

OPINION and ANALYSIS

Vol 1, Number 24: 5 October 2012

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local and international writings on the Middle East**

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PJ Media, 28 September 2012

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It's now three years since the Cairo speech. Look around. The Islamic world is convulsed with an explosion of anti-Americanism. From Tunisia to Lebanon, American schools, businesses and diplomatic facilities set ablaze. A U.S. ambassador and three others murdered in Benghazi. The black flag of Salafism, of which al-Qaeda is a prominent element, raised over our embassies in Tunisia, Egypt, Yemen and Sudan.

Western courts bend to Islamic practices

David J. Rusin, PJ Media, 28 September 2012

<http://www.islamist-watch.org/11189/western-courts-bend-to-islamic-practices>

Judges' consideration of Shari'a when deciding cases may be the most alarming avenue by which Islam influences Western legal systems, but it is not the only one. With increasing regularity, Islamic practices sway the administration of courtrooms, affecting when sessions are held, who must rise, and what attire is permissible. This trend should not be overlooked. Courts that yield to Islamic norms, even in mundane matters, encourage Islamists and cast doubt on the future of equal rights and responsibilities under the law.

Ramadan. The Islamic month of fasting can require significant shuffling of schedules by devout Muslims, but are secular courts obligated to alter theirs? Some answer in the affirmative.

Muslim convert Mark Edward Wetsch is one recent beneficiary. Charged with robbing 13 Minnesota banks, he objected to a hearing set for July 20, 2012, the first day of Ramadan, and asked that it be pushed back for a month. Though Judge Jeanne Graham initially declined the request, he persisted. Ramadan means "not engaging in conflict and argument," but rather taking part in "work to reconcile differences and seek peace," according to a motion filed on his behalf. "Clearly, a contested hearing in which the government is making allegations against Mr. Wetsch and he is fighting against [them] causes him to engage in conflict and argument." Graham relented and issued the desired continuance.

The U.S. military court that will try five al-Qaeda terrorists accused of involvement in the 9/11 attacks bent to similar sensitivities this year. After turning their May 5 arraignment into a circus, the jihadists sought to postpone a hearing scheduled for the week of August 8, near the end of Ramadan. James Connell III, a government-compensated defense attorney, stressed in a filing that "the last 10 days of Ramadan commemorate the night God — Allah — revealed the Holy Quran to the Prophet Mohammed." Hence, "these 10 days are the most holy period of the Muslim calendar and are typically observed by fasting, prayer, and seclusion." Despite having previously ruled out Ramadan-related extensions, the judge, Colonel James Pohl, agreed to a delay. Connell was relieved: "It's very difficult to pay attention to sometimes intricate legal proceedings when you haven't had any sleep and you haven't had any food." (In one bright spot, Pohl rebuffed a petition not to hold hearings on Fridays, the day of communal Islamic prayers.)

Such Ramadan accommodations are not new. Four years ago, a French judge postponed a trial after a lawyer complained that "his client, a Muslim, would have been fasting for two weeks and thus, he said, be in no position to defend himself properly," in the words of the BBC. "He would be physically weakened and too tired to follow the arguments as he should." (Note that Muslims have played professional football during Ramadan fasts, so it is not obvious that ordinary Muslims

are incapable of sitting in a courtroom.) A prosecutor denied that Ramadan had anything to do with the change, but others believed it to be the sole viable explanation. Fadela Amara, a Muslim then serving as urban affairs minister, decried the "knife wound" to France's separation of religion and state.

Of course, scheduling controversies are not exclusive to Islam. In 2011, the Maryland Court of Appeals ruled that a lower court had "abused its discretion" by rejecting an Orthodox Jewish plaintiff's motion to suspend a malpractice trial for two days due to Shavuot, during which his faith would preclude him from working or having work done for him. However, the decision stands out because many other U.S. federal and state courts have found no abuse of discretion by judges who did not grant similar Jewish holiday requests. If a continuance of one or two days is not automatic, then certainly the bar should be that much higher for a month-long Ramadan break — especially when its religious necessity is far less concrete than the work proscriptions characterizing strictly observed Jewish holidays.

Rising for judges. Standing when a judge enters and leaves the courtroom is a centuries-old tradition conveying respect for authority and maintaining order. Those who fail to rise may be cited for contempt, but some Muslims are challenging this point of protocol.

