

OPINION and ANALYSIS

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Hoist by his own petard

Yousaf Butt, Politico, 23 August 2012

<http://www.politico.com/news/stories/0812/80023.html>

Last week, Israeli media speculation about an imminent Israeli attack on Iran went ballistic - again. Informed commentators writing in the Israeli daily, Yedioth Ahronoth, said, "Insofar as it depends on [Prime Minister] Binyamin Netanyahu and [Defense Minister] Ehud Barak, an Israeli military strike on the nuclear facilities in Iran will take place in these coming autumn months, before the U.S. elections in November."

Oddly, the same article went on to say, "There is not a single senior official in the establishment - neither among the [Israeli Defense Forces] top brass nor in the security branches, or even the president - who supports an Israeli strike at the moment."

How does this possibly compute?

The real issue here is not Iran's nuclear program but how the political - as opposed to military/intelligence - hawks in the Israeli government are fanning the flames of a wildly exaggerated nuclear threat to try to influence the outcome of the U.S. presidential election. By forcing Obama to admit to opposing a military strike, these Israeli hawks paint him as weak on defense. In the run-up to the election, it would be politically difficult for Obama to deny his backing of an Israeli strike while Romney has already clearly voiced his support for unilateral military action - whether or not such an attack actually materializes - or even makes any sense.

In a remarkably honest speech in the Israeli Knesset, former defense minister and current Kadima Party leader Shaul Mofaz put it bluntly to Israeli Prime Minister Netanyahu, saying, "Mr. Prime Minister, you want a crude, rude, unprecedented, reckless, and risky intervention in the U.S. elections. Tell us who you serve and for what? Why are you putting your hand deep into the ballot boxes of the American electorate?"

Icy relations between President Barack Obama and Prime Minister Bibi Netanyahu are no secret, of course. And Bibi would certainly prefer a President Mitt Romney than four more years of Obama.

Just last week, Israeli Deputy Foreign Minister Danny Ayalon told Israel Radio that the P5+1 nations — the United Nations Security Council's permanent members plus Germany — should "declare today that the talks have failed." Such a declaration, he said, will make "clear that all options are on the table," including a military strike — not only by Israel but also, possibly, by U.S. or NATO.

But there are a number of problems in this view: the P5+1 talks have not failed. Even if they do fail, Iran would not be enriching to weapons grade and its nuclear activities would continue to be under the watchful eye of the *International Atomic Energy Agency*. Enrichment is not the same as a bomb factory. Of course, the Obama administration has helped dig itself into this political hole. By not emphasizing more strongly from the very start what the U.S. Intelligence Community and

the IAEA have known — that Iran has not even decided to build nuclear weapons, and that they are not enriching to weapons grade, and that Iranian nuclear enrichment is being meticulously monitored by the IAEA — the administration has tacitly agreed to the uber-hawks stance that the Iranian nuclear program is an imminent danger when it is clear that it is not.

Even Israeli politicians acknowledge that the Iran nuclear threat is being hugely exaggerated. Kadima Party leader Shaul Mofaz again, in referring to Netanyahu's "incessant prattle about a nuclear Iran" said, "Mr. Prime Minister, you are playing a dangerous and irresponsible game with the future of an entire nation. ... You're creating panic ... And in truth, we are scared: scared by your lack of judgment, scared that you both lead and don't lead, scared that you are executing a dangerous and irresponsible policy."

As Paul Pillar, a 28-year veteran of the CIA, observes: "It would enormously improve U.S. debate on [the] subject if American politicians could be this direct. But instead they operate in fear of being seen to stray at all from the established dogma that Iran with its nuclear program is The Greatest Threat in the World."

Of course, to some extent, the Obama administration was forced to go along with the almost unanimous — but completely incorrect — demonization of Iran's nuclear program by the Congress: There really was no political way for the administration to directly oppose any of the sanctions' legislation when the Congress had a veto-proof bipartisan majority. Opposition to Iran is the one thing almost all of Congress seems to be able to agree to — even if the resultant legislation is deeply flawed and has little to do with Iran's nuclear program.

