

# OUTPOST

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## Why Lies Matter

Herbert Zweibon

Netanyahu returned to Israel after a painful performance in which, in forum after forum, he cast aside the opportunity to set forth Israel's case and instead acted as a shill for the Obama administration.

It seems clear that Obama summoned Netanyahu for a make-over photo-op because key Democrats, with elections approaching, were anxious to shore up financially important—and sliding—Jewish Democratic support in the wake of Obama's unprecedented rudeness to Netanyahu at the White House in March. The substantive gap remains as wide as ever.

Netanyahu cooperated fully in the charade. In a CBS interview Katie Couric threw out question after question inviting Netanyahu to lay out the policy differences between himself and Obama. Netanyahu refused to acknowledge a single one. And he ended the interview with a nonsensical: "Let's sit down and let's solve this conflict." As if a solution was one conflict-resolution session away.

Why did Netanyahu lie? In part he was probably directing himself to the far-left Israeli media which treats the gap between Israel and the Obama administration as Netanyahu's fault. Also, presumably he was seeking to curry favor with Obama, to prevent him from doing more and worse in his onslaught on Israel's fundamental security interests and/or in the (vain) hope Obama would act decisively to halt Iran's nuclear buildup.

But there is a huge downside to these lies. Here are five of them.

1. Netanyahu loses credibility. Any moderately informed person knows Obama is riding roughshod over Israel in his effort to court the Moslem world. In denying the obvious, Netanyahu reveals himself as someone whose word cannot be trusted.

2. Netanyahu—and more important, Israel—loses respect. Obama has repeatedly demeaned not only Netanyahu personally but the state of Israel, treating such a routine matter as building housing in Jerusalem as if it were a crime. Whether the issue is Israel's nuclear deterrent, the blockade of Hamas,

housing or negotiations with Abbas, Obama has put Israel in the dock. Yet Netanyahu's response is to deny everything, sidling up to his tormentor. This diminishes not only Netanyahu, but the state of Israel which he represents.

3. Netanyahu undercuts his supporters. When Netanyahu claims it is all a misunderstanding—claiming to Katie Couric that the only reason a majority of Israelis now dislike Obama is that "they don't have the opportunity to have the kind of conversations that I had" and are "not aware also of the ongoing cooperation between Israel and the United States"—Israel's supporters lose heart and motivation to take on the administration on Israel's behalf.

4. Netanyahu provides cover for Obama to bring wavering Jews back into the fold. Netanyahu provides these Jews with an easy way out, reassuring them that beneath a deceptive surface, all is well.

5. Netanyahu increases this administration's contempt for Israel. The lesson Obama and his staff draw is that you can push Israel around as you please: there is no pay day, only endless subservience.

Sarah Honig has compared Israel's situation to that of Alfred III, in Friedrich Durrenmatt's classic *The Visit*, whose home town isolates and then murders him to obtain money from a returning billionaire former resident seeking revenge because he jilted her in her youth. In the process of betraying him, the villagers self-righteously blame their victim. Alfred III meekly submits to his fate. Honig's point is that Israel can prevent its tragic demise by deviating consciously from III's path. "The antidote to the III-effect is remaining convinced of our inner truth."

And the essential first step is to speak the truth.

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From the Editor

## Rabbinic Imbeciles In Boston

Seventy rabbis in the Boston area have launched a disgraceful attack on Charles Jacobs, one of the American Jewish community's finest lay leaders and that rarest of breeds, a genuine human rights activist. Jacobs co-founded the Boston chapter of CAMERA, founded the David Project, which helps college students advocate for Israel on campus, and currently heads Americans for Peace and Tolerance, an inter-faith group (including Moslems) that counters the assault by radical Islamic forces on Western values.

Jacobs' efforts to free enslaved black Africans in the Sudan, via the American Anti-Slavery Group, another organization he co-founded, won Jacobs the Boston Freedom Award bestowed on him by Coretta Scott King.

So what provoked the rabbinic brotherhood to denounce Jacobs in "An Open Letter to the Jewish Community?" Jacobs had criticized the visit of Governor Duval Patrick to the Muslim American Society's (MAS) Saudi-funded Roxbury mega-mosque whose founders and trustees include a who's who of Islamic terror funders and supporters. Jacobs declared the Governor's embrace of the mosque's "Imam Faarooq is especially egregious, given that the Imam recently urged congregants to 'pick up the sword and the gun' in the context of supporting recently arrested local Muslims on terror related charges." (These locals were Brandeis graduate and al-Qaeda heroine Aafia Siddiqui, convicted of shooting FBI agents in Pakistan, and Tarek Mehana, arrested for plotting to murder shoppers in New England malls.)

Jacobs declared that he found especially troubling that the office of Massachusetts Attorney General Martha Coakley had "accepted a \$50 thousand grant from Imam Faarooq and the MAS to fund the training of Massachusetts law enforcement agencies, training which will likely be conceived and conducted by radicals." Jacobs said the Governor should be "reaching out to truly moderate Muslim leaders in the Boston area."

Boston area rabbis should have applauded Jacobs' efforts. Instead, their Open Letter accuses Jacobs of a "destructive campaign against Boston's Muslim community, which is based on innuendo, half-truths and unproven conspiracy theories." They call "upon members of our community to reject the dangerous politics of division that Mr. Jacobs fosters."

It's hard to improve on blogger Stella Paul's retort to those she calls the "Great Progressive Rabbis."

"While you were playing patty-cake with Jew-hating imams, Charles Jacobs was investigating the facts about their disgusting affiliations and helping moderate Muslims stand up to the radical takeover of their institutions.

"And for this act of supreme civic responsibility,

you defame and slander Charles Jacobs? For this you...expose him and his family to potential dangers from vengeful Islamists? For this, you sear the Scarlet B of Bigot on his forehead and cast him into the cold?

"Dear Loving and Highly Spiritually Evolved Progressive Rabbis, you're always yammering about dialoguing with 'the other,' right? So here's an 'other' you might try dialoguing with: any Jew who has an ounce of sanity.