The most important U.S. case has centered on Amina Farah Ali, a citizen and Minnesota resident who, along with a second woman, faced federal charges of funding a Somali terrorist organization; both were convicted last autumn. After Ali did not stand at a pretrial hearing, Judge Michael Davis warned that all must do so. Unlike other Muslims present, she refused again and again for the first two days of the trial, prompting Davis to issue 20 contempt citations carrying jail time. The defendant said that because Islam's prophet had told his followers that they did not need to honor him in that way, it would be wrong of her to stand for anyone but Allah. An appeals court threw out 19 of the citations in June, determining that an ultimatum to rise "substantially burdens the free exercise of religion" for her. It instructed Davis to consider her rights under the Religious Freedom Restoration Act, which declares that religious exercise can be curbed only if the government has a compelling reason. On September 18, Davis reinstated contempt charges but then quickly "purged" them, dropping the penalties. While there are precedents for religious exemptions from the standing requirement, involving Quakers in particular, Ali's case opens the door for a very different group: American Islamists eager to thumb their noses at the secular legal system. Expect more such incidents in the U.S.

Comparable conflicts have erupted elsewhere. Several radicals later found guilty of shouting hatred at British troops during a 2009 homecoming parade would not rise at their trial, because "in Muslim countries it is a grave and cardinal sin to show respect in this way to anyone other than God himself." Although the UK is not a Muslim country — at least not yet — the judge caved, acceding to a compromise whereby they could enter the courtroom after she did. Accused terrorists are not big fans of the standing requirement either, as seen in 2007 at the outset of proceedings against nine men from Sydney, Australia, charged with plotting attacks. According to one account, the judge "was not concerned by the refusal but suggested it might not be a wise course of action when the trial started," for jurors could take a harsher view. The jihadists got their comeuppance regardless: all eventually pleaded guilty or were convicted.

The issue has extended to lawyers as well. Mohammed Enait, a fundamentalist attorney in the Netherlands, initiated a long dispute over his resolve to stay seated on the grounds that all are equal before Allah. Mixed messages ensued. A court in 2008 approved an exception for Enait, but it was reversed. Meanwhile, the bar association reprimanded him, but an appeals tribunal voided it, referencing his "sincere and authentic religious convictions."

Clothing. Common sense dictates that face veils (niqabs) should not be welcome in a court of law, where security is critical, participants must be identified, and some judges and lawyers use

facial expressions to analyze the veracity of statements. Yet none of this has slowed the push for concessions.

The good news is that most witnesses wanting to wear niqabs are turned down, as demonstrated by examples from Australia, New Zealand, Spain, the United Kingdom, and the United States. However, the temporarily uncovered women often are allowed to testify with backs to the audience or from behind screens — an accommodation in and of itself. Also of relevance, judges have been known to expel women in niqabs from public seating areas, with recent ejections in France, where face-concealing attire is now broadly restricted, and Sweden, where safety concerns were voiced at a hearing related to a plot to kill cartoonist Lars Vilks.

The bad news is that there have been leaks in the dam, with the potential for more. Three years ago, a woman became the first in Denmark to give evidence from underneath a niqab, after briefly revealing her face to a female judge for identification purposes. A 2012 decision by Italy's Higher Judicial Council clears the way for veils to be worn as long as they "constitute a legitimate exercise of the right to profess one's own religion" and meet the subjective criterion of not "causing disturbance to the regular and correct court proceedings." Indeed, judges in most jurisdictions are not bound by rigid guidelines. For instance, following Judge Paul Paruk's dismissal of a plaintiff's case in 2006 because she would not testify with her face showing, the Michigan Supreme Court affirmed only that lower courts are to "exercise reasonable control over the appearance of parties and witnesses." A judge more in thrall to multiculturalism could have acquiesced to the niqab — just like the Danish one did.

A Canadian case that began in 2007 is among the most pivotal. At its center is a sexual assault complainant, N.S., who wished to testify against two male relatives at a preliminary inquiry while wearing her niqab. The accused men objected, insisting that they would need to see her face to evaluate her claims, and Judge Norris Weisman noted that N.S. was not veiled in her driver's license photo. Weisman determined that she must remove the niqab, but this order was quashed by the Ontario Superior Court and the Court of Appeal for Ontario. The latter extensively acknowledged the religious rights of niqab wearers in the courtroom, though it did admit that in some circumstances a defendant's right to a fair trial could require a witness to bare her face. It sent the issue back for reconsideration and urged "constructive compromises," including such possible arrangements as a female judge and an all-female courtroom staff. The Supreme Court of Canada heard testimony last December, as N.S. was still seeking an order entitling her to take the stand covered. Its eventual ruling may shake up the niqab debate in that country and beyond.