However, the administration could have been more nuanced and truthful in its characterizations of the Iranian nuclear program. Instead of meekly and tacitly agreeing with Congress, Obama could have more forcefully underlined what the Intelligence Community and Defense Secretary have said. Following the release of the classified National Intelligence Estimate (NIE) in 2011, Director of National Intelligence James Clapper confirmed in a Senate hearing that he has a "high level of confidence" that Iran "has not made a decision as of this point to restart its nuclear weapons program."

And Defense Secretary Leon Panetta has also weighed in: "Are they [Iranians] trying to develop a nuclear weapon? No."

Mohamed El Baradei, the Nobel Peace Prize laureate who spent more than a decade as the director of the IAEA, has said that he had not "seen a shred of evidence" that Iran was pursuing the bomb.

The November 2011 IAEA report on Iran's nuclear program also backs up this assessment, stating that Iran's fledgling research program into nuclear weapons "was stopped rather abruptly pursuant to a 'halt order' instruction issued in late 2003."

Had the administration emphasized that, to the best of U.S. and IAEA experts' knowledge, that Iran is not developing nuclear weapons, and emphasized that its enrichment program is under inspection by the IAEA, the administration would now have been politically better placed to oppose a military strike.

Besides the fact that a military strike on Iran would be against international law it would also not be very effective. The Congressional Research Service reports that "Israeli officials and analysts generally agree that a strike would not completely destroy the [Iranian nuclear] program." Besides, it may well be counterproductive — it might help *launch* an Iranian nuclear weapons program — and also spark a region-wide conflagration.

If the Romney campaign ends up getting decisive traction on the Iran issue, the Obama administration will have itself to blame for making a bigger issue out of it than it ever needed to be.

Getting rid of George W Bush wasn't enough: The US remains a bully

Owen Jones, The Independent, 23 August 2012

<http://www.independent.co.uk/opinion/commentators/owen-jones-getting-rid-of-george-w-bush-wasnt-enough-the-us-remains-a-bully-8073568.html>

How easy it was to scrutinise US power when George W. Bush was in office. After all, it was difficult to defend an administration packed with such repulsive characters, like Dick Cheney and Donald Rumsfeld, whose attitude towards the rest of the world amounted to thuggish contempt.

Many will shudder remembering that dark era: the naked human pyramids accompanied by grinning US service personnel in Abu Ghraib; the orange-suited prisoners in Guantanamo, kneeling in submission at the feet of US soldiers; the murderous assault on the Iraqi city of Fallujah. By the end of Bush's term in office, favourable opinion of the US had plummeted even in allied countries, and those desperate for a Republican rout in the presidential elections ranged from resolute socialists to committed Tories.

It was a bad dream that went on for eight years, and no wonder much of the world is still breathing a sigh of relief. But US foreign policy these days escapes scrutiny. In part, that is down a well-grounded terror of the only viable alternative to Barack Obama: the increasingly deranged US right. A deliberate shift to a softer, more diplomatic tone has helped, too. But it is also the consequence of a strategic failure on the part of many critics of US foreign policy in the Bush era. As protesters marched in European cities with placards of Bush underneath "World's No 1 Terrorist", the anti-war crusade became personalised. Bush seemed to be the problem, and an understanding of US power – the nature of which remains remarkably consistent from president to president – was lost.

This week, the UN's Special Rapporteur on Human Rights and Counter-Terrorism, Ben Emmerson QC, demanded that the US allow independent investigation over its use of unmanned drones, or the UN would be forced to step in. These drones target militants, it is claimed, but according to a study by the Bureau of Investigative Journalism, between 282 and 585 civilians have died in Pakistan as a result. In one such attack in North Waziristan in 2009, several villagers died in an attempt to rescue victims of a previous strike.

According to Pakistan's US Ambassador, Sherry Rehman, the drone war "radicalises foot soldiers, tribes and entire villages in our region". After the latest strike this week, Pakistan's foreign ministry said the attacks were "a violation of its sovereignty and territorial integrity and are in contravention of international law". Its Parliament has passed a resolution condemning the drone war. It is armed aggression by the Obama administration, pure and simple.

If it was happening under the Bush presidency, the opposition would be vociferous and widespread. But while there were 52 such strikes in Pakistan in eight years of Bush, there have been over 280 in three and a half years of Obama. Numbers have soared in Yemen and Somalia, too. Two months ago, former US President Jimmy Carter described drone attacks as a "widespread abuse of human rights" which "abets our enemies and alienates our friends". He's not wrong: the Pew Research Center found just 7 per cent of Pakistanis had a positive view of Obama, the same percentage as Bush had just before he left office.