"Finally here's something you may never understand: One Charles Jacobs is worth more than seventy of you. Why? Because he fights for the truth."

This gaggle of preening rabbis provides a perfect illustration of what Daniel Greenfield calls "the immorality of the moral high ground." As Greenfield puts it, "The Moral High Ground, the whole idea that restraint toward those who would kill you is the essence of morality, is one of the most perniciously self-destructive ideas ever coined. It is suicide with a slogan. The Moral High Ground is not moral, it is not the high ground, it is the way in which civilians go to their death over the cliff of their own warped ideals."

## Israel Apologizes—to Chomsky!

While the defamers of Israel grow exponentially, there are few who have done so as venomously and consistently over decades as Noam Chomsky. He is the only hater-of-Israel to whom AFSI has devoted a pamphlet ("The Hidden Alliances of Noam Chomsky" by Werner Cohn). David Horowitz and Peter Collier edited a book *The Anti-Chomsky Reader*, published by Encounter, on his evil oeuvre which includes a chapter on his anti-Israel rantings.

And so it was with relief that we read that Israel had refused to admit this dedicated enemy. Showing up at the Jordan side of the Allenby Bridge, he was denied a visa to enter Israel. Chomsky then toured southern Lebanon as an official guest of Hezbollah.

As David Hornik wrote in *Frontpage*, Israel's left-wing media went ballistic with *Yediot Ahronot* and *Haaretz* declaring the refusal to admit Chomsky a sign of the end of Israeli democracy and the onset of fascism. Western media piled on.

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# How the Media, UN and Diplomats Saved Hamas

Daniel Greenfield

For the past two months the media has been consumed with talk of Hamas-ruled Gaza and the flotillas meant to break the Israeli blockade. But how, one might ask, did Gaza come to be overrun with Hamas terrorists? The answer is that the world forced Israel to let them in.

Eighteen years ago, in the winter of 1992, there was another Gilad Shalit, and his name was Nissim Toledano, a border police sergeant kidnapped by terrorists on the way to work. After an extended search, Nissim Toledano was found dead in a roadside ditch. In response to that attack and numerous other atrocities committed by Hamas, including a planned massive car bombing, Israel made the decision to deport 400 Hamas terrorists. Among them were the past and present day leaders of Hamas. And you might assume the story ends there. You would be wrong.

**T**he United Nations issued a unanimous resolution condemning Israel's deportation of "civilians" and demanding that Israel immediately bring them back, or face sanctions. The United States voted for that resolution, along with three others condemning Israel. Thomas R. Pickering, the American delegate, warned that the deportations of Hamas terrorists "do not contribute to current efforts for peace." Of course we now know just how much the Hamas terrorists that the Bush and Clinton Administrations forced Israel to accept "contributed to peace".

Lebanon refused to officially accept the terrorists. The Red Cross brought them tents and blankets and the media swarmed to take photos of them "shivering from the cold" while drinking coffee outside their tents. *Newsweek* accused Israel of "Deporting the Hope for Peace". *The Los Angeles Times* ran a tearful interview with the wife of Mohammed Taamari, a future member of the Al Qsa Martyrs Brigade, who was terribly lonely without her husband. Much as after the flotilla raid, the Israeli media condemned the clumsy mishandling of the deportations.

Finally after enough browbeating by James Baker and Warren Christopher, Rabin agreed to take the Hamas terrorists back. In a bizarre charade that would serve as a tragic foretelling of events to come, Rabin agreed to accept 100 terrorists immediately, and to take the remainder back in a year. Eighteen years later, the Hamas terrorists that Israel took back control all of Gaza, and have been responsible for an untold number of murders.



Ismael Haniyeh

The terrorists that Israel was forced to accept included current Hamas leader Ismael Haniyeh and Hamas' religious figurehead Sheikh Ahmed Yassin. They included Mahmoud al-Zahar, a co-founder of Hamas, who last year proclaimed; "They have legitimised the killing of their people all over the world by killing our people." They included Mohammed Taha, another co-founder of Hamas. They also included Abdel-Aziz Rantisi, another Hamas co-founder, who was responsible for numerous murders of Israelis. He would proclaim, "By Allah, we will not leave one Jew in Palestine." They included his son Ayman Taha, who commanded the Izz ad-Din al-Qassam Brigades which carried out numerous attacks on Israel, including the kidnapping of Gilad Shalit.

And that is how a failure to drive out those responsible for the kidnapping and murder of one Israeli sergeant in 1992 led to the capture of an Israeli corporal in 2006. It is also the story of why Gaza was turned over to Hamas in the name of "peace." It is the story of how the United Nations, the United Kingdom and two U.S. administrations pressured Israel into accepting the leaders of Hamas in the name of peace. It is also the story of how the media has conducted a propaganda war on behalf of an Islamist terrorist organization, not just today when it publishes false stories about starvation in Gaza, but eighteen years ago, when the only people supposedly starving were adult male Hamas terrorists.

The world insisted that Israel take back the Hamas leadership, and Israel did. The world insisted that Israel had no business being in Gaza, and Israel withdrew from there, which allowed the very same Hamas terrorists that the world insisted Israel take back, take over. Now the world is insisting that Israel has no right to blockade those same Hamas terrorists in Gaza. People who are shocked by this development in 2010 shouldn't be, since eighteen years ago Israel wasn't even allowed to throw the same terrorists out of the country.

**O**ne of the more cynical left wing talking points is that Israel was responsible for Hamas. Looking back to 1992, when the current Hamas leadership were sitting outside their Red Cross tents in Lebanon and the left was pounding on Israel's door, demanding that they be let back in—it is all too clear who was and is responsible for Hamas. The people who saved Hamas 18 years ago, are responsible for it today. The

media and the diplomats who eighteen years ago were claiming that deporting Hamas would somehow "radicalize" the Palestinian Arabs insured that the Hamas leaders would return to radicalize all of Gaza and the West Bank.

After the deportation of the Hamas terrorists, Prime Minister Yitzhak Rabin delivered a speech in the Knesset in which he said: "I have no pity in my heart, nor do I shed tears [for the Hamas terrorists]. I see the media whining their hypocritical speeches—and I think instead of Nissim Toledano's orphaned children, the widow of Shmuel Biran, and the bereaved parents of Shmuel Geresh."