Even the jury box can be a place of controversy. In March, a UK judge took the "extraordinary" step of prohibiting a niqab-clad woman from serving. Muslim leaders condemned it as bias, but one could argue that she actually benefited from a new shade of courtroom accommodation that rescued her from the unpleasantness of jury duty: forget about dropping the veil and just go home. Will more Muslims be inspired to arrive in niqabs, hoping to escape their own obligations?

Although most wrangling has focused on face veils, mainstream Islamic attire occasionally stirs the pot. Allowing judges to wear headscarves (hijabs), which could preempt the desired image of religious neutrality on the bench, is an issue in Europe. A state-appointed body recently recommended that Norwegian judges be permitted to don them, while the topic formerly roiled the Danish government. Lawyers also have been involved in such disputes. In 2009, an appeals panel of the Dutch bar association ruled that the same Mohammed Enait introduced above could wear a "Muslim hat." As for others with business at the courthouse, the U.S. state of Georgia has led the way in officially relaxing restrictions on headgear to accept apparel worn for religious reasons, following the 2008 arrest of a woman who refused to remove her hijab at a security checkpoint; the shift has aided Muslim men as well. Finally, no discussion would be complete without mentioning Cheryl Bormann, a Pentagon-paid civilian attorney who has covered her hair when representing one of the accused 9/11 planners. She requested that the court order modest

dress for all women participating in the Gitmo legal process — "out of respect" — so pious terrorists are not compelled to look away "for fear of committing a sin under their faith."

Additional concerns. Prayer-related concessions are a source of growing discomfort. A court building in Düsseldorf, Germany, ditched crosses but installed footbaths for ritual washing; the need is said to have arisen because Muslims were cleansing their feet in toilets. The anti-military protesters who managed to remain seated at their UK trial "were given an extra 20 minutes on top of their lunch break to go to pray at a mosque," according to a *Daily Mail* article, and "a separate 'quiet' room [was] set aside for their regular prayer intervals." Early this year, the Associated Press noted in passing that a federal judge presiding over a sex trafficking case in Tennessee was "allowing the defendants to take scheduled Muslim prayer breaks during the proceedings." Deferential inaction also assisted the alleged 9/11 conspirators in using prayers to disrupt their arraignment.

Another jihadist testing the limits of accommodation is Nidal Malik Hasan, the U.S. Army psychiatrist facing a court-martial for murdering 13 people at Fort Hood. Contrary to Army regulations, Hasan began sporting a beard at pretrial hearings in June, sparking a protracted legal battle. "In the name of almighty Allah, I am a Muslim," Hasan explained to the judge, Colonel Gregory Gross, on August 30. "I believe that my religion requires me to wear a beard." However, prosecutors suspect that he simply intends to make it harder for witnesses to identify him. Gross ruled on September 6 that Hasan will be forcibly shaved if he does not shave himself — a decision that has been appealed, thus further delaying his trial and, with it, justice for his victims.

Last but not least, recall the infamous, decade-old British case in which a judge banned Jews and Hindus, as well as anyone married to them, from sitting on the jury that ultimately convicted Muslim cleric Abdullah el-Faisal for promoting the murder of those religions' followers. Though the bizarre move was more of an insult to Jews and Hindus, portraying them as completely emotional beings, than a sop to Islam, nobody should assume it to be the only time that a court will employ creative means to segregate Islamists from the groups they despise.

Demands for courtroom accommodations of all types show no signs of diminishing. Given their success in advancing the Islamist cause, why would they?

Unlike believers of various faiths who aspire to fulfill purely personal religious needs, Islamists view concessions as stepping stones to supremacy. Practitioners of cultural jihad understand how obtaining special privileges that appear minor on an individual basis can yield fundamental transformations in the aggregate, eating away at the bedrock principle of equality under the law and establishing that adherents of Islam are more equal than others. This phenomenon is particularly damaging when it takes place inside the courtroom, the venue in which that law is administered most visibly.

Judges must be mindful of this Islamist campaign of inches. Deference to Islam in any aspect of the legal system calls into question its impartiality as a whole, thereby sapping public confidence in the institution and making it an even more attractive target. Excessive accommodations also communicate a troubling message beyond run-of-the-mill weakness. Professor Barry Rubin's remarks on the Amina Farah Ali case put it best: "If Muslims are told that the state accepts the argument that Islamic law is recognized as superior to state law ... they are being taught to be political Islamists."

Surely we have enough political Islamists dreaming of our defeat and dhimmitude as it is.

