

OPINION and ANALYSIS

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**A selection of some of the more challenging and thought-provoking
local and international writings on the Middle East**

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Richard Goldstone's Legacy

Avi Bell, Jerusalem Post, 3 April 2011

(Bell is a professor at Bar-Ilan University's Faculty of Law and the University of San Diego School of Law. He participated in a debate on "The Goldstone Report and the Application of International Law to the Arab-Israeli Conflict.")

<http://www.jpost.com/LandedPages/PrintArticle.aspx?id=214996>

At a recent debate on a panel with the South African judge, I started feeling sorry for him.

Last Monday, I debated with Richard Goldstone about the controversial Goldstone Report at Stanford Law School. Three days later, Justice Goldstone finally admitted, in *The Washington Post*, that, contrary to the report's assertions, Israel did not intentionally target civilians. A Palestinian outfit called the International Middle East Media Center carried a story this weekend lamenting that two "racist Zionists" at the debate – Peter Berkowitz and I – were responsible for convincing Goldstone of the error of his ways. Sadly, this is, at best, only partly true.

The debate at Stanford was not designed for enlightenment. Besides the moderator, there were five of us debating under a format that let Goldstone avoid responding directly. The debate had too many participants, too large a topic and too cramped a format to allow a serious probing of the report's defects. The International Law Society, which organized the debate, tipped its hand by inviting an organization called "Students Confronting Apartheid by Israel" to cosponsor the event.

Even with the friendly format, Richard Goldstone cannot have enjoyed the criticism. As I watched him sitting through the debate stone-faced, his wife sitting next to him, and as I thought back on his lengthy resumé, I recognized the enormous tragedy of a man, once lauded as a champion of human rights, becoming a shill for a terrorist organization.

Goldstone had been proud to take credit for his work in prosecuting war criminals before such institutions as the International Criminal Tribunal for the former Yugoslavia. And now he had to listen to his professional colleagues demonstrate how the Goldstone Report distorted international law and, as *The Washington Post* editorialized, made a "mockery of impartiality, with its judgment of facts."

When the Goldstone Report was first published in 2009, with a brew of blood libels and legal fallacies that exceeded even the usual anti-Israel vitriol produced by the UN Human Rights Council, Goldstone went on a PR offensive. He took to the airwaves to try to sell the idea that the report, which conspicuously and repeatedly denied or whitewashed nearly all of Hamas's crimes, was accurate in accusing Israelis and Israel's leadership of the most monstrous crimes and motives. Even then, Goldstone's going was not easy. *The Economist*, generally cold to Israel, condemned the report as "deeply flawed," and a "thimbleful of poison." A barrelful is more like it.

Now Goldstone has produced less than a thimbleful of contrition. He still refuses to acknowledge the cocktail of lies and distortions that comprise the Goldstone Report. Goldstone has refused to disavow the report's attempt to eliminate laws against terrorism from the international legal codex, and its refusal to acknowledge that Hamas is a terrorist organization. He has not renounced the preposterous characterization of Gaza as territory under Israeli occupation, or the report's shocking claim that Israel's limited economic sanctions against the

Hamas government are an unlawful form of collective punishment. He continues to remain silent on the report labeling all Israelis liars to stamp Hamas's anti-Israel libels with the imprimatur of truth. He has not yet expressed remorse about the report's gratuitous inclusion of anti-Jewish slurs, such as its endorsement of the bigoted claim that Israeli Jews are dehumanized and paranoid.

Goldstone said during the debate that no one has disputed the report's factual allegations. But this is demonstrably false and Goldstone knew it, because he was looking right at me when I reminded him of this fact during the debate. He did not repeat the claim in *The Washington Post*.

At Stanford and afterward in *The Washington Post*, Goldstone took credit for prompting and helping internal Israeli investigations, and claimed that the report's main demand was for further investigation, but this is a lie.

None of the report's nine demands directed at Israel included a call to investigate. Instead, after falsely accusing Israel of crimes, the report scandalously slandered its entire legal system and called for the "international community" to prosecute Israelis while economically punishing the Jewish state.

Israel's investigations started before the Goldstone Report, just as they do after every major IDF combat operation. Being professional and thorough, Israeli investigators gathered all the relevant evidence, and continued for as long as it took to arrive at answers that would hold up in court. Unsurprisingly, the investigators could not corroborate even one of the Goldstone Report's accusations as printed.

The Palestinians, by contrast, never have and never will impose any criminal price upon Palestinians for crimes against humanity victimizing Jews; indeed, both the Fatah-led and Hamas-led Palestinian governments still name public buildings after terrorists. No one has investigated Hamas's use of civilian shields, its commandeering of hospitals and ambulances, or many of its other war crimes.

Goldstone excused the report's harsh pronouncements of Israeli guilt on the grounds that his mission did not have contrary evidence. But this is both false and irrelevant. The mission had plenty of contrary evidence, including photographs and testimony, which it willfully disregarded. Where evidence was lacking, the responsible course was to admit that the mission did not know what had happened. Instead, the report repeatedly and unjustifiably presumed Israel guilty and Hamas innocent.

Goldstone's belated and partial acknowledgement of error has not undone the report's damage. The reputation of the UN Human Rights Council is at a nadir. Legal scholars have observed that if the Goldstone Report's perverted legal standards become those of international law, international law will no longer have any relevance to modern warfare.