Rabbi Shmuel Biran was a schoolteacher in Kfar Darom, an Israeli village in Gaza. He was murdered by Hamas terrorists while crossing a two lane highway. The UN did not condemn the murder of Rabbi Biran. *Newsweek* did not write any piteous pieces about how much his widow missed him. Instead they called Kfar Darom a settlement, even though it was part of a history going back over 2000 years, and the land it was on had been bought and paid for, fair and square. But the same diplomats and reporters who wailed for the lonely Hamas terrorists in Lebanon, pitied not the family of Rabbi Biran. Instead they demanded his family and all the Jews of Kfar Darom be expelled from their homes.

Eventually they got their wish. The families of Kfar Darom were dragged out of their homes. Today Kfar Darom is used by Hamas terrorists to launch rockets deeper into Israel, at other towns and villages. And the murderers have inherited the land of their victims. And yet there is no peace. Never any peace.

**N**ow the vultures keep on circling. Once they said there would be peace if only Israel let the Hamas terrorists back in. Then they said, there would be peace if only Israel ethnically cleansed Jewish communities in land claimed by the terrorists. Now if only Israel will lift the blockade and give Hamas access to unlimited weapons—perhaps then there will be peace. No, there will be no peace. Only more murder. When you bring a snake into your pocket, you will be poisoned. The closer you bring him and the less you restrain him, the worse he will bite you. As with snakes, so it is with terrorists.

After his death, it has become fashionable to selectively quote some of Rabin's speeches. But this speech is rarely quoted. And you don't have to work too hard to understand why.

"Our struggle against murderous Islamic terror is also meant to awaken the world which is lying in slumber. We call on all nations and all people to devote their attention to the great danger inherent in Is-

lamic fundamentalism. That is the real and serious danger which threatens the peace of the world in the forthcoming years."

But why quote such a speech? In 1992, America and Europe were not terribly worried about Islamic fundamentalism. It was, after all, 1992, not 1692. And Islamic terrorism was one of those things that would surely go away if Israel would just compromise with the terrorists.

Two weeks after Rabin agreed to take back the Hamas terrorists, the World Trade Center was bombed by a group led by the nephew of Khalid Sheikh Mohammed, under Omar Abdel Rahman, the "Blind Sheikh" who led al-Gama'a al-Islamiyya, which like both Al Qaeda and Hamas, emerged out of the Muslim Brotherhood. Rahman's message to Muslims was very simple; "Cut the transportation of their countries, tear it apart, destroy their economy, burn their companies, eliminate their interests, sink their ships, shoot down their planes, kill them on the sea, air, or land." And that was exactly what they went on to do. The World Trade Center bombing in 1993 set the stage for the more successful attacks of 2001. Just as the Hamas atrocities of 1992 set the stage for the bigger and more horrifying attacks to come.

**M**eanwhile in Afghanistan UN aid convoys were being ambushed and massacred. Tourists were being murdered in Egypt. Hamas killed two traffic cops in Tel Aviv. But no one worried. Peace was just on the horizon. And so Israel was forced to submit to Islamic terrorism. Hamas' path to victory was paved by two US administrations and a press corps always eager to turn terrorists into victims, but never interested in hearing from the victims of the terrorists. Islamic terrorism had won not on its own terms, but with the unified support of the United Nations standing behind it.

That is how Islamic terrorism always wins. That is the template behind its victory. And Rabin's speech of that winter of 1992, which warned the West of what was to come, was ignored. Today Rabin is remembered as the man who compromised with terrorism. It is the only thing he is remembered for anymore. But compromising with terrorism did not bring peace. Not in Somalia, where US troops were brutally murdered next year. Not in Afghanistan, where the Taliban slaughtered aid convoys. Not in Indonesia or New York or Paris or Egypt. And certainly not in Gaza. The Islamic Fundamentalists had won a battle with the backing of the US and the UN. They have won many more since then. Now they are trying to win the war.

*Daniel Greenfield blogs as Sultan Knish. This appeared on his blog on 7/19/2010.*



Kfar Darom Burns

# Sacré Bleu! French Are Shocked By Gaza Flotilla Incident

Nidra Poller

The French reaction to the Gaza Flotilla incident was predictable. President Sarkozy pulled the “disproportionate” card out of his ever ready deck. The loquacious Foreign Affairs Minister Bernard Kouchner was deeply shocked, horrified really, that such a humanitarian flotilla could be met with such violence and such humanitarian activists could be so brutally killed, leaving their loved ones to mourn and Monsieur Kouchner to grieve and, moreover, he concluded that Israel must abandon the nasty Gaza blockade and put an end to all such provocation. No amount of video footage showing Israeli soldiers bashed, stabbed, fire-bombed, thrown overboard, or shot could deflect the anger aimed at Israel by Dr. Kouchner--a seasoned humanitarian in his own right. Anything done under the certified “peace activist” label is fit for human consumption and must be marketed without constraint.

Cogent arguments in defense of Israel’s restrained response to the brutal surprise attack on the Mavi Marmara will soothe the convinced without quenching the flames of enraged Israel bashers or



Bernard Kouchner

deflecting the self-righteous reaction of the world’s leaders. Every move made by Israel to defend its population and its very existence is preemptively condemned. This isn’t a PR problem, it is a form of combat. You can’t fight a war by considering each bullet, each skirmish,

each encounter as a separate incident. And you can’t fight this irrational, unethical, inexcusable condemnation of Israel without looking behind the surface histrionics and into the heart of the darkness from which it comes.

The Gaza Flotilla is not a lone wolf. It is a battleship in a warrior fleet that targets Israel, yes, but also Europe, the United States, Japan, the entire free world. The Gaza Flotilla is no more a humanitarian operation than 9/11. They come by land, by sea, and in the air. They brandish grievances and carry big iron rods and will soon be sporting nuclear warheads. Unless something is done to stop them. And that’s the first rub: the purpose of this flotilla-poke at Israel’s defenses is to test the reaction of the free world. And the knees jerked! Ambassadors summoned for scoldings, solemn indignation, serious doubts about Israel’s version of the incident, sympathetic ears to the tall tales of humanitarian survivors of Israeli brutality and, in the



Knives And Bars From The Mavi Marmara Ship

streets, the enraged mobs.