The end of Oslo and a glimmer of hope

Dr Mordechai Kedar, The Jewish Press, 30 September 2012

<http://www.jewishpress.com/indepth/analysis/dr-mordechai-kedar/the-end-of-oslo-and-a-glimmer-of-hope/2012/09/30/>

Recently, it seemed that the “Arab Spring” might have come to Judea and Samaria, when demonstrations broke out protesting the rise in the prices of gas and food. Palestinian Authority officials blame – could it be otherwise? – Israel for all of its troubles, and can even point to the source of the problem: the Paris Protocol, which binds the economy of the P.A. to the Israeli economy, the Israeli currency, the Israeli tax system and from here also to the prevailing prices in Israel. Their conclusion is that the P.A. must detach itself from the Israeli economy so that it can be independent. This demand was supported by several international bodies, who determined almost unanimously: The occupation is strangling the Palestinian economy.

However, the situation is much more problematic, because the economy is only the symptom of the illness; its result, not the real problem. The actual problem is the failure of the Palestinian project to establish one unique “Palestinian people,” with a shared national identity, on the basis of which civil systems can be established, like an economy and legitimate self-administration. The Oslo Accords brought refugees to the area of Israel known as Judea and Samaria, most of whom are not native to the area (Abu Mazen was born in Safed) and were never accepted by the local Arabs as “one of us”.

Those “architects of Oslo,” chiefly Shimon Peres, imported these foreigners and put them in control of the local population, lacking any legitimacy to rule. Perhaps Yasir Arafat – who was born in Egypt – had the aura of a national symbol, but his successors do not enjoy this aura. He was a leader, and they are politicians. The intention of Oslo, from Israel’s point of view, was – as the late Yitzhak Rabin put it – that Fatah should deal with Hamas “without the constraints of the Supreme Court or human rights organizations,” meaning that Fatah would do the security work for Israel, and it would be its collaborator.

Arafat and his successors never intended to carry out this task, because the Hamas movement is composed of locals, especially in the Gaza Strip, and if the PLO waged a real war against Hamas, it would cause the whole population to rise up against it. So the PLO played the “revolving door” game: they arrested a few activists for the sake of appearances to appease Israel, and freed them after a few days. Therefore the P.A. and its security apparatuses never fought seriously against terror, and for long periods even engaged in terror actively. As a result, the Hamas movement grew and developed so that today it rules in Gaza.

Unsolved Problems

Another basic and negative feature of the Oslo Accords is the fact that these agreements left the settlement of the fundamental problems for the phase of the final status agreements: nothing at all was agreed upon regarding issues such as the borders, the Jewish settlements of Judea and Samaria, Jerusalem, the refugees, water, security arrangements and other issues, and they were left for settlement by negotiations that were supposed to have occurred within five years (“the interim period”).

The architects of Oslo naively thought that within five years the two sides would be able to arrive at a final status agreement. The great failure of the Oslo architects is that they did not determine in the agreements what would happen if the two sides did not arrive at a final status agreement. If the agreements expired would all that was written in them be cancelled? Would each side be free to do whatever it wants? The fact that the agreements do not relate to this is criminal negligence, because the manner of exit from agreements must be written into them: If a person rents out an apartment, and the tenant doesn’t pay the rent, the agreement must stipulate what will happen in

this case, and what the exit strategy is. Without a detailed description of an exit process, no agreement is worth more than a garlic peel, and this is the case with the Oslo Accords.

Since in July 1999, the “interim period” of five years had elapsed without achieving a final status agreement, the Oslo Accords are now hanging in the air and are subject to the interpretation of each side: the Palestinians claim that it is their right to declare a state unilaterally, despite Israel's objection, and Israel disagrees with this interpretation.

The Palestinians rush toward international recognition and Israel gnashes its teeth and does nothing to prevent it. The Palestinian Authority fights Israel in every international organization, and Israel thinks when it is spat upon that rain is falling. The Palestinian Authority continues its wild incitement against Israel and its undermining of the legitimacy of Israel as the state of the Jewish people.

If a Palestinian state is established in Judea and Samaria, it will continue to be hostile to Israel, even if only because Israel will not allow the refugees of from 1948 to return to Jaffa and Netanya. Such a state might become a Hamas state within a short time after its inception by means of elections as occurred in January 2006, or by means of a violent takeover as happened in Gaza in June 2007. Can anyone in the world promise that this scenario will not occur? Can anyone prevent a mutual defense pact with Iran for example?