But, in the West, Obama can get away with acts that Bush would rightly be pilloried for. Indeed, he seems to think it's all a bit of a laugh: in 2010, he jokingly threatened the Jonas brothers with a Predator drone strike if they came near his daughters. How droll, Barack.

Guantanamo was iconic of Bush's brutality, and after his election Obama signed executive orders mandating its closure. The camp remains open for business, pledged to take new "high-value" detainees if captured. The same goes for Obama's pledge to shut down CIA-run "black site prisons" in Afghanistan. At least 20 secret temporary prisons remain in place, with widespread allegations of ill-treatment. US involvement in a senseless, unwinnable war in the country – ruled by a weak, corrupt government that stole the 2009 presidential election with ballot stuffing, intimidation and fraud – continues.

Under Obama, the US role in the Middle East remains as cynically wedded to strategic self-interest as ever. Despotic tyrannies like Saudi Arabia are armed to the teeth: in 2010, the US signed an arms deal with the regime worth \$60bn, the biggest in US history. Obama has resumed sales of military equipment to Bahrain's dictatorship as it brutally crushes protesters struggling for democracy. Last year, Saudi Arabia invaded Bahrain with tacit US support. And even when the US-backed Mubarak dictatorship was on the ropes in Egypt, Obama's administration remained a cheerleader, with Secretary of State Hillary Clinton arguing that the "Egyptian Government is stable and is looking for ways to respond to the legitimate needs and interests of the Egyptian people".

Coupled with the US's ongoing failure to pressure Israel into accepting a just peace with the Palestinians, no wonder there is rising global anger at Obama. But of course, the issue isn't Obama, any more than it was Bush before him. The issue is US power. But despite its best efforts – and as menacing as it can be for Pakistani villagers and Bahraini democrats – its power is in decline. The US share of global economic output was nearly a quarter in 1991; today, it represents less than a fifth. The financial crash has accelerated the ongoing drain in US economic power to the East. Latin America, regarded as the US's backyard since the 1823 Monroe Doctrine claimed it for the US sphere of influence, is now dominated by governments demanding a break from the free-market Washington Consensus. And the Iraq war not only undermined US military prestige and invincibility, it perversely boosted Iran's power in the Middle East.

With the last remaining superpower at its weakest since World War II, there is an unmissable opening to argue for a more equal and just world order, restricting the ability of Great Powers to throw their weight around. And a word of warning: if we don't seize this opportunity now, one superpower will simply be replaced by another – and our world will be as unequal and unjust as ever.

The “Crime committed by France, in France”

Francois Hollande (French President), The New York Review of Books, 18 August 2012

<http://www.nybooks.com/blogs/nyrblog/2012/aug/18/france-hollande-crime-vel-d-hiv/>

The following is the speech given by President François Hollande to commemorate the seventieth anniversary of the Vel d'Hiv Roundup on July 16 and 17, 1942, when the French police arrested 13,152 Jewish men, women, and children from Paris and its suburbs, and confined them to the Vélodrome d'Hiver, a bicycle stadium in Paris. They were later deported to German concentration camps. Eight hundred and eleven survived the war. President Hollande delivered his speech at the original site of the demolished velodrome on July 22, 2012.

Prime Minister, President of the National Assembly, ambassadors, Mayor of Paris, President of the Representative Council of Jewish Institutions of France, Chief Rabbi, representatives of the religions, ladies and gentlemen:

We've gathered this morning to remember the horror of a crime, express the sorrow of those who experienced the tragedy, and speak of the dark hours of collaboration, our history, and therefore France's responsibility.

We're also here to pass on the memory of the Holocaust—of which the roundups were the first stage—in order to fight the battle against oblivion and testify to new generations what barbarity is capable of doing and what resources humanity may possess to defeat it.

Seventy years ago, on July 16, 1942, early in the morning, 13,152 men, women, and children were arrested in their homes. Childless couples and single people were interned in Drancy, where the museum created by the Mémorial de la Shoah will stand in the autumn.