Now, apply the lesson to the Iranian nuclear weapons flotilla and you see my point. If the Gaza Flotilla incident could arouse such widespread condemnation, imagine what will happen when Israel moves to prevent Iran from acquiring the ultimate weapon. Nothing to do with anti-Semitism? It’s all about poor suffering Gaza? But Jews everywhere, including the United States, will be attacked. Today in Strasbourg some 800 “pro-Palestinians” marched on the synagogue and would have burned it down or torn it to pieces with their bare hands if the police hadn’t intervened. This time. A day will come when they will not be able to hold off the mob.

And there’s the second rub. These nations pounced on Israel with hypocritical indignation because they do not protect their own citizens!

What happens when a state responds to the domestic version of the Flotilla with exquisite proportionality? Welcome to France. La *racaille* (the thugs President Sarkozy once promised to rid us of) regularly lure police into an ambush with a seemingly innocent SOS. “Hurry up, a car is on fire.” The police arrive, like the Israeli commandos lowered onto the Mavi Marmara, and are met with 200 masked men armed with iron rods, baseball bats, knives, machetes and, more and more often, guns.

Law enforcement finally decides to crack down on a flourishing *banlieue* drug trade. Drugs and hundreds of thousands of euros are seized, a few people are arrested, and the neighborhood goes berserk. Cars, schools, community centers, shopping centers, and buses are torched; riot police sent to escort the buses are attacked, the thugs shoot at the police, shoot at the buses, aiming at the driver... and a few days later the story drops out of the news. Forgotten. Any more drug busts? Who knows?

**F**rench culture is Latin. People feel free to come and go at all hours, stroll in lively streets, sit in cafés, eat in restaurants. Four young people got off a tramway in the center of Grenoble on a Saturday evening at the same time as a bunch of rowdy “youths” who were kicked off the tram. The youths accosted, insulted, egged on the law-abiding citizens, then jumped one of them, a 23 year-old cartographer, knocked him to the ground, kicked him in the head with all their might, bashed him into a coma, stabbed him, perforating his lung, and ran away. There were no video images of that attack (France is under-equipped with surveillance cameras) but it would have looked something like the images we saw this week of “peace activists” ganged up on an isolated Israeli, bashing him with murderous iron rods.

It would be a mistake to think that breaking the Gaza blockade is the only kind of grievance that can lead to this kind of violent confrontation. It is a tragic

error to disconnect what looks like a humanitarian operation from what looks like common crime.

Last month, a French family was waiting in line at the Asterix theme park outside of Paris. Asterix is one of the heroes of the feisty village that defended Gaul against the Romans. Four “youths” from the Essonne *banlieue* pushed ahead of them. The couple’s young adult sons, aged 18 and 19, objected but did not resist. A little later, as the family was picnicking, the “youths” returned, with dozens of reinforcements. They beat up the sons and knocked around the mother when she tried to protect her boys.

These are not isolated incidents; they are everyday life. Schoolteachers are beaten, stabbed, stomped. Doctors and nurses are viciously attacked. The Sheikh Yassin commando kicked the imam of Drancy, Hassen Chalghoumi, out of his mosque and has promised to kill him because he associates with Jews and publicly supports the anti-*niqab* law. The same commando imam attacked people who came to a debate on the anti-*niqab* law organized by *Ni Putes ni Soumises* (Neither Whores nor Doormats), an association created by Muslim French women who want to resist the imposition of *sharia*. Another sort of commando— but maybe they work together, who knows?— is attacking ATM machines and Brinks trucks. No one seems to be able to stop them.

Recently a commando in a panel truck was spotted by the (national) police as it bopped down the highway, apparently en route to a big heist. When the police tried to stop the truck the commando shot at them with AK 47s, injuring several people, some seriously. The thugs drove into Villiers sur Marne and set the truck on fire to destroy the evidence. Municipal police (who are not connected to the national police wavelength and had not been informed), thinking it was a traffic accident, approached the burning truck. The commando shot at them, killing a 26 year-old policewoman. By a stroke of luck the police captured one member of the group. And, contrary to usual procedure, they released his name and photo. Malek Khider is a repeat offender, who had been released from jail in 2005 after serving three years of a ten-year sentence. The police are searching for his six accomplices. They say they know the identity of one of them. But don’t trust the public to keep an eye out for him. No name, no photo.

In 99% of cases, criminals are not identified or in any way described—unless of course they are Serb or tenth generation French. Otherwise, they are “youths.” It is not rare to read of a “35 year-old adult youth.” Journalist Eric Zemmour is under investigation and about to lose all his jobs because he said, in the heat of a let-it-all-hang-out TV program, that Arabs and Africans are stopped more often than others for ID checks because they are more likely to be involved in

criminal behavior and that is also why they make up the vast majority of the prison population.

There is a radical shift in the balance of power in France (and all Western European countries). It is happening on all levels of society—politics, media, academia, the professions, the civil service, the military. This shift is taking place under cover of a variety of legitimate aspirations: equal opportunity, anti-racism, peaceful resolution of conflict, helping the disadvantaged, respecting other cultures and religions, anti-colonialism, righting wrongs, celebrating diversity.

It is taboo to describe and analyze this process as *jihad* in France and other European countries and now in the United States as well. And many will think it is far-fetched to connect it to the Gaza Flotilla. But then did they ever imagine, when two Israeli reservists were bashed to a pulp and torn limb from limb in Ramallah in October 2000 that their own citizens would risk death for taking a walk in a university town like Grenoble? Bombed to smithereens in buses and trains in London and Madrid? Incinerated in the skyscraper ovens of the WTC?