The people who control the Palestinian Authority are not authentic leaders and therefore it is quite possible that a local movement such as Hamas might conquer it and overthrow it shortly after it becomes independent. The question that stands before Israel and the world is: should we be a party to a such a development? Can Israel function as a state when the kassams, the grads and the katyushas of Hamas are falling on Tel Aviv, Ramat Gan, Petach Tikva, Ra'anana, Kfar Saba, Netanya, Hadera, Afula and Haifa, not to mention Ben Gurion Airport, as they have been falling for years on Sderot, Ashkelon and the area surrounding Gaza? And if we take defensive action against the missiles, will there not be another Goldstone waiting around the corner?

Clearly, the P.A. exists only due to these three things: the IDF, which protects the P.A. and subdues its opposition, the handouts that the world transfers to the P.A., which serve as the blood in its veins, and the economic treaty with Israel. Without these three components the P.A. would collapse within one day like a balloon that encounters a pin. The Arab public identifies with the P.A. only as long as it proves to be economically useful, and will get rid of it as soon as it ceases to be an employment agency, the largest provider of employment.

The Real Solution

The Arab public in Judea and Samaria remains basically faithful to the tribe, not to national Arab ethnicity or the Palestinian narrative. In this it is no different from the other Arab countries surrounding Israel, the “Lands of the Mashreq (Orient)”: Jordan, Syria, Iraq and Lebanon. Every time the Palestinian police try to get involved with family disputes they are thrown out because they are “not one of us.” The large clans have much more meaningful control of the cities than the security organizations of the P.A., so it's important to base any future arrangement on them. Contrary to the corrupt politicians of the P.A., clan leaders are legitimate, accepted and welcome leaders, and therefore they will succeed precisely where the P.A. fails: To gain legitimacy and recognition in the hearts of the public and to be accepted by it as natural leaders.

For this reason Israel must encourage the local authentic leaders of the cities to establish political frameworks, or emirates, defined according to the known sociological divisions: The Jabbari, Qasmi, Natasha, abu Snein and Tamimi families in Hebron, who have known for hundreds of years how to function with one another and are accepted as legitimate local leaders of the Jabbari clan. In Nablus, the al-Masri family can stand at the head of a local coalition with the

Tuqan and Shakah families, and thus with all the other Arab cities of Judea and Samaria: Jericho, Ramallah, Tul Karem, Qalqiliyya and Jenin. Israel must forever keep control of the rural area between the cities in order to ensure that the mountains will not become Hamas Mountains with missile launching stations dug into the rock, as they are in South Lebanon.

The fact that the Palestinian emirates in the cities will be based on local sociology and local leadership, not the illegitimate rule that Israel imported, will afford to these emirates social stability, and therefore also political and economic stability. These emirates will live in peace with one another because they will be separate; each one will deal with its own issues and leave the others alone. This model is the only model that can exist in the Middle East. The troubles in the other countries of the region stem mainly from the fact that groups that are different from one another and hostile to each other have been forced to live together. Also the fact that the regimes of the Middle East are mostly dictatorships stems from the fact that most of the population sees its ruler as illegitimate.

The time has come when Israel should dismantle the artificial and illegitimate framework called the "Palestinian Authority" and on its ruins establish eight emirates, one in Gaza, which has been alive and kicking for five years already, and seven more in the seven cities in Judea and Samaria. Israel should annex the rural area and offer citizenship to the villagers. From the demographic point of view this solution does not present a problem, and from the security point of view this is a necessary condition for Israel to be able to exist in the very dynamic and unstable Middle East, where treaties are disregarded, Jordan may break up to form a Palestinian state and a Bedouin state, Egypt is becoming increasingly Islamized, Syria is disintegrating and becoming a terror state and Lebanon may fall totally under the control of Hizb'Allah. A return to the '49 armistice lines, which would mean abandoning the Jordan Valley and retreating from the mountain ridge, would be suicidal for Israel.

It is to be hoped that our leaders will see the long-term Israeli interest and prefer it to the artificial, surface calm that Israel buys by "contracting" the P.A. at the cost of hundreds of millions of shekels and dollars. International recognition of a Palestinian state may perpetuate the Oslo disaster, and it will be very difficult to cope with such a state after it is declared and recognized. It is still not too late to prevent the establishment of a second Hamas state, this time in Judea and Samaria and every day that passes without Israel dismantling the P.A. brings Israel closer to a most difficult situation, a real existential threat, which is that a Hamas state may sprout up in Judea and Samaria.