The others were taken to the Vélodrome d'Hiver. Thrown together for five days in inhuman conditions, they were taken from there to the camps of Pithiviers and Beaune-la-Rolande.

A clear directive had been given by the Vichy administration. "The children must not leave in the same convoys as the parents." So, after heartrending separations, they departed—the parents on one side, the children on the other—for Auschwitz-Birkenau, where the deportees of Drancy had preceded them by a few days.

There, they were murdered. Solely for being Jews.

This crime took place here, in our capital, in our streets, the courtyards of our buildings, our stairways, our school playgrounds.

It was to prepare the way for other roundups, in Marseille and throughout France—in other words, on both sides of the demarcation line. There were also other deportations, notably of gypsies.

The infamy of the Vel d'Hiv was part of an undertaking that had no precedent and has no comparison: the Holocaust, the attempt to annihilate all the Jews on the European continent.

Seventy-six thousand French Jews were deported to the death camps. Only 2,500 returned.

Those women, men, and children could not have known the fate that awaited them. They could not even have imagined it. They trusted in France.

They believed that the country of the great Revolution and the City of Light would be a safe haven for them. They loved the Republic with a passion born of gratitude. Indeed, it was in Paris in 1791, under the National Constituent Assembly, that Jews had become fully fledged citizens for the first time in Europe. Later, others had found in France a land of welcome, a chance at life, a promise of protection.

Seventy years ago, this promise and this trust were trampled underfoot.

I would like to recall the words that the [future] chief rabbi of France, Jacob Kaplan, wrote to Marshal Pétain in October 1940, after the introduction of the despicable Statute of the Jews. "As

the victims of measures that undermine our human dignity and our honor as Frenchmen, we express our profound faith in the spirit of justice of the Eternal France. We know that the ties uniting us with the great French family are too strong to be broken.”

Therein lies the betrayal.

Across time, beyond grief, my presence this morning bears witness to France's determination to protect the memory of her lost children and honor these souls who died but have no graves, whose only tomb is our memory.

That is the purpose of the requirement set by the Republic: that the names of those martyred victims should not fall into oblivion.

We owe the Jewish martyrs of the Vélodrome d'Hiver the truth about what happened seventy years ago.

The truth is that French police—on the basis of the lists they had themselves drawn up—undertook to arrest the thousands of innocent people trapped on July 16, 1942. And that the French gendarmerie escorted them to the internment camps.

The truth is that no German soldiers—not a single one—were mobilized at any stage of the operation.

The truth is that this crime was committed in France, by France.

To his great credit, President Jacques Chirac recognized this truth, in this very spot on July 16, 1995.

“France,” he said, “France, country of the Enlightenment and human rights, land of welcome and asylum, France, that day, was committing the irreparable.”

But the truth is also that the crime of the Vel d'Hiv was committed against France, against her values, against her principles, against her ideal.

Honor was saved by the Righteous, by all those who were able to rise up against barbarism, by those anonymous heroes who hid a neighbor here, helped another there, and risked their lives to save those of innocent people. By all those French people who enabled three quarters of France's Jews to survive.

France's honor was embodied by General de Gaulle, who stood up on June 18, 1940, to continue the struggle.

France's honor was defended by the Resistance, the shadow army that would not resign itself to shame and defeat.

France was represented on the battlefields, with our flag, by the soldiers of the Free French Forces.

She was also served by the Jewish institutions, like the Oeuvre de secours aux enfants [Children's Welfare Organization], which secretly organized the rescue of more than five thousand children and took in orphans after the Liberation.

The truth does not divide people. It brings them together. In that spirit, this day of commemoration was established by François Mitterrand, and the Foundation for the Memory of the Shoah was created under Lionel Jospin's government. Set up under that same government, with Jacques Chirac, was the Commission for the Compensation of Victims of Spoliation Resulting from Anti-Semitic Legislation in Force During the Occupation, whose aim was to put right what still could be put right.

In the chain of our collective history, it now falls to me to continue this common duty of remembrance, truth, and hope.

It begins with passing on the memory. Ignorance is the source of many abuses. We cannot tolerate the fact that two out of three young French people do not know what the Vel d'Hiv roundup was.

The Republic's schools—in which I hereby voice my confidence—have a mission: to instruct, educate, teach about the past, make it known and understood in all its dimensions. The Holocaust is on the curriculum of the final primary and junior school years and the second *lycée* year.