Hamas enjoys newfound legitimacy as it pursues its express goals of destroying the Jewish state, waging eternal war on the Jewish people, and subjecting its own citizens to its puritanical and xenophobic interpretation of Islamic law. The UN continues to falsely claim, like the Goldstone Report, that international law requires Israel to assist Hamas-controlled Gaza.

Israelis, meanwhile, are harassed around the world by opponents of the Jewish state hiding behind the report's distorted version of international law; last week, President Shimon Peres

was threatened with arrest in Switzerland by activists claiming that the Goldstone Report “proves” his guilt.

It is a legacy to be ashamed of. And it is now Richard Goldstone's.

RADICAL INDOCTRINATION: THE DELEGITIMISATION OF ISRAEL

Col Richard Kemp, 47th SAZF Conference, Johannesburg - 27 March 2011

INTRODUCTION: Last night and today we have been exposed to some of the greatest defenders of that truth and justice in our history and it is my great, great honour to introduce yet another human being who has stood up from his background of the military to stand up for what he believes is based on honesty and integrity, the truth; not defending a particular nation or people but defending the truth.

Col Richard Kemp was Commander of British forces in Afghanistan in 2003. His responsibilities included counter-insurgency operations, disarmament and reintegration programmes, development and training of the Afghan National Security Forces, reconstructions and defence diplomacy. He set up a joint counter-terrorist operation with US forces that achieved major operational success against Al Qaeda terrorists in Kabul and played a key role in preventing a coup d'état against President Kosai. He spent the last five years of his three decades of military service at the UK Cabinet Office in Whitehall. He was a member of COBRA, the Cabinet Office Briefing Room covering 2005 and the London bombings.

He was also a member of the UK-US Joint International Security Strategy Group. He headed up the Joint Intelligence Committee's International Terrorism Team and the Iraq Politics and Security Team responsible for UK national intelligence assessments. He made fact-find trips to Iraq since the 2003 invasion and in 2005 worked in Baghdad, Fallujah and Northern Iraq on intelligence and counter terrorism projects for the US Ambassador.

Previously he had completed a total of 14 active duty tours as a military commander in Northern Ireland and many global hotspots. Working alongside US forces he took part in the liberation of Kuwait in 1991, commanded British troops with the United Nations Protection force in Bosnia and was counter-terrorism adviser to the Macedonian Government.

Col Kemp is Special Adviser on International Terrorism to the House of Commons Home Affairs Select Committee. A commentator - and this is very important - in the national and international print and broadcast media on defence and security, an author of "Attack Red State", a best-selling account of the conflict in Afghanistan.

To get to the times in which we now live, in 2009 Col Kemp wrote a document entitled "Hamas, the Gaza War and Accountability in International Law" for the Jerusalem Centre for Public Affairs.

In October 2009 Col Kemp made a presentation to the United Nations Human Rights Council in response to the introduction of the Goldstone Report. The main article to the United Nations Fact-finding mission on the Gaza conflict, Col Kemp has disputed allegations that Israel engaged in war crimes and crimes against humanity during Operation Cast Lead in December

2008. We, I know, are going to be unbelievably privileged to hear from a man who has experienced many wars, who has experienced terrorism first hand and brings a voice of knowledge from a military background to the whole question of Israel and the Middle East.

And just to conclude, this was not included by your secretary, Col Kemp, but I've included it in your resume. Col Richard Kemp has received two awards from Britain. He has one of the highest awards that can be conferred on a British citizen and military man. He was made Commander of the Order of the British Empire, CBE, and received the Queen's highest commendation for the bravery of his acts in war time. I give you Col Richard Kemp.

COLONEL KEMP: Well, I think that's all there is to be said, isn't it. Ladies and gentlemen, I wasn't able to be here this morning. I gather it was a remarkable event. But I was here last night and I thought the event then, the launching of this conference was absolutely spectacular and in particular, the speeches that were made.

I felt of all the incredibly high calibre speeches made last night, I was personally, hugely inspired by the words of Professor Alan Dershowitz and also by former Prime Minister of Australia, John Howard, who I know are both extremely good friends of Israel.

I feel slightly sheepish as a British soldier coming here, as a British soldier coming here to speak at a Jewish gathering. I wasn't quite sure how I would be received because I'm sheepish firstly because as a British soldier I've been to some extent responsible for stealing some of the finest soldiers from your country who have joined the British army. We've got an amazing number of incredibly high grade South African men fighting in our army today and I am probably just as sheepish saying that we've also got a very high number of incredibly good Australian soldiers fighting in our forces today.

Secondly, I'm not Jewish. I am a Roman Catholic and at this time of year as we approach Easter I always think of a prayer that we say in the Roman Catholic Church at Easter time on Good Friday. We go through a litany of different people that we wish to bring into our fold, for example, the Russians, and we run through a list of ten or twelve different types of people. We culminate with the words: "And we even pray for the conversion of the Jews." Now, I suspect that there are not that many Jews in this room that will be converted by me today but it is something that I always tell my Jewish friends about when we approach Easter time.

What I'm going to speak to you about today, ladies and gentlemen, is a pernicious and increasingly dangerous global conspiracy. On the 14th May 1948, David Ben-Gurion declared Israel to be an independent state under the terms of the United Nations General Assembly Resolution 181. Within hours, the armed forces of Egypt, Syria, Jordan, Lebanon, Iraq, Saudi Arabia and Yemen fell upon the fledgling nation; a despised Jewish State in the midst of the Arab world. Israel's very existence was considered an affront to the Islamic peoples. This was of course just the first in a series of invasions of Israel by massed Arab armies.