If the French Foreign Minister is deeply shocked to see a handful of Israeli soldiers shoot their way out of a murderous ambush on a ship with 500 passengers armed to kill or willing to stand by and let them be lynched, it is because he is not shocked to know that the citizens of his own country are defenseless in the face of thousands of little flotillas sailing out from the same heartland.

*Nidra Poller is an American who moved to France in 1972 and is a journalist, novelist and translator. This appeared in the New English Review in June.*



Torched Police Car In Paris

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# Misconceptions Regarding Israel's Legal Foundation Under International Law

Howard Grief

There is a widespread misconception current also among Israel's government leaders and media, that the State of Israel derives its legal existence from the United Nations General Assembly Resolution 181 (II) of November 29, 1947, popularly known as the Partition Resolution. This misconception is so ingrained in official and popular thinking that it is extremely difficult to change, regardless of the overwhelming evidence to the contrary.

One major reason for this is that Israel's own Proclamation of Independence perpetuates the wrongful notion that it was "on the strength of the Resolution of the United Nations General Assembly" that the members of "the People's Council" declared the establishment of the State of Israel on May 14, 1948. Other reasons cited in the Proclamation were "our natural and historic right." It was further stated there that "the State of Israel will cooperate with the UN in implementing the resolution of the General Assembly of the 29th November, 1947, and will take steps to bring about the economic union of the whole of Eretz-Israel."

The misstatement in the Proclamation of Independence that the State of Israel relied "on the strength" of the Partition Resolution for its legal establishment conceals or actually suppresses the fact that Israel's legal foundation under international law derives not from the 1947 Partition Resolution, which was merely a non-binding recommendation without any force of law, but rather from the San Remo Resolution of April 25, 1920. The latter did have the force of law upon its being incorporated first in the Treaty of Sèvres of August 10, 1920 and then in the first three recitals of the Preamble of the Mandate for Palestine, which was confirmed by the 52 states, all members of the League of Nations, in 1922 and separately by the United States in a 1924 treaty with the United Kingdom.

The Proclamation of Independence does make mention of the Balfour Declaration and the Mandate for Palestine in what has been characterized as its historical section, but in justifying the establishment of the Jewish State in its operative part it overlooks those two interrelated documents—except indirectly, in

making use of the phrase "historic[al] right." Nor does the Proclamation even refer to the most important document which laid the legal foundation for the Jewish State—the San Remo Resolution, which transformed the Balfour Declaration of 1917 from an act of British policy to a legally recognized binding act of international law in 1920.

This indicates that even the leaders of Israel, who drafted the Proclamation of Independence—the principal authors of which were David Ben-Gurion and Moshe Sharet—were curiously unaware of the enormous significance of the San Remo Resolution, for otherwise they would undoubtedly have cited it as the true foundation document for the proclamation of the State of Israel, rather than the Partition Resolution.

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**Israel's legal foundation under international law derives not from the 1947 Partition Resolution, which was merely a non-binding recommendation, but rather from the San Remo Resolution of 1920 which did have the force of law.**

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Ben Gurion Reads The Declaration of Independence on May 14, 1948.

**A**ny serious analysis of these two resolutions will demonstrate that the Partition Resolution actually contradicted both the letter and the spirit of the San Remo Resolution, in that the former illegally allotted a substantial portion of Western Palestine for the establishment of an Arab state, territory which the San Remo Resolution had ear-

marked, on the basis of the historical/biblical formula for determining Palestine's boundaries for the Jewish National Home and the future independent Jewish State. Furthermore, under the San Remo Resolution the Arabs were generously awarded all the land they needed for their own state or states in the rest of the Middle East or Levant.

On the face of it, the Zionist acceptance of the Partition Resolution was unwise, insofar as that document denied Jewish national and political rights already recognized over that portion of the Land of Israel it would have assigned to the new Arab state. However, as a mitigating circumstance, it ought to be noted that under the conditions existing in 1948, there was an urgent need for the immediate declaration of a Jewish State in order to absorb and settle the hundreds of thousands of homeless Jewish refugees still languishing in European displaced person camps in Germany and Poland after the end of the Second World War. The Jewish Agency decision to accept the

illegal Partition Resolution was thus an act of desperation taken under duress, a condition which legally invalidated its acceptance.

In any case, the Arab rejection of the Partition Resolution and the war of aggression the Arabs unleashed against the fledgling Jewish State also invalidated the Jewish acceptance, thus allowing Ben-Gurion to consider the Partition Resolution null and void as early as August 1948, when he decided to annex to the Jewish State the area of Western Jerusalem and its approaches. He then did the same for all other areas of Eretz-Israel lying beyond the UN partition lines that had already been captured by the IDF or that would shortly be captured in the War of Independence.

To implement his decision, Ben-Gurion had legislation enacted by the Provisional State Council, the purpose of which was to eventually bring all areas of the Land of Israel that had come into the possession of the IDF into the State of Israel. That clearly meant that for Ben-Gurion, i.e., for Israel, the Partition Resolution was already a dead letter by virtue of Arab rejection and war of aggression.

It was not only Israel's Proclamation of Independence that failed to mention the San Remo Resolution. That was also the case for the Partition Resolution itself and the preceding Report to the General Assembly prepared by the eleven-state United Nations Special Committee on Palestine (UNSCOP), and delivered on August 31, 1947. The UNSCOP Report, which alluded to the San Remo Resolution in discussing Palestine under the Mandate, said that "on 25 April, 1920 the Supreme Council of the Allied Powers agreed to allocate the Mandate for Palestine to Great Britain on the understanding that the Balfour Declaration would be put into effect."

This allusion did not further expound on the significance of the San Remo Resolution as the *raison d'être* for a re-constituted Jewish State in Palestine under the aegis of the Mandatory Power. The lack of specific reference to the San Remo Resolution in either the Partition Resolution or the UNSCOP Report can be seen as the strongest evidence that the international community had conveniently forgotten about this fundamental document that assumed the form of an inter-Allied agreement between Britain, France, Italy and Japan and allotted an undivided Palestine to the Jewish People for its national home. Had the authors of the 1947 UN documents understood the diplomatic and legal history of Palestine as encapsulated in the San Remo Resolution, they might have hesitated in recommending that Western Palestine be parti-



tioned into Jewish and Arab states, a recommendation that violated not only the San Remo Resolution, but also Article 5 of the Mandate for Palestine which expressly prohibited the partition of the country (then still very much in force) as well as Article 80 of the 1945 UN Charter, which preserved all Jewish national and political rights to Palestine, to the exclusion of Arab claims to the land.