There must not be a single primary school, junior school, or *lycée* in France where it is not taught. There must not be a single institution where this history is not fully understood, respected, and pondered over. For the Republic, there cannot and will not be any lost memories.

I personally shall see to this.

The challenge is to fight tirelessly against all forms of falsification of history: not only the insult of Holocaust denial, but also the temptation of relativism. Indeed, to pass on the history of the Shoah is to teach how uniquely appalling it was. By its nature, its scale, its methods, and the terrifying precision of its execution, that crime remains an abyss unique in human history. We must constantly remind ourselves of that singularity.

Finally, passing on this memory means preserving all its lessons. It means understanding how the ignominy was possible then, in order that it may never recur in the future.

The Shoah was not created from a vacuum and did not emerge from nowhere. True, it was set in motion by the unprecedented and terrifying combination of single-mindedness in its racist frenzy and industrial rationality in its execution. But it was also made possible by centuries of blindness, stupidity, lies, and hatred. It was preceded by many warning signs, which failed to alert people's consciences.

We must never let our guard down. No nation, no society, nobody is immune from evil. Let us not forget this verdict by Primo Levi on his persecutors. "Save the exceptions, they were not monsters, they had our faces." Let us remain alert, so that we may detect the return of monstrosity under its most harmless guises.

I am aware of the fears expressed by some of you. I want to respond to them.

Conscious of this history, the Republic will pursue all anti-Semitic acts with the utmost determination, but also all remarks that may lead France's Jews even to feel uneasy in their own country.

In this area, nothing is immaterial. Everything will be fought with the last ounce of energy. Being silent about anti-Semitism, dissimulating it, explaining it already means accepting it.

The safety of France's Jews is not just a matter for Jews, it is a matter for all French people, and I intend it to be guaranteed under all circumstances and in all places.

Four months ago, in Toulouse, children died for the same reason as those of the Vel d'Hiv: because they were Jews.

Anti-Semitism is not an opinion, it is an abhorrence. For that reason, it must first of all be faced directly. It must be named and recognized for what it is. Wherever it manifests itself, it will be unmasked and punished.

All ideologies of exclusion, all forms of intolerance, all fanaticism, all xenophobia that seek to develop the mentality of hatred will find their way blocked by the Republic.

Every Saturday morning, in every French synagogue, at the end of the service, the prayer of France's Jews rings out, the prayer they utter for the homeland they love and want to serve. "May France live in happiness and prosperity. May unity and harmony make her strong and great. May she enjoy lasting peace and preserve her spirit of nobility among the nations."

All of France must be worthy of this spirit of nobility.

To tirelessly teach historical truth, to scrupulously ensure respect for the values of the Republic, to constantly recall the demand for religious tolerance, within the frame of our *laïque* [secular] laws never to give way on the principles of freedom and human dignity, always to further the promise of equality and emancipation. Those are the measures we must collectively assign ourselves.

In thinking of the lives never allowed to blossom, of those children deprived of a future, those destinies cut short, we must raise still further the demands we make of our own lives. By refusing indifference, neglect, and complacency, we shall make ourselves stronger together.

It is by being clear-sighted about our own history that France, thanks to the spirit of harmony and unity, will best promote her values, here and throughout the world.

Long live the Republic! Long live France!

How the contemporary left can reclaim its moral authority

Robert Wistrich, JTA, 21 August 2012

<http://www.jta.org/news/article/2012/08/21/3104646/how-the-contemporary-left-can-reclaim-its-moral-authority>

JERUSALEM (JTA) -- After the 1967 Six-Day War, much of the radical left in the West predicated its militant anti-Zionism on the illusory notion that the Palestinians represented a revolutionary and "progressive" vanguard that could one day mobilize the Arab masses in the cause of social revolution.

But in 2011, when revolution really spread to the Middle East, Palestine was scarcely on the agenda. Not only that, but the Palestinian national movement, far from representing social revolution, has been increasingly dominated by religious fundamentalist terrorism, whose values are completely antithetical in all respects to those of Western liberalism.

Yet, the Palestinian "myth" of liberation still lives on as if nothing has changed.