BICOM Analysis: Netanyahu's red line strategy ***BICOM, 27 September 2012***

<http://www.bicom.org.uk/analysis-article/9274/>

BICOM Analysis: Netanyahu's red line strategy

Key points

- By defining a clear red line for Iran's nuclear programme, Netanyahu is clarifying the circumstances under which he would take military action, but also making clear to Iran and the international community how it can avoid that eventuality.
- Netanyahu has drawn his red line at the point before Iran has enough medium enriched uranium to produce a nuclear weapon if further enriched, which he expects to be reached next spring or summer. According to the last IAEA report in August 2012, Iran had around 90 kg of the

- approximately 225 kg of 20 per cent enriched uranium required for one bomb, and was producing about 15 kg a month.
- Netanyahu is increasing pressure on the international community to resolve the issue through sanctions and diplomacy, whilst also giving Iran a potential route out of the crisis by stopping its production of 20 per cent enriched uranium, shipping it out of Iran, or converting it to fuel for non-military uses.

What did Netanyahu say?

In his UN speech, Netanyahu defined what he sees as the red line the world needs to set for Iran's nuclear programme. Netanyahu demonstrated this visually, drawing a red line on a picture of a bomb representing Iran's nuclear programme. He drew the line at the point before Iran completes the second stage of its enrichment, i.e. the stockpiling of enough medium enriched uranium to make the high enriched uranium for a bomb if further enriched. Because enriching uranium becomes progressively easier the further you go, enriching up to 20 per cent (medium enriched uranium) is most of the work towards weapons grade uranium, which is enriched to 90 per cent. According to Netanyahu's assessment, the red line will be reached next spring or summer at current rates of enrichment. Once Iran crosses that line, it could further enrich the uranium to make weapons grade fuel in a matter of weeks.

Netanyahu argued that the key factor is the enrichment of uranium, 'because these enrichment facilities are the only nuclear installations that we can definitely see and credibly target.' He said that intelligence could not necessarily detect the construction of a nuclear weapon once Iran has acquired sufficient uranium. This, he argued, is because a trigger or nuclear warhead could be constructed in a small workshop, which would be hard to find in Iran, which is half the size of Europe.

Netanyahu's said that defining the red line was the best way to resolve the issue without resort to military action. He cited examples of red lines which had preserved peace in the past, namely the NATO's charter which made clear that an attack on one is an attack on all, and President Kennedy's ultimatum to the Soviets during the Cuban Missile Crisis. He cited the rise of Nazism as an example where the failure of the international community to set red lines meant that they failed to react soon enough to prevent catastrophe.

In other passages Netanyahu criticised Palestinian President Mahmoud Abbas's speech, made a few minutes earlier, saying, 'we won't solve our conflict with libellous speeches at the UN or unilateral declarations of statehood.' Netanyahu reiterated his desire for peace reached through negotiations to create a demilitarised Palestinian state alongside a Jewish state of Israel.

Netanyahu also spoke at length about the historic Jewish connection to the land of Israel and the Jewish contribution to the world in ethics and in modern science and technology. He also articulated a vision for the Middle East in which people representing 'three great religions', of Judaism, Christianity and Islam could coexist.

What are the implications?

Netanyahu has been trying in recent weeks, without success, to press the Obama administration to define a red line on Iran. Now he has taken matters into his own hands and defined the red line for himself. He has thereby set a timer on international efforts to stop Iran getting a bomb through sanctions and diplomacy. By defining a clear red line for Iran's nuclear programme, Netanyahu is clarifying the circumstances under which he would take military action, but also making clear to Iran and the international community how it can avoid that eventuality.

He will hope his speech further galvanises the already considerable international efforts to pressure Iran through sanctions to stop enrichment, at least to the 20 per cent level. Netanyahu knows that the international community is keen to prevent Iran getting a bomb, but also to prevent Israel from resorting to military action. The international focus around the issue will now build up in anticipation of the red line being reached next year. Iran's progress towards the red line as defined by Netanyahu is observable publicly through the IAEA's periodic reports which state how much uranium Iran has amassed.

225kg of 20 per cent enriched uranium is reckoned to be needed to produce the 25kg of high enriched uranium required for one bomb. According to the last IAEA report in August, Iran had a stockpile of just over 90kg of 20% enriched uranium, having converted some of its stock into fuel for civilian use in the Tehran Research Reactor. Between May and August Iran produced about 15kg of 20% enriched uranium a month, but also installed more centrifuges, giving it the potential to increase its rate of production. This is presumably the equation that has led Netanyahu to conclude that Iran will reach his red line by spring or summer of 2013.