Another pervasive misconception regarding the Partition Resolution is that it constituted an "order" or injunction by the UN to divide Palestine that had to be fulfilled by the respective Arab and Jewish parties. This misconception recently came to the fore once again in a front-page *Jerusalem Post* editorial (June 7, 2010), which erroneously stated that "the State

of Israel was established 62 years ago by order of the international community, as the homeland of the Jewish nation..." (italics added).

The "order," as *The Jerusalem Post* put it, was presumably a reference to the Partition Resolution. However, as noted earlier, this resolution never in fact "ordered", but only "recommended" the establishment of a Jewish State in a small part of the original Jewish National Home. Contrary to the newspaper's allegation, the State of Israel was established not by the order of the UN General Assembly, but rather by the legislative action taken by the representative and responsible bodies of the Jewish People in 1948, namely, the Jewish Agency for Palestine and the World Zionist Organization. Working together, these chose the members of the People's Council that proclaimed the State of Israel and then transformed itself into the Provisional State Council, the legislative body of the new State. It should be noted that the Council's proclamation adhered to several of the guidelines recommended in the Partition Resolution for the government of the future Jewish State.

It will take a massive effort of re-education to remind both the government leaders of Israel and the world at large that Jewish legal rights to Palestine and the Land of Israel derive not from the 1947 Partition Resolution but from the 1920 San Remo Resolution, the Magna Carta of the Jewish People. The San Remo Resolution is indeed the Charter of Jewish Freedom that had been vainly sought by Theodor Herzl from the Turkish Sultan to carry out his vision of a restored Jewish State in Palestine and the Land of Israel.

*Howard Grief is the author of the book The Legal Foundation and Borders of Israel under International Law (Mazo Publishers, Jerusalem).*



# Progressive Theme Cruises Presents “Cruise To Gaza 2010!”

David Isaac

Dear Mr. Goldstein:

Congratulations! Your generous \$100,000 donation ensures you a berth for yourself, your lovely wife Janice and your two young children, Annie and Jacob. We're delighted you will be with us on our upcoming Progressive Theme Cruise to the Gaza Strip.

Clearly, you are a cut above the average progressive. Rather than remain comfortably ensconced at 502 Park Avenue, New York, New York, you've chosen to take an active role in changing the world.

To answer your son Jacob's question, our cruise does not include an on-deck water park. However, we're especially glad your kids are coming because this is a kid-friendly cruise packed with activities for 6-8-year-olds!

We have Bilal El-Nawajhallala on leave from running our Hamas day camp. And yes, you guessed it, just like our boys in Gaza, little Jacob and Annie will get a chance to strap on suicide belts, shoot live ammunition and participate in protest marches around the ship while shouting our Palestinian battle cry “Itbach al Yahud,” which translates roughly as “Peace! Peace be upon you!”

And that's not all! You'll be thrilled to hear that overall responsibility for the kids' educational program on this cruise is in the capable hands of our Youth Program Director—none other than American elementary education superstar William Ayers!

Your Annie sounds like quite the world traveler. That's some souvenir collection you describe! We regret that there will be only one port of call. We can't risk sailing into ports willy-nilly to become sitting ducks for Israeli seal teams looking to attach magnetic mines to our ship.

The good news is that Annie will receive a special Shahid medallion—and she doesn't even have to become a Shahid to get it! It's a one-of-a-kind souvenir and only available to cruise participants. What's more, she'll find hundreds of souvenirs in Gaza itself. Contrary to what you've heard, Gaza is brimming with goods. We've even opened a new mall this month chock full of every sort of item imaginable.

Naturally, our goal is to make everyone as comfortable as possible and while we understand that your wife Janice loves the water, exercise, and is looking forward to some relaxing spa treatments, neither a pool nor a spa nor a gym will be available on our freighter. The good news is that she will be required to wear a burqa at all times outside her cabin. I can tell you from my wife's personal experience that nothing burns fat more quickly than walking around in a wool burqa in 100 degree heat. Your wife will not have to worry about keeping her figure on this trip!

As you know, you and your family will be flying from New York to Tunis. From there you and your fam-

ily will take a charter flight to Cyprus on a small, Russian-built plane that was transported piece-by-piece from Belarus.

If you reach Cyprus, you will be met by a representative of the Istanbul-based Committee for Peace, Freedom, Social Justice, Mercy and Goodness. He will ask for your papers. He will keep them. This is for your own safety. Should the Zionists succeed in boarding our vessel, and obtain your papers, there is no telling what they may do with them. It's possible they could steal your identities and use them as cover for some terrorist subterfuge such as they recently conducted in Dubai. If anyone is going to steal your identities, it should be us.

You will then board the French freighter the Champs-Elysees. We've learned from our sources that the Zionists have been talking about the use of missile boats, that is to say, the missiles on the boats. We're confident that this is hyperbole. Despite what you may have heard from our own information program about Judeo-Nazi, imperialist, apartheid storm-trooping eceteras, eceteras, the Israelis are a bunch of pussycats. However, even pussies go ballistic from time to time and—who knows?—this could be that time.

As we warned you at the outset, this ship has no Lido deck. In deference to our Moslem guests, no alcohol will be served; no talking at Muslim prayer times; no dancing; no Western style music; no religious symbols unless Muslim-approved.

Whatever amenities you will sacrifice are more than made up for by the quality of your fellow travelers. Many of the moral and intellectual superstars of our age will be helicoptered in to speak to our guests. These include former President Jimmy Carter, who will talk about how the Jews destroyed his last peanut harvest, Investigative Journalist Seymour Hersh discussing the “Nexus,” the secret ties between Barack Obama, Bashar al-Assad and Bibi Netanyahu and their role in 9-11, and Noam Chomsky on Hamas: Hard-Wired for Peace.