Significantly, Israeli society continues to move forward as an increasingly successful, economically liberalized and modern “start-up” nation. Yet, its very tangible achievements are simply shrugged off by those left-liberals who either ignore the moral and political bankruptcy of Palestinian nationalism or blame its abject failure on Israel and the United States.

In my recent book “From Ambivalence to Betrayal: The Left, The Jews and Israel,” I addressed this Manichean stance at some length, examining the refusal of the left to engage in any substantive critique of radical Islam even as it indulges in the most hyperbolic clichés about Israel.

Moreover, whenever the subject of contemporary anti-Semitism also is thrown into this boiling pot, an infantile counter-accusation is usually evoked -- that one is cynically “stifling criticism” of Israel or dishonestly playing the “Zionist card.” In other words, any critic who detects even a hint of anti-Jewish bias in the venomous demonization of Israel as “Nazi,” “fascist” or a “racist apartheid state” par excellence is assumed to be protesting in bad faith or acting as a venal apologist for Israel.

If anything can stifle genuine debate, it is surely such unjust accusations. They invariably shut down any serious discussion of the very real anti-Semitic legacies, the stigmatizing vocabulary and paranoid conspiracy theories so widely prevalent today among many Islamists, Marxists and supposedly “liberal” adversaries of modern Zionism.

There is something profoundly dishonest about reducing anti-Semitism to a discourse about “immunizing” Israel from legitimate criticism. Among other things, it assumes that Jews actually have the power to silence critics of Israel. Yet, it should be obvious that such “criticism,” far from being silenced, is in fact rampant in the Western media. The appalling fact is that obvious falsehoods such as branding Israel as an “apartheid state” or trying to demonize it through the “Nazi” analogy have become rather fashionable in much contemporary Western discourse.

Equally, when self-proclaimed “progressives” work overtime to turn Israel into a pariah state or to dismantle it, they are hardly being “progressive,” let alone original. Worse still, they echo in a sometimes ominous manner the brutal language of the Nazi campaign in the 1930s to make Europe judenrein (Jew-free).

As for the Islamists (whether in Iran or those currently riding high in the Arab world), they have never disguised their relentless pursuit of the “eliminationist” option -- to “cleanse” the Middle East definitively of the “Jewish cancer” -- which is exactly how Israel is currently described by the ayatollahs in Tehran.

Yet, incredibly, there are leftists -- including so-called Jewish “progressives” -- who either remain silent about the enormity of this genocidal language or malevolently suggest that Israel is deliberately exaggerating the Iranian threat to justify future aggressions of its own.

As I showed in my recent book, the prevailing defamation of Zionism has its roots in the campaign of the Soviet Union and its Third World allies that cynically manipulated “anti-racist” catchwords to stigmatize and morally discredit Zionism in the international arena.

It was the totalitarian Soviet propaganda apparatus that first invented the myth of an essential ideological unity between Zionism and racism -- a canard eagerly embraced in the 1970s by Yasser Arafat, many Arab states, nonaligned Third World countries, black radicals and much of the Western New Left. Already at that time, Zionist Jews came to be seen by communists, leftists and Islamists as embodying an immensely powerful, intangible, occult form of global power threatening to dominate the whole world. This pseudo-Marxist and anti-American variation on the “Protocols of the Elders of Zion” produced a particularly vicious mutation of fascist conspiracy

theories, which during the past decade have experienced a spectacular revival on the anti-Zionist left.

Such mythologizing of Jewish power lies at the heart of the so-called “new anti-Semitism,” which is ultimately not so different from the old. Already in the mid-19th century, socialists as diverse as Karl Marx, Pierre-Joseph Proudhon and Mikhail Bakunin had postulated the existence of a universal, anti-social Jewish mercantile “essence” that had supposedly seized control of the capitalist world and would therefore have to be destroyed. Their heirs today have embraced the phantasmagoric view that humanity can be redeemed (and peace finally achieved in the Middle East) only if the world is physically liberated from the new “Jewish” yoke -- that of a demonic American-Zionist-Israeli conspiracy.

If the contemporary left seriously wishes to reclaim its own moral credibility and political relevance, it will have to engage in some serious soul-searching and definitively free itself from the incubus of such perverse fantasies. Only in this way can it hope to reconnect to an authentic emancipatory vision of human liberation.