By defining a red line which will not be reached for at least six months, Netanyahu has signalled clearly that there will be no overt military action against Iran's nuclear facilities this year. This will relieve the immediate suspense, and the threat of war prior to the US presidential elections, whilst simultaneously putting pressure on Obama, who has resisted defining a red line.

Netanyahu has also put Iran on notice that should they reach the red line, he is all but committed to taking military action against its uranium enrichment facilities at Natanz and Fordow. At the same time, Netanyahu appears to be sending a message implicitly, that if Iran were to cease enrichment to 20 per cent, or voluntarily reduce its stockpile of 20 per cent enriched uranium, Israel will not act militarily against it. This also implies that Israel will not act militarily if Iran continues only low enrichment up to three per cent. Nonetheless, Netanyahu has limited his own room for manoeuvre. It will be difficult him to climb down from this threat and remain credible should the red line be reached.

What is going to happen next?

The P5+1 (five permanent members of the UN Security Council and Germany) are meeting on the margins of the UN General Assembly to assess their diplomatic strategy. Recent talks with Iran aimed at resolving the crisis, through an interim deal that would see Iran stop enrichment to 20 per cent, came to nothing. However, contacts remain open through the office of EU foreign affairs representative Catherine Ashton, and it will remain to be seen whether Netanyahu's ultimatum shifts Iranian behaviour.

Meanwhile the European powers and the US will continue to try and ratchet up the pressure on Iran, which is already struggling due to sanctions on its oil industry and banking sector. Britain, France and Germany are pressing their EU partners to back new sanctions on Iran at an EU summit in mid-October.

All eyes will also be on the next IAEA safeguards report, due at the end of November, to see how much Iran's stockpile of 20 per cent enriched uranium has grown, and how much closer to the red line Iran has advanced.

PA's fiscal crisis is due to Gaza, not Israel

Evelyn Gordon, Commentary Magazine, 20 September 2012

<http://www.commentarymagazine.com/2012/09/20/pas-fiscal-crisis-is-due-to-gaza-not-israel/>

The World Bank issued another report on the Palestinian economy yesterday, and its conclusions were utterly predictable: The Palestinian Authority faces a fiscal crisis, and desperately needs additional handouts on top of the \$1.14 billion it's already getting this year; and the crisis is mostly Israel's fault. But while blaming Israel is always easy, the truth is the PA hasn't a prayer of ever resolving its fiscal crisis without addressing the real elephant in the room: Gaza.

According to PA Prime Minister Salam Fayyad, Gaza accounts for fully 48 percent of the PA's expenditures. But since Hamas took over the territory in 2007, revenues received from Gaza have plummeted from 28 percent to a mere 4 percent of the PA's budget. In other words, the PA has a hole equal to 44 percent of its budget due solely to its unbalanced income and outlays on Gaza. Nothing Israel does will be able to compensate for that.

The problem is twofold. First, because Hamas controls Gaza, the PA can't collect taxes there – and Hamas has no interest in giving the PA any of the taxes it collects. Often, Hamas doesn't even pay the PA for services received: After the European Union stopped paying for Gaza's electricity in 2010, for instance, the PA picked up the tab. In fact, that the PA receives any money from Gaza at all is mainly thanks to Israel, which transfers the taxes *it* collects on goods imported into Gaza from Israel.

Second, much of the money the PA spends in Gaza is totally wasted. Five years after Hamas took over Gaza, for instance, the PA is still paying some 60,000 former PA employees full salaries to sit at home and do absolutely nothing, just to keep them from working for the Hamas government instead. It's hard to imagine a more unproductive use of money than that. And the sums involved aren't trivial: Gaza accounts for 40 percent of the 150,000 people on the PA's payroll, and payroll accounts for about half the PA's annual budget of almost \$4 billion.

Meanwhile, the party that's de facto been picking up the tab for Gaza's fiscal black hole is the same one that's been under constant rocket fire from Gaza for years: The PA has solved part of its budget shortfall, which the World Bank estimates at some \$400 million, by not paying its electricity bills to Israel. These unpaid bills now total \$160 million – at a time when the Israel Electric Corporation is so far in debt it can no longer raise money without government guarantees, and has been seeking a 30 percent hike in Israelis' electricity rates to solve *its* financial problems.

The PA's international donors are slated to meet on September 23, and will doubtless be tempted to simply regurgitate the World Bank's Israel-bashing. But if they really want to solve the PA's fiscal crisis, they need to issue an ultimatum: Either the PA stops blowing half its budget on paying people not to work and subsidizing the Hamas government in Gaza, or its international donors will finally close the spigot.