You will be making history as you hobnob with battle-tested freedom fighters, who will conduct workshops on building nail-studded pipe-bombs and other exciting topics.

Lastly, many cruise lines promise you paradise. It may turn out that a few of our passengers actually enter paradise. Should Allah pick you for martyrdom, rest assured that you'll get a street named in your honor and your family will receive a letter of praise from Mahmoud Ahmadinejad himself! With his embossed seal.

We look forward to welcoming you aboard!

Sincerely,

Mahmud Aboulafia

Progressive Theme Cruises

# If Israel Goes Down We All Go Down

José María Aznar

For far too long now it has been unfashionable in Europe to speak up for Israel. In the wake of the recent incident on board a ship full of anti-Israeli activists in the Mediterranean, it is hard to think of a more unpopular cause to champion.

In an ideal world, the assault by Israeli commandos on the Mavi Marmara would not have ended up with nine dead and a score wounded... In an ideal world, no state, let alone a recent ally of Israel such as Turkey, would have sponsored and organized a flotilla whose sole purpose was to create an impossible situation for Israel: making it choose between giving up its security policy and the naval blockade, or risking the wrath of the world.

In our dealings with Israel, we must blow away the red mists of anger that too often cloud our judgment. A reasonable and balanced approach should encapsulate the following realities: first, the state of Israel was created by a decision of the UN. Its legitimacy, therefore, should not be in question. Israel is a nation with deeply rooted democratic institutions. It is a dynamic and open society that has repeatedly excelled in culture, science and technology.

Second, owing to its roots, history, and values, Israel is a fully fledged Western nation. Indeed, it is a normal Western nation, but one confronted by abnormal circumstances.

Uniquely in the West, it is the only democracy whose very existence has been questioned since its inception. First it was attacked by its neighbors using the conventional weapons of war. Then it faced terrorism culminating in wave after wave of suicide attacks. Now, at the behest of radical Islamists and their sympathizers, it faces a campaign of delegitimation through international law and diplomacy.

Sixty-two years after its creation, Israel is still fighting for its very survival. Punished with missiles raining from north and south, threatened with destruction by an Iran aiming to acquire nuclear weapons and pressed upon by friend and foe, Israel, it seems, is never to have a moment's peace.

For years, the focus of Western attention has understandably been on the peace process between Israelis and Palestinians...The real threats to regional stability, however, are to be found in the rise of a radical Islamism which sees Israel's destruction as the fulfillment of its religious destiny and, simultaneously in the case of Iran, as an expression of its ambitions for regional hegemony. Both phenomena are threats that affect not only Israel, but also the wider West and the world at large.

The core of the problem lies in the ambiguous and often erroneous manner in which too many Western countries are now reacting to this situation. It is easy to blame Israel for all the evils in the Middle East. Some even act and talk as if a new understanding with

the Muslim world could be achieved if only we were prepared to sacrifice the Jewish state on the altar. This would be folly.

Israel is our first line of defense in a turbulent region that is constantly at risk of descending into chaos; a region vital to our energy security owing to our overdependence on Middle Eastern oil; a region that forms the front line in the fight against extremism. If Israel goes down, we all go down. To defend Israel's right to exist in peace, within secure borders, requires a degree of moral and strategic clarity that too often seems to have disappeared in Europe. The United States shows worrying signs of heading in the same direction.

The West is going through a period of confusion over the shape of the world's future. To a great extent, this confusion is caused by a kind of masochistic self-doubt over our own identity; by the rule of political correctness; by a multiculturalism that forces us to our knees before others; and by a secularism which, irony of ironies, blinds us even when we are confronted by *jihadis* promoting the most fanatical incarnation of their faith. To abandon Israel to its fate, at this moment of all moments, would merely serve to illustrate how far we have sunk and how inexorable our decline now appears.

This cannot be allowed to happen. Motivated by the need to rebuild our own Western values, expressing deep concern about the wave of aggression against Israel, and mindful that Israel's strength is our strength and Israel's weakness is our weakness, I have decided to promote a new Friends of Israel initiative with the help of some prominent people, including David Trimble, Andrew Roberts, John Bolton, Alejandro Toledo (the former President of Peru), Marcello Pera (philosopher and former President of the Italian Senate), Fiamma Nirenstein (the Italian author and politician), the financier Robert Agostinelli and the Catholic intellectual George Weigel.

What binds us...is our unyielding support for Israel's right to exist and to defend itself. For Western countries to side with those who question Israel's legitimacy, for them to play games in international bodies with Israel's vital security issues, for them to appease those who oppose Western values rather than robustly to stand up in defense of those values, is not only a grave moral mistake, but a strategic error of the first magnitude.

Israel is a fundamental part of the West. The West is what it is thanks to its Judeo-Christian roots. If the Jewish element of those roots is upturned and Israel is lost, then we are lost too. Whether we like it or not, our fate is inextricably intertwined.

*José M. Aznar was prime minister of Spain. This is slightly edited from his article in the (London) Times of June 17.*

# Witnesses For The Defense Of Israel—Part 1

Ruth King

It is a major understatement to say that Israel is condemned without trial in the court of international public opinion. I speak of Western nations whose media, academies and even legal institutions have been suffused by anti-Semitism fueled by an unholy alliance of leftists, Moslem immigrants and petrodollars contributed to their sagging economies by the Arabs.

Those who have defended Israel, who have abjured a weak-kneed “neutrality”, who appreciate Israel’s extraordinary history and legacy, who understand Israel’s dilemma in the face of the determined Islamic onslaught on her existence, who support Israel’s right to take up arms in its own defense are honorable people deserving celebration.

In this issue we include the refreshing mission statement of the “Friends of Israel” initiative undertaken by Jose Maria Aznar, former Prime Minister of Spain.

Here we would like to feature an eclectic group which has independently taken up the cudgels for Israel.