World leaders ignore international law
Eli E Hertz, Israpundit, 23 August 2012

<http://www.israpundit.com/archives/48600>

The U.S. Administration, the European Union, the United Nations, and Russia’s decision to rewrite history by labeling the Territories ‘Occupied Territories,’ the Settlements as an ‘Obstacle to Peace’ and ‘Not Legitimate,’ thus endowing them with an aura of bogus statehood and a false history. The use of these dishonest loaded terms, empowers terrorism and incites Palestinian Arabs with the right to use all measures to expel Israel.

United Nations Secretary-General Ban Ki-moon, United States President Barack Obama, and the European Union Foreign Affairs Chief Catherine Ashton became victims to the ‘Occupation’ mantra their own organization has repeated over and over in their propaganda campaign to legitimize the Arab position.

Continuous pressure by the “Quartet” (U.S., the European Union, the UN and Russia) to surrender parts of the Land of Israel are contrary to international law as stated in the “Mandate for Palestine” document, that in article 6 firmly call to “encourage ... close settlement by Jews on the land, including State lands and waste lands not required for public purposes.” It also requires, under Article 5 of the Mandate to “seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of the government of any foreign power.”

Any attempt by the World Leaders to negate the Jewish people’s right to Palestine – Eretz-Israel, and to deny them access and control in the area designated for the Jewish people by the League of Nations, is a serious infringement of international law, and as such - **illegitimate**.

International Law - The “Mandate for Palestine”

The “Mandate for Palestine” an historical League of Nations document, laid down the Jewish legal right under international law to settle anywhere in western Palestine, the area between the Jordan River and the Mediterranean Sea, an entitlement unaltered in international law. Fifty-one member countries – the entire League of Nations – unanimously declared on July 24, 1922:

“Whereas recognition has been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country.”

On June 30, 1922, a joint resolution of both Houses of Congress of the United States unanimously endorsed the "Mandate for Palestine":

"Favoring the establishment in Palestine of a national home for the Jewish people.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which should prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected." [italics in the original]

Law of War - Arab Unlawful Acts of Aggression in 1948

Six months before the War of Independence in 1948, Palestinian Arabs launched a series of riots, pillaging, and bloodletting. Then came the invasion of seven Arab armies from neighboring states attempting to prevent the establishment of a Jewish state in accordance with the UN's 1947 recommendation to Partition Palestine, a plan the Arabs rejected.

The Jewish state not only survived, it came into possession of territories – land from which its adversaries launched their first attempt to destroy the newly created State of Israel.

Israel's citizens understood that defeat meant the end of their Jewish state before it could even get off the ground. In the first critical weeks of battle, and against all odds, Israel prevailed on several fronts.

The metaphor of *Israel having her back to the sea* reflected the image crafted by Arab political and religious leaders' rhetoric and incitement. Already in 1948 several car bombs had killed Jews, and massacres of Jewish civilians underscored Arab determination to wipe out the Jews and their state.

6,000 Israelis died as a result of that war, in a population of 600,000. One percent of the Jewish population was gone. In American terms, the equivalent is 3 million American civilians and soldiers killed over an 18-month period.

Israel's War of Independence in 1948 was considered lawful and in self-defence as may be reflected in UN resolutions naming Israel a "peace loving State" when it applied for membership at the United Nations. Both the Security Council (4 March, 1949, S/RES/69) and the UN General Assembly (11 May, 1949, (A/RES/273 (III)) declared:

"[Security Council] Decides in its judgment that Israel is a peace-loving State and is able and willing to carry out the obligations contained in the Charter ..."

Arab Unlawful Acts of Aggression in 1967

In June 1967, the combined armies of Egypt, Syria, and Jordan attacked Israel with the clear purpose expressed by Egypt's President: "Destruction of Israel." At the end of what is now known as the Six-Day War, Israel, against all odds, was victorious and in possession of the territories of Judea and Samaria [E.H., The West Bank], Sinai and the Golan Heights.

International law makes a clear distinction between defensive wars and wars of aggression. More than half a century after the 1948 War, and more than four decades since the 1967 Six-Day War,

it is hard to imagine the dire circumstances Israel faced and the price it paid to fend off its neighbors' attacks.