But now in 2011, Israel has the most powerful armed forces in the Middle East. Even the most self-deceiving enemy, and there are plenty of self-deceiving enemies in the Middle East, cannot realistically believe that the country's destruction could be achieved by the conventional military force.

But many of Israel's enemies have not given up the desire or the intention to annihilate her. Recognising the emergence of a changed balance of power, they have gradually evolved three

new tactics. The first by Iran is the pursuit of nuclear weapons capable, in the words of President Ahmadinejad, "of wiping Israel off the map".

The second is a symmetric conflict; guerrilla tactics, suicide bombings, missile attacks, hit and run operations, fought from behind the shield of innocent civilians, spreading terror throughout Israel's population, undermining her security and seeking to lure, to lure her defence forces into actions that can be turned against her in the court of world opinion.

Techniques that fit perfectly into the third new tactical ploy; a concerted conspiracy of propaganda against Israel's very existence, a campaign that has so far exceeded in its international scope anything dreamt of even by the master propagandist, Dr Joseph Goebbels himself; delegitimation, spreading the idea that Israel is so evil that it has no right even to exist aiming for the point when that idea becomes an acceptable mainstream political argument in our societies. If such a notion were permitted to filter through to western governments via the democratic process, then over time the very survival of Israel as an independent nation would be at stake.

It is no surprise of course that such a campaign has such great popularity in the Arab and the wider Islamic world anymore than it was a surprise that Goebbels' twisted propaganda machine succeeded in persuading so many Germans to his murderous cause.

But what is truly shocking, ladies and gentlemen, is the traction that this propaganda has gained in the west amongst student bodies, teachers, university authorities, academics, think tanks, human rights organisations, aid agencies, parliamentary bodies and perhaps most damaging of all, the mass media.

A central aim in the conspiracy of delegitimation is to give validity and justification to attacks on Israel by groups such as Hamas and Hezbollah, allowing them to strike at Israel with impunity and encouraging the view that any retaliatory or defensive measures by Israel are by definition, by definition, disproportionate and should be criminalised.

I'm going to focus my remarks today on the military aspects of this conspiracy of delegitimation which has been such a magnet for the anti-Israel lobby around the world. Aspects which represent perhaps one of the greatest challenges for the nation of Israel and which contain as well significant dangers for other western democracies that also have to fight Jihadist terror increasingly for many western nations both at home and abroad.

When I spoke about how the delegitimation campaign against Israel has gained traction, I did not mention the institution that has done so much to further the cause of delegitimation in a way that has brought notoriety to what should be one of the world's most august bodies and most important champions of human rights, a body founded on the highest principles whose work should be so necessary in the 21st century world; the United Nations Human Rights Council.

A long catalogue of human rights horrors, many at a level of violence and on a scale so terrible as to sicken the heart of any decent human being, are perpetrated around the world. Iran executed hundreds who protested against the stolen elections in 2009. Torture in that country is institutionalised and widespread.

The Iranian authorities stone to death adulterers and hang homosexuals up from cranes. According to the Dalai Lama, 1.2 million Tibetans have been killed under Chinese rule; half a

million men, women and children slaughtered in Rwanda; tens of thousands killed in Chechnya. Yet on all of these, the UN Human Rights Council has remained silent.

Since its formation the only country ever to have been specifically condemned by the council is a multicultural democracy with equal rights for women, homosexuals, religious and ethnic minorities which has a free press and an independent judiciary, Israel, while continuing to neglect the rights of 350 million citizens of the Middle East.

I had the dubious honour to give evidence to the UN Human Rights Council in Geneva. A council, by the way, that includes among its members Bahrain, China, Pakistan and Saudi Arabia and of course even after our television screens had been filled with reports of its government's murder by sniper fires and by helicopter gunships of more than a thousand of its own people, Libya. Libya remains a member of the UN Human Rights Council, even though its membership has been suspended but not revoked. You can see why I consider an appearance before this council to be a dubious honour.

I gave evidence to the council during its consideration of Judge Richard Goldstone's report on the 2009 Gaza conflict and although not quite a lone voice, mine was certainly a very lonely voice among the many dozens of speeches endorsing Goldstone and repudiating Israel that were made over the two days of that hearing.

This is what I said to the UN Human Rights Council:

"During its operation in Gaza, the Israeli defence forces did more to safeguard the rights of civilians in a combat zone than any other army in the history of warfare."

What was behind my comments? Well, ladies and gentlemen, the commanders of the Israeli defence forces who planned and implemented Operation Cast Lead, the code name given to the 2009 campaign in Gaza, had a very clear understanding, as do British, American commanders fighting against the Taliban today in Afghanistan, of the absolute necessity to minimise civilian casualties.

Apart from basic decency and humanitarian considerations, they knew how vital to a counter-insurgency conflict is winning over the hearts and minds of the people, especially in a conflict where they could be sure that killing innocent civilians is exactly what the enemy would be trying to lure them to do because Hamas, as for Hezbollah in Lebanon, for the Taliban in Afghanistan, and for Al-Qaeda and the sheer militants in Iraq use their own people as both tactical and strategic weapons of war. They use them on a tactical level as human shields to hide behind, to stand between Israeli forces and their own brave fighters, sometimes forcing women and children to remain in the positions that they would use to launch attacks from, a tactic we have seen grimly employed, even in the last few days by the Libyan tyrant to protect himself and his murderous military forces from American, British and French airstrikes.