Among journalists we single out Britain’s Melanie Phillips. In May 2010 in an interview with *National Review* editor Katherine Lopez, Phillips said: “The treatment of Israel by the left-wing Western intelligentsia is unique in its irrationality and moral and historical inversion. It takes a nation that is the historic victim of aggression and blames it for jeopardizing peace in the region and causing Islamic extremism worldwide—despite demonstrable evidence that this is simply untrue....It takes a nation that has been under exterminatory attack for six decades (nine, if you include the Palestine Mandate) and insists that it make compromises with its attackers, even as they continue to attack it. And if any Jews dare protest at the manifest injustice, lies, and bigotry in this unique delegitimization, they find themselves accused of ‘dual loyalty’ or being part of a covert global conspiracy to put the world at risk.”

In England there is also Professor Bernard Harrison whose *The Resurgence of Anti-Semitism: Jews, Israel and Liberal Opinion* (2005) is a powerful indictment of the anti-Semitism (disguised as anti-Zionism) within the self-proclaimed “progressive, anti-racist” left in European universities, journalism and political life.

Pilar Rahola is a Spanish politician, journalist and activist who departs from the left-wing chorus to be an articulate and passionate defender of Israel and the Jewish people. In her words:

“The truth about Israel is not told. As a person from the left who loves progress, I am obligated to defend liberty, culture, civic education for children, coexistence and the laws that the Tablets of the Covenant made into universal principles. Principles that Islamic fundamentalism systematically destroys. That is to say

that as a non-Jew, journalist and lefty I have a triple moral duty with Israel, because if Israel is destroyed, liberty, modernity and culture will be destroyed too.”

Rahola adds that Israel is “a pariah nation among nations for a pariah people among peoples. That is why the anti-Semitism of the 21st Century has dressed itself with the efficient disguise of anti-Israelism, or its synonym, anti-Zionism. All criticism against Israel is anti-Semitism? No. But all present-day anti-Semitism has turned into prejudice and the demonization of the Jewish State. New clothes for an old hatred.”

Geert Wilders, who leads the Party for Freedom (PVV) in Holland, is on trial for telling the truth about Islam. In June he demonstrated his commitment and understanding by stating categorically that Jordan should be renamed “Palestine” and become the homeland that the world thinks the Palestinian Arabs deserve at the cost of Israel’s existence.

Wilders added that Israel deserved a special status in the Dutch government because it was fighting for Jerusalem in its name. “If Jerusalem falls into the hands of the Muslims, Athens and Rome will be next. Thus, Jerusalem is the main front protecting the West. It is not a conflict over territory but rather an ideological battle, between the mentality of the liberated West and the ideology of Islamic barbarism.”

Fortunately every generation brings its own stalwart friends. I cannot end without paying tribute to John Howard, Prime Minister of Australia from 1996 until 2007. As opposition leader he regularly expressed deep friendship and admiration for Israel and the Jewish people. While Prime Minister In 2000, he declared: “The personal affection I have for the state of Israel, the personal regard I have for the Jewish people of the world, will never be diminished. It is something I hold dearly, something I value as part of my being and as part of what I have tried to do with my life.”



John Howard

In 2006 during Israel’s war with Hezbollah, Mr. Howard said: “Once you are attacked...and if that attack is in the context of a 50-year rejection of your right to exist, which is the situation in relation to Iran—and bear in mind the link between Iran and Hezbollah; bear in mind the exhortations from the Iranian President that Israel should be destroyed and wiped off the map—you can understand the tenacity with which the Israelis have responded.”

Next month I will pay tribute to other notable figures who stand solidly with Israel.

Zeev Jabotinsky said that recognizing allies is as important in the Jewish struggle as recognizing enemies. It is. •

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(Continued from page 2)

Caroline Glick observes that it was the government's responsibility to explain why its decision was correct. But instead of explaining that Chomsky was an enemy of Israel and an abettor and defender of genocide the government crumpled. Prime Minister Netanyahu's spokesman Mark Regev apologized for the unpleasant reception Chomsky received at the Allenby Bridge and promised that if he returned he would be granted an entry visa.

This was not only unforgivable, inexcusable cowardice but a blow to Israel's moral standing. The government apologized to a man with a record of slandering Israel few can match—and thereby contributed to the worldwide campaign to delegitimize the state.

## Beyond Belief

When you think you've heard it all, you haven't. Palestinian workers in Gaza have filed more than 200 lawsuits claiming compensation from 400 Israeli farmers whom the Israeli government forcibly expelled from Gaza in 2005. According to chairman of the Gush Katif Farmers Committee Aharon Chazut "Every day another one or two claimants are filing suit." Chazut says many claimants never worked for any of the farmers but "the onus of proof falls on the farmers...you have to prove that they didn't work for you."

Even for those who did, the appropriate target would surely be the Israeli government, which destroyed the livelihood of farmers and workers alike. But while the original Disengagement Law made the government liable for any debts incurred directly as a

result of the "disengagement," this was deliberately left out of the last reading of the law.

Aiding (sparking?) the lawsuits is the *Yesh Din* Human Rights Organization (money—naturally—from the infamous New Israel Fund). It's a scandal the farmers, doubly victimized, should have to defend themselves in these adding insult-to-injury suits.

## Choudhury in Court, Again

Salah Uddin Shoiab Choudhury, the pro-Israel Muslim editor of *The Weekly Blitz* in Bangladesh, made his 150th appearance in court. *Outpost* readers will remember that he is charged with blasphemy, treason and sedition for attempting to fly to a peace conference in Israel in 2003.

Dr. Richard Benkin, an American Jew from Chicago who has spearheaded efforts to rouse Congress on behalf of Choudhury, found only one of the many members of congress he approached totally uninterested in Choudhury's plight—Senator, now President Barack Obama.

As Ben Shapiro writes: "There's a reason President Obama is uninterested in the Choudhury case: Choudhury...doesn't shilly-shally on terrorism—he condemns it. He doesn't waver on *Sharia* law—he opposes it. He doesn't support the *jihad* against Israel—he stands with Israel....Choudhury is an unpleasant inconvenience for Obama: the tells the truth about the nature of political Islam and offers a realistic way forward. Obama prefers to live in Cloud Cuckoo Land where radicals are moderates and moderates are outcasts.

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