Collapse of the Cairo Doctrine

Charles Krauthammer, Washington Post, 21 September 2012

http://www.washingtonpost.com/opinions/charles-krauthammer-collapse-of-the-cairo-doctrine/2012/09/20/72fb7f62-035f-11e2-91e7-2962c74e7738_story.html

In the week following 9/11/12 something big happened: the collapse of the Cairo Doctrine, the centerpiece of President Obama's foreign policy. It was to reset the very course of post-9/11 America, creating, after the (allegedly) brutal depredations of the Bush years, a profound rapprochement with the Islamic world.

Never lacking ambition or self-regard, Obama promised in Cairo, June 4, 2009, "a new beginning" offering Muslims "mutual respect," unsobtly implying previous disrespect. Curious, as over the previous 20 years, America had six times committed its military forces on behalf of oppressed Muslims, three times for reasons of pure humanitarianism (Somalia, Bosnia, Kosovo), where no U.S. interests were at stake.

But no matter. Obama had come to remonstrate and restrain the hyperpower that, by his telling, had lost its way after 9/11, creating Guantanamo, practicing torture, imposing its will with arrogance and presumption.

First, he would cleanse by confession. Then he would heal. Why, given the unique sensitivities of his background — "my sister is half-Indonesian," he proudly told an interviewer in 2007, amplifying on his exquisite appreciation of Islam — his very election would revolutionize relations.

And his policies of accommodation and concession would consolidate the gains: an outstretched hand to Iran's mullahs, a first-time presidential admission of the U.S. role in a 1953 coup, a studied and stunning turning away from the Green Revolution; withdrawal from Iraq with no residual presence or influence; a fixed timetable for leaving Afghanistan; returning our ambassador to Damascus (with kind words for Bashar al-Assad — "a reformer," suggested the secretary of state); deliberately creating distance between the United States and Israel.

These measures would raise our standing in the region, restore affection and respect for the United States and elicit new cooperation from Muslim lands.

It's now three years since the Cairo speech. Look around. The Islamic world is convulsed with an explosion of anti-Americanism. From Tunisia to Lebanon, American schools, businesses and diplomatic facilities set ablaze. A U.S. ambassador and three others murdered in Benghazi. The black flag of Salafism, of which al-Qaeda is a prominent element, raised over our embassies in Tunisia, Egypt, Yemen and Sudan.

The administration, staggered and confused, blames it all on a 14-minute trailer for a film no one has seen and may not even exist.

What else can it say? Admit that its doctrinal premises were supremely naive and its policies deeply corrosive to American influence?

Religious provocations are endless. (Ask Salman Rushdie.) Resentment about the five-century decline of the Islamic world is a constant. What's new — the crucial variable — is the unmistakable sound of a superpower in retreat. Ever since Henry Kissinger flipped Egypt from the Soviet to the American camp in the early 1970s, the United States had dominated the region. No longer.

"It's time," declared Obama to wild applause of his convention, "to do some nation-building right here at home." He'd already announced a strategic pivot from the Middle East to the Pacific. Made possible because "the tide of war is receding."

Nonsense. From the massacres in Nigeria to the charnel house that is Syria, violence has, if anything, increased. What is receding is Obama's America.

It's as axiomatic in statecraft as in physics: Nature abhors a vacuum. Islamists rush in to fill the space and declare their ascendancy. America's friends are bereft, confused, paralyzed.

Islamists rise across North Africa from Mali to Egypt. Iran repeatedly defies U.S. demands on nuclear enrichment, then, as a measure of its contempt for what America thinks, openly admits that its Revolutionary Guards are deployed in Syria. Russia, after arming Assad, warns America to stay out, while the secretary of state delivers vapid lectures about Assad "meeting" his international "obligations." The Gulf states beg America to act on Iran; Obama strains mightily to

restrain . . . Israel.

Sovereign U.S. territory is breached and U.S. interests are burned. And what is the official response? One administration denunciation after another — of a movie trailer! A request to Google to "review" the trailer's presence on YouTube. And a sheriff's deputies' midnight "voluntary interview" with the suspected filmmaker. This in the land of the First Amendment.

What else can Obama do? At their convention, Democrats endlessly congratulated themselves on their one foreign policy success: killing Osama bin Laden. A week later, the Salafist flag flies over four American embassies, even as the mob chants, "Obama, Obama, there are still a billion Osamas."

A foreign policy in epic collapse. And, by the way, Vladimir Putin just expelled the U.S. Agency for International Development from Russia. Another thank you from another recipient of another grand Obama "reset."

NOTE: The views expressed in certain articles are not necessarily those of the SAZF

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