Hamas use their people too on the strategic level, luring IDF troops to attack and kill them; their own people. Deaths to be callously exploited in the media as a means of discrediting Israel forces exactly, exactly as happens almost daily in Afghanistan and as we shall no doubt see more of in Libya.

In these most difficult circumstances the IDF commanders took unprecedented measures to minimise civilian casualties. The Israeli's conducted an intelligence operation in the run-up to Cast Lead that was huge, complex and fraught with mortal danger. They took grave risks with

the lives of their human intelligence sources to pinpoint enemy positions so that their forces could deal as effectively as possible with the enemy fighters and their leaders while minimising harm to the civilian population. Make no mistake, if any of these intelligence agents had been captured, their fate would have been horrific indeed. Not long before Operation Cast Lead in Gaza, Hamas reintroduced crucifixion as a means of executing those they suspected of working for the enemy.

When possible, the Israeli defence forces gave at least four hours notice to civilians to leave areas designated for attack, an action that handed a distinct advantage to Hamas. Attack helicopter pilots had total discretion to abort a strike if there was too great a risk of civilian casualties in the area and many strikes were aborted.

During the conflict, the IDF allowed huge amounts of humanitarian aid into Gaza and even unilaterally announced a daily three-hour ceasefire, knowing that this would give Hamas vital time and space to re-group, re-equip and re-deploy for future attacks. That of course added to the danger of Israel's own troops. The Israelis dropped a million leaflets warning the population of impending attacks, phoned tens of thousands of Palestinian households in Gaza urging them in Arabic to leave homes where Hamas might have stashed weapons or be preparing to fight. Similar messages were passed in Arabic on Israeli radio broadcasts.

But despite Israel's extraordinary measures, a number of innocent civilians were killed and wounded. That was inevitable. We should not forget Hamas were deliberately trying to lure the Israelis to kill their own people and despite the media obsession, it is rare that military forces even in the 21st Century world can ever deliver truly surgical strikes in such circumstances.

Every military commander knows that no matter how sophisticated your targeting, no matter how high tech your equipment, no matter how careful your planning, the ever present friction and chaos of military operations means there will always be mistakes in combat. And of course in every army there will always be bad soldiers who deliberately or through incompetence go against orders. Like British and American soldiers, Israel's forces operate under a strict moral code and are held accountable by the Israeli Government.

Even with so much though that can go wrong, this was very much, very far from the wholesale butchery of the civilian population that had been gleefully trumpeted by international human rights aid groups and governments. In fact the Hamas Interior Minister, Fathi Hamad, recently gave an interview in which he admitted for the first time that the majority of deaths inflicted by Israel during the campaign in Gaza were combatants and not civilians. This is contrary to Hamas' previous position in which it claimed that the majority of casualties were innocent civilians. It is also contrary to the strident and repeated assertions of so many international groups who have parroted Hamas' original claims over and over again.

The estimates of civilian versus combatant figures put forward now by Hamas are virtually the same as the estimates Israel made at the end of the war. Of the approximately 1 300 deaths in the Gaza conflict, Hamas now confirms that 700 were fighters. The rest, 600, were civilians. That means a ratio of under one civilian death for every combatant. Does that sound bad? Yes, of course it is bad. Of course the death or wounding in battle of every single innocent civilian is a dreadful and a grave tragedy. But a study published by the United Nations themselves shows that the ratio of civilian to combatant deaths in Gaza was by far the lowest in any asymmetric conflict in the history of warfare.

The UN estimates that there has been an average of three to one civilian to combatant deaths in such conflicts as this worldwide. Three civilians for every combatant killed. That is the estimated rate in Afghanistan; three to one. In Iraq and in Kosovo it was worse. The ratio is believed to be four to one. Anecdotal evidence suggests the ratios were very much higher indeed in Chechnya and Serbia.

The extremely low rate in Gaza, less than one to one, flatly contradicts many of Judge Goldstone's assertions and the bleating insistence of various other human rights groups about Israel's alleged crimes against humanity and it supports my assertion about the steps taken in that conflict by the Israeli defence forces to avoid civilian deaths.

Like every army, including other western armies, the idea is of course far from perfect. But their work to reduce the risk of civilian casualties in Gaza went well beyond the requirements of the Geneva Convention to an extent that would not even be contemplated for a single moment by most other armies around the world, least of all by the armies of many of the countries that have most vocally condemned Israel at the United Nations.

The campaigns fought by Israel in Lebanon and Gaza and by the US and UK in Iraq and Afghanistan have several common factors but there is also a major difference. In many countries around the world the start point is that Israel is always in the wrong. The US, the UK and other NATO countries, even when they themselves are causing the unintentional deaths of innocent civilians, attract no such automatic condemnation.

And as with Operation Cast Lead the tragedy of the Gaza flotilla incident in May 2010 has been widely exploited as part of the conspiracy against Israel. There is every reason to believe that the activists on board the ship Mavi Marmara set out deliberately to provoke the Israeli boarding party into an attack that would cause bloodshed to be exploited in the world media, which of course is exactly what happened.

The Turkish humanitarian group, IHH, were prominent among the organisers of the flotilla and they purchased the Mavi Marmara for that purpose. As well as being a genuine humanitarian aid group, the IHH is a radical Islamic organisation. They have provided extensive support to Hamas against the Palestinian authority. The IHH is vehemently anti-Israeli and anti-American and have extensive connections with international Jihadist groups including Al-Qaeda. According to a French investigative magistrate specialising in terrorism, the IHH played an important role in an Al-Qaeda plan to carry out a mass casualty attack at the Los Angeles International Airport on the eve of the millennium.

So, ladies and gentlemen, not an entirely innocent humanitarian organisation attacked without justification by vicious Israeli thugs as presented in the world media by governments and by the United Nations itself.

The Israeli handling of the flotilla incident was far from a model operation, as the Israeli's themselves accept, and indeed Israel's Turkel Commission criticised a lack of preparedness by the commanders who boarded the Mavi Marmara. But I have seen nothing to suggest that their actions amounted to a breach of international law.

Many have stridently proclaimed that the Gaza blockade itself is illegal. But does not the Government of Israel have the right and indeed the duty to protect its citizens against the re-arming of Hamas and other Jihadist groups in Gaza which continue, even in recent days, to

attack the civilian population of Israel with rockets and undoubtedly desire to expand their conflict in line with the proclaimed objective of destroying Israel as an entity.

Was the boarding by the British Royal Navy of the 500 foot cargo ship Nisha in December 2001 criticised as an illegal act? The Indian owned Nisha which was sailing from Mauritius and bound to London was suspected, erroneously as it turned out, of having Al-Qaeda terrorist materials onboard and was intercepted in international waters.

During the provisional IRA terror campaign in the 1970s and 1980s, the Royal Navy, the Irish Navy and the French Navy often boarded ships heading towards Ireland and searched them for munitions at a time when Captain Gaddafi's Libya - yes, Captain Gaddafi, he was only a captain of course and never a colonel and was in common with despots the world over when he seized power in 1969 he assumed the rank of Colonel but I didn't want to have that exalted rank sullied by the likes of Gaddafi.

At a time when Captain Gaddafi's Libya was arming the IRA with weapons, missiles and explosives that killed hundreds of British soldiers and civilians, but unlike Israel's blockade which has an identical purpose, these boardings were never criticised or characterised illegal and still are not. And I'll bet that no one will accuse NATO of acting unlawfully in its naval blockade of Libya which was put into place last week. Again, an operation with an identical purpose to the Gaza maritime blockade, a blockade in which with supreme irony Turkey is playing a role. Turkey, who have led the condemnation of Israel for their blockage against Gaza. I wonder what treatment Turkish boarding parties would hand out to IHH-like extremists that try to ambush them. I've witnessed Turkish military restraint firsthand and I can imagine.

But then none of the actions that I have spoken of were carried out by Israel to whom, to repeat myself, a completely different standard is unfairly and unrealistically applied by so many, even in the western world, as a result of the international conspiracy against Israel.

That conspiracy of delegitimation is both deepening and widening and on top of this of course there is extraordinary turbulence throughout the Middle East today. Nobody can know what will happen in any of the countries in the region as a result of the ongoing revolutions. What is happening is, in my view, a good thing. Above all, what the Arab and Islamic world needs today is progress and this change will almost certainly achieve progress even if that does not occur in reality for decades to come. But although we have to be optimistic, as Prime Minister Netanyahu said, "We must hope for the best but prepare for the worst".

There is a very real possibility that Egypt could in due course have a government dominated by the Muslim Brotherhood, a radical group sharing the imperial ambitions of Al-Qaeda if not Al-Qaeda's methods. A group whose spiritual father Sheikh Yusuf Qaradawi who triumphantly returned to his home country of Egypt after years in exile once said:

"The last punishment of the Jews was carried out by Hitler. By means of all the things he said to them, even though they exaggerated this issue, he managed to put them in their place. This was divine punishment for them. Allah willing, the next time will be at the hands of the believers."

They are making different noises at this critical moment at a time when they may think they can't yet afford to attract the condemnation of the west. But it is of course an instrument of the Muslim Brotherhood's policy to tear up the Egyptian Peace Treaty with Israel and to re-open the border with Gaza.

One of the main reasons that Israel felt able to withdraw again from Gaza after the 2009 conflict was Egypt's assurances about sealing its border to prevent Hamas re-stocking with arms and munitions of war. Will Israel have any choice about re-entering Gaza in force or worse, if a Muslim brotherhood-dominated Egyptian government allows Hamas full reign or even directly supports their violent attacks against Israeli civilians?

That is a very real prospect and today we are seeing worrying increases to Hamas's campaign of rocket attacks against the civilian population of Israel. Yet even this is by no means the worst scenario that could emerge from the present instability in Egypt and I have not even touched on the increasing threats from Hezbollah in Lebanon and from Iran whose fingerprints could well be all over last week's murderous bomb attack in Jerusalem.

I have not spoken of the far reaching implications of potential regime change in Jordan, the prospects for Al-Qaeda expanding its already dangerous base of operations in Yemen when President Saleh falls, or the potential consequences of Libya becoming a divided state without effective governance or a state in which the Libyan/Islamic fighting group, a powerful and deadly Al-Qaeda franchise, has free reign there.

I'm sure many of us have plenty of criticisms of Israel, her policies, her politicians and their actions, as we have of our own countries. But there is a huge difference between justifiable criticism and nakedly cynical delegitimisation.

If the IDF is forced to mount another operation in the Palestinian territories, as is likely, or to take defensive steps elsewhere, the conspiracy will gain new energy as the vultures of the international community again circle ever eager to feast on Israel's flesh.

The conspiracy that I have spoken of has echoes of another earlier conspiracy against the Jewish people, a very different type of conspiracy that began years before but that plunged to unprecedented new depths on the 20th January 1942 at the Wannsee Conference when SS-Obergruppenführer Reinhard Heydrich spelled out his plans for the final solution to the Jewish problem.

I have been to Auschwitz and amidst the horror, the evil, the ineffable sadness which haunts that place 66 years after its ovens were shut down and which will always haunt it, there is also a glorious light in Auschwitz, a light brought forth into the darkness by confident and assertive groups of Jewish youths venturing without fear into every corner of that hell on earth, flaunting oversized flags of the State of Israel across the ruined Nazi death camp.

A salute to the hundreds of thousands of poor innocent souls who suffered and perished in that evil place, but also a never ending triumphant reminder of the failure of Heydrich's conspiracy and you here don't need me to tell you what an unspeakably bitter price was extracted from the Jewish people.

But ultimately Heydrich's conspiracy failed and so too will the conspiracy of Ahmadinejad, Qaradawi, Hamas, Hezbollah, the Muslim Brotherhood, Islamic Jihad, the Arab States and their knowing and unknowing helpers across the international community.

Here in South Africa, in Europe, in the United States and in the UN, Allah will not punish the Jews at the hands of the believers in Qaradawi's twisted words. Israel will not be wiped off the

map and the Israelis will not be driven into the sea in accordance with Ahmadinejad's perverted vision.

The conspiracy will fail because the nation of Israel with all its strength and power will not allow it to succeed. But more than that and more importantly than that, Israel's friends around the world, including of course her dedicated and energetic supporters here in South Africa and here in this room today, will not allow it to succeed.

As much as anything, this is a war of words, words that are given unprecedented potency by the globalisation of the 21st century.

"It is the grave duty of every person who values the cause of freedom and democracy to recognise this dark conspiracy of delegitimising the Israeli State and her brave dedicated humane and democratically accountable defence forces to recognise this conspiracy for what it is and to boldly stand up against it."

Thank you.

DIALOGUE between PETER BEINART and RABBI AMI HIRSCH

<http://weareforisrael.org/2011/04/03/ammiel-hirschs-response-to-peter-beinart-at-the-ccar-convention/>

At the recent conference in New Orleans of the Central Conference of American Rabbis, a discussion was held between Peter Beinart, author and Israel critic, and Rabbi Ami Hirsch of Temple Wise and former head of the world body of Reform Judaism, ARZA.

The session was entitled: "Engaging with Israel: Challenges and Opportunities for American Jews A dialogue with Peter Beinart and Ammiel Hirsch", moderated by David Stern

Below are Rabbi Hirsch's remarks:

Engaging With Israel: Challenges and Opportunities for American Jews
Discussion with Peter Beinart at CCAR Convention, New Orleans, March 30, 2011
By: Rabbi Ammiel Hirsch, Stephen Wise Free Synagogue

Chevre: This feels really good. It has been seven years since I have addressed so many rabbis in one place at one time. Thank you for inviting me.

Thank you also to Peter Beinart. It is good to see you again. You are among friends here. We cherish debate. And we welcome, and thank you, for these opportunities to dialogue together.

You can hear variations of the following conversation every day in our rabbinical work: A rabbi asks a congregant: "How are things going at home." "In a word," the congregant responds: "Good." And in two words, the rabbi asks: "In two words, "not good."

There are some good points that Peter raises. Let me briefly address these first:

One: Peter is right to emphasize that values matter. Jews, especially, cannot retreat from the struggle for human dignity, decency and democracy. Nor can we overlook our own misdeeds, even if they are painful to admit.

Furthermore, the high moral ground is not merely the most pleasing and values-compatible place to be, it is also a matter of national security for Israel. The perception that Israel is a decent and moral country is the key ingredient of American political support.

Two: I agree with Peter that in the long run, continuing Israeli rule of Palestinian-inhabited territories is untenable. Israeli leaders from Rabin to Sharon, from Barak to Olmert and Netanyahu – have all cautioned that the very nature of democratic Zionism is threatened. They have all, therefore, agreed to a two-state solution.

Three: Peter is right to emphasize that settlements are an important component of the Palestinian/Israeli dispute and a two-state solution will require dismantling some settlements.

Four: Peter is right to point out that we must pay close attention to the next generation of liberal Jews.

And finally:

Five: Peter rightly encourages us to reflect more deeply on whether the “Jewish Establishment” – whatever that means – is, in fact, as broadly representative as we thought.

So – what is not-so-good in Peter’s analysis? I will highlight four points:

One: The Jewish Establishment

As I read it, the main assertion of his important article, entitled “*The Failure of the American Jewish Establishment*,” is that the Jewish Establishment bears central responsibility for pushing Jews – especially young Jews – away from Israel.

Peter writes: “Fewer and fewer American Jewish liberals are Zionists. One reason is that the leading institutions of American Jewry have refused to foster – indeed have actively opposed – a Zionism that challenges Israel’s behavior in the West Bank.”

Come on: You mean to tell me that if we only criticized Israel more our Jews would be less alienated from Israel; that the reason they are becoming alienated is because we are all marching in lockstep with some neo-conservative philosophy that has overtaken American Judaism?

There is alienation occurring; there is a distancing taking place, but not because of AIPAC, the American Jewish Committee or the Jewish Establishment. It is because of what we rabbis confront every day.

Anyone who has spent any time with liberal and progressive Jews knows that identification with Israel tends to be in direct proportion to identification with Judaism. Identification with Israel is the consequence of Jewish identity, not its cause – especially for younger Jews. American Jews identify with Israel if they identify with Judaism. If they do not identify with Judaism they tend not to have strong feelings for Israel.

There are studies that support this – I draw your attention to some recent surveys: the Brandeis group: *Still Connected*; Cohen and Kelman, *Beyond Distancing*, Barack-Fishman: *Reimagining Jewishness*, and Ukeles Associates' *Young Jewish Adults in the United States Today*.

While the data are mixed, there appears to be a certain consensus that the roots of alienation have practically nothing to do with the Conference of Presidents or the ADL – but rather – that assimilation is the root cause of alienation.

What we are experiencing in our individual synagogues is occurring throughout the country: a fight to keep Jews affiliated and a shift in the attachment of those who are affiliated from the communal arena to the personal sphere – a form of religious identity that is the norm in Christian America.

What did we think? That year after year and decade after decade of assimilation would not eventually take its toll and finally express itself in multiple ways? The discussions we are having about the URJ and its future are a reflection of these mega-trends.

To suggest that these historic changes are occurring because of AIPAC or the Jewish establishment is wrong. The so-called Jewish Establishment does not create Jews nor is it responsible for their alienation. All that the Jewish Establishment does is to harness Jewish energy that has already been created and leverage that energy towards broader goals.

Among the key forces that actually create Jewish identity is us: synagogues. And therefore – with respect to Jewish identity and attachment to Israel, rabbis, collectively, have more influence on future trends than the national Jewish Establishment.

Peter writes: “In the United States groups like AIPAC and the Conference of Presidents patrol public discourse, scolding people who contradict their vision of Israel...” So what? That is their job – to lobby for their views. I have heard a lot of scolding from the opponents of AIPAC too – actually more.

AIPAC is a broadly representative body of that part of American Jewry that is politically, religiously or institutionally active. If it is influential it is not because they patrol the mean streets looking for unruly liberals, but because they broadly represent Jewish opinion on Israel and do an effective job. We ourselves, Reform rabbis and leaders of the URJ, are on the AIPAC board.

You can say a lot of things about us, but you cannot credibly claim that we have been snookered or intimidated by a cabal of neo-conservatives who have silenced our voice, and this is what is causing progressive Jews to become alienated from Israel.

Two: Red Lines

I believe in pluralism; I believe in dialogue and I believe that the Jewish community is better served when it has the broadest possible organizational representation: And even if I didn't believe this – so what? Can anyone prevent Jews from talking and organizing?

But I have red lines. If Jews, in the name of Judaism and the Jewish community, advocate boycotting Israel; if they lobby for UN and international sanctions against Israel; if they propose divestments; if they pressure Congress to reduce foreign aid;

Then – the organized Jewish community – what Peter calls the Jewish Establishment -must oppose these forces with everything we've got. Scolding them is the least of it.

First: because these views are marginal in the Jewish community.

Second: because these views threaten the very existence of Israel. I draw the line at restricting Israel's right or capacity to defend itself.

And third: these views are morally outrageous, especially if you express them in the name of the Jewish people. Not in my name.

Anti-democratic regimes are boycotted not democracies. Libya should be sanctioned, not Israel. Myanmar should be boycotted, not Israel. Divest from China if you care about human rights, not Israel.

The idea of an international order might be good in theory. In practice, when it comes to Israel and the Middle East, the UN often resembles a den of iniquities producing a din of inequities.

Until Gaddafi's bloodbath, Libya was a member in excellent standing of the UN Human Rights Council. 155 states voted Libya in. The Goldstone Report emerged from this forum. The flotilla investigation emerged from this forum.

In January, a month before the outbreak of violence in Libya, the following members of the UN Working Group reviewing Libya praised Libyan human rights efforts: Algeria, Qatar, Syria, North Korea, Bahrain, Saudi Arabia, Tunisia, Venezuela, Cuba, Egypt, Iran and Myanmar.

And it is democratic Israel that should be boycotted?

In the midst of revolutionary uprisings exploding in the Arab world, the UN Security Council voted on condemning settlements. Are you kidding? Many Jews urged the Administration not to veto the resolution and allow it to pass.

Freedom forces are fighting to break the shackles of authoritarianism in the Middle East and in the midst of all this the UN is attacking the region's only democracy: and Jewish organizations, in the name of the Jewish people, are lobbying for American support for the resolution?

These revolutions sweeping the Arab world lay bare the preposterousness of the argument that we have been subjected to for so many years: that Israel causes the anger on the Arab street.

It is now clear for all to see. The primary cause of the anger on the Arab street is corrupt Arab regimes that cannot deliver food, medicines and decent standards of living to their populations. You mean to tell me that a few apartment complexes in Gilo – or Maaleh Adumim – or even Ariel - caused the Egyptian street to revolt? You think that the Libyans in Benghazi care about the Jews in Efrat? If Israel plays any role at all – it is that Arabs look at Israel and ask themselves: why over there and not over here?

How preposterous it all seems now. While brittle Arab regimes were oppressing hundreds of millions of their own citizens there was barely a blip in the international community; the moment the streets explode, the UN votes to condemn Israel?!

It is reflective of the mass confusion of our era when we allow a small democracy fighting for its life in the world's worst neighborhood to be savaged as if it were an anti-democratic dictatorship;

savaged by forces that are themselves anti-democratic dictatorships and who perversely appropriate the very language of human rights that we progressives developed over centuries of hard struggle.

It is not the language of liberal Zionism that has been drained of meaning, as you write, Peter; it is the language of human rights that has been drained of meaning.

Three: Context Matters:

Oscar Wilde attributed to Thomas Carlyle the idea that you could write an entire biography of Michelangelo without mentioning the artistic works of Michelangelo.

Reality is so complex, said Carlyle, and so fragmentary, and history is so simplified, that you could write a history of Michelangelo's dreams, a history of his medical conditions, a history of the mistakes he made – but never actually mention the sculptures of David and Moses or the ceiling of the Sistine Chapel.

And such a biography might be true in every last detail, but the net effect would be to portray a false impression of Michelangelo.

This is what often happens when activists – Jews and non-Jews – speak about Israel. By obsessive focus on Israel's failings, by singling Israel out as if she alone has such failings, even if these failings are real; by refusing to take into account the unique context under which Israel labors – these accounts become distorted and deceitful.

It is not "shaa don't talk;" not at all. It is that if all you talk about is Israel's failings, you are distorting the reality. And it is not enough for us to say that we are simply repeating what many Israelis themselves say.

When Haaretz writes an editorial or when a member of Knesset gives a speech, or when Israelis protest on the streets, these are processed through a shared context of love for Israel and a strong Zionist identity. The identical words here are understood in an entirely different way.

We know this from our own personal lives. It is one thing if our spouse or partner tells us what they consider the truth about our failings in the privacy of our home. It is quite another thing if our partner were to say the identical words at a board meeting that was convened to discuss our contract – let alone – if these statements were to appear on the front page of the local newspaper.

And let us not be seduced by the rather condescending argument that we are helping to save Israel from itself. I think that Israel has done a pretty good job saving itself in the past six decades.

It is not a political tactic: By joining those who speak only of Israel's faults and not the enormous contributions that Israel has made to the welfare of Jews and the world; by allowing unimpeded Israel-bashing masquerading as justice, human rights and international law, we distort reality.

And it is our role – and certainly the role of the Jewish Establishment - to put the discussion about Israel in proper and more balanced context. If not us, then who? Life is about context. Truth is about context. In Israel this context is already taken into account when people protest and assert rights. But abroad, the context is often dominated by Israel's enemies.

Even if you were to concede that Israel has made mistakes, surely it is not Israel's fault alone that there is no peace. After all, it takes at least two to make peace. You cannot make peace only with yourself. Often people talk about how Israel should do this and Israel should do that as if it is in Israel's power alone to shape events. As we speak the Palestinians refuse even to negotiate with the Israeli government.

Most Israelis are desperate for peace. Is it that Israelis like sending their children to fight and die in wars? Surely, there is some fault on the other side as well, no? And isn't that also part of the context?

There **is** a campaign to delegitimise Israel. To deny this is to deny reality. There **is** a campaign to weaken Israel. There **is** a campaign to portray Israel in the most negative light possible. This is an existential threat to Israel – a far greater threat than apartment complexes in Efrat, which in any case, will remain in Israel upon the permanent resolution.

We rabbis, the Jewish Establishment, and all others who define themselves as pro-Israel – cannot place ourselves in circumstances where we actually give aid and comfort to those who seek Israel's destruction, or weaken Israel in any way, especially in its capacity to defend itself.

4. Liberalism and the Youth

Peter writes: "Because [the younger generation's] liberalism is real, they can see that the liberalism of the American Jewish establishment is fake."

As a liberal, I recoil at the characterization that the liberalism of the Jewish establishment is fake, and it is the youth who represent true liberalism.

I was once in college. Some of us are not necessarily proud of the positions we held in our salad days, when we were young and green in judgment. As important as the youth are to the future of the world, they are not always right, as each of us is not always right; and they are not decision-makers in a complicated world where theories meet the ultimate test of reality, and thus, over time their positions often change.

Mark Twain wrote: "When I was fourteen my father was so ignorant that I could hardly stand to have the old man around. But when I got to be 21, I was astonished at how much the old man had learned in seven years." Peter, himself, has changed his thinking dramatically in the last seven years.

In fact, seven years ago, when Peter was the editor-at-large of the New Republic, he might have been able to give my speech this evening. Seven years ago, in 2004, he wrote an important essay entitled: "A Fighting Faith: An Argument for a New Liberalism."

Peter wrote these soaring and inspiring words: "Islamist totalitarianism...threatens the United States and the aspirations of millions across the world. And as long as that threat remains, defeating it must be liberalism's north star. Methods for defeating totalitarian Islam are a legitimate topic of internal liberal debate. But the centrality of the effort is not. The recognition that liberals face an external enemy more grave, and more illiberal, than George W. Bush should be the litmus test of a decent left."

Now, like anyone, Peter is entitled to change his mind. Still, his argument seven years ago did not constitute fake liberalism. It was real, it was compelling – and it is the liberalism we need today more than ever.

Israel is on the front lines of the free peoples of the world facing down what you, Peter, called Islamist totalitarianism. It threatens Israelis like no other people in the world. It is right across the border, coming ever closer to the heartland, casting a deepening shadow over the Middle East and slowly surrounding the Jewish State. And as long as that threat remains, defeating it must be Jewish liberalism's north star.

Methods for defeating totalitarian Islam and other threats to Israel are a legitimate topic of internal liberal debate. But the centrality of the effort is not. The recognition that Jewish liberals face an external enemy more grave and more illiberal than Benjamin Netanyahu and Avigdor Lieberman should be the litmus test of a decent left.