Who Starts Wars Does Matter

Professor, Judge Stephen M. Schwebel, past President of the International Court of Justice (ICJ) states the following facts:

"The facts of the June 1967 'Six Day War' demonstrate that Israel reacted defensively against the threat and use of force against her by her Arab neighbors. This is indicated by the fact that Israel responded to Egypt's prior closure of the Straits of Tiran, its proclamation of a blockade of the Israeli port of Eilat, and the manifest threat of the UAR's [The state formed by the union of the republics of Egypt and Syria in 1958] use of force inherent in its massing of troops in Sinai, coupled with its ejection of UNEF.

"It is indicated by the fact that, upon Israeli responsive action against the UAR, Jordan initiated hostilities against Israel. It is suggested as well by the fact that, despite the most intense efforts by the Arab States and their supporters, led by the Premier of the Soviet Union, to gain condemnation of Israel as an aggressor by the hospitable organs of the United Nations, those efforts were decisively defeated.

"The conclusion to which these facts lead is that the Israeli conquest of Arab and Arab-held territory was defensive rather than aggressive conquest."

Judge Sir Elihu Lauterpacht wrote in 1968, one year after the 1967 Six-Day War:

"On 5th June, 1967, Jordan deliberately overthrew the Armistice Agreement by attacking the Israeli-held part of Jerusalem. There was no question of this Jordanian action being a reaction to any Israeli attack. It took place notwithstanding explicit Israeli assurances, conveyed to King Hussein through the U.N. Commander, that if Jordan did not attack Israel, Israel would not attack Jordan.

"Although the charge of aggression is freely made against Israel in relation to the Six-Days War the fact remains that the two attempts made in the General Assembly in June-July 1967 to secure the condemnation of Israel as an aggressor failed. A clear and striking majority of the members of the U.N. voted against the proposition that Israel was an aggressor."

Israel Has the Better Title to the Territory of Palestine, Including the Whole of Jerusalem

International law makes it clear: All of Israel's wars with its Arab neighbors were in self-defence.

Professor, Judge Schwebel, wrote in *What Weight to Conquest*:

"(a) a state [Israel] acting in lawful exercise of its right of self-defense may seize and occupy foreign territory as long as such seizure and occupation are necessary to its self-defense;
"(b) as a condition of its withdrawal from such territory, that State may require the institution of security measures reasonably designed to ensure that that territory shall not again be used to mount a threat or use of force against it of such a nature as to justify exercise of self-defense;
"(c) Where the prior holder of territory had seized that territory unlawfully, the state which subsequently takes that territory in the lawful exercise of self-defense has, against that prior holder, better title.

"... as between Israel, acting defensively in 1948 and 1967, on the one hand, and her Arab

neighbors, acting aggressively, in 1948 and 1967, on the other, Israel has the better title in the territory of what was Palestine, including the whole of Jerusalem, than do Jordan and Egypt.”

“No legal Right Shall Spring from a Wrong”

Professor Schwebel explains that the principle of “acquisition of territory by war is inadmissible” *must be read together with other principles*:

“... namely, that no legal right shall spring from a wrong, and the Charter principle that the Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State.”

Simply stated: Arab illegal aggression against the territorial integrity and political independence of Israel, cannot and should not be rewarded.

Professor Julius Stone, a leading authority on the Law of Nations, stated:

“Territorial Rights Under International Law.... By their [Arab countries] armed attacks against the State of Israel in 1948, 1967, and 1973, and by various acts of belligerency throughout this period, these Arab states flouted their basic obligations as United Nations members to refrain from threat or use of force against Israel’s territorial integrity and political independence. These acts were in flagrant violation *inter alia* of Article 2(4) and paragraphs (1), (2), and (3) of the same article.”

Thus, under international law Israel acted lawfully by exercising its right to self-defence when it redeemed and legally reoccupied Judea and Samaria, known also as the West Bank.

Legalities aside, before 1967 there were no Jewish settlements in the West Bank, and for the first ten years of so-called occupation there were almost no Jewish settlers in the West Bank. And still there was no peace with the Palestinians. The notion that Jewish communities pose an obstacle to peace is a red herring designed to blame Israel for lack of progress in the ‘Peace Process’ and enable Palestinian leadership to continue to reject any form of compromise and reconciliation with Israel as a Jewish state.

